TRINITY COUNTY PLANNING COMMISSION

Regular Meeting
January 22, 2026 At 6:00 PM
Trinity County Library Conference Room
351 Main Street, Weaverville, CA

Chair Commissioner Dist. 3 Rory Barrett
Vice-Chair Comm'r Dist. 2 Amelia Fleitz
Commissioner Dist 1 Carol Fall
Commissioner Dist 4 Duncan McIntosh
Commissioner Dist 5 Dan Harper

AGENDA

Zoom Information

The Trinity County Planning Commission is inviting you to attend this meeting via Zoom.
Topic: Trinity County Planning Commission Meeting
Time: January 22, 2025, at 6:00 PM Pacific Time (US and Canada)

Zoom Meeting

Link:https://zoom.us/j/5950072851?pwd=RHp6TDhNajNJMVJHZFJlRmhacmJjUT09
Meeting ID: **595 007 2851**

- Passcode: 267684
- One tap mobile
- +1 669 900 9128,,7338092685# US (San Jose)
- +1 346 248 7799,,7338092685# US (Houston)

TO ADDRESS THE COMMISSION: Members of the public may directly address the Planning Commission on any agenda item on the regular calendar during the Commission's consideration of that item. In addition, the Planning Commission provides members of the public with a Public Comment period, where the public may address the Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the Planning Commission. Pursuant to the Brown Act (Govt. Code Sect. 54950, et seq. Commission action or discussion cannot be taken on non-agenda matters, but the Commission may briefly respond to statements or questions and, if deemed necessary, refer the subject matter to the appropriate department for follow-up and/or to schedule the matter on a subsequent Commission agenda.

PRESENTATION OF DOCUMENTS: All items presented to the Planning Commission during a public hearing, including but not limited to letters, e-mails, petitions, photos, maps, or other kinds of information, shall become a permanent part of the record and must be submitted to the clerk of the Commission. It is advised that the presenter creates copies in advance for their own records. If you have documents to present to the members of the Planning Commission to review, please provide a minimum of 10 copies.

CALL TO ORDER

REGULAR CALENDAR

A. Community Development - Planning - Minutes of the November 13, 2025 meeting.

B. Community Development - Natural Resources - Rattlesnake Mine Abandonment Hearing

C. Community Development - Planning - P-24-14 Wireless Communications Facility in Hayfork

D. Community Development - Planning - 2050 General Plan Update: Environmental Review Scoping Meeting

No impact to the General Fund

PUBLIC COMMENT

During the Public Comment period, members of the public may address the Planning Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the Planning Commission.

REPORTS/ANNOUNCEMENTS

A. Planning Commissioners

B. Director of Community Development

ADJOURN

ALL INTERESTED PARTIES are encouraged and invited to submit written comments regarding a proposed action or be present at the public hearing to be heard regarding the action to being considered. To ensure consideration by the Planning Commission, all written material concerning the proposed project should be submitted to the **Trinity County Planning Department, 530 Main St., PO Box 2819, Weaverville, CA 96093. 530-623-1351, or by email to info.planning@trinitycounty.org**, as soon as possible, and no later than three days prior to the hearing. All items presented to the Planning Commission before or during the public hearing become part of the permanent record. Persons wishing to submit comments or appear before the Planning Commission are encouraged to first contact the staff planner listed for the project.

Copies of the applications, environmental documents, all reference documents, and staff reports associated with each project are available for review at the Trinity County Planning Department, 530 Main St., Weaverville, CA. Staff reports will also be available

on the Internet at:https://trinitycoca.portal.civicclerk.com/

Please note that any challenge of the nature of the proposed action in court may be limited to addressing only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

Staff Report

Department:	Community Development - Planning
Contact:	Drew Plebani
Phone:	530-623-1351
Item Title:	Minutes of the November 13, 2025 meeting.

Project Description:
Minutes of the November 13, 2025 meeting.

Summary:
Reveiw and approve minutes.

Staff Report:

Departmental Recommendations:
Approve the minutes of November 13, 2025 meeting.

Staff Report

Department:	Community Development - Natural Resources
Contact:	Patrick Flynn
Phone:	530-623-1351
Item Title:	Rattlesnake Mine Abandonment Hearing

Project Description:
Rattlesnake Mine Abandonment Hearing

Summary:
PROJECT TITLE: Rattlesnake Mine Abandonment Hearing

APPLICANT: N/A

PROPERTY OWNER: US Forest Service

LOCATION: APN 003-090-006-000, north of Coffee Creek, CA

PROJECT DESCRIPTION: Some regulatory context for the project is provided in the paragraphs below. Project details are provided following the regulatory context.
Surface mines in California are governed by the Surface Mining and Reclamation Act (SMARA). SMARA is state regulation, but is administered by Trinity County, as the local SMARA lead agency. SMARA prescribes general processes and timelines for both SMARA lead agencies and operators of surface mines. These processes include annual reporting and inspections. A key component of the law is the need for operators to get a use permit with an approved reclamation plan from the local SMARA lead agency before beginning operations. A reclamation plan lives alongside a use permit, and prescribes the steps to be taken to "reclaim" the mine once mining is completed or the mine is closed. The reclamation plan includes specific steps that need to be taken to achieve a reclaimed state. This could include removal of infrastructure or leaving stockpiles at a particular slope. SMARA lead agencies must hold on file "financial assurances." These are monies put up by the mine operator to reclaim the land to the specifications in the reclamation plan if the mine becomes insolvent. Trinity County and the CA Department of Conservation hold the monies in the form of a surety bond or other financial instrument.
SMARA is administered at the state level by the Division of Mine Reclamation (DMR) (a division of the Department of Conservation). The county inspects surface mines annually and verifies adequacy of financial assurances, manages mining use permits, processes reclamation plan amendments, and works with DMR staff to submit compliance documents for these actions. Operators of surface mines must submit annual reports to DMR, and must update financial assurances annually with the local lead agency.

Project Details: This mine is located on federal (USFS) land. Since SMARA became law in the late 1970s, some disagreement has existed between Trinity County and the state about how to administer mines on federal land. SMARA implies that all mines within the jurisdictional

footprint of the SMARA lead agency (Trinity County) are the responsibility of said lead agency, even those on federal lands. Trinity County has maintained a gentle opposition to this approach throughout the time that SMARA has been in place, due to the vast federal land holdings in the county and the near-impossibility of the county administratively managing all mines located on those lands. This issue was never resolved. However, it appears that the Rattlesnake Mine is the only mine in the county that is currently in the SMARA system and is also located on federal lands.

It is not clear how the state identified this particular mine as requiring SMARA compliance. Regardless, at some point in the early 1990s, the state Division of Mine Reclamation (DMR) required the mine to come into compliance under SMARA, and required a use permit, reclamation plan, and financial assurances. The mine operator appears to have first engaged DMR and Trinity County to become compliant under SMARA sometime before 1994. Trinity County approved a use permit and reclamation plan for the mine in 1998. USFS approved a plan of operations in 1997.

Financial assurances were collected by USFS in an amount just north of $50,000. By SMARA law, these financial assurances should have been collectible by the State of CA and Trinity County, as well as USFS. This never occurred, and USFS remained as the only payable party on the financial assurance. Due to a loophole in federal mining code, it was possible for mine operators to collect financial assurance monies from the bank without certifying that reclamation was complete. At some point in the 2000s, the mine operator collected their financial assurance monies back from the bank without completing reclamation, and there remain no specific financial assurance monies available to USFS to reclaim the land, nor to the State of CA/DMR.

No annual reporting or annual financial assurance cost estimates (FACE) have been submitted by the mine operator since 2012, at the latest. DMR sent notices of noncompliance to the operator in 2013 and 2014 for their lack of reporting. Under SMARA law, if a year passes without submittal of an annual FACE, Trinity County must begin proceedings to determine if the mine is abandoned. If it is deemed abandoned, then the SMARA lead agency is to use the financial assurances on file to reclaim the mine to the specifications in the reclamation plan.

As previously mentioned, no financial assurances exist. Additionally, the reclamation plan requires specific actions and measures to consider the mine reclaimed that are no longer feasible. One such requirement is to reshape the mining terrace to the form and location it took before mining began, which would require the movement of hundreds of thousands of cubic yards of material and moving the channel of the Trinity River back to its original location. This is no longer a realistic requirement, as decades have passed since construction of the mining terrace. Moving it back to its original location would cause needless disturbance to the Trinity River and be financially prohibitive.

However, to remain compliant, Trinity County must follow SMARA processes to close the mine if there is a chance it is abandoned. SMARA requires the county to hold a public hearing to determine abandonment, hence the item before the Commission this evening. If the Commission determines that the mine is abandoned, then staff will work with the USFS to “remediate” the mine to a condition agreed-upon by USFS, County, and DMR. Remediation does not require collection of financial assurances [PF1] , and can be handled with monies from other sources. Actions taken to achieve a “remediated” state do not have to meet the specific requirements in the reclamation plan, and can be determined based on agreement among all parties.

SITE INFORMATION: The project site is located on the floodplain of the upper Trinity River,

immediately adjacent to the channel, on a terrace raised for mining and processing of gold. The terrace is about 0.4 miles in length, and is 5-10 feet above the channel of the Trinity River. Two relatively large ponds, used for washing mine waste, are still present on the property. These ponds were intended to be removed as part of removal of the mining terrace, but will likely remain as part of remediation due to the potential presence of endangered foothill yellow-legged frogs. A raised platform, constructed of stacked tractor tires filled with earth, is present on the mining terrace. Some metal railings and stairs are present on the property. Staff's understanding is that the site had much more infrastructure, but the USFS removed it years ago as part of a cleanup effort.
[PF1]How is it paid for? USFS abandoned mine lands?

Staff Report:
PROJECT EVALUATION/DISCUSSION: The decision before the Commission is simply to determine if the mine is abandoned. A determination of abandonment removes the need for the mine to be reclaimed to the specifications in the reclamation plan, and allows the mine to be closed and "remediated," rather than reclaimed. Development of a remediation plan will be handled by staff and the landowner (USFS) should the mine be considered abandoned.
Public Resources Code (PRC) Section 2773.1(b)(1) establishes proceedings for SMARA lead agencies if there is evidence that a mine is abandoned. Specifically, 2773.1(b)(1) states:

If [there is] evidence that […] the operator may have abandoned the surface mining operation without completing reclamation, the lead agency […] shall conduct a public hearing to determine whether the operator is financially capable of completing reclamation in accordance with the approved reclamation plan or has abandoned the surface mining operation. The hearing shall be noticed to the operator and the supervisor at least 30 days prior to the hearing.
There is evidence that the operator has abandoned the mine, given the lack of annual reporting for over a decade and the collection of the financial assurance monies by the operator without completion of reclamation. Therefore, staff scheduled this abandonment hearing and noticed it to the appropriate parties.
PRC Section 3811 dictates specific conditions that can lead to a hearing for forfeiture of financial assurances. The lead agency can schedule such a hearing if:

1. an operator has failed to provide an acceptable financial assurance mechanism
2. operator has failed to provide the lead agency with a financial assurance cost estimate as required by PRC Sections 2773.1 and 2773.4(d)(1)(A)
3. The lead agency, Board, or supervisor is unable to contact the mine operator or the operator's agent of record after 90 days of the mine becoming idle as defined in PRC Section 2727.1
4. The surface mining operation meets the criteria stated under PRC Section 2770(h)(6) or there is evidence that the operator has physically abandoned the mining operation.

All these conditions are true:

1. the financial assurances were never compliant because they were never made out to the State of CA/Trinity County,
2. no financial assurance cost estimates have been submitted since 2011/12,

3. we have been unable to contact the mine operator or the operator's agent, and
4. the mine has been physically abandoned, as evidenced by the lack of activity for decades

These measures dictate when to hold a hearing for forfeiture of financial assurances. However, since the financial assurances do not exist, we must go one step further and determine if the mine is abandoned, then move forward with remediation proceedings to maintain compliance with SMARA code.

Remediation Plans: staff has developed tentative remediation plans with USFS and DMR. Currently, the plan is to remove the tractor tires and spread the earthen material used to construct the raised platform on the mining terrace. The tractor tires will be removed and disposed of at an approved disposal location. The few remaining pieces of metal waste infrastructure (stairs and railings) will also be removed and disposed of. The mining terrace will remain in place and will not be moved back to its original location due to the extreme disturbance this would cause for little ecological benefit. Likewise, the existing wash ponds will be left in place as foothill yellow-legged frog habitat. The existing reclamation plan calls for trees that were cut during creation of the mining terrace to be spread on the terrace surface once mining was completed. Some of these trees are still stockpiled on the terrace. Staff may keep this requirement in the remediation plan depending on the condition of the stockpiled logs.

Once remediation is deemed complete by the County and DMR, the mine can be considered closed out of the SMARA system for both the County and the state of CA. Staff will no longer need to annually inspect the mine property or otherwise be involved in further activities at the site, which will continue to be managed by USFS.

California Environmental Quality Act (CEQA)
CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. The determination that the mine is abandoned is not considered a project under CEQA. There may be work occurring on the subject property while remediating the mine. A CEQA determination is not required for the remediation work because it will be taking place on federal land. The work will be subject to the National Environmental Policy Act (NEPA).

Public Comment and Agency Comments
Because an abandonment hearing is not a permit type under Trinity County code, specific agency comments were not solicited for this project. However, staff noticed the project publicly to adjacent landowners and in the Trinity Journal in early October, and received requests from a landowner and from the CA Dept of Fish and Wildlife (CDFW) to review the staff report for the Planning Commission meeting. The staff report was shared with said parties during the week of October 19.

Departmental Recommendations:
STAFF RECOMMENDATION: Staff recommends that the Planning Commission determine that the Rattlesnake Mine, located north of Coffee Creek, CA is abandoned based on the

following:

- There is evidence that the mine is abandoned, given the lack of annual reporting for over a decade and the collection of the financial assurance monies by the operator without completion of reclamation
- The mine operator has failed to provide an acceptable financial assurance mechanism
- The mine operator has failed to provide the lead agency with a financial assurance cost estimate as required by PRC Sections 2773.1 and 2773.4(d)(1)(A)
- The lead agency, Board, or supervisor is unable to contact the mine operator or the operator's agent of record after 90 days of the mine becoming idle as defined in PRC Section 2727.1
- The surface mining operation meets the criteria stated under PRC Section 2770(h)(6) or there is evidence that the operator has physically abandoned the mining operation.

Rattlesnake Mine Abandonment

Reference Photos

Planning Commission 11/13/2025

Photo key:

A. Approaching the mining area
B. The mining terrace
C. Pond #1
D. Pond #1 with Trinity R. in rear
E. Pond #2
F. Raised processing platform looking northeast
G. Raised processing platform looking northwest
H. View looking east from top of processing platform
I. Detail of tires proposed to be removed



A



B



C



D



E



F



G



H



RATTLESNAKE PLACER MINE

Trinity County, California

March '98

USDA, Forest Service

FS-2800-5 (7/95)
OMB NO. 0596-0022
EXPIRES: 07/31/98

PLAN OF OPERATIONS FOR MINING ACTIVITIES ON NATIONAL FOREST LANDS

Submitted by [signature] (Signature) C.E.O. Trinity Mines, Inc. (Title) May 27, 1997 (Date)

Plan Received by Peter VanSusteren (Signature) Minerals Management (Title) May 28, 1997 (Date)

I. GENERAL INFORMATION

A. Name of Mine/Project Rattlesnake Placer Mine

B. Type of Operation Gold Placer-Production
(lode, placer, mill, exploration, development, production, other)

C. Is this a (new/continuing) operation? (CIRCLE ONE)
If continuing a previous operation, this plan (replaces/modifies/supplements) a previous plan of operation. (CIRCLE ONE)

D. Proposed start-up date of operation Upon Approval of Plan of Operations(July'97)

E. Expected total duration of this operation Ten Years

F. If seasonal, expected date of annual reclamation/stabilization close-out Weather permitting-year round.

G. Expected date for completion of all required reclamation December 2007

II. PRINCIPALS

A. Name, address and phone number of operator Trinity Mines, Inc., P.O. Box 250 Loomis, CA 95650 916-823-7526(mobil 916-508-7526)

B. Name, address and phone number of authorized field representative (if other than the operator). Attach authorization to act on behalf of operator.

SAME

C. Name, address and phone number of owners of the claims (if different than the operator):

William R. Kinkade, Paul H. Kinkade, Anne H. Kinkade
2925 Nighthawk Lane, Weed, CA 96094 916-938-2598

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

D. Name, address and phone number of any other lessees, assigns, agents, etc., and briefly describe their involvement with the operation, if applicable:

NONE

III. PROPERTY OR AREA

Name of claim, if applicable, and the legal land description where the operation will be conducted.

MC #	Name	Section	Township	Range	
81162	Rattlesnake #1	31	40N	6W	MDM
81163	Rattlesnake #2	31	40N	6W	MDM
81164	Rattlesnake #3	31	40N	6W	MDM
224933	Rattlesnake #4	6	39N	6W	MDM
240315	Rattlesnake #7	6	39N	6W	MDM

IV. DESCRIPTION OF THE OPERATION

A. **Access.** Show on a map (USGS quadrangle map or a National Forest map, for example) the claim boundaries, if applicable, and all access needs such as roads and trails, on and off the claim. Specify which Forest Service roads will be used, where maintenance or reconstruction is proposed, and where new construction is necessary. For new construction, include construction specifications such as widths, grades, etc., location and size of culverts, describe maintenance plans, and the type and sizes of vehicles and equipment that will use the access routes.

Access to the claim locality is via Forest Service Road 17. The access road from Road 17 into the claim area has been upgraded to a standard 16 foot road with water bars, gravel surface and locked gate(per FS specifications). All temporary roads will be surfaced with washed rock produced during mining operations. A culvert will be placed at the first creek crossing. Temporary culverts may be used where required.

B. **Map, Sketch or Drawing.** Show location and layout of the area of operation. Identify any streams, creeks or springs if known. Show the size and kind of all surface disturbances such as trenches, pits, settling ponds, stream channels and run-off diversions, waste dumps, drill pads, timber disposal or clearance, etc. Include sizes, capacities, acreage, amounts, locations, materials involved, etc.

SEE ATTACHED MAPS. The proposed mining operations is designed to extract the placer gold from the area described. The original river channel intersects some of the area to be mined. Diversion channels where required will divert the river to the south-east side of the floodplain and allow mining of the area shown. Diagrams and areas of settling ponds and mill site are attached.

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

Project Description. Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpiled, waste rock placement, tailings disposal; proposed number of drillholes and depths; depth of proposed suction dredging, and how gravels will be replaces, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities and, the size of runoff diversion channels.

Clearing will involve cutting only that timber necessary for installation of ponds, plant site, and clearing area to be mined. All timber needed for mining shall be processed on the operation site. Excess timber will be stored on the site as directed by the Forest Service. There is no topsoil to be stockpiled. Overburden and tailings will be returned to the mining excavation as mining proceeds. The plant will process up to 200 yards per hour. The volume of product(concentrate and gold) is negligible, so most of the material will be returned to the pit as backfill.

Pond Capacities: The plant will use approximately 500,000 gallons of water per day, which is approximately 2.7 days capacity of Pond #1. Pond #2 has a capacity of about 11.8 million gallons, which is 23 days capacity. With natural percolation, evaporation, and recycling through the plant, settling pond capacity should be adequate.

Surface water will be controlled through culverts, pipes, and natural channels. Fine materials which have been captured in Pond #1 may be used as topsoil in restoration. Restoration will follow as mining progresses up river. All waste which cannot be buried or burned will be removed off-forest to an approved sanitary landfill. Temporary settling ponds for water pumped from the active mining pit may be established in the backfill area as becomes necessary.

Sequence of Operations:

Phase I: Clean up tires down river from mining claim. Re-channel flowing water into diversion #1(see map). Rebuild access road, install culvert if necessary. Remove trommel from river, clean up and remove tires, pickup and all debris not needed in future mine operation. Store needed

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

C. **Project Description.** Describe all aspects of the operation including mining, milling, and exploration methods, materials, equipment, workforce, construction and operation schedule, power requirements, how clearing will be accomplished, topsoil stockpiled, waste rock placement, tailings disposal; proposed number of drillholes and depths; depth of proposed suction dredging, and how gravels will be replaces, etc. Calculate production rates of ore. Include justification and calculations for settling pond capacities and, the size of runoff diversion channels.

material at a location as directed by Forest Service. Contour old plant site and fill in old settling pond.

Phase II: Clear new plant site, install recovery plant and start excavating settling ponds. Material from the ponds will be used to test and fine tune the recovery plant. Excess material from the settling ponds will be stockpiled until backfill can be started in the main mining pit.

Phase III: Mine the flood plain the length of the claims. Backfill and contour the surface as mining progresses. A combination of material sizes will be left on the surface to encourage natural regeneration.

Phase IV: Complete final reclamation of site according to Forest Service guidelines.

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

D. **Equipment and Vehicles.** Describe that which is proposed for use in your operation (Examples: drill, dozer, wash plant, mill, etc.). Include: sizes, capacity, frequency of use, etc.

2 Caterpillar Excavators 50,000 lb and 90,000 lb; 3 large Caterpillar Front-loaders, 1 Dozer, 1 Wash Plant including vibrating grizzly feeder, trommel, jigs, and concentrating table.; 1 Diesel Generator approx. 200 KW; Water Pumps. (all of the above would be in continuous use during the mining operation)

Lube truck; 2-ton Flat Bed Truck; Welder (these would be used as required)

E. **Structures.** Include information about fixed or portable structures or facilities planned for the operation. Show locations on the map. Include such things as living quarters, storage sheds, mill buildings, thickener tanks, fuel storage, powder magazines, pipe lines, water diversions, trailer, sanitation facilities including sewage disposal, etc. Include engineering design and geotechnical information for project facilities, justification and calculations for sizing of tanks, pipelines and water diversions, etc.

Portable storage will be used to store tools and small equipment. During the initial phases of the operation fuel will not be stored on the site; but brought to the site as needed. When the need justifies it, a fuel storage tank will be installed. The installation will include secondary containment according to Forest Service and environmental regulations.

V. ENVIRONMENTAL PROTECTION MEASURES (SEE 36 CFR 228.8)

A. **Air Quality.** Describe measures proposed to minimize impacts on air quality such as obtaining a burning permit for slash disposal or dust abatement on roads.

Motorized equipment to meet government standards. Road 17 is oiled, access roads graveled and haulways dust free due to nature of river gravel surface. Burning of slash at allowed times under USFS permit.

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

B. Water Quality. State how applicable state and federal water quality standards will be met. Describe measures or management practices to be used to minimize water quality impacts and meet applicable standards.

1. State whether water is to be used in the operation, and describe the quantity, source, methods and design of diversions, storage, use, disposal, and treatment facilities. Include assumptions for sizing water conveyance or storage facilities.

2. Describe methods to control erosion and surface water runoff from all disturbed areas, including waste and tailings dumps.

3. Describe proposed surface water and groundwater quality monitoring, if required, to demonstrate compliance with federal or state water quality standards.

4. Describe the measures to be used to minimize potential water quality impacts during seasonal closures, or for a temporary cessation of operations.

5. If land application is proposed for waste water disposal, the location and operation of the land application system must be described. Also describe how vegetation, soil, and surface and groundwater quality will be protected if land application is used.

Water from the wash plant shall be confined and not allowed to run into any natural body of water. All equipment entering the site shall be washe of all mud and dust at a remote location to prevent the spread of Port Orford Cedar Root Disease. Runoff from the tailings pile will be allowed to percolate, as the tailings are washed gravel. Water bars on the entrance road will prevent erosion. River diversions will be riprapped.

C. Solid Wastes. Describe the quantity and the physical and chemical characteristics of solid waste produced by the operation. Describe how the wastes will be disposed of including location and design of facilities, or treated so as to minimize adverse impacts.

Tailings will be returned to the excavations.
Burnable slash disposed of under Forest Service Burn Permit.
Garbage and refuse will be hauled off-forest to a sanitary landfill.
Chemical toilet will be provided on site.

D. Scenic Values. Describe protection of scenic values such as screening, slash disposal, or timely reclamation.

The site of operations is well screened from the main road(FS Road 17) by natural vegetation and the difference in elevation. Timber will be stored as directed by the Forest Service. As mining progresses the pit will be backfilled and the surface restored as the work moves up river.

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

E. **Fish and Wildlife.** Describe measures to maintain and protect fisheries and wildlife, and their habitat (includes threatened, endangered, and sensitive species) affected by the operations.

Any shifting of water flow will be done in stages to protect fish and aquatic wildlife.

F. **Cultural Resources.** Describe measures for protecting known historic and archeological values, or new sites in the project area.

There were no significant cultural resources found within the operating area Those outside the immediate operations will not be disturbed. Any suspected finds will be flagged and a Forest Service representative notified at once.

G. **Hazardous Substances.**

1. Identify the type and volume of all hazardous materials and toxic substances which will be used or generated in the operations including cyanide, solvents, petroleum products, mill, process and laboratory reagents.

The only hazardous substance used in the operation will be diesel fuel for the equipment. Full operation will consume approximately 500 gallons per day. Initially, fuel will not be stored on site. See section IV-E Structures.

2. For each material or substance, describe the methods, volume, and frequency of transport (include type of containers and vehicles), procedures for use of materials or substances, methods, volume, and containers for disposal of materials and substances, security (fencing), identification (signing/labeling), or other special operations requirements necessary to conduct the proposed operation.

Should the installation of a diesel storage tank on site become necessary, the installation will include secondary containment according to Forest Service and environmental regulations. All refueling shall be done in a manner to prevent any spillage.

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

3. Describe the measures to be taken for release of a reportable quantity of a hazardous, or the release of a toxic substance. This includes plans for spill prevention, containment, notification, and cleanup.

Equipment on site is adequate to immediately contain any spillage of fuel that might occur. First consideration would be to prevent contamination of the river or other natural waters. Contaminated material would be removed from the site.

H. Reclamation. Describe the annual and final reclamation standards based on the anticipated schedule for construction, operations, and project closure. Include such items as the removal of structures and facilities including bridges and culverts, a revegetation plan, permanent containment of mine tailings, waste, or sludges which pose a threat of a release into the environment, closing ponds and eliminating standing water, a final surface shaping plan, and post operations monitoring and maintenance plan.

Reclamation will be consistent with the final end-use of the area as determined by the Forest Service. Reclamation will include the removal of all equipment, structures, and features associated with the mining activity that are not compatible with the end-use of the site.

VI. FOREST SERVICE EVALUATION OF PLAN OF OPERATIONS

A. Required changes/modifications/special mitigation for plan of operations:

See letter from Richard Teixeira Sept 3, 1997

(If more space is needed to fill out a block of information, use additional sheets and attach to form.)

United States Department of Agriculture | Forest Service | Minerals Management Team | 2400 Washington Ave. Redding, CA. 96001 (916) 246-5316

Reply To: 2810-Mining Claims Date: September 3, 1997

Subject: Field Review of Rattlesnake PMC Plan of Operations-8/27/97

Exhibit H

To: Peter Van Susteren, Minerals Administrator
McCloud Ranger District

On August 27, 1997, the Forest Service conducted a joint field reconnaissance of the area of proposed operations for the Rattlesnake Placer Mine on the upper Trinity River in T. 40 N., R. 6 W., Sec. 31 and T. 39 N., R. 6 W., Sec. 6, MDM, Trinity County, California. The purpose of the field reconnaissance was to allow for an interdisciplinary review of the proposed operations and observe impacts from past operations and floods from the 1996-1997 winter. Attending the joint reconnaissance were Peter Van Susteren, Mt. Shasta/McCloud Minerals Administrator, Dennis Poehlmann, District NEPA Coordinator, Steve Bachman, District Hydrologist, Jeff Huhtala, District Engineering Technician, Jim DeMaagd, Zone Minerals Geologist and myself. The operator is Mr. Francis Lindsay, C.E.O. of Trinity Mines, Inc. for the present Plan of Operations (P/O) as well as the previous operations in 1991-1993. After diverting the channel in the previous operations, and conducting placer gold mining operations, the operators filed for bankruptcy. Because of confiscation of some of their earthmoving equipment, the operators quit mining operations and were unable to complete reclamation of the site. Several pieces of equipment were abandoned on the site and damaged by later floods. Due to the bankruptcy proceedings, the Forest Service was not able to use the reclamation bond to complete reclamation and remove equipment.

During the previous operations, the operators diverted the channel of the Trinity River, then excavated the river gravel, transported the gravel to a trommel in the flood plain where the gravel was processed and stockpiled the oversize from the excavation from the trommel and excavations in various stockpile pads. Based on my observations of the operations and conversations with Stacy Smith, the Forest Service Minerals Administrator at that time, the operators ran out of space to store the waste rock. According to Mr. Bill Kinkaid, claimant, the gold recovery from that operation was lower than expected. He and Mr. Lindsay assume the low recovery was due to improper feed rate through their processing equipment resulting in loss of gold in the trommel tails. The river gravels ranged from 15 feet to 40 feet thick over serpentine and gabbro bedrock. It appears that the average was closer to 30 to 40 feet thick. Their proposed operating methods in this venture will be similar to the previous operation except for replacing the Knudsen bowls with jigs in the gold recovery circuit and moving the trommel to a pad constructed against and on the northern hillslope of the channel.

The claimants have not conducted any drilling of the gravel and except for their previous mining operation, I do not know of any methodical prospecting or exploration program to identify grade and volume of reserves. The U.S. Bureau of Mines (now U.S.G.S.) MILS database does not show any significant gold mining activity occurring in the drainage above the Rattlesnake mine. This suggests a lack of a source of lode gold upstream to feed any potential placer gold deposits. The Elevator PMC, about one mile down river has not been a continuous or significant producer of placer gold in it's 90+ year

history. Mr. Lindsay also attempted a placer gold operation on the Elevator PMC and was not successful. The operators said that most of the gold values occur on or near bedrock. Moving overburden up to 40 feet thick with an excavator will incur a substantial cost to the operators. The lack of historic mining in this section of the drainage, the unsuccessful recent attempts at placer gold mining on the Rattlesnake and Elevator PMC's, the extensive proposed use of expensive heavy equipment to excavate and haul, and the lack of a quantitative reserve estimate casts some doubt on the likelihood of success of this current proposed operation.

The Forest Service personnel arrived on the claim at 9:30 AM and met Mr. Bill Kinkaid. Mr. Kinkaid showed us the flagged area of the proposed millsite but was not able to present in detail what types of equipment and where the equipment is being proposed to be placed on the pad, and the means of access. He did relate some problems encountered in the last attempt to mine the Rattlesnake PMC. The millsite pad is to be constructed in three 10-foot high lifts with log barricades for the footings. Mr. Lindsay arrived at 10:30 AM and said that they would like to also use tires to construct the barricade. Peter told him that logs are preferable to tires for the barricades. He also provided additional details on placement of equipment and road construction on and to the pad. I requested that the operators provide an engineered drawing, to scale of the millsite pad with construction details, access and placement of equipment. This is to allow the Forest Service to provide necessary information for the NEPA document and to verify compliance. Mr. Lindsay was undecided about where the waste stockpiles were to be placed. I also requested drawings to scale of the stockpile pads with the volume calculations for each pad. A substantial volume of gravel must be stockpiled at any one time to allow for working space in the pit.

Forest Service personnel discussed reclamation and revegetation standards and it appears that revegetation within the channel may not be feasible due to lack of topsoil for planting or seeding. Steve felt that it may be important to specify a channel configuration for final reclamation to prevent migration of the channel throughout the floodplain. The Watershed Analysis may help in determining the need for specifying channel reconfiguration.

During discussions with Mr. Lindsay and Mr. Kinkaid and in their 5/97 P/O, they propose to process 1000 cubic yards (cy) of gravel per day with a plant which they feel is capable of 200 cy per hour. Under ideal conditions, their 6-foot diameter trommel would be capable of this production rate with a water usage of about 2000 to 3000 gallons per minute. Based on their proposed mining method of using excavators to excavate at the pit and load the trommel and front-end loaders to haul gravel from the pit to the trommel and haul waste from the trommel to the stockpile, they would be making about 1000 round trips per day between the pit, pad and stockpile area. This is a large volume of traffic with heavy equipment for roads and on the pad at the site. As for construction of the pad for the mill, I questioned whether we should allow construction of the pad directly on topsoil on the hillslope without stripping to a more competent surface, Jeff felt the proposed construction method was adequate.

We left the claim at about 11:10 AM.

Issues that I believe the Forest Service needs to address and resolve include the following:

1. Lack of sufficient information in the P/O, specifically including our need for engineered drawings of the millsite, stockpile areas, roads and volume calculations for stockpile areas.

2. Calculating a reclamation bond that will include appropriate and reasonable reclamation of the site, removal and disposal of all equipment, and administration. The bond should be based on the maximum extent of surface disturbance and equipment on site proposed and should be recalculated if the P/O is modified or conditions change. Bond amounts should be verified or calculated by a Forest Service Engineer.

3. The Forest Service should determine if a specified channel configuration for reclamation is justified. The Watershed Analysis may provide pertinent information.

4. The actual bond mechanism should be reviewed by Linda Rivera in the Supervisors Office. Due to the history of the operators and the uncertainties involved in the proposed operations we need to be assured that the reclamation bond will be available to the Forest Service.

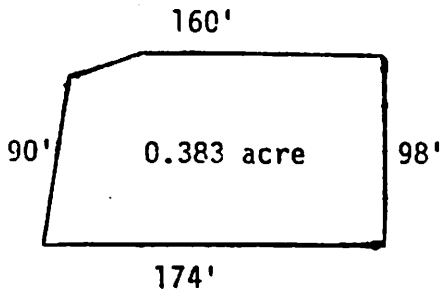
If you have any questions, please feel free to give me a call.

Richard W. Teixeira

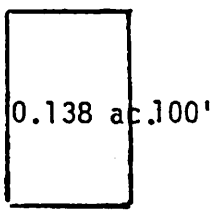
RICHARD TEIXEIRA
Geologist
Northern Forests Minerals Team

cc: Ken Showalter, Public Uses Staff Officer, Shasta-Trinity NF

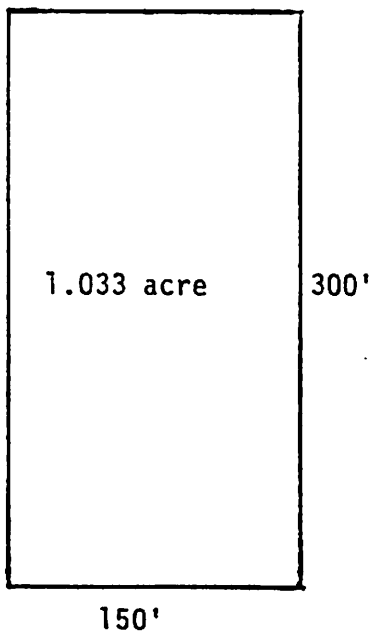
Scale: 1" = 100'



MILL SITE



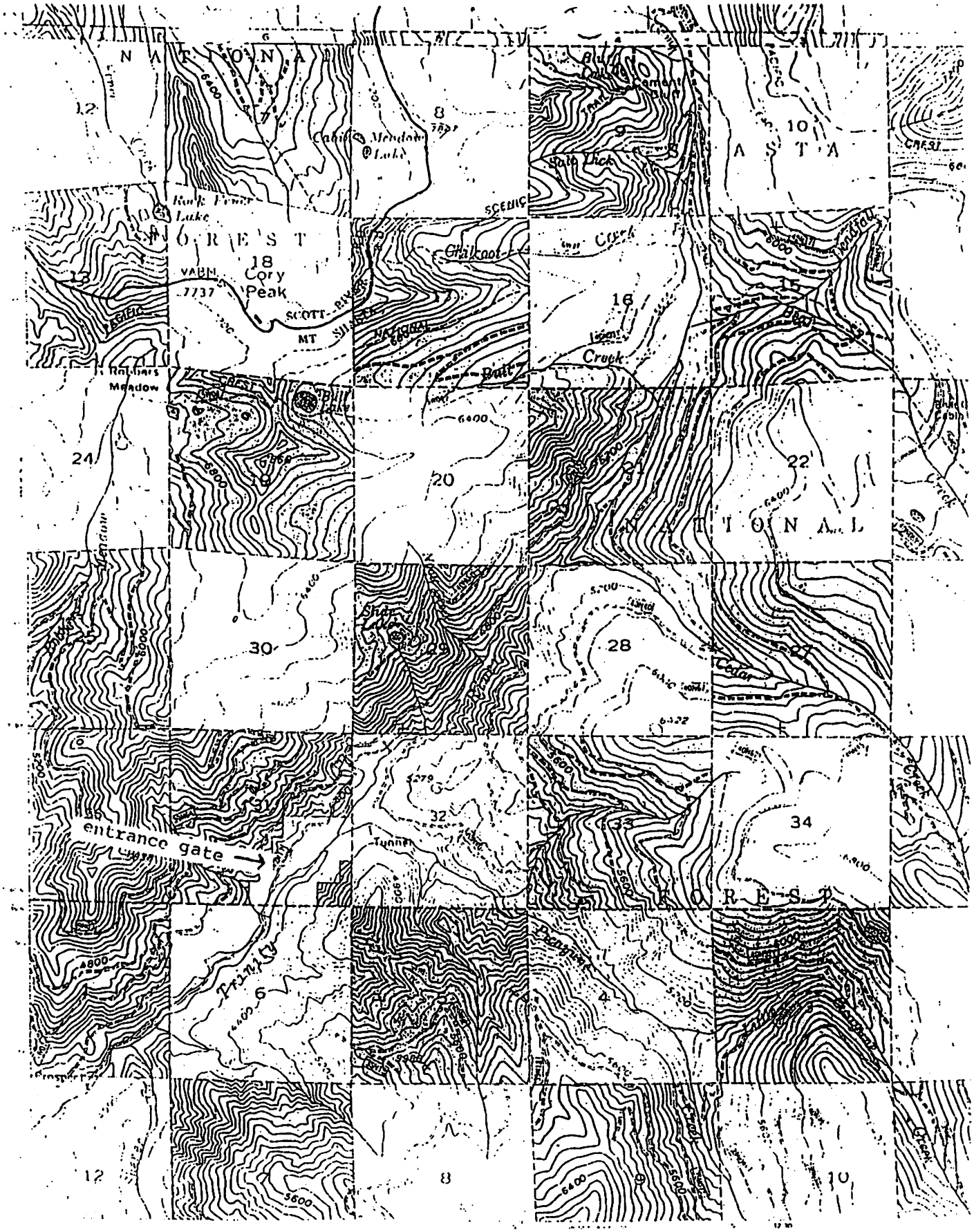
POND #1



POND #2



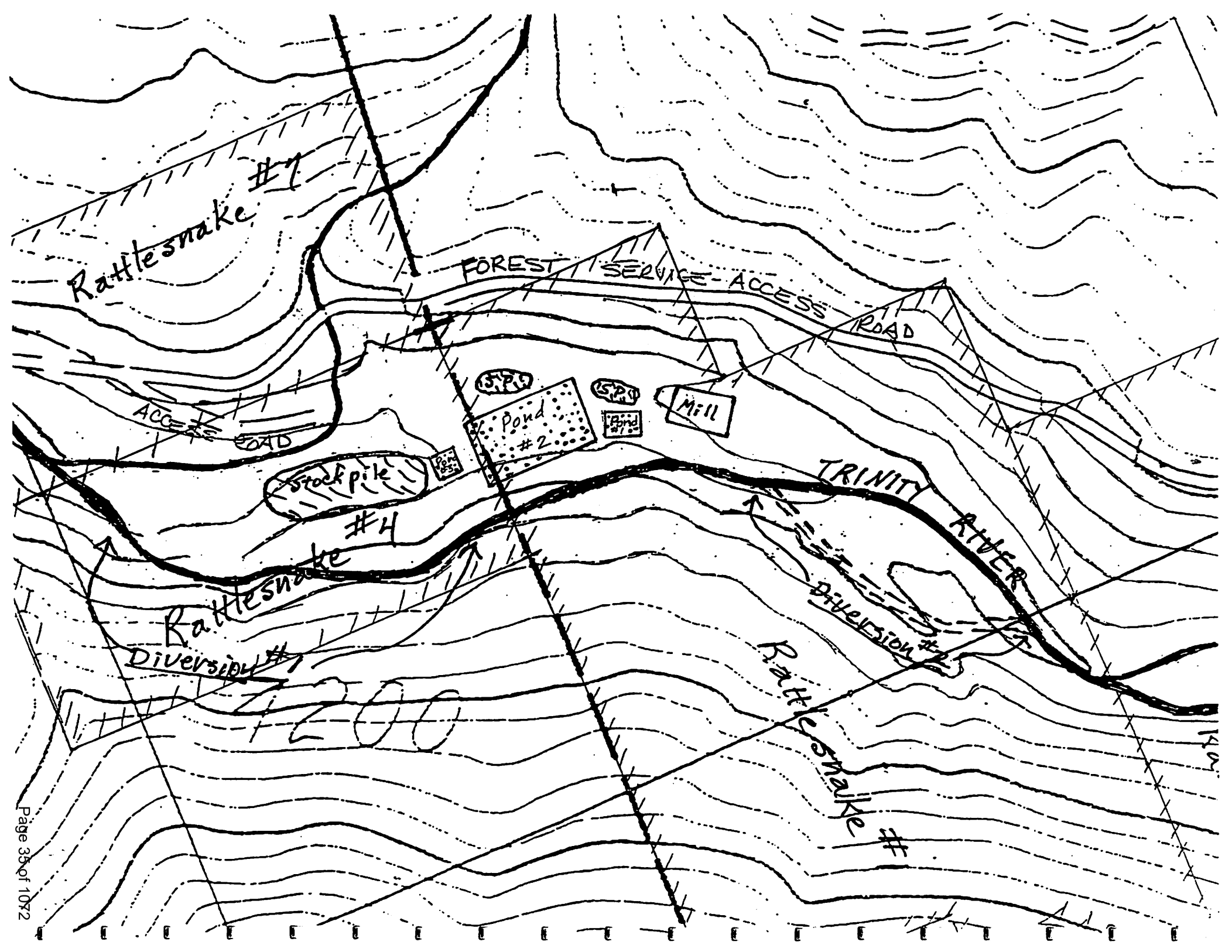
TEMPORARY DE-WATERING PONDS #3 and #4



Rattlesnake Placer Mineral Claim

MAP 1 (vicinity map)

slh 10/91


Rattlesnake #1
FOREST SERVICE ACCESS ROAD
ACCESS ROAD
S.P.
Pond #2
S.P.
Pond #1
Mill
Stockpile
#4
TRINITY RIVER
DIVERSION #2
Rattlesnake
Diversion #1
Rattlesnake #

September 11, 1997

Rec'd 9/15/97
Peter VanSusteren

TO: PETER VAN SUSTEREN
RESOURCE MANAGEMENT

FROM: FRANCIS LINDSAY
CEO TRINITY MINES, INC.

SUBJECT: RATTLESNAKE MINE

During our last meeting at the mine you requested detailed drawings of the proposed plant site. The lay-out of the plant (Exhibit A), and a cross-section of the levels (Exhibit B), are attached. Log retaining walls will be required to establish the necessary levels. The logs will be gathered and harvested from the site. The fill material for the plant site will come from the excavation of temporary ponds 1 and 2. The plant will take approximately 4,000 cubic yards of fill material. Excavation of the ponds will produce about 7,000 cubic yards of material. Over 3,000 cubic yards of material can be used in raising the grade of the access road above the flood plain, so all of the yardage removed in excavation of the temporary ponds can be utilized in building of the plant and access. The temporary ponds are shown on Exhibit C.

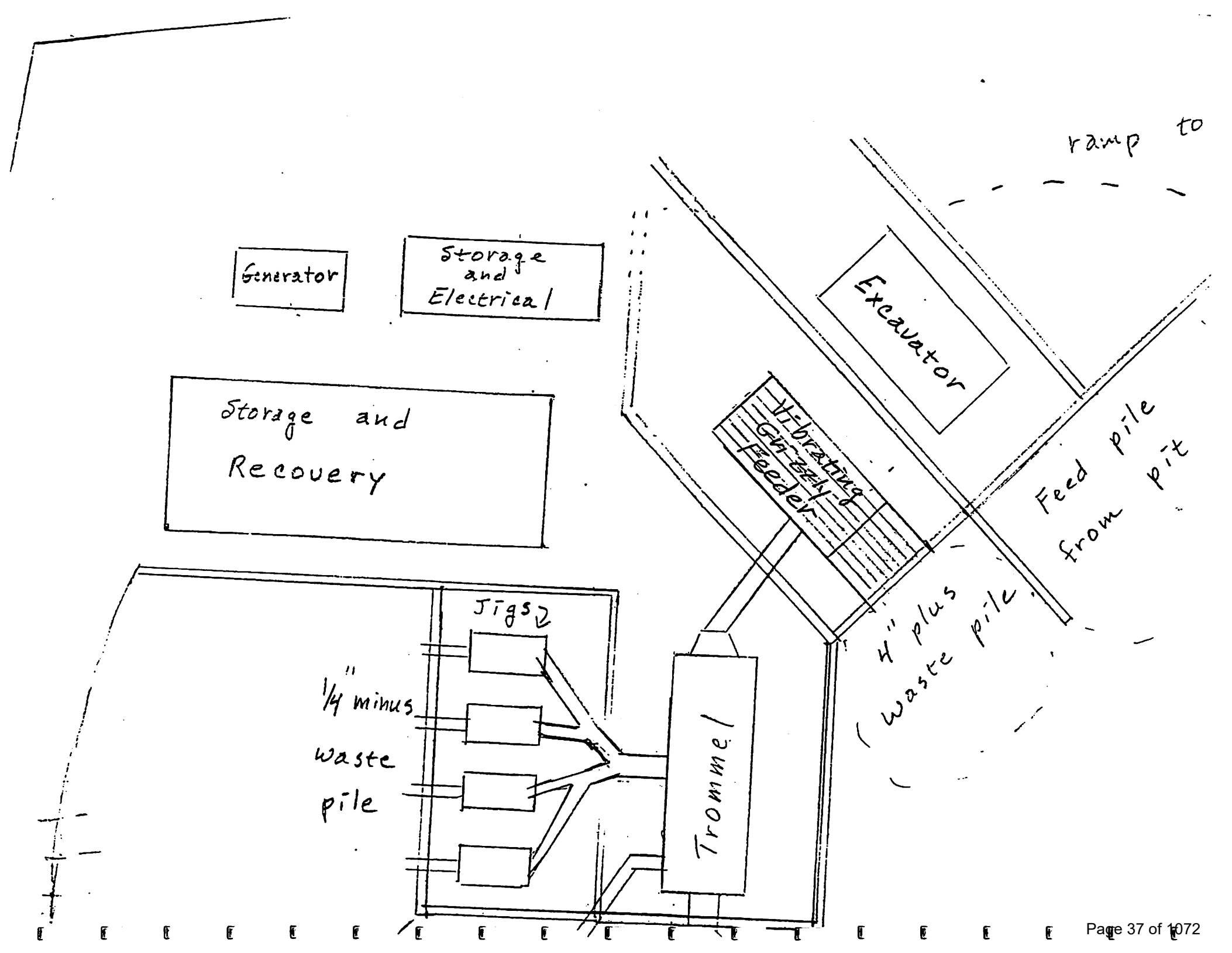
The plan submitted May 27,1997 included a stockpile near the access road in what is the present river channel. That plan assumed the river could be diverted to the east side of the flood plain at about the section line between sections 31 and 6. The Dept. of Fish and Game permit does not include that diversion, so that stockpile shown on our original map is not available. Exhibit C illustrates mining commencing at about the section line and progressing upstream. It is estimated that the mining pit will produce 5500 cubic yards of material before back-filling of the pit can commence. The temporary stockpile immediately upstream from the plant would hold that amount. As mining and back-filling progress, new pond area and stockpile will be created. This new configuration is shown in Exhibit D, and in cross section in Exhibit E. When mining reaches the location of the plant, the ponds and stockpile will be located on mined-out ground. This will not have to be disturbed until mine closure when the stockpile will be readily available to fill in the ponds and restore the original flood plain level.

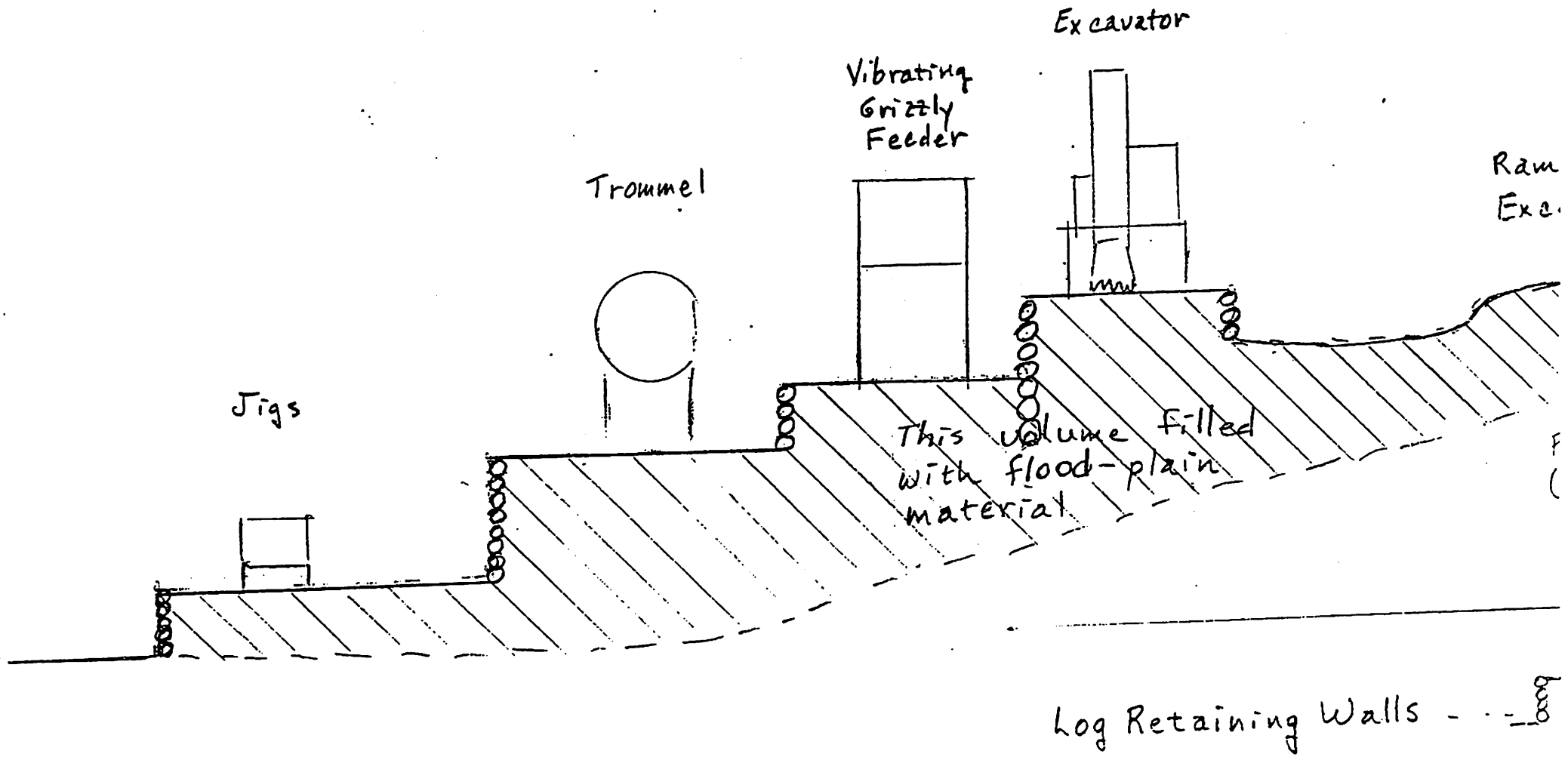
The mining strategy outlined here and illustrated in Exhibits C,D,E will keep stock-piling needs to a minimum, commence the mining near the plant site for maximum efficiency, mine out the pond areas at the start so they will not be disturbed again until final site restoration, and is in accord with the permit from the Department of Fish and Game.

If you have any further questions please contact me at 266-3625, or P. O. Box 420, Trinity Center, CA 96091.

Sincerely,

FRANCIS LINDSAY


ramp to
Generator
Storage and Electrical
Excavator
Storage and Recovery
Vibrating Grizzly Feeder
Feed pile from pit
Jigs
4" plus waste pile
1/4" minus waste pile
Trommel



1 inch = 12 feet

Rattle snake Mine

Initial Stage — Mining Pond Area

1" = 100'

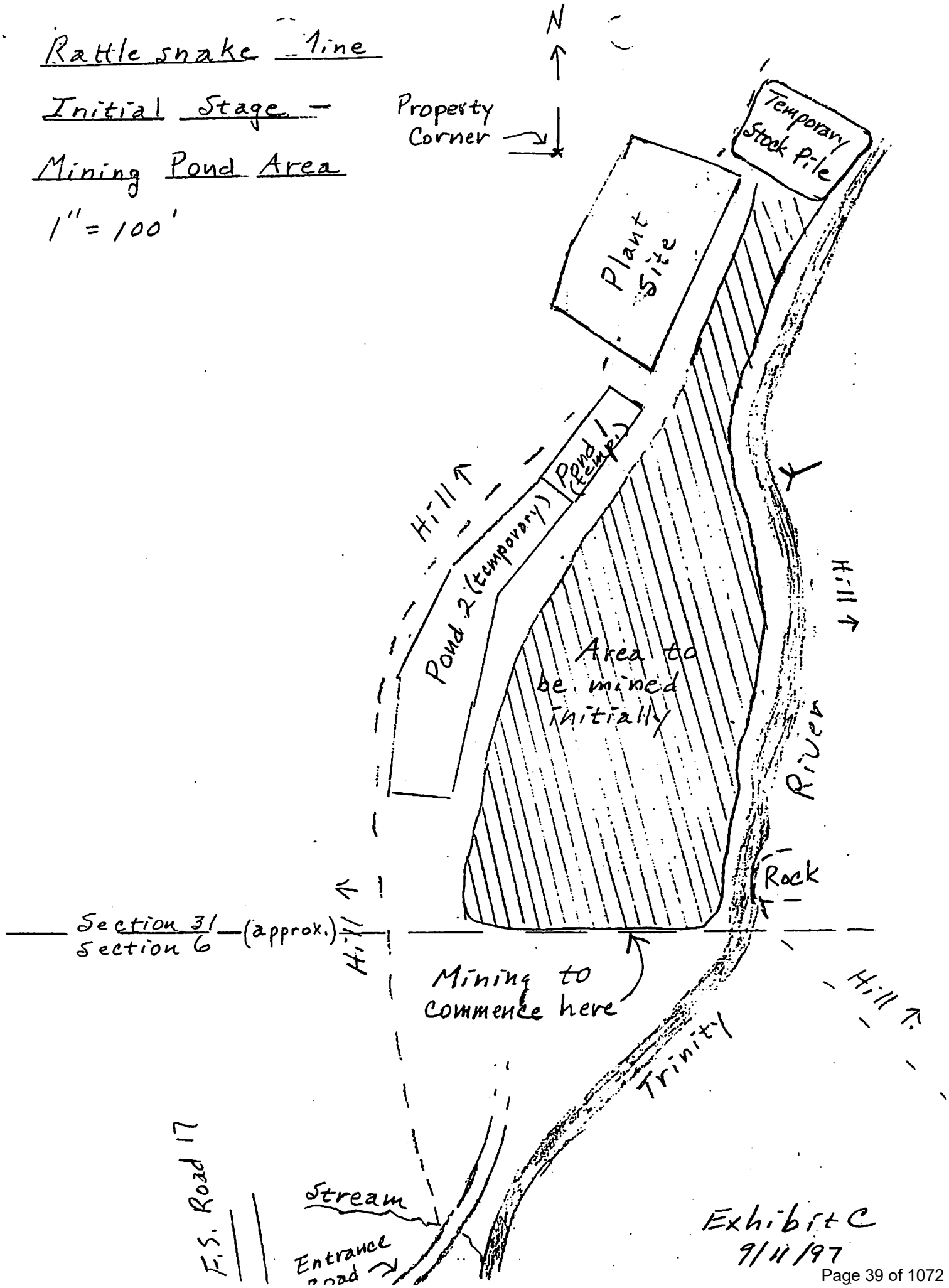
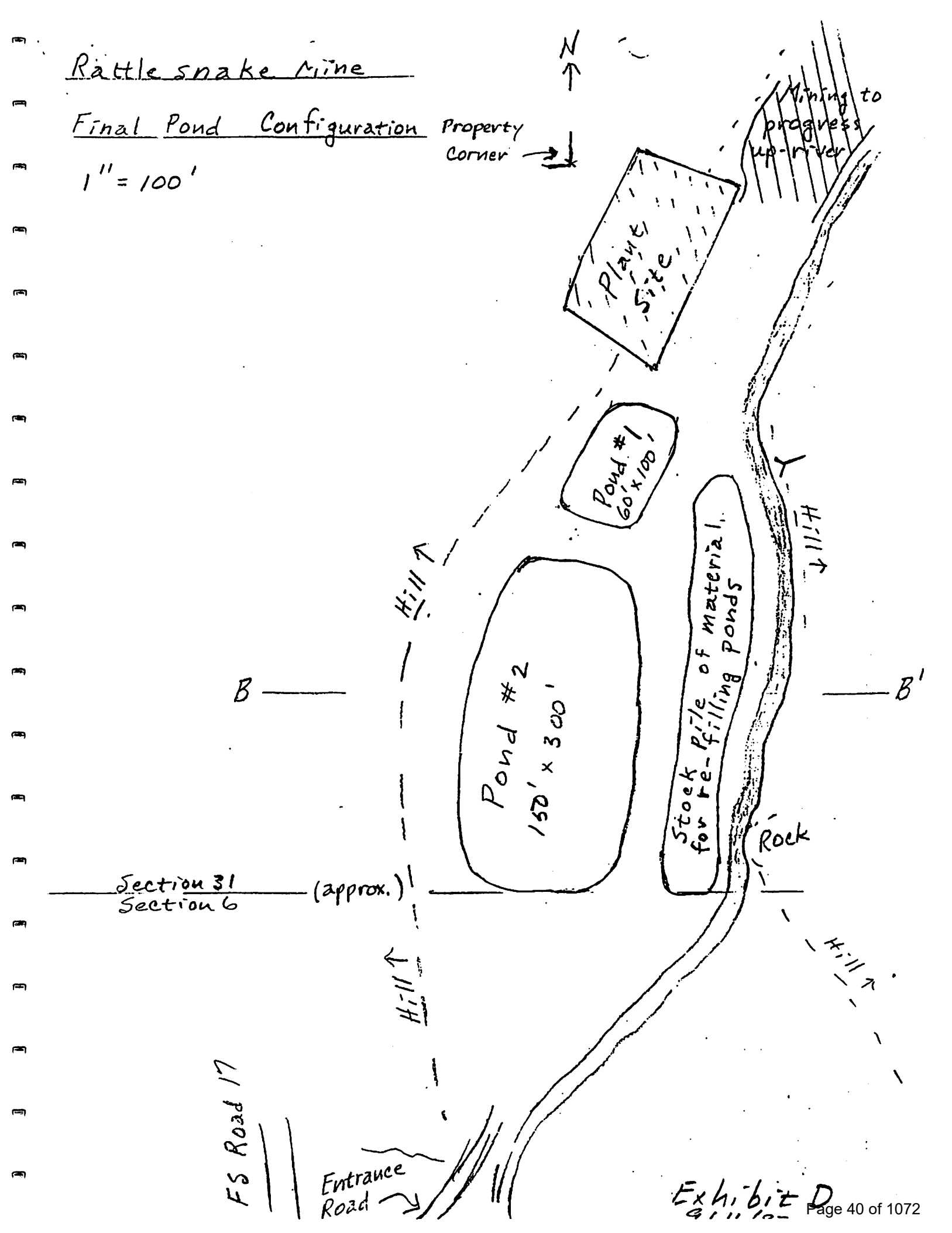


Exhibit C
9/11/97


Rattle snake Mine
Final Pond Configuration
1" = 100'
N
Property Corner
Mining to progress up-river
Plant Site
Pond #1 60'x100'
Pond #2 150'x300'
Stock Pile of material for re-filling ponds
Hill
Hill
Hill
B
B'
Section 31
Section 6
(approx.)
Rock
FS Road 17
Entrance Road
Exhibit D

Rattlesnake Mine

Cross-section of Pond and Stock pile Area (B-B')

1" = 40'

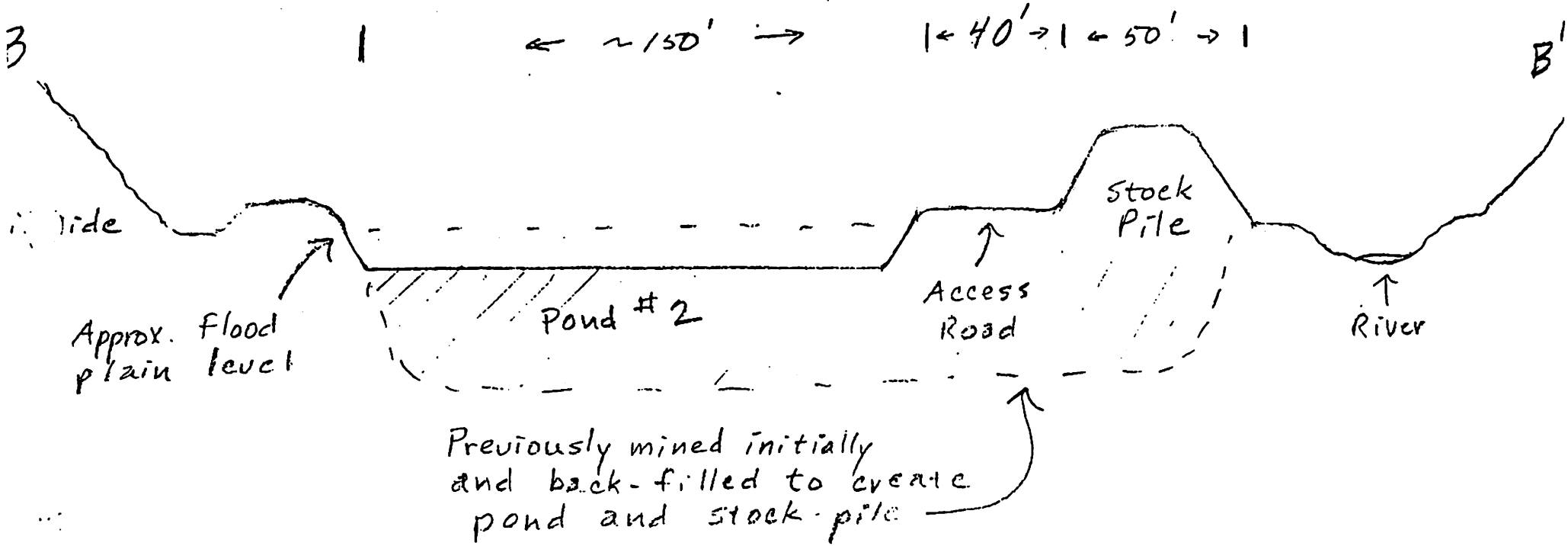


Exhibit E 9/11/97

7/11/91

Calculations:

Material removed from temporary ponds:

Pond #1: $30' \times 100' \times 20'/27 = 2222\ yds^3$

Pond #2: $40'(ave) \times 300 \times 10/27 = 4444\ yds^3$

$6666\ yd^3$

Fill material required:

Access Road: $800' \times 6' \times 20'/27 = 3,555\ yd^3$

Plant: $10' \times 70' \times 150'/27 = 3,889\ yd^3$

$7444\ yd^3$

Material removed from pit before back-filling commences:

$100' \times 50' \times 30'/27 = 5,555\ yd^3$

Temporary stockpile:

$100' \times 75' \times 20'/27 = 5,555\ yd^3$

Note: These figures do not account for slopes — it is assumed excavations will slope, fills will slope, so this factor will cancel.

Rattlesnake Claim Reclamation Plan
SMU 1-97
10/6/97

Desired Condition, Post Mining:

When all mining at the Rattlesnake claim is complete the desired condition of the site is an open floodplain resembling the natural floodplain upstream and downstream from the claim.

Because the flood plain is narrowly confined at the claim site, it is expected that flood flows will scour the floodplain and that riparian plantings are not likely to be successful. This is supported by the condition of unmined areas up stream and downstream of the claim. The mill site, which is mostly above the flood plain, will be revegetated with conifers on the slope and with locally-adapted native riparian species (ie. willows, alders etc.).

All stockpiles, pits, ponds, berms and embankments will be recontoured to match the surrounding landscape. The access road will be obliterated.

All equipment, structures, tires, building materials and junk will be removed from the site. Logs used in embankments and logs from trees removed in mining will be distributed over the site.

Interim and Concurrent Reclamation Objectives

Mining near the stream will be confined to a period between July 1 and October 15. The operating pit will, at no time, exceed 125 feet in length and 75 feet in width. The pit will be refilled with milled material as mining progress. Mined areas that have been refilled with milled material will be recontoured as work progresses.

The primary settling pond will be cleaned of fine material as needed through the operating period and it shall be cleaned at least bi-weekly after September 1.

Equipment that is deemed by the Forest Service Representative to by unnecessary to the operation or is unservicable shall be removed from the site within 10 working days.

Sanitary facilities must be serviced for winter shut down by October 15. All equipment must be stored outside of the floodplain when not in use. Any spill, drips or leaks will be remedied within 24 hours or sooner if directed by HazMat regulations.

If any of the elements of the Interim and Concurrent Objectives are not met, the operator will be notified in writing with the appropriate remedy described. Except as stated above, the operator will provide the remedy described within 30 days or the Forest Service will have the option of attaching all or part of the reclamation bond to provide the remedy.

Bond Calculation

When mining is complete the site will be restored to the condition described above in Desired Future Condition, Post Mining.

It is assumed that all operable equipment is valuable and will be removed from the site at no cost to the Forest Service. This includes bulldozers, excavators, loaders, service trucks and pickup trucks.

The grizzly, trommel, jigs and portable storage sheds will be removed. This will require an excavator and a truck suitable to move equipment of this size. All material whether it is deemed valuable or not will be removed to the Black Butte landfill site (Sec. 32, T40N, R4W MDM), a distance of 25 miles.

Excavator (CAT 325 equivalent)*	2 days @ $1360/day	$2720
Service Truck	5 days @ $ 125/day	$ 625
Two ton flatbed truck with winch and boom	10 days@ $600/day	$6000
Three man crew	10 days@ $795/day	$7950

The site will be recontoured. All pits, ponds, embankments, berms and roads will be recontoured to match natural state.

Excavator (CAT 325 equivalent)*	2 days @ $1360/day	$2720
2 Dump Trucks(10 ton)*	3 days @ $1200/day	$3600
Bulldozer (D8 equivalent)*	5 days @ $1360/day	$6850
Mobilization for Excavtor	2 days @ $1360/day	$2720
for Lowboy *	2 days @ $ 600/day	$1200
Mobilization for Bulldozer	2 days @ $1960/day	$3920
for Lowboy *	2 days @ $ 600/day	$1200

The mill site will be revegetated with conifers and native riparian shrubs. Shrubs may be taken from nearby National Forest land.

Two man crew with pickup	3 days @ $ 265/day	$ 795
Conifer seedlings		$ 100
	subtotal	$40400
Administration Costs (30%)**		$ 12120
	total	$52520

* includes operator.
Values from 1997 Cost Estimating Guide (USFS R4)
Mobilization is from Redding, California
** Administration costs include: Contract administration, bonding, insurance and Forest overhead.

Bond Update

The bond amount may be periodically reviewed and adjusted to compensate for completed reclamation work, changes in equipment rental rates, wage rate scales, increased scope of operations, etc. The bond will be reviewed annually and adjusted if the amount of disturbance (including addition of structures or equipment) increases or decreases by plus or minus 20 percent.

Release Criteria

The bond will be released after a site inspection and written statement from the authorized Forest Service Representative that the site is fully reclaimed.

This Reclamation Plan is part of the Plan of Operations. Failure to adhere to the requirements herein will constitute non-compliance with the Plan of Operations. In the event of non-compliance to the Plan of Operations, the operator will be informed in writing of the items or actions that are deemed to be in non-compliance. The non-compliance notice will include a description of the items or actions found to be in non-compliance and the remedy that will be required by the Forest Service. Upon receiving the Notice of Non-compliance the operator will, within 30 days either remedy the non-compliayce or he will obtain written permission from the District Ranger to delay the required remedy. If the operator does not comply with this requirement the Forest Service will have the option to attach all or part of the bond to affect the remedy.
Unless the Forest Service is notified beforehand, a lack of activity on the claim for a period greater than 90 days will be construed as abandonment, the operator will be notified if possible, and the Forest Service may commence reclamation using all or part of the bond.

Peter Van Sustern — Preparer — 10/17/97 date

Frances C. Lindsey — Operator — 10/17/97 date

Joyce Conklin — District Ranger — 10/22/97 date

B. **Bond.** Reclamation of all disturbances connected with this plan of operations is covered by Reclamation Performance Bond No. _____, dated 10/17/97, signed by Francis Lindsey (Principal) and Bank of America (Surety), for the penal sum of $2,520. This Reclamation Performance Bond is a guarantee of faithful performance with the terms and conditions listed below, and with the reclamation requirements agreed upon in the plan of operations. This Reclamation Performance Bond also extends to and includes any unauthorized activities conducted in connection with this operation.

The bond amount for this Reclamation Performance Bond was based on a bond calculation worksheet. The bond amount may be adjusted during the term of this proposed plan of operations in response to changes in the operations or to changes in the economy. Both the Reclamation Performance Bond and the bond calculation worksheet are attached to and made part of this plan of operations.

Should the bond delivered herewith, or any bond delivered hereafter in connection with this plan of operations, no longer be in effect, the operator shall, within 30 calendar days of receipt of the Forest Service demand, furnish a new bond satisfactory to the Forest Service. Until such time that a satisfactory bond is received by the Forest Service, no further operations other than reclamation activities will be allowed.

Acceptable bond securities (subject to change) include:

1. Negotiable Treasury bills and notes which are unconditionally guaranteed as to both principle and interest in an amount equal at their par value to the penal sum of the bond; or
2. Certified or cashier's check, bank draft, Post Office money order, cash, assigned certificate of deposit, assigned savings account, blanket bond, or an irrevocable letter of credit equal to the penal sum of the bond.

TERMS AND CONDITIONS

A. If a bond is required, it must be furnished before approval of the plan of operations.

B. Information provided with this plan marked confidential will be treated in accordance with the agency's laws, rules and regulations.

C. Approval of this plan of operations does not constitute certification of ownership to any person named herein and/or recognition of the validity of any mining claim named herein.

D. Approval of this plan does not relieve me of my responsibility to comply with other applicable state or federal laws, rules or regulations.

E. If previously undiscovered cultural resources (historic or prehistoric objects, artifacts, or sites) are exposed as a result of operations, those operations will not proceed until notification is received from the Authorized Officer that provisions for mitigating unforeseen impacts as required by 36 CFR 228.4(e) and 36 CFR 800 have been complied with.

F. This plan of operations has been approved for a period of _____ or until Nov 1, 1998. A new or revised plan must be submitted in accordance with 36 CFR part 228, subpart A, if operations are to be continued after that time period.

ACKNOWLEDGEMENTS

A. It is understood that, should the nature or the scope of the operation change, a modified or supplemental Plan of Operations may be required.

B. It is understood that approval of this plan does not constitute: (1) Certification of ownership to any person named herein; and (2) Recognition of the validity of any mining claim named herein.

C. It is understood that a bond equivalent to the actual cost of performing the agreed upon mitigation and reclamation measures will be required before this plan can be approved.

D. It is understood that the approval of this plan does not relieve me of my responsibility to comply with any other applicable State or Federal laws, rules or regulations.

E. It is understood that any information provided with this plan that is marked "Confidential" will be treated by the agency in accordance with that agency's laws, rules and regulations.

F. It is understood that when Trinity Mines Inc. begins operations, that they will assume full responsibility for the condition of the site including the residual effects from the previous mining operation.

I/We have reviewed and agree to comply with all conditions in this Plan of Operation including the recommended changes and reclamation requirements. I/WE understand that the bond will not be released until the Forest Officer in charge gives written approval of the reclamation work.

Operator (or authorized officer) — date 10/17/97

OPERATING PLAN APPROVAL:

JOYCE ANDERSEN
District Ranger — Date 10/22/97

OPERATING PLAN ACCEPTANCE:

I/We have reviewed and agree to comply with all conditions in this plan of operations including the required changes, modifications, special mitigation, and reclamation requirements. I/We understand that the bond will not be released until the Authorized Officer in charge gives written approval of the reclamation work.

Operator (or Authorized Representative) — (Date) 10/17/97

OPERATING PLAN APPROVAL:

JOYCE ANDERSEN (Name) — DISTRICT RANGER (Title)

(Authorized Officer) — (Date) 10/22/97

Public reporting burden for this collection of information is estimated to average 2 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to Department of Agriculture, Clearance Officer, OIRM, Room 404-W, Washington, D.C. 20250; and to the Office of Management and Budget, Paperwork Reduction Project (OMB #0596-0022), Washington, D.C. 20503.

Staff Report

Department: Community Development - Planning
Contact: Drew Plebani
Phone:
Item Title: P-24-14 Wireless Communications Facility in Hayfor

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Project Description:
P-24-14 Wireless Communications Facility in Hayfork

Summary:
APPLICANT: Verizon Wireless, c.o Next Edge Networks, and 51 Wireless
PROPERTY OWNER: T.C. Waterworks District 1
REPORT BY: Angel Chappell, Assistant Planner and Drew Plebani, Planning Division Director
LOCATION: 320 Reservoir Rd (APN 014-330-036-000) (see Attachment A)
ZONING DISTRICT: Public Facility (PF)
OVERLAY DISTRICT: N/A
GENERAL PLAN DESIGNATION: Public Facility (PF)
PROJECT DESCRIPTION:
This proposed facility will include a 100-foot stealth monopine tower in a 900 square foot fenced compound. Equipment consists of 9 panel antennas, 6 radios, 2 ray caps, 2 outdoor equipment cabinets on new concrete pad, 1 GPS antenna, 2 parabolic antennas, and a 30kw DC generator with a 125-gallon diesel tank (see Attachment B for Project Application Packet).

Location	Land Use	Zoning District	General Plan Designation
North West	Municipal Services	Public Facilities (PF)	Public Facilities (PF)
North	Municipal Services	Agricultural 40 Acre minimum (A40)	Agricultural (A)
South & East	Agricultural, Industrial/Mining, & Commercial.	General Commercial (C-2)	Commercial (C)
West	Vacant	Rural Residential 2.5 Acre Minimum (RR2.5)	Rural Residential

Table 1: Surrounding Land Uses to Project Site

SITE INFORMATION:
The proposed project site is located to the east of the existing water tower and facilities. An existing dirt road provides access to the site based on aerial imagery.

Staff Report:
PROJECT EVALUATION/DISCUSSION:

The application was submitted on September 18, 2024. Over the course of review of the application, Planning Division staff verified application materials for consistency with all requirements and referred the project to responsible departments and agencies for comments and conditions, and evaluated the project for compliance with the California Environmental Quality Act (CEQA).

A thorough, in-depth file review was performed of the application submitted and all necessary documentation was provided from the applicant, either in the first submittal or through subsequent submittals. As of the date of this staff report, Division staff verified that all of the above requirements have been met or will be met as conditions of approval for this Conditional Use Permit.

Scope of Planning Commission Review

The Telecommunications Act of 1996 limits local review authority to the placement, construction, and modification of personal wireless service facilities. The local review cannot enact policies that discriminate or prohibit wireless service facilities. Any decision to deny the facility must have substantial evidence in the written record to do so.

This project cannot be evaluated on the basis of Radio Frequency Emissions, if there is cause for concern that the project does not meet the FAA radio frequency standards, then there are procedures in place with the Federal Communications Commission (FCC) to review an operational tower.

Project Consistency with Trinity County Code (TCC), Housing Element (HE) 2024-2029 (certified and adopted August 27, 2025), General Plan (GP) and relevant FCC documents:

Relevant Documents and County Code Section	**Applicable Policies and Standards**
Program HE-27 (b) Attachment D	Equitable Broadband Access – "Identify actions that can be taken by private and public sectors to close broadband gaps and ensure equitable access countywide, targeting lower resource areas and historically underserved areas"
GP Circulation Element (CE) 2002 Attachment E	Transportation Findings, Goals, and Policies: … Finding 10: "Finding 10: Isolated portions of the County could benefit from expansion of cellular phone service to areas that could not otherwise be economically served. Additionally, increased availability of Internet service will enhance educational opportunities and could increase economic opportunities for County residents." (CE page 27) Goal 8: "Promote orderly and efficient expansion of public utilities and facilities to meet projected needs." (CE page 38)
TCC 17.30.030 – Utilities- Section B	"Other Public Utilities. Other public utilities including, but not limited to, water, telephone, and cable TV systems, may be permitted in any district upon first obtaining a **use permit**, provided that a use permit shall not be required for underground gas, water, telephone or cable TV systems located within a special district formed for such purposes. Also, a use permit shall not be required for individual service connections or

	extension."
TCC 17.29.030- Public Facilities (PF) District	List of uses permitted only after obtaining a use permit. "…K. Public utility structures…."
Telecommunications Act of 1996 Section 704; page 117 in Attachment F	PRESERVATION OF LOCAL ZONING AUTHORITY- (A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities. (B) LIMITATIONS- (i) The regulation of placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof- (I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services. (ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request. (iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record. (iv) **No** State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.
Federal Communications Commission WT Docket No. 97-192. Pg 8 Demonstration of RF (radio frequency) Compliance Attachment G *For Local	…. 16. The Commission and the Local and State Government Advisory Committee (LSGAC) produced the Local Official's Guide in response to misunderstandings between industry and local governments regarding this issue. The Local Official's Guide provides information and voluntary guidance to local governments to facilitate their ability to devise reasonable and effective procedures for assuring that antenna facilities located within their boundaries comply with Commission limits for human exposure to RF emissions. It provides a summary of the Commission's RF exposure guidelines and the Commission's procedures for ensuring compliance and enforcing its rules. It also provides guidance to local governments attempting to determine if a radio transmission

Official's Guide see Attachment L	facility may raise compliance concerns by helping local governments to recognize sites that do not raise compliance concerns. In addition, it provides information for initiating a Commission inquiry in instances where a facilities operator is unable to dispel a local government's concerns about compliance. …. 18. We recognize that State and local governments have a legitimate interest in ascertaining that facilities will comply with the RF exposure limits set forth in our rules. We also recognize that certain requirements related to demonstrating compliance can be unnecessarily burdensome on carriers. Although the Local Official's Guide is not legally binding, we expect it will help produce a framework for local and State governments and wireless service providers to work cooperatively on this issue. As a result of the Local Official's Guide, we expect that many disputes pertaining to demonstrations of compliance will be resolved by the parties in a manner that will allow personal wireless services to be deployed and delivered to consumers as rapidly as possible, while preserving the authority of State and local jurisdictions in land use matters and protecting the public health. Moreover, where there is a genuine question regarding a site's compliance with the RF exposure limits, Commission staff will promptly take all appropriate actions to ensure compliance. In particular, if a local government were to make a Commission inquiry regarding a site's compliance with RF exposure limits in a case where compliance cannot be readily demonstrated by applying the principles set forth in the Local Official's Guide, we would require the operator of the facility to provide sufficient information to demonstrate compliance. Therefore, we do not believe any binding rule governing demonstrations of compliance is necessary. To the extent that any party may argue in a properly filed case that a particular requirement to demonstrate compliance violates Section 332(c)(7), we will consider the issue in that context.

Agency Referrals and ALUC Recommendations

Project referral packets were sent to the following agencies for a two-week comment period in order to elicit any concerns, questions or conditions from responsible agencies and local departments.

Local/State Authority, Department or Agency	**Comments**	**Response**
County Assessor's Office	No Comment	
ALUC	See ALUC Resolution in ALUC Meeting Packet Attachment H	Condition for Building Permit to be Finaled: Lights at top of

		the tower for Airport Safety.
County Transportation Department	See ALUC Meeting Packet Attachment H	Not a hazard to airport traffic
CalTrans	See ALUC Meeting Packet Attachment H	Not a hazard to airport traffic
County Building Department	Will require building permit for structure.	Building Permit will be required.
County Environmental Health Division	We have reviewed the above request and have the following comments: 1. Prior to operation, the following information for emergency generator fuel tank shall be submitted into California Environmental Reporting System or CERS, please submit a Hazardous Materials Business Plan (HMBP). 2. Prior to approval from EH, Generator specifications must be provided for review, ensuring generators have secondary fuel containment.	Hazardous Materials Business Plan shall be submitted to CERS prior to finalization of building permit. With the submittal of the application for the building permit; a copy of the Hazardous Materials Business Plan draft shall be submitted as well with any generator specifications for Environmental health review.
Hayfork Volunteer Fire Department	Roads must be able to support a fire apparatus (paved, chip sealed, or gravel base that can support a 40,000 lb apparatus). Must adhere to 4290 standards.	Fire Safe Road standards shall be met prior to building permit being finaled.
California Department of Fish and Wildlife (CDFW)	See Attachment I for CDFW comments	Applicant/Agent has resolved CDFW comments by: incorporating best management practices, conducted a biological assessment, and cultural report. This was all reviewed for a proposed CEQA determination (Supporting Information for CEQA Categorical Exemption 15303 Class 3).

Project Consistency with the Trinity County Zoning Code

This project as proposed and conditioned meets the applicable requirements for approval of this Conditional Use Permit and is consistent with Trinity County Zoning Code Sections for Public Facilities and Utilities.

Required Findings for a Conditional Use Permit from Trinity County Code Section 17.32.010 states the following:

"A use permit is granted at the discretion of the planning commission or the planning director and is not the automatic right of any applicant. In considering an application for a use permit, the following guidelines shall be observed.
A. Sound Principles of Land Use. A use permit shall be granted upon sound principles of land use.
B. Not Injurious. A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance.
C. Plan Consistency. A use permit must comply with the objectives of the general or specific plan for the area in which it is located."

In considering the Conditional Use Permit, the following findings are recommended pursuant to the guidelines of Section 17.32.010 of Trinity County Code:

A. <u>Sound Principles of Land Use.</u> A use permit shall be granted upon sound principles of land use.<u>Finding</u>: As required per Trinity County Code Section (TCC) (§)17.30.030 – Utilities-Section B and TCC 17.29.030- Public Facilities (PF) District, the applicant is applying for a Conditional Use Permit to build a cell tower in a Public Facilities (PF) zoning district in order to provide cellular services to the local community. The project proposed is:
a) compatible with the General Plan land use designation and public facility uses

B. <u>Not Injurious.</u> A use permit shall not be granted if it will be detrimental to the public health, safety or welfare, or if it results in the creation of a public nuisance. <u>Finding</u>: The project, as proposed, designed, and conditioned, will not cause detrimental effects to public health, safety, welfare, or result in the creation of a public nuisance. Additionally, the proposed project is consistent with FCC guidelines for radio frequencies and therefore, it is not anticipated that the community will be negatively impacted by the project.

C. <u>Plan Consistency.</u> A use permit must comply with the objectives of the general or specific plan for the area in which it is located. <u>Finding</u>: The project, as proposed, designed, and conditioned, is consistent with the goals and objectives of the County General Plan, Housing Element, and Public Facilities Zoning District.

<u>Project Consistency with the California Environmental Quality Act (CEQA)</u>
Based on review of the project by the Planning Division and Consultants, the recommended CEQA determination is that the project be found exempt pursuant to CEQA Guidelines Section 15303 (Class 3). The Class 3 exemption applies to projects that consist of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made to the exterior of the structure. Attachment C to this staff report (Supporting Information for CEQA Categorical Exemption 15303 (Class 3)) explains how the project meets the conditions for the Class 3 exemption and why the exceptions to the use of a categorical exemption in CEQA Guidelines Section 15300.2 do

not apply to the project.

ATTACHMENTS:

A. Project Location Map
B. Project Application Packet
C. Supporting Information for CEQA Categorical Exemption 15303 (Class 3)
D. Housing Element (2025)
E. General Plan Circulation Element (2002)
F. Telecommunications Act of 1996
G. Federal Communications Radio Frequency
H. ALUC Packet with Signed Resolution
I. CDFW Comments
J. Applicant/Agent Response to ALUC Resolution
K. Public Comments
L. Local Government Officials Guide to Transmitting Antenna RF Emission Safety

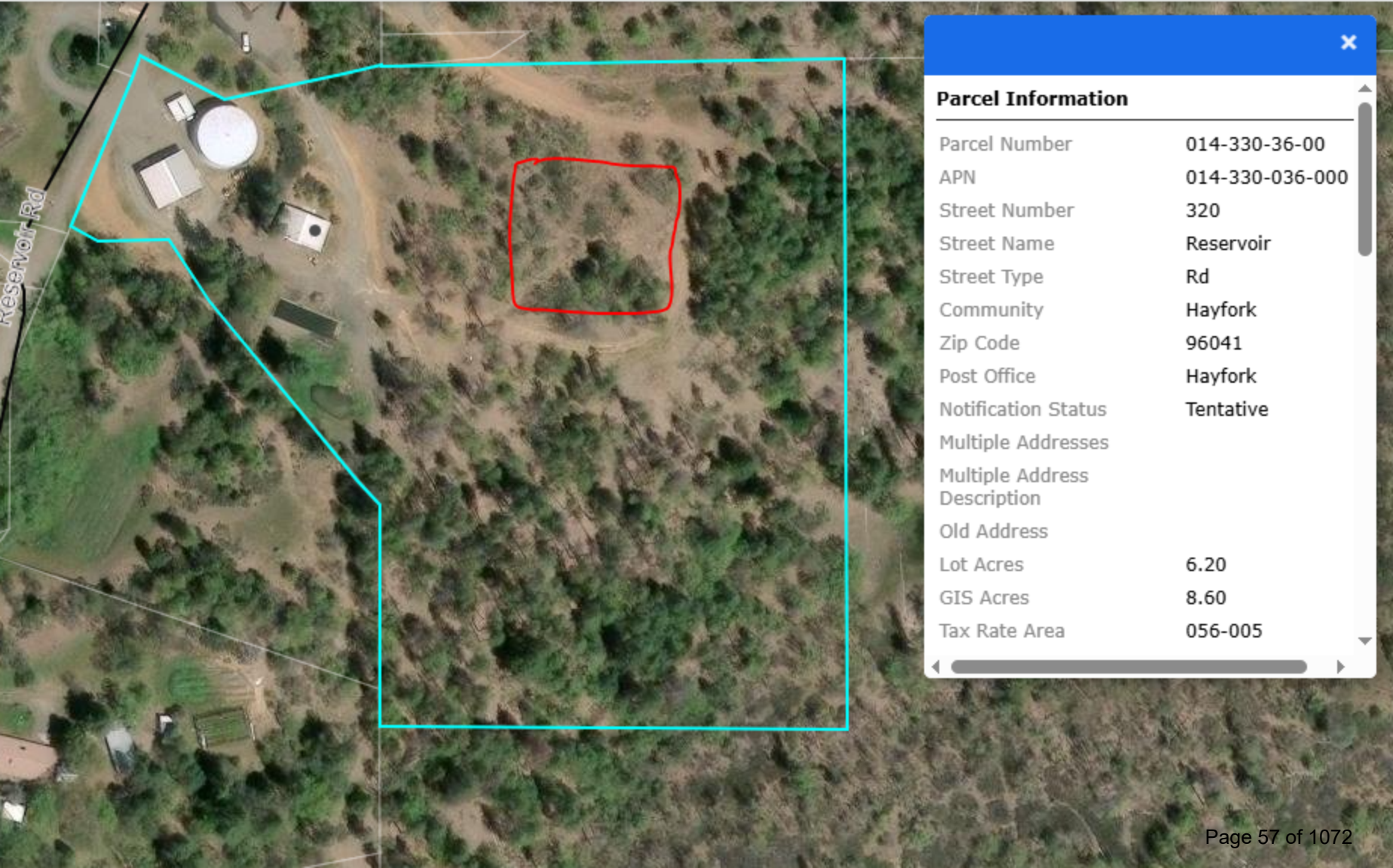
Departmental Recommendations:
Staff recommends that the Planning Commission move to:

1. Find the project to be categorically exempt from the California Environmental Quality Act (CEQA), pursuant to CEQA Guidelines Section 15303 (Class 3);
2. Adopt Resolution No. PC-2026-01 (Included as backup to this agenda item); and
3. Approve a Conditional Use Permit based on the recommended findings stated in this staff report and subject to the conditions of approval found in Resolution No. 2026-01.

ALTERNATIVES:
Should the commission disagree with the project as proposed and conditioned, possible alternatives include:

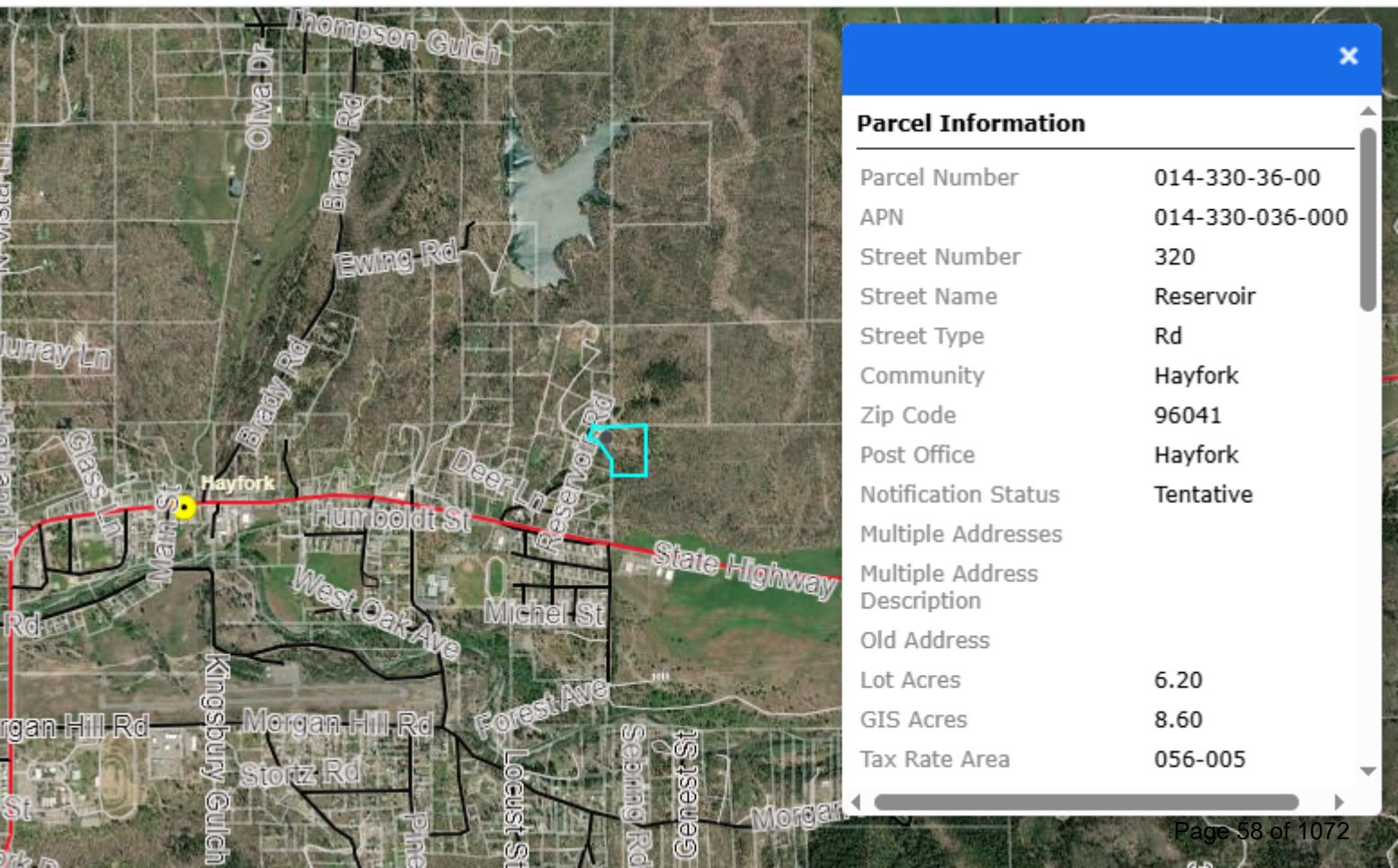
1. Modify Exhibit A in Resolution No. PC-2026-01, excluding the condition recommended by the ALUC.
2. Continue the item to a later date.

3. Deny the project, including findings of the Planning Commission within the scope of jurisdictional authority.



Parcel Information

Parcel Number	014-330-36-00
APN	014-330-036-000
Street Number	320
Street Name	Reservoir
Street Type	Rd
Community	Hayfork
Zip Code	96041
Post Office	Hayfork
Notification Status	Tentative
Multiple Addresses	
Multiple Address Description	
Old Address	
Lot Acres	6.20
GIS Acres	8.60
Tax Rate Area	056-005


Thompson Gulch
Olva Dr
Brady Rd
Ewing Rd
Brady Rd
Murray Ln
Gash Ln
Hayfork
Main St
Humboldt St
Deer Ln
Pioneer Rd
State Highway
West Oak Ave
Michel St
Kingsbury Gulch
Morgan Hill Rd
Morgan Hill Rd
Stortz Rd
Forest Ave
Locust St
Spring Rd
Guest St
Parcel Information
Parcel Number 014-330-36-00
APN 014-330-036-000
Street Number 320
Street Name Reservoir
Street Type Rd
Community Hayfork
Zip Code 96041
Post Office Hayfork
Notification Status Tentative
Multiple Addresses
Multiple Address Description
Old Address
Lot Acres 6.20
GIS Acres 8.60
Tax Rate Area 056-005

PROJECT DESCRIPTION

Please provide a detailed project description of the activities you are requesting in as much detail as possible.

Verizon Wireless is proposing a new wireless telecommunications facility in the town of Hayfork CA. The proposed project will improve coverage and capacity in and around the town of Hayfork and surrounding areas and along State Highway 3. The proposed facility consists of a 100' stealth monopine in a 900 square foot fenced compound. Equipment consists of (9) panel antennas, (6) radios, (2) raycaps, (2) outdoor equipment cabinets on new concrete pad, (1) gps antenna, (2) parabolic antennas,and a 30kw DC generator with a 125 gallon diesel tank.

See additional Project Description on subsequent pages related to additional Construction Measures.

Additional Project Description and Construction Measures

Construction Best Management Practices: A range of construction BMPs will be applied during project implementation, including but not limited to the following:

- **Work Timing:** All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- **Work Limits:** The proposed disturbance envelope shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits should be considered environmentally sensitive and should not be disturbed.
- **Vehicles and Equipment:** All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- **Avoiding Inadvertent Wildlife Entrapment:** Any open trench or excavation should be securely covered prior to stopping work each day. Additionally, wildlife exit ramps should be installed to prevent inadvertent wildlife entrapment. If pipes are stored onsite, they should be inspected for wildlife prior to burying, capping, moving, or filling.
- **Fencing:** Appropriate perimeter fencing should be implemented to fence off the construction area and alleviate potential hazards to wildlife. Fencing will be designed and implemented to alleviate potential hazards to wildlife. Fencing will be designed in accordance with recommendations provided in "A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind", Second Edition (Revised and Update 2012), prepared by the Montana Fish, Wildlife, and Parks. Final fence design will be submitted to CDFW for review.
- **Lighting:** All Project lighting fixtures will be fully shielded, directed downward, and designed and installed to minimize light pollution and prevent light spillover onto adjacent habitat. Lighting fixtures will use lower-intensity, warm-colored lighting with low color temperature (Kelvin) values, which emit fewer short-wavelength blue light components known to be particularly disruptive to wildlife (Gaston et al., 2017).
- **Low Impact Development for Neighboring Aquatic Special-Status Species:** Low Impact Development (LID) strategies will be applied to prevent any net increase in stormwater runoff from new impervious surfaces. Appropriate LID features may include permeable pavement, vegetated bioswales, and retention or infiltration basins designed to capture, filter, and infiltrate stormwater onsite. LID designs will be developed to ensure that post-project stormwater runoff volume, rate, and duration do not exceed pre-project conditions, and that hydromodification is avoided.

- **Native Vegetation in Landscaping:** Applicant will incorporate native plant species adapted to the local region in all landscaping associated with the Project.
- **Employee Awareness Training:** Prior to the beginning of construction activities in the proposed project site, all project personnel shall participate in a worker environmental awareness training regarding sensitive wildlife species and their habitat present in the proposed project area. As part of the training, an environmental awareness handout will be provided to all personnel that describes the bumble bee species to be avoided during project activities and lists applicable permit conditions identified by local, state, and federal agencies to protect these resources.

Sensitive Plant Species: If construction occurs beyond one (1) calendar year of this survey, a follow-up special status plant species survey should be conducted to confirm if sensitive plant species are present. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special-status plant species with the potential to occur in the project area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance areas, the project proponent shall implement the following measures to avoid impacts to these species:

- If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by project proponent will clearly delineate the location of the plant population, and install protective fencing between the disturbance zone and the plant population to ensure that the plant population is adequately protected.
- If a special-status plant population is identified within the proposed disturbance zone, the project proponent will consult with CDFW and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. The project proponent will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, the project proponent will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved bank at a ratio approved by CDFW, USFWS, and the project proponent.
- **Oak and Pine Tree Removal:** Currently, no tree removal is proposed as part of the proposed installation.

- **Sensitive Wildlife Species:** No direct impacts are anticipated to any sensitive wildlife species or their habitat, however, pre-construction habitat and species surveys should be utilized to rule out any potential presence prior to breaking ground.
- **Nesting Birds:** If nesting birds become established in the proposed project site or buffer area, the following measures will be implemented.

    i. If ground disturbing activities occur during the breeding season of these avian species (February through mid-September), surveys for active nests will be conducted by a qualified biologist no more than 7 days prior to start of activities. Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys will follow required CDFW and USFWS protocols, where applicable. A qualified biologist will survey suitable habitat for the presence of these species. Surveys will begin prior to sunrise and continue until all potential habitat has been surveyed. If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area will be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline. If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival.

    ii. Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;

    iii. Minimum no disturbance of 500 feet around active nest of non-listed raptor species; and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.

    iv. Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.

v. A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and is recommended that CDFW and USFWS be notified in advance of implementation of a no disturbance buffer variance.

Bumble Bee Species (incl. Western, Crotch's, and Suckley's Cuckoo): Potential direct impacts to bumble bees associated with ground disturbance, equipment operation, and other project activities, as well as indirect impacts related to vegetation removal, would be avoided or minimized through implementation of the following measures:

vi. The project proponent shall conduct additional protocol-level surveys during the Queen Flight Season (February–March) and the Gyne Flight Season (October–November) to determine whether sensitive bumble bee species are present within the proposed project site. Surveys shall be conducted in accordance with the *CDFW Survey Requirements for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (CDFW 2023) and shall cover the proposed project site and a 300-foot buffer area. A letter report documenting survey methods, results, and a habitat assessment shall be prepared and submitted to CDFW for review and approval.

vii. If sensitive bumble bee species and/or their colonies are identified within the proposed project site, the project proponent shall consult with CDFW to determine appropriate avoidance and minimization measures.

viii. If project-related impacts to sensitive bumble bee species cannot be avoided, the project proponent shall obtain an Initial Take Permit from CDFW prior to project implementation.

ix. Prior to the commencement of construction activities, all project personnel shall participate in a worker environmental awareness training addressing bumble bee species and their potential habitat within the project area. Any new personnel added to the project shall receive this training before beginning work. Training shall include distribution of an environmental awareness handout describing bumble bee species to be avoided and summarizing applicable permit conditions and regulatory requirements intended to protect these resources.

Radio Frequency - Electromagnetic Energy (RF-EME) Jurisdictional Report

Site No. 781399
Hayfork
320 Reservoir Road
Hayfork, California 96041
Trinity County
40° 33' 23.89" N, -123° 9' 42.41" W NAD83

EBI Project No. 019415-PR
June 11, 2024



Prepared for:

Verizon Wireless
255 Parkshore Drive
Folsom, CA 95630

Prepared by:

EBI Consulting
environmental | engineering | due diligence

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EXECUTIVE SUMMARY

Purpose of Report

EnviroBusiness Inc. (dba EBI Consulting) has been contracted by Verizon Wireless ("Verizon") to conduct radio frequency electromagnetic (RF-EME) modeling for Verizon Site 781399 located at 320 Reservoir Road in Hayfork, California to determine RF-EME exposure levels from proposed Verizon communications equipment at this site. As described in greater detail in Appendix C of this report, the Federal Communications Commission (FCC) has developed Maximum Permissible Exposure (MPE) Limits for the general public and for occupational activities. This report summarizes the results of RF-EME modeling in relation to relevant FCC RF-EME compliance standards for limiting human exposure to RF-EME fields.

Statement of Compliance

A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits and there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

As presented in the sections below, based on worst-case predictive modeling, there are no modeled areas on any accessible rooftop or ground-level walking/working surface related to the proposed antennas that exceed the FCC's occupational or general public exposure limits at this site. Additionally, there are areas where workers who may be elevated above the ground may be exposed to power densities greater than the occupational limits. Therefore, workers should be informed about the presence and locations of antennas and their associated fields.

At the nearest walking/working surfaces to the Verizon antennas, the maximum power density generated by the Verizon antennas is approximately **9.71** percent of the FCC's general public limit (**1.94** percent of the FCC's occupational limit).

The composite exposure level from all carriers on this site is approximately **9.71** percent of the FCC's general public limit (**1.94** percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna.

Recommended control measures are outlined in Section 4.0 and within the Site Safety Plan (attached); Verizon should also provide procedures to shut down and lockout/tagout this wireless equipment in accordance with Verizon's standard operating protocol. Non-telecom workers who will be working in areas of exceedance are required to contact Verizon since only Verizon has the ability to lockout/tagout the facility, or to authorize others to do so.

1.0 INTRODUCTION

Radio frequency waves are electromagnetic waves from the portion of the electromagnetic spectrum at frequencies lower than visible light and microwaves. The wavelengths of radio waves range from thousands of meters to around 30 centimeters. These wavelengths correspond to frequencies as low as 3 cycles per second (or hertz [Hz]) to as high as one gigahertz (one billion cycles per second).

Personal Communication (PCS) facilities used by Verizon in this area will potentially operate within a frequency range of 700 to 5000 MHz. Facilities typically consist of: 1) electronic transceivers (the radios or cabinets) connected to wired telephone lines; and 2) antennas that send the wireless signals created by the transceivers to be received by individual subscriber units (PCS telephones). Transceivers are typically connected to antennas by coaxial cables.

Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed a distance above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of in areas in the immediate vicinity of the antennas.

MPE limits do not represent levels where a health risk exists, since they are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size or health.

2.0 SITE DESCRIPTION

This project site includes the following proposed wireless telecommunication antennas on a monotree located at 320 Reservoir Road in Hayfork, California.

Ant #	Sector	Operator	Antenna Model	Mechanical Downtilt (Degrees)	Azimuth (Degrees)	Technology and Frequency (MHz)2	Electrical Downtilt (Degrees)	Horizontal Beamwidth (Degrees)	Aperture (feet)	Total Power Input (Watts)	Antenna Gain (dBd)	Total ERP (Watts)
1	Alpha	Verizon	SON_AIR6419 TB 03.21.2023 3700 VZW	0	90	L-Sub 6 3700	SON	11	2.4	320	23.45	70819.03
2	Alpha	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	90	LTE 700	SON	65	6.0	120	12.33	2052.02
2	Alpha	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	90	LTE/5G 850	SON	60	6.0	120	12.7	2234.50
2	Alpha	Verizon	SON_NHH-65B-R2B 00DT-07DT 1900	0	90	LTE 1900	SON	69	6.0	240	15.77	9061.73
3	Alpha	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	90	LTE 700	SON	65	6.0	120	12.33	2052.02
3	Alpha	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	90	LTE/5G 850	SON	60	6.0	120	12.7	2234.50
3	Alpha	Verizon	SON_NHH-65B-R2B 00DT-07DT 2100	0	90	LTE 2100	SON	64	6.0	240	16.48	10671.15
4	Beta	Verizon	SON_AIR6419 TB 03.21.2023 3700 VZW	0	210	L-Sub 6 3700	SON	11	2.4	320	23.45	70819.03
5	Beta	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	210	LTE 700	SON	65	6.0	120	12.33	2052.02
5	Beta	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	210	LTE/5G 850	SON	60	6.0	120	12.7	2234.50
5	Beta	Verizon	SON_NHH-65B-R2B 00DT-07DT 1900	0	210	LTE 1900	SON	69	6.0	240	15.77	9061.73
6	Beta	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	210	LTE 700	SON	65	6.0	120	12.33	2052.02
6	Beta	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	210	LTE/5G 850	SON	60	6.0	120	12.7	2234.50

Ant #	Sector	Operator	Antenna Model	Mechanical Downtilt (Degrees)	Azimuth (Degrees)	Technology and Frequency (MHz)2	Electrical Downtilt (Degrees)	Horizontal Beamwidth (Degrees)	Aperture (feet)	Total Power Input (Watts)	Antenna Gain (dBd)	Total ERP (Watts)
6	Beta	Verizon	SON_NHH-65B-R2B 00DT-07DT 2100	0	210	LTE 2100	SON	64	6.0	240	16.48	10671.15
7	Gamma	Verizon	SON_AIR6419 TB 03.21.2023 3700 VZW	0	330	L-Sub 6 3700	SON	11	2.4	320	23.45	70819.03
8	Gamma	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	330	LTE 700	SON	65	6.0	120	12.33	2052.02
8	Gamma	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	330	LTE/5G 850	SON	60	6.0	120	12.7	2234.50
8	Gamma	Verizon	SON_NHH-65B-R2B 00DT-07DT 1900	0	330	LTE 1900	SON	69	6.0	240	15.77	9061.73
9	Gamma	Verizon	SON_NHH-65B-R2B 00DT-14DT 0700	0	330	LTE 700	SON	65	6.0	120	12.33	2052.02
9	Gamma	Verizon	SON_NHH-65B-R2B 00DT-14DT 0850	0	330	LTE/5G 850	SON	60	6.0	120	12.7	2234.50
9	Gamma	Verizon	SON_NHH-65B-R2B 00DT-07DT 2100	0	330	LTE 2100	SON	64	6.0	240	16.48	10671.15

• Note there are 3 Verizon antennas per sector at this site. For clarity, the different frequencies for each antenna are entered on separate lines.

Ant #	NAME	X	Y	Antenna Radiation Centerline	Z-Height Equipment Shelter Roof	Z-Height Ground
1	Verizon	69.8	36.6	93.8	83.8	93.8
2	Verizon	69.8	42.7	91.0	81.0	91.0
3	Verizon	69.8	44.5	91.0	81.0	91.0
4	Verizon	64.8	47.5	93.8	83.8	93.8
5	Verizon	59.3	44.5	91.0	81.0	91.0
6	Verizon	57.7	43.4	91.0	81.0	91.0
7	Verizon	58.0	37.5	93.8	83.8	93.8
8	Verizon	63.2	34.5	91.0	81.0	91.0
9	Verizon	64.8	33.9	91.0	81.0	91.0

• Note the Z-Height represents the distance from the antenna centerline.

The above tables contain an inventory of proposed Verizon Antennas and other carrier antennas if sufficient information was available to model them. Note that EBI uses an assumed set of antenna specifications and powers for unknown and other carrier antennas for modeling purposes. The FCC guidelines incorporate two separate tiers of exposure limits that are based upon occupational/controlled exposure limits (for workers) and general population/uncontrolled exposure limits for members of the general public that may be exposed to antenna fields. While access to this site is considered controlled, the analysis has considered exposures with respect to both controlled and uncontrolled limits as an untrained worker may access adjacent rooftop locations. Additional information regarding controlled/uncontrolled exposure limits is provided in Appendix C. Appendix B presents a site safety plan that provides a plan view of the monotree with antenna locations.

3.0 WORST-CASE PREDICTIVE MODELING

EBI has performed theoretical MPE modeling using RoofMaster™ software to estimate the worst-case power density at the site's nearby broadcast levels resulting from operation of the antennas. RoofMaster™ is a widely-used predictive modeling program that has been developed by Waterford Consultants to predict RF power density values for rooftop and tower telecommunications sites produced by vertical collinear antennas that are typically used in the cellular, PCS, paging and other communications services. Using the computational methods set forth in Federal Communications Commission (FCC) Office of Engineering & Technology (OET) Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields" (OET-65), RoofMaster™ calculates predicted power density in a scalable grid based on the contributions of all RF sources characterized in the study scenario. At each grid location, the cumulative power density is expressed as a percentage of the FCC limits. Manufacturer antenna pattern data is utilized in these calculations. RoofMaster™ models consist of the Far Field model as specified in OET-65 and an implementation of the OET-65 Cylindrical Model (Sula9). The models utilize several operational specifications for different types of antennas to produce a plot of spatially-averaged power densities that can be expressed as a percentage of the applicable exposure limit.

For this report, EBI utilized antenna and power data provided by Verizon and compared the resultant worst-case MPE levels to the FCC's occupational/controlled exposure limits outlined in OET Bulletin 65. The assumptions used in the modeling are based upon information provided by Verizon and information gathered from other sources. The parameters used for modeling are summarized in the Site Description antenna inventory table in Section 2.0.

There are no other wireless carriers with equipment installed at this site.

Based on worst-case predictive modeling, there are no modeled areas on any accessible rooftop or ground-level walking/working surface related to the proposed Verizon antennas that exceed the FCC's occupational or general public exposure limits at this site. At the nearest walking/working surfaces to the Verizon antennas, the maximum power density generated by the Verizon antennas is approximately 9.71 percent of the FCC's general public limit (1.94 percent of the FCC's occupational limit). The composite exposure level from all carriers on this site is approximately 9.71 percent of the FCC's general public limit (1.94 percent of the FCC's occupational limit) at the nearest walking/working surface to each antenna.

The Site Safety Plan also presents areas where Verizon Wireless antennas contribute greater than 5% of the applicable MPE limit for a site. A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits and there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

The inputs used in the modeling are summarized in the Site Description antenna inventory table in Section 2.0. A graphical representation of the RoofMaster™ modeling results is presented in Appendix B. Microwave dish antennas are designed for point-to-point operations at the elevations of the installed equipment rather than ground level coverage. The maximum power density generated by all carrier antennas, including microwaves and panel antennas, is included in the modeling results presented within this report.

4.0 MITIGATION/SITE CONTROL OPTIONS

EBI's modeling indicates that there are no areas in front of the Verizon antennas that exceed the FCC standards for occupational or general public exposure. All exposures above the FCC's safe limits require that individuals be elevated above the ground. In accordance with the official Verizon Wireless Signage and Demarcation Policy for tower structures, no signage is recommended at this site.

Barriers are recommended for installation when possible to block access to the areas in front of the antennas that exceed the FCC general public and/or occupational limits. Barriers may consist of rope, chain, or fencing. Painted stripes should only be used as a last resort. There are no barriers recommended on this site.

These protocols and recommended control measures have been summarized and included with a graphic representation of the antennas and associated signage and control areas in a RF-EME Site Safety Plan, which is included as Appendix B. Individuals and workers accessing the monotree should be provided with a copy of the attached Site Safety Plan, and signify their understanding of the Site Safety Plan.

To reduce the risk of exposure, EBI recommends that access to areas associated with the active antenna installation be restricted and secured where possible. All persons accessing elevated positions on adjacent structures (ex. rooftop, utility pole, monopole, etc.) along with nearby elevated features, such as trees, within areas exceeding the general public MPE, must be made aware of the presence and locations of antennas and their associated fields, where applicable.

5.0 SUMMARY AND CONCLUSIONS

EBI has prepared a Radiofrequency – Electromagnetic Energy (RF-EME) Compliance Report for telecommunications equipment installed by Verizon Site Number 781399 located at 320 Reservoir Road in Hayfork, California to determine worst-case predicted RF-EME exposure levels from wireless communications equipment installed at this site. This report summarizes the results of RF-EME modeling in relation to relevant Federal Communications Commission (FCC) RF-EME compliance standards for limiting human exposure to RF-EME fields.

As presented in the sections above, based on the FCC criteria, there are no modeled areas on any accessible rooftop or ground-level walking/working surface related to the proposed antennas that exceed the FCC's occupational or general public exposure limits at this site.

Workers should be informed about the presence and locations of antennas and their associated fields. Recommended control measures are outlined in Section 4.0 and within the Site Safety Plan (attached); Verizon should also provide procedures to shut down and lockout/tagout this wireless equipment in accordance with Verizon's standard operating protocol. Non-telecom workers who will be working in areas of exceedance are required to contact Verizon since only Verizon has the ability to lockout/tagout the facility, or to authorize others to do so.

6.0 LIMITATIONS

This report was prepared for the use of Verizon Wireless. It was performed in accordance with generally accepted practices of other consultants undertaking similar studies at the same time and in the same locale under like circumstances. The conclusions provided by EBI are based solely on the information provided by the client. The observations in this report are valid on the date of the investigation. Any additional information that becomes available concerning the site should be provided to EBI so that our conclusions may be revised and modified, if necessary. This report has been prepared in accordance with Standard Conditions for Engagement and authorized proposal, both of which are integral parts of this report. No other warranty, expressed or implied, is made.

Appendix A

Certifications

Preparer Certification

I, David Keirstead, state that:

- I am an employee of EnviroBusiness Inc. (d/b/a EBI Consulting), which provides RF-EME safety and compliance services to the wireless communications industry.
- I have successfully completed RF-EME safety training, and I am aware of the potential hazards from RF-EME and would be classified "occupational" under the FCC regulations.
- I am fully aware of and familiar with the Rules and Regulations of both the Federal Communications Commissions (FCC) and the Occupational Safety and Health Administration (OSHA) with regard to Human Exposure to Radio Frequency Radiation.
- I have reviewed the data provided by the client and incorporated it into this Site Compliance Report such that the information contained in this report is true and accurate to the best of my knowledge.



Reviewed and Approved by:



sealed 12jun2024

Michael McGuire
Electrical Engineer
mike@h2dc.com

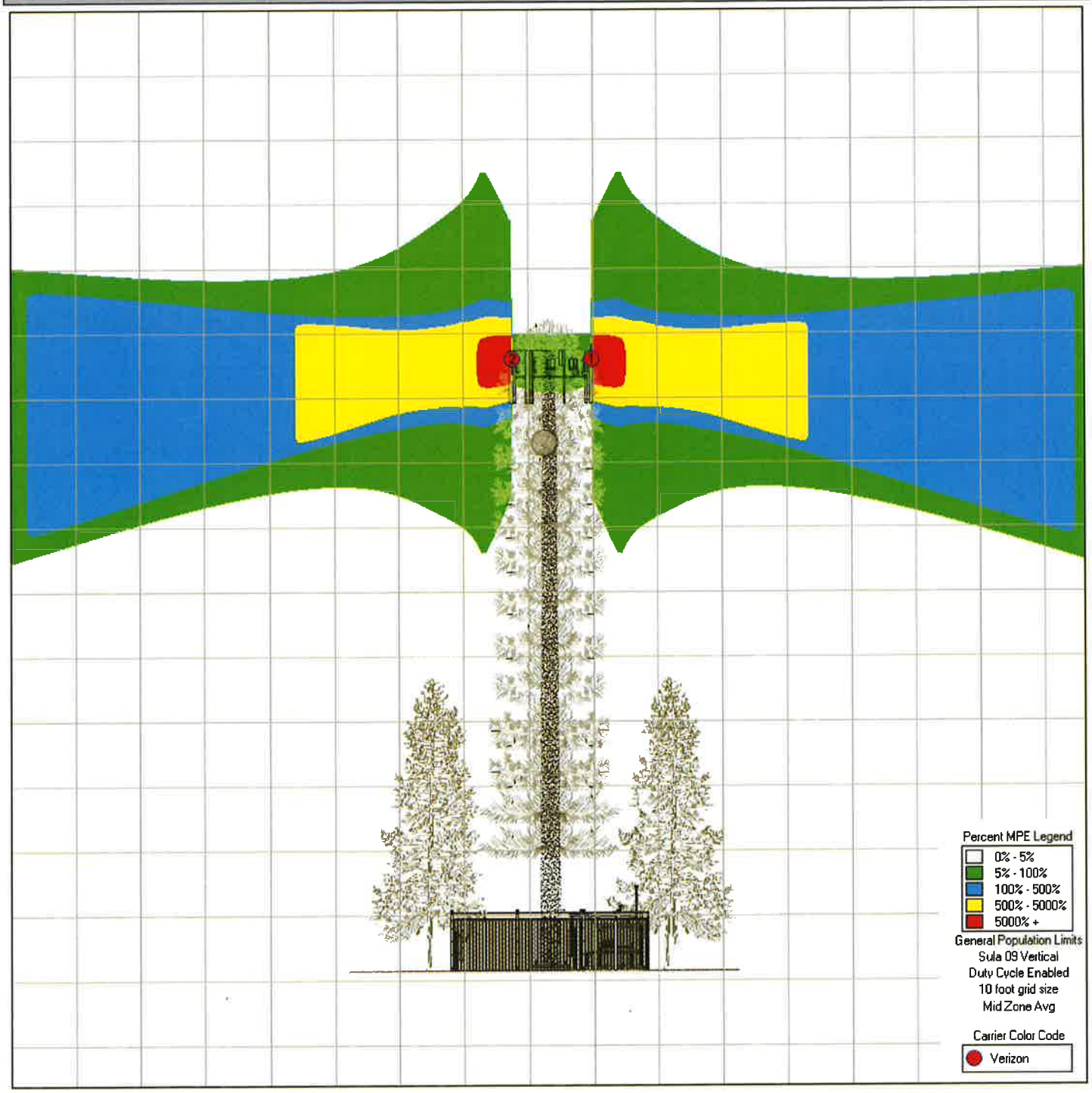
Note that EBI's scope of work is limited to an evaluation of the Radio Frequency – Electromagnetic Energy (RF-EME) field generated by the antennas and broadcast equipment noted in this report. The engineering and design of the building and related structures, as well as the impact of the antennas and broadcast equipment on the structural integrity of the building, are specifically excluded from EBI's scope of work.

Appendix B

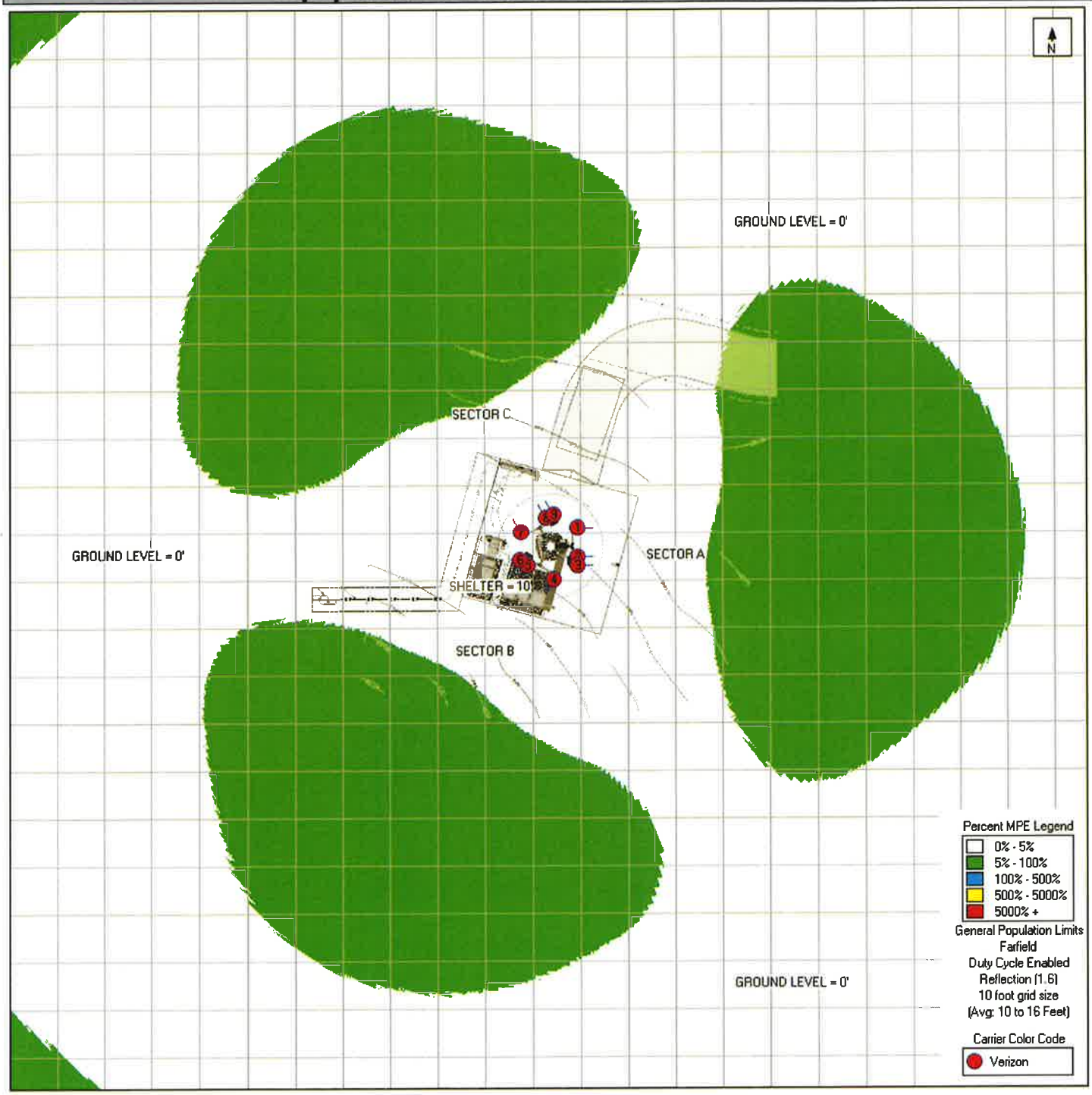
Radio Frequency Electromagnetic Energy

Safety Information and Signage Plans

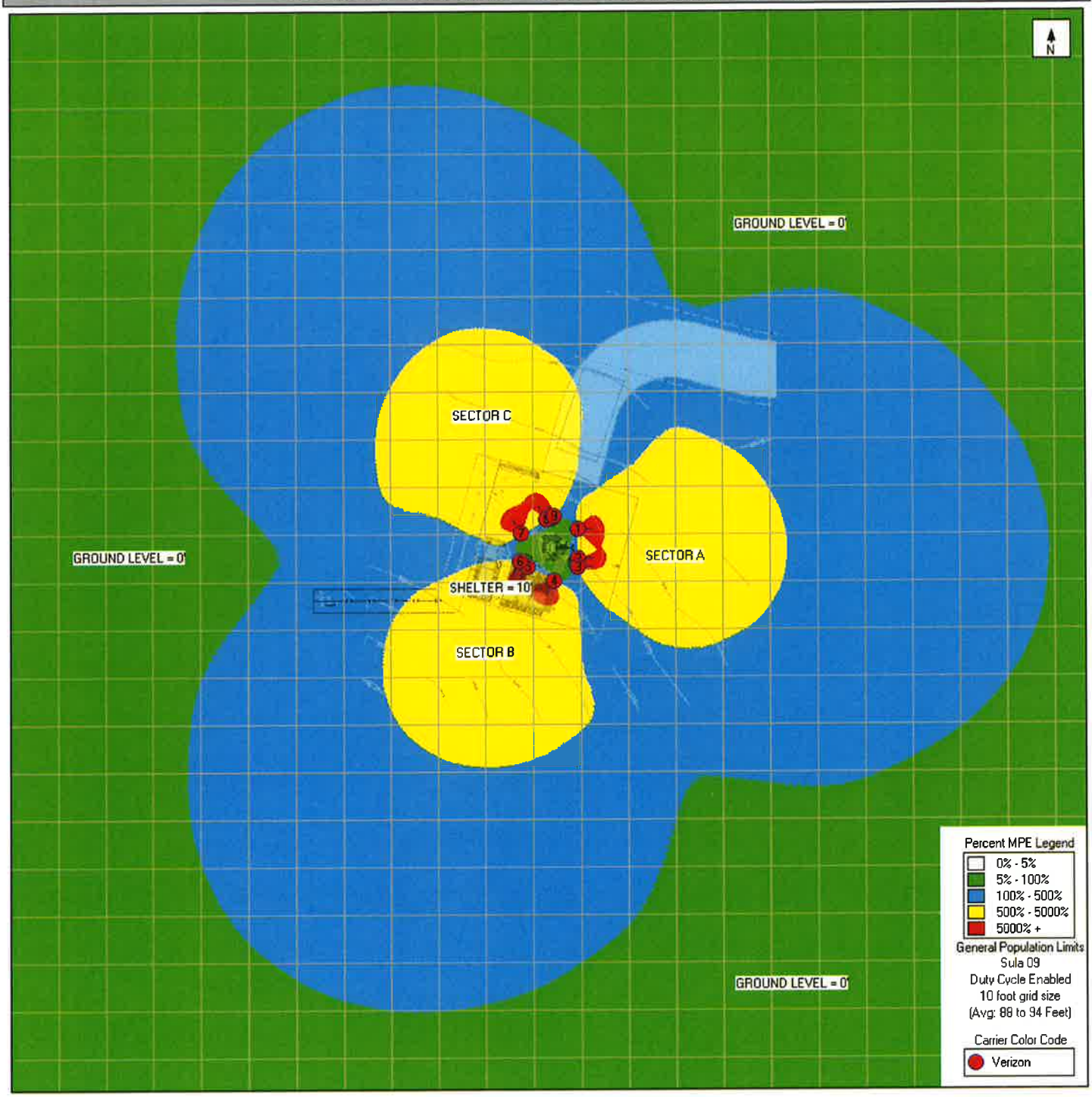
Elevation Simulation



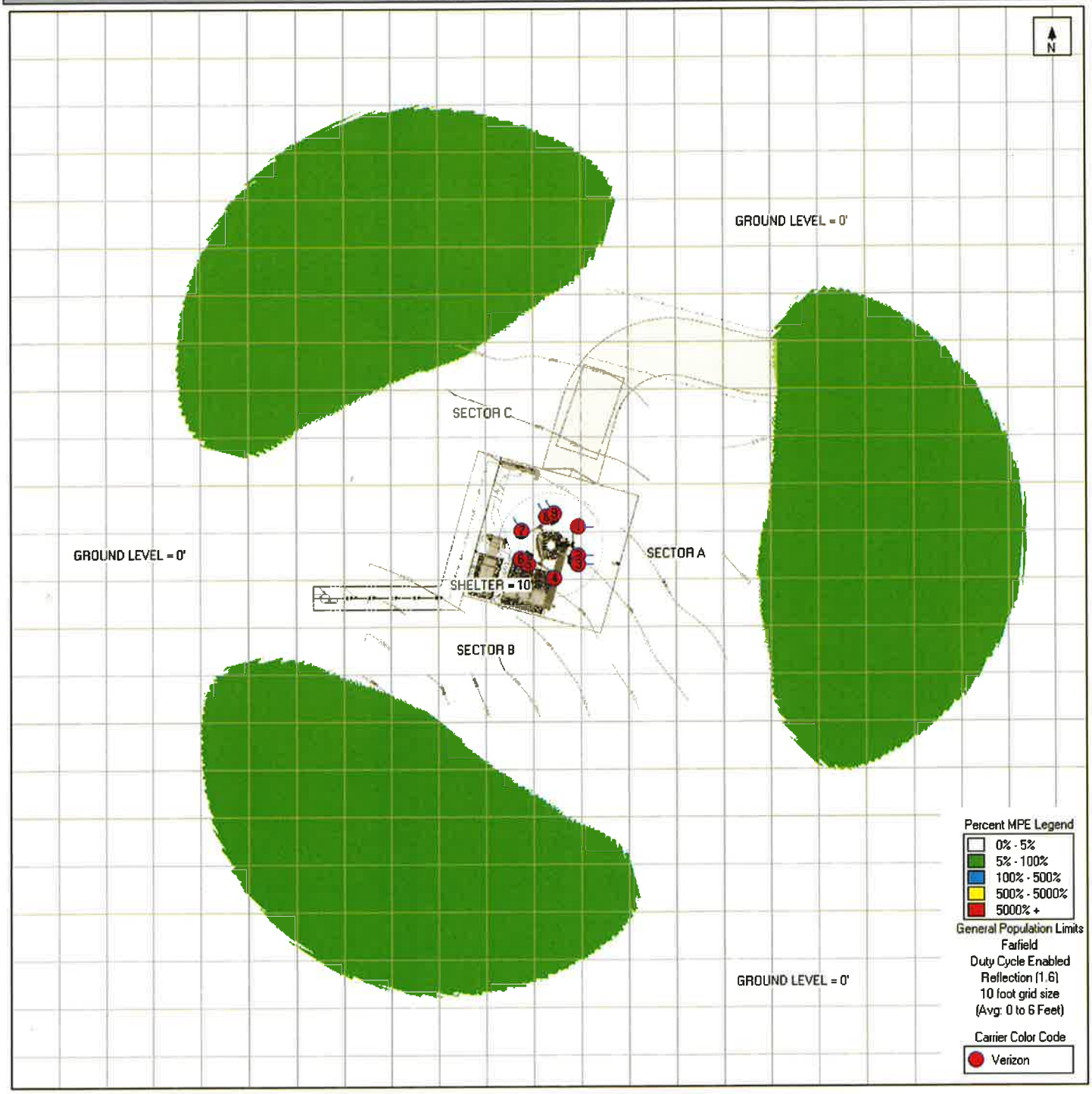
Equipment Shelter Roof Level Simulation



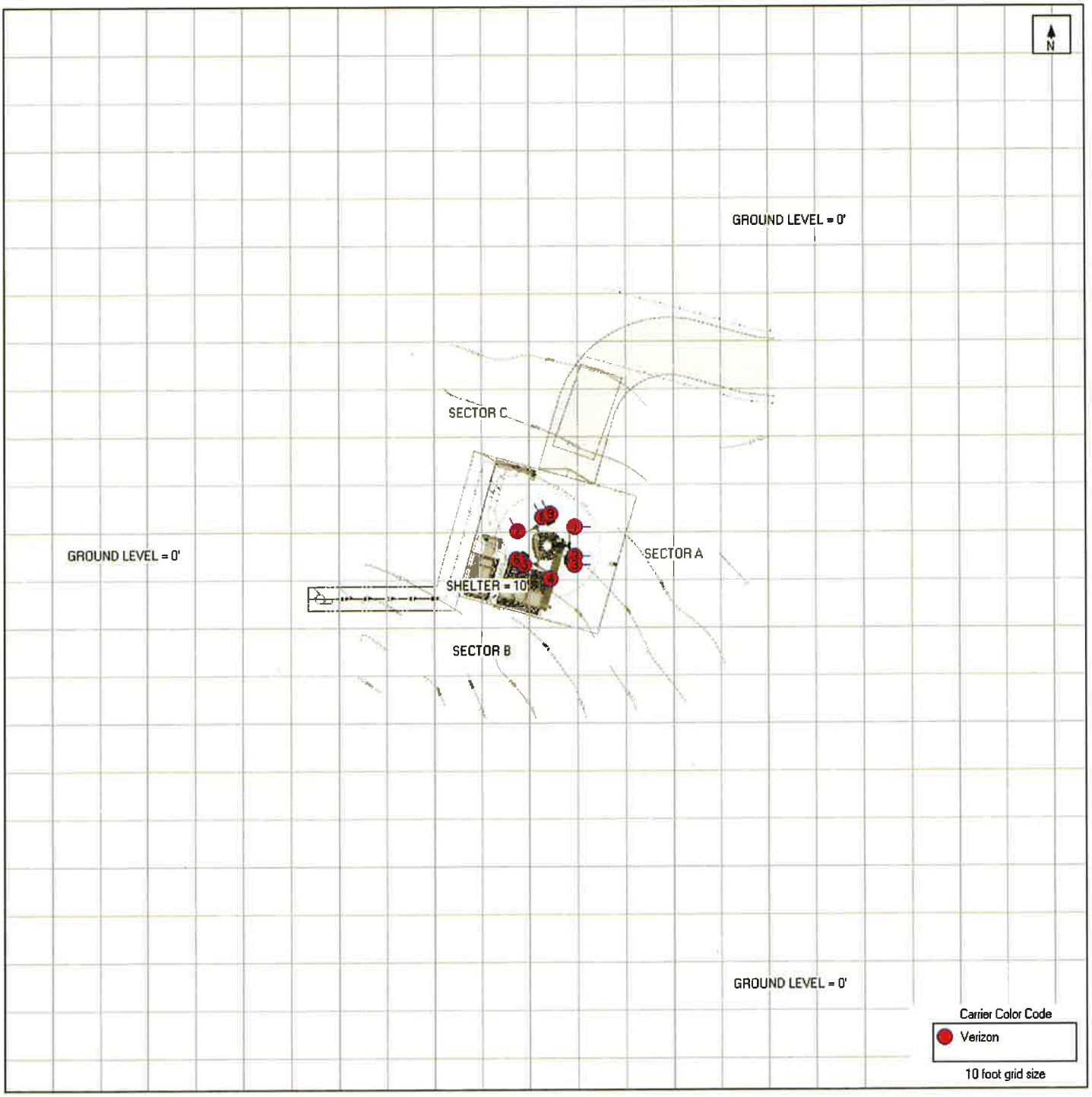
Verizon Antenna Face Level Simulation



Ground Level Simulation



Verizon Signage Plan

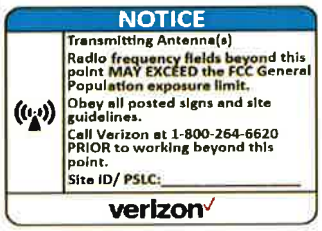
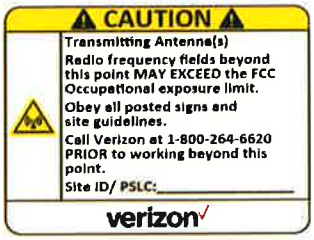
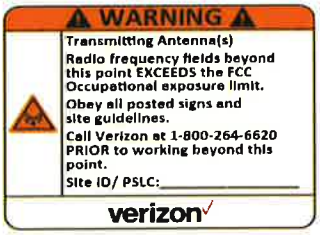


Sign	Posting Instructions	Required Signage / Mitigation
	Signs are Not Required	Signs are Not Required
	Signs are Not Required	Signs are Not Required

RF Signage and Safety Information

RF Signage

Areas or portions of any transmitter site may be susceptible to high power densities that could cause personnel exposures in excess of the FCC guidelines. These areas must be demarcated by conspicuously posted signage that identifies the potential exposure. Signage MUST be viewable regardless of the viewer's position.

GUIDELINES	Category Two - Notice	Category Three - Caution	Category Four - Warning
This sign will inform anyone of the basic precautions to follow when entering an area with transmitting radiofrequency equipment.	This sign indicates that RF emissions may exceed the FCC General Population MPE limit. • Sign Color Blue • Sign Signal Word "Notice"	This sign indicates that RF emissions may exceed the FCC Occupational MPE limit. • Sign Color Yellow • Sign Signal Word "Caution"	This sign indicates that RF emissions may exceed at least 10x the FCC Occupational MPE limit. • Sign Color Orange for Warning • Sign Signal Word "Warning"
			

Category One - Information	
Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the Verizon Wireless Network Operations Center phone number. • Sign Color Green • Sign Signal Word "Information"	

Physical Barriers

Physical barriers are control measures that require awareness and participation of personnel. Physical barriers are employed as an additional administration control to complement RF signage and physically demarcate an area in which RF exposure levels may exceed the FCC General Population limit. **Example:** chain-connected stanchions

Indicative Markers

Indicative markers are visible control measures that require awareness and participation of personnel, as they cannot physically prevent someone from entering an area of potential concern. Indicative markers are employed as an additional administration control to complement RF signage and visually demarcate an area in which RF exposure levels may exceed the FCC General Population limit. **Example:** paint stripes

Occupational Safety and Health Administration (OSHA) Requirements

A formal adopter of FCC Standards, OSHA stipulates that those in the Occupational classification must complete training in the following: RF Safety, RF Awareness, and Utilization of Personal Protective Equipment. OSHA also provides options for Hazard Prevention and Control:

Hazard Prevention	Control
• Utilization of good equipment • Enact control of hazard areas • Limit exposures • Employ medical surveillance and accident response	• Employ Lockout/Tag out • Utilize personal alarms & protective clothing • Prevent access to hazardous locations • Develop or operate an administrative control program

Appendix C

Federal Communications Commission (FCC) Requirements

The FCC has established Maximum Permissible Exposure (MPE) limits for human exposure to Radiofrequency Electromagnetic (RF-EME) energy fields, based on exposure limits recommended by the National Council on Radiation Protection and Measurements (NCRP) and, over a wide range of frequencies, the exposure limits developed by the Institute of Electrical and Electronics Engineers, Inc. (IEEE) and adopted by the American National Standards Institute (ANSI) to replace the 1982 ANSI guidelines. Limits for localized absorption are based on recommendations of both ANSI/IEEE and NCRP.

The FCC guidelines incorporate two separate tiers of exposure limits that are based upon occupational/controlled exposure limits (for workers) and general public/uncontrolled exposure limits for members of the general public.

Occupational/controlled exposure limits apply to situations in which persons are exposed as a consequence of their employment and in which those persons who are exposed have been made fully aware of the potential for exposure and can exercise control over their exposure. Occupational/ controlled exposure limits also apply where exposure is of a transient nature as a result of incidental passage through a location where exposure levels may be above general public/uncontrolled limits (see below), as long as the exposed person has been made fully aware of the potential for exposure and can exercise control over his or her exposure by leaving the area or by some other appropriate means.

General public/uncontrolled exposure limits apply to situations in which the general public may be exposed or in which persons who are exposed as a consequence of their employment may not be made fully aware of the potential for exposure or cannot exercise control over their exposure. Therefore, members of the general public would always be considered under this category when exposure is not employment-related, for example, in the case of a telecommunications tower that exposes persons in a nearby residential area.

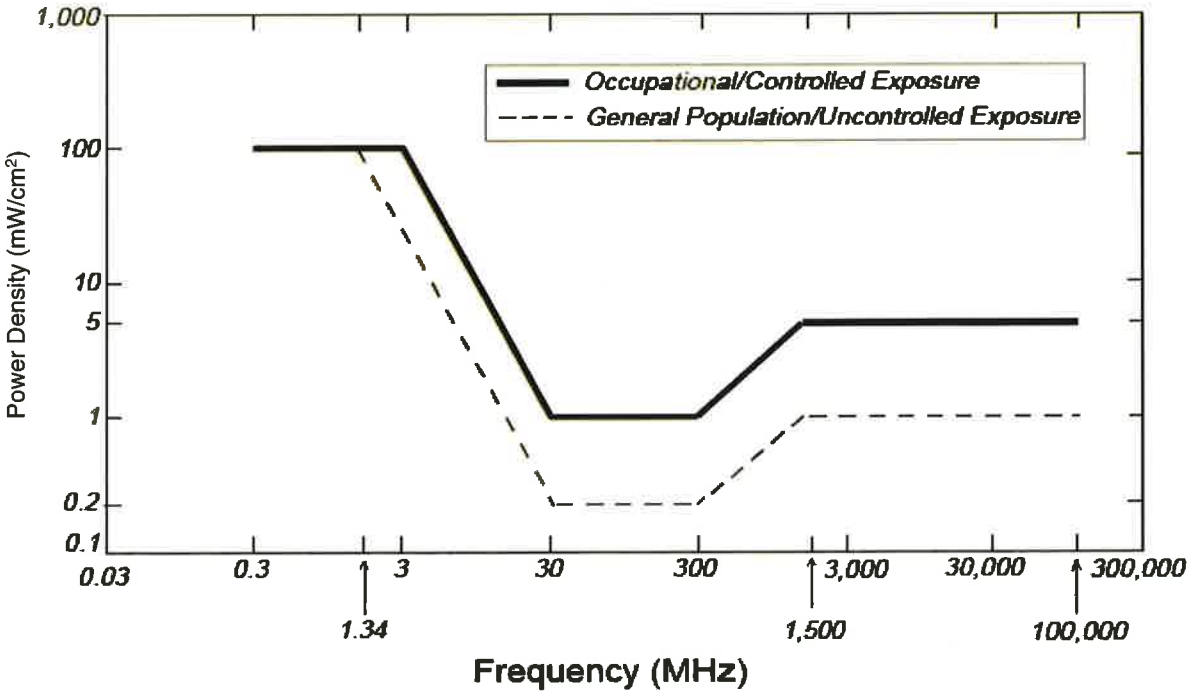
Table 1 and Figure 1 (below), which are included within the FCC's OET Bulletin 65, summarize the MPE limits for RF emissions. These limits are designed to provide a substantial margin of safety. They vary by frequency to take into account the different types of equipment that may be in operation at a particular facility and are "time-averaged" limits to reflect different durations resulting from controlled and uncontrolled exposures.

The FCC's MPEs are measured in terms of power (mW) over a unit surface area (cm^2). Known as the power density, the FCC has established for equipment operating at frequencies range from 300 Mhz to 1,500 Mhz the Occupational/Controlled limit of (f/300) mW/cm^2 where f is the Frequency in (MHz) and the General Population / Uncontrolled limit of (f/1500) mW/cm^2 where f is the Frequency in (MHz). For equipment operating at frequency ranges from 1900 MHz to 100,000 MHz, the FCC's occupational MPE is 5.0 mW/cm^2 and an uncontrolled MPE limit of 1.0 mW/cm^2. These limits are considered protective of these populations.

Table 1: Limits for Maximum Permissible Exposure (MPE)				
(A) Limits for Occupational/Controlled Exposure				
Frequency Range (MHz)	**Electric Field Strength (E) (V/m)**	**Magnetic Field Strength (H) (A/m)**	**Power Density (S) (mW/cm^2)**	**Averaging Time $[E]^2$, $[H]^2$, or S (minutes)**
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	($900/f^2$)*	6
30-300	61.4	0.163	1.0	6
300-1,500	--	--	f/300	6
1,500-100,000	--	--	5	6
(B) Limits for General Public/Uncontrolled Exposure				
Frequency Range (MHz)	**Electric Field Strength (E) (V/m)**	**Magnetic Field Strength (H) (A/m)**	**Power Density (S) (mW/cm^2)**	**Averaging Time $[E]^2$, $[H]^2$, or S (minutes)**
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	($180/f^2$)*	30
30-300	27.5	0.073	0.2	30
300-1,500	--	--	f/1,500	30
1,500-100,000	--	--	1.0	30

f = Frequency in (MHz)
* Plane-wave equivalent power density

Figure 1. FCC Limits for Maximum Permissible Exposure (MPE)



MPE limits are designed to provide a substantial margin of safety. These limits apply for continuous exposures and are intended to provide a prudent margin of safety for all persons, regardless of age, gender, size, or health.

Personal Communication (PCS) facilities used by Verizon in this area will potentially operate within a frequency range of 700 to 2100 MHz. Facilities typically consist of: 1) electronic transceivers (the radios or cabinets) connected to wired telephone lines; and 2) antennas that send the wireless signals created by the transceivers to be received by individual subscriber units (PCS telephones). Transceivers are typically connected to antennas by coaxial cables.

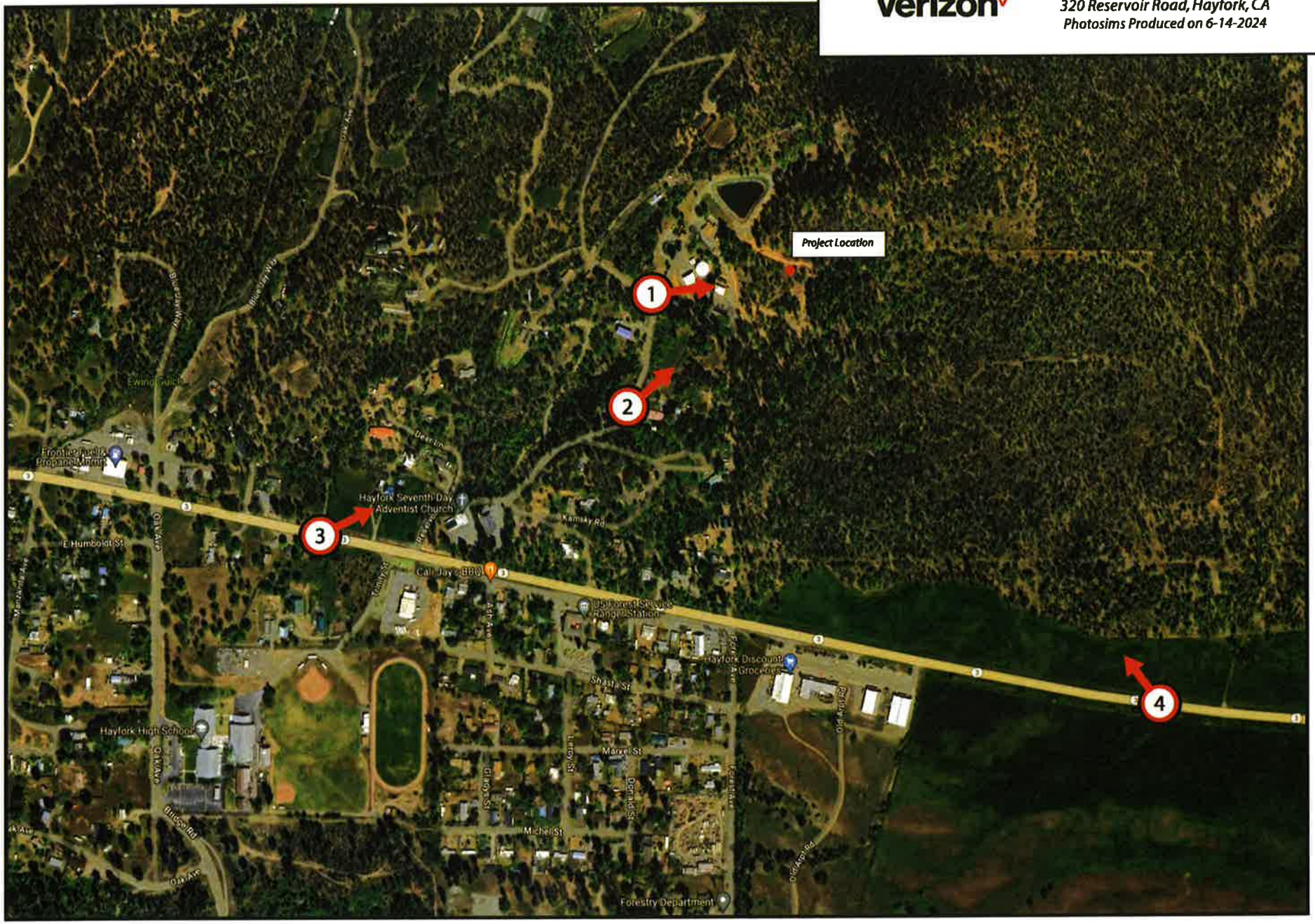
Because of the short wavelength of PCS services, the antennas require line-of-site paths for good propagation, and are typically installed above ground level. Antennas are constructed to concentrate energy towards the horizon, with as little energy as possible scattered towards the ground or the sky. This design, combined with the low power of PCS facilities, generally results in no possibility for exposure to approach Maximum Permissible Exposure (MPE) levels, with the exception of areas directly in front of the antennas.

FCC Compliance Requirement

A site is considered out of compliance with FCC regulations if there are areas that exceed the FCC exposure limits and there are no RF hazard mitigation measures in place. Any carrier which has an installation that contributes more than 5% of the applicable MPE must participate in mitigating these RF hazards.

verizon

Hayfork
320 Reservoir Road, Hayfork, CA
Photosims Produced on 6-14-2024



AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

Shot Point Map

Existing



Proposed



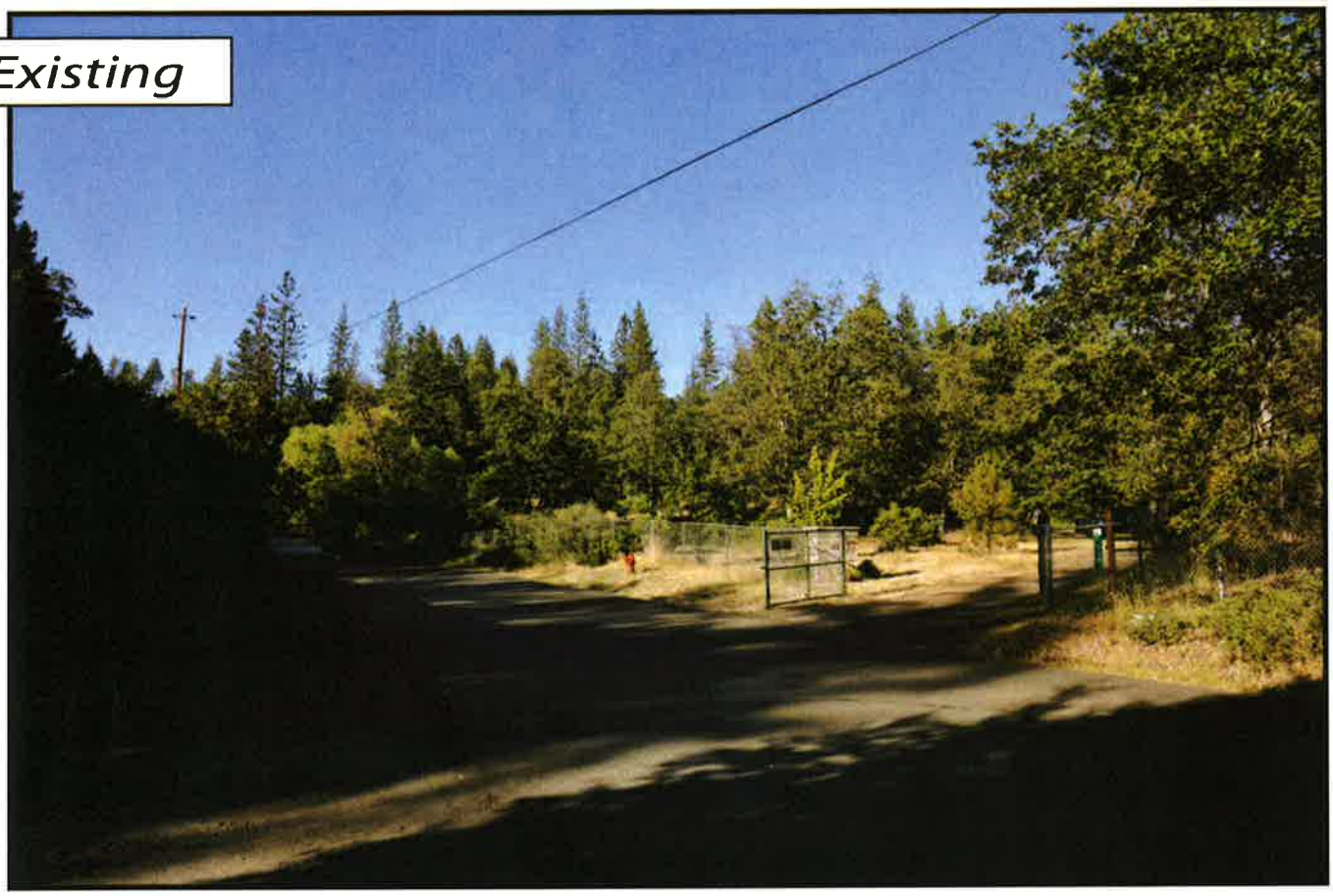
AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from Reservoir Road looking northeast at site

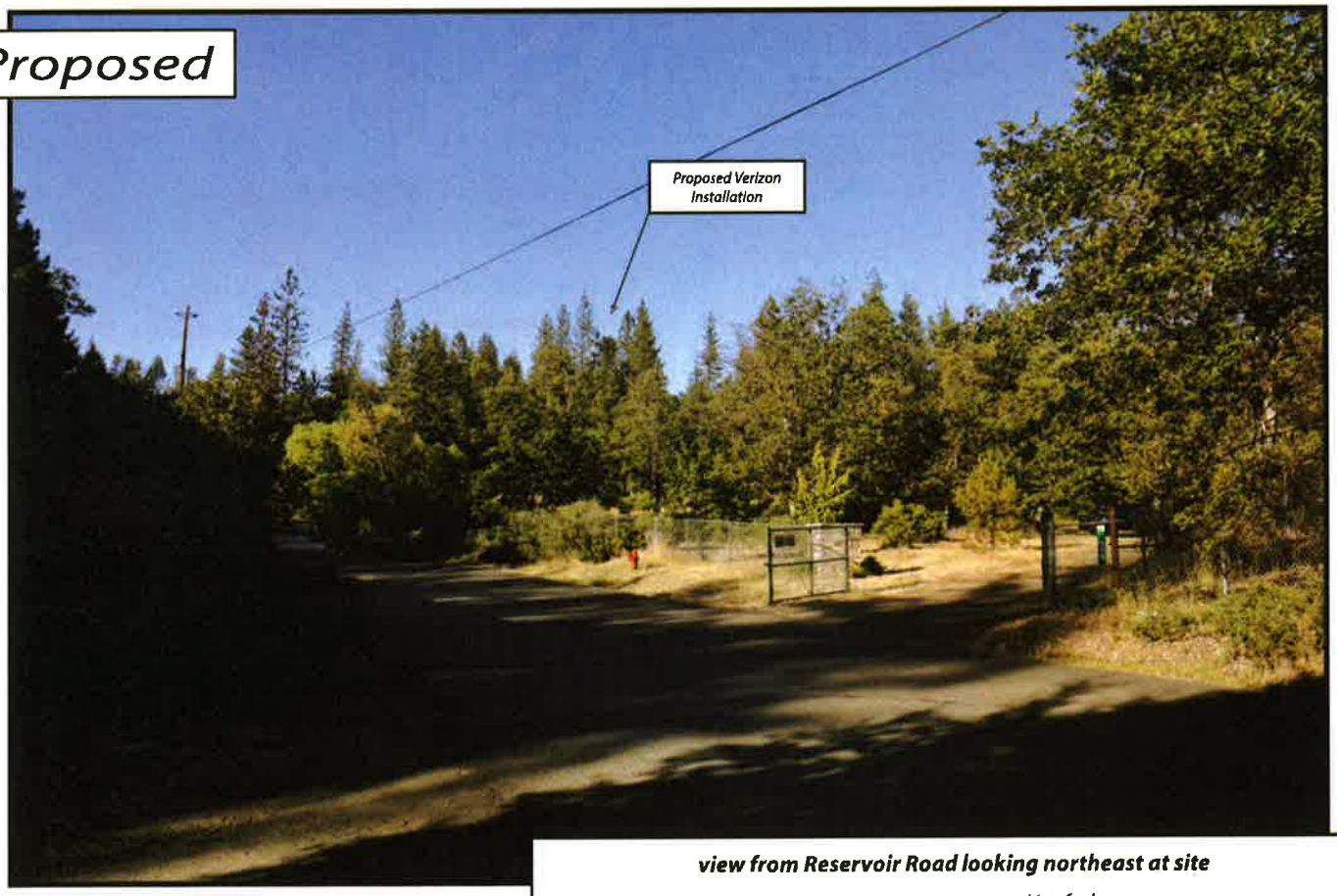
verizon

Hayfork
320 Reservoir Road, Hayfork, CA
Photosims Produced on 6-14-2024

Existing



Proposed



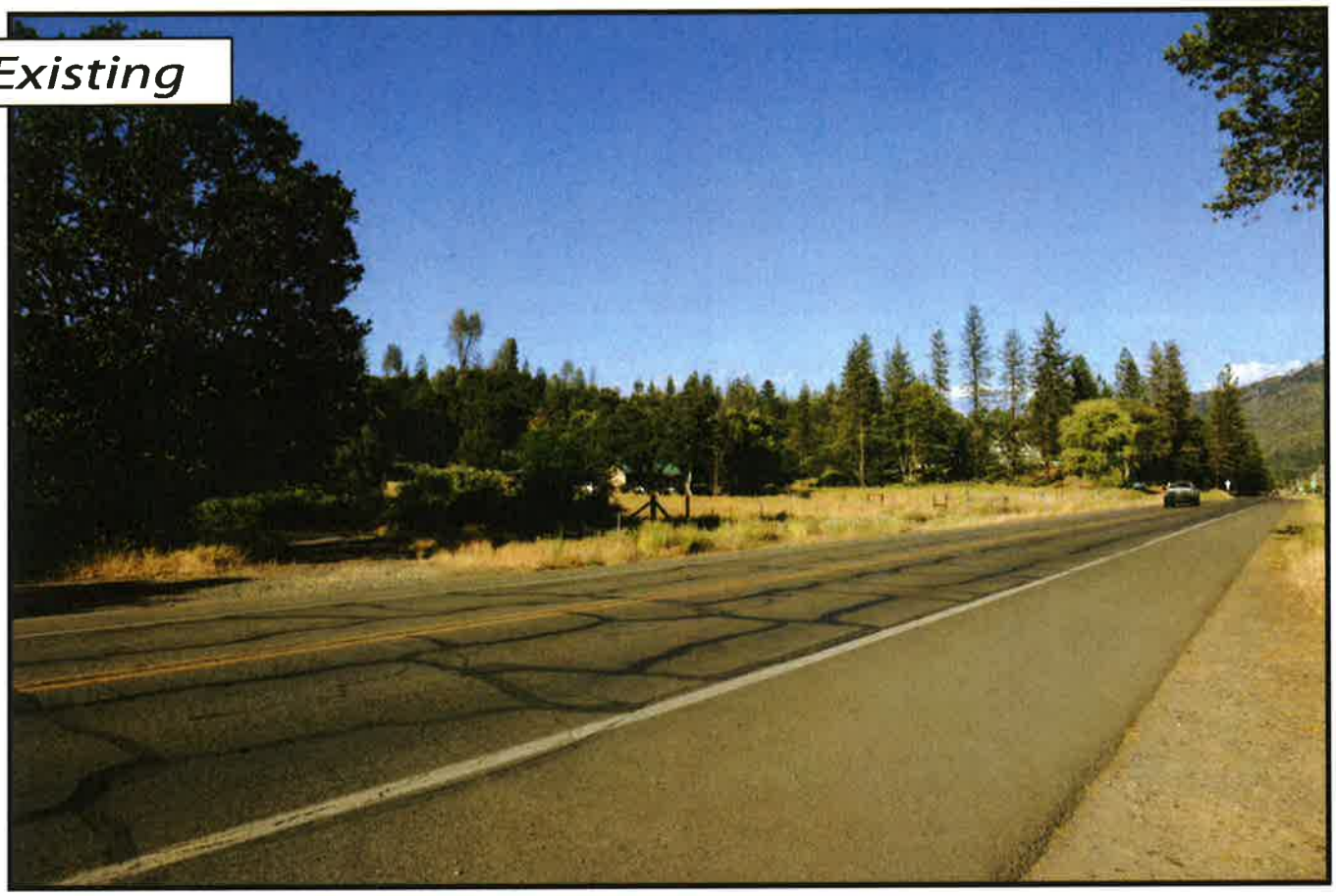
AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from Reservoir Road looking northeast at site

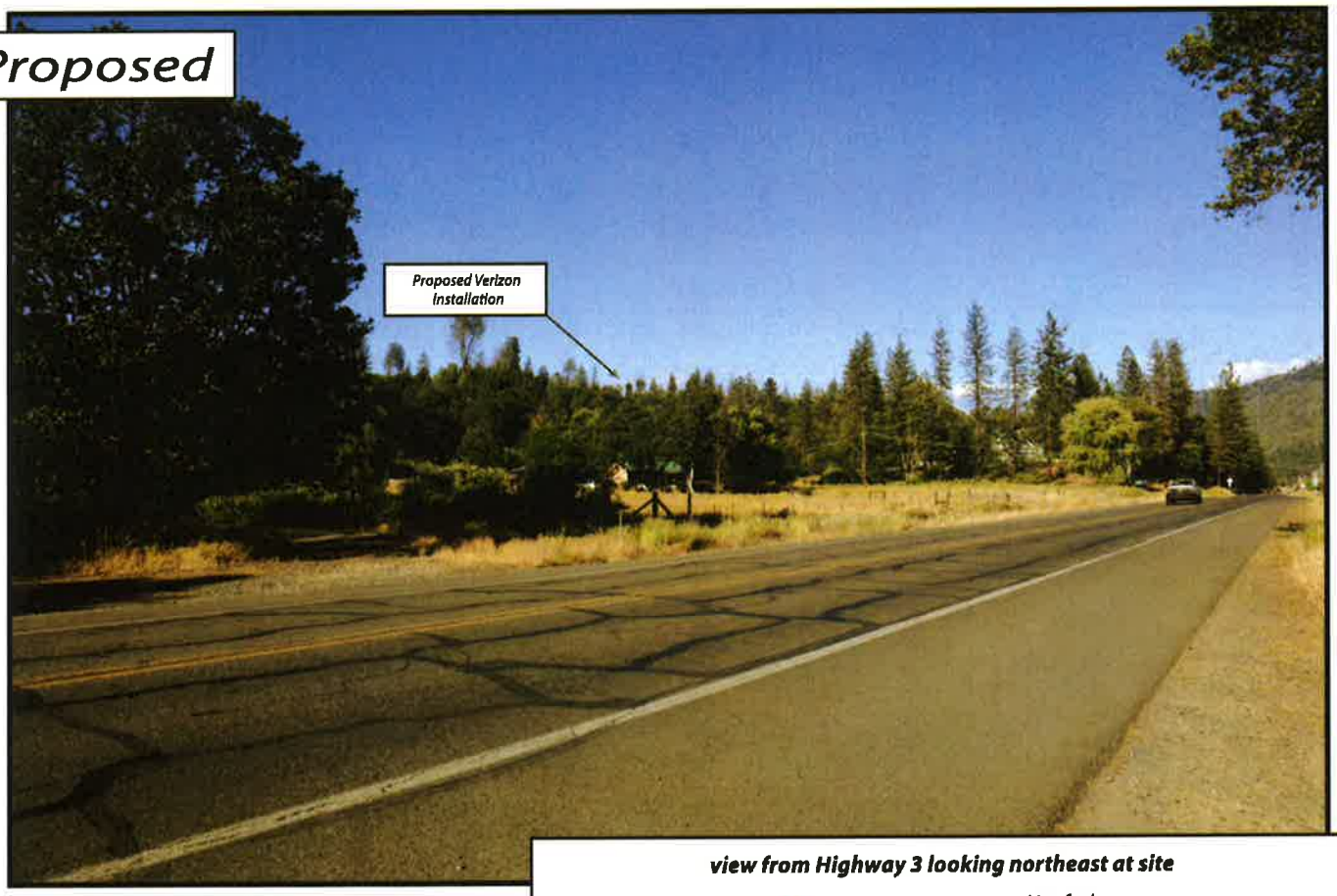
verizon

Hayfork
320 Reservoir Road, Hayfork, CA
Photosims Produced on 6-14-2024

Existing



Proposed



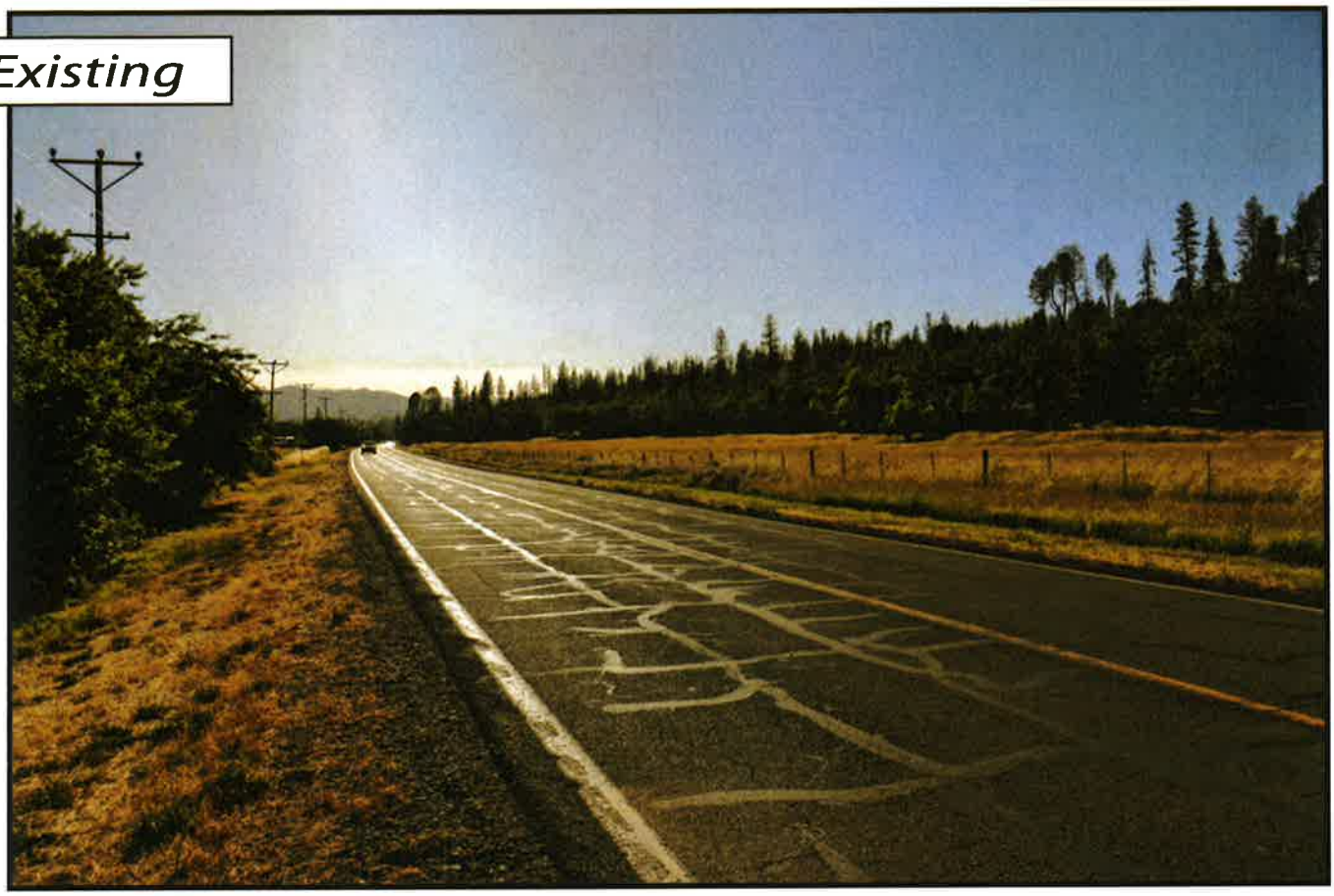
AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

view from Highway 3 looking northeast at site

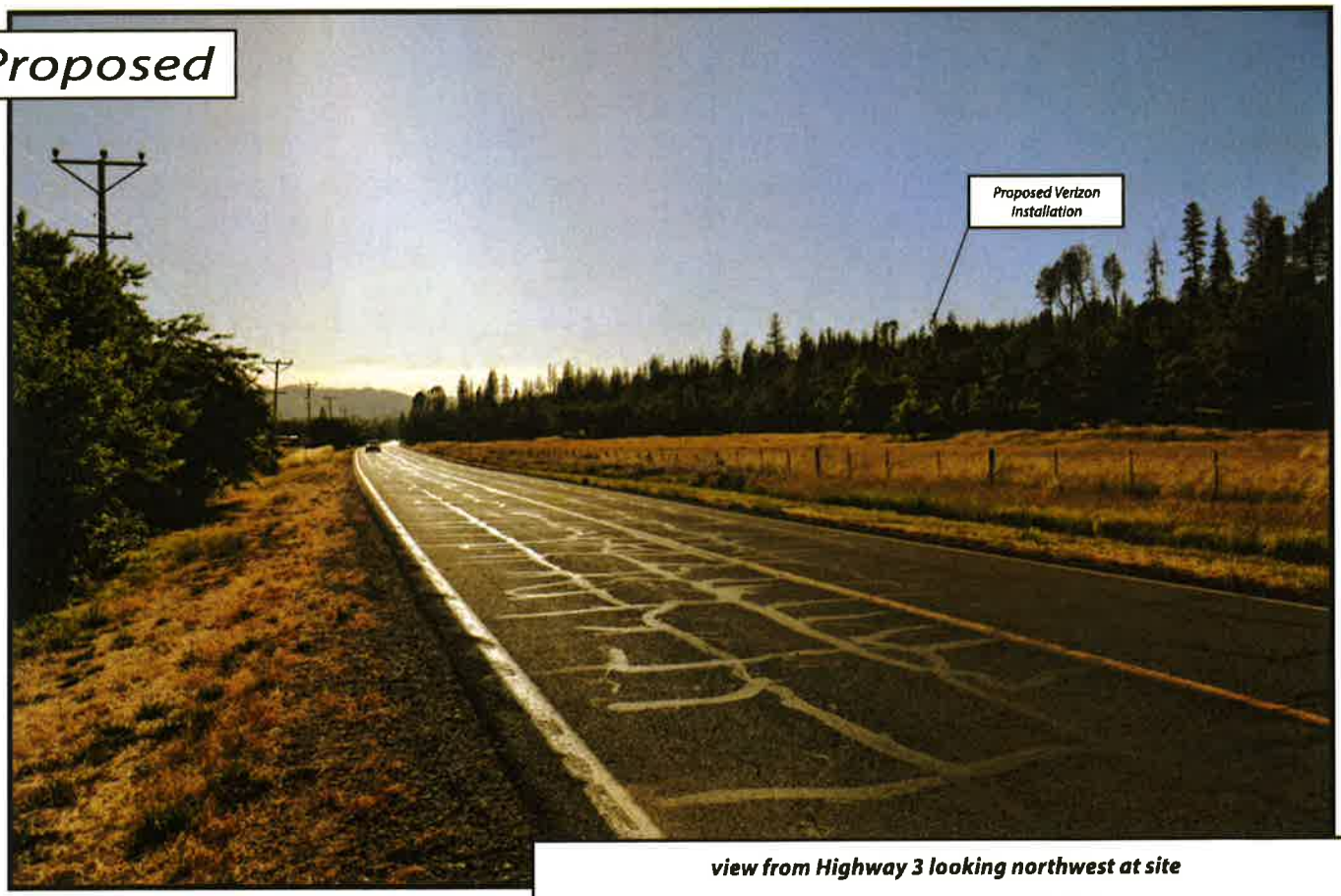
verizon

Hayfork
320 Reservoir Road, Hayfork, CA
Photosims Produced on 6-14-2024

Existing



Proposed



view from Highway 3 looking northwest at site

verizon

Hayfork
320 Reservoir Road, Hayfork, CA
Photosims Produced on 6-14-2024

AdvanceSim
Photo Simulation Solutions
Contact (925) 202-8507

verizon

HAYFORK

PROJECT ID# 16994886

MDG NO. 5000918242

320 RESERVOIR ROAD

HAYFORK, CALIFORNIA 96041

ASSESSOR'S PARCEL NO. 014-330-036-000

INSTALLATION OF A NEW TELECOMMUNICATION FACILITY

PROJECT TEAM

SITE ACQUISITION /PLANNING

MODUS, LLC.
1614 SE 10th AVENUE
PORTLAND, OREGON 97214
CONTAACT: NEIL GEISLER
PHONE: (509) 710-3515
EMAIL: ngeisler@modusllc.com

CIVIL ENGINEER

SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
CONTACT: GARRETT HAWTHORNE
PHONE: (702) 367-7705
FAX: (702) 367-8733

ELECTRICAL ENGINEER:

DGS CONSULTING ENGINEERING SERVICES LLC
9811 W. CHARLESTON BOULEVARD, SUITE 2539
LAS VEGAS, NEVADA 89117
CONTACT: DEREK G. STEFUREAC
PHONE: (702) 885-1552

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2022 CALIFORNIA ENERGY CODE
- 2022 CALIFORNIA BUILDING CODE
- 2022 CALIFORNIA ELECTRICAL CODE
- 2022 CALIFORNIA FIRE CODE
- 2022 CALIFORNIA GREEN BUILDING CODE
- 2022 CALIFORNIA MECHANICAL CODE
- 2022 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- INSTALLATION OF A 900 SQ. FT. VERIZON WIRELESS TELECOMMUNICATIONS FACILITY
- INSTALLATION OF (9) VERIZON WIRELESS PANEL ANTENNAS AT A 92'-0" & 93'-10" CENTERLINES MOUNTED TO A NEW 100'-0" MONOPINE
- INSTALLATION OF (6) VERIZON WIRELESS REMOTE RADIO UNITS (RRUs)
- INSTALLATION OF (2) VERIZON WIRELESS PARABOLIC ANTENNAS
- INSTALLATION OF (2) VERIZON WIRELESS TOWER MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS CABINET MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS OUTDOOR EQUIPMENT CABINETS ON A NEW CONCRETE PAD
- INSTALLATION OF (1) VERIZON WIRELESS GPS ANTENNAS
- INSTALLATION OF VERIZON WIRELESS 30KW DC GENERATOR WITH A 125 GALLON DIESEL TANK ON A NEW CONCRETE PAD
- COAXIAL/HYBRIFLEX CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW FIBER CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER

VICINITY MAP



PROJECT SUMMARY

APPLICANT/LESSEE

verizon

VERIZON WIRELESS
2270 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

ASSESSOR'S PARCEL NUMBER

APN: 014-330-36-00

PROPERTY OWNER:

OWNER: TRINITY COUNTY WATER WORKS
ADDRESS: 320 RESERVOIR ROAD HAYFORK HAYFORK, CALIFORNIA 96041
CONTACT: SHANE MCDONALD
TELEPHONE: (530) 358-1090

PROPERTY INFORMATION

SITE NAME: HAYFORK
SITE ADDRESS: 320 RESERVOIR ROAD HAYFORK, CALIFORNIA 96041
JURISDICTION: SANTA CLARA COUNTY
LATITUDE: N 40° 33' 24.2" NAD 83 N 40.556727° NAD 83
LONGITUDE: W 123° 09' 43.4" NAD 83 W 123.162047° NAD 83

CONSTRUCTION INFORMATION

AREA OF CONSTRUCTION: 30' X30' (~900 SQ FT)
OCCUPANCY TYPE: U
TYPE OF CONSTRUCTION: V-B
CURRENT ZONING: PUBLIC FACILITY (PF)
ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

UTILITY INFORMATION

POWER: TRINITY P.U.D.
FIBER: T.B.D.

SHEET	DESCRIPTION	REV
T1	TITLE SHEET	0
C-1	SITE SURVEY	2
C-2	SITE SURVEY	2
C-3	SITE SURVEY	2
A1	SITE PLAN	0
A2	SITE DETAIL	0
A2.1	SITE DETAIL WITH DIMENSIONS	0
A3	ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE	0
A4	EXISTING AND PROPOSED NORTH ELEVATIONS	0
A5	EXISTING AND PROPOSED SOUTH ELEVATIONS	0

ZONING DRAWINGS

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT TOLL FREE: 1-800-227-2600 OR WWW.DIGALERT.ORG

CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

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verizon
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

TITLE SHEET

REVISION:

T1 **0**

NOTES

APN: 017-460-011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: TRINITY COUNTY TITLE COMPANY, TITLE FILE NO. 65029, DATED MARCH 11, 2024. WITHIN SAID TITLE REPORT THERE ARE TWELVE (12) EXCEPTIONS LISTED, EIGHT (8) OF WHICH ARE EASEMENTS AND TWO (2) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060401, PANEL NO. 1191E, DATED JANUARY 20, 2010 SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, AREAS ARE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 40° 33' 23.90" N. NAD 83
LONG. 123° 09' 42.42" W. NAD 83
ELEV. 2572.3' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

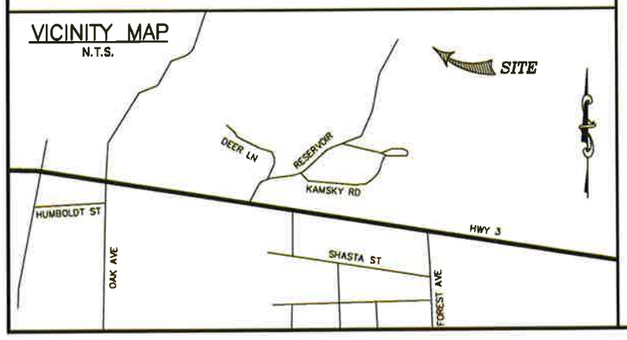
LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

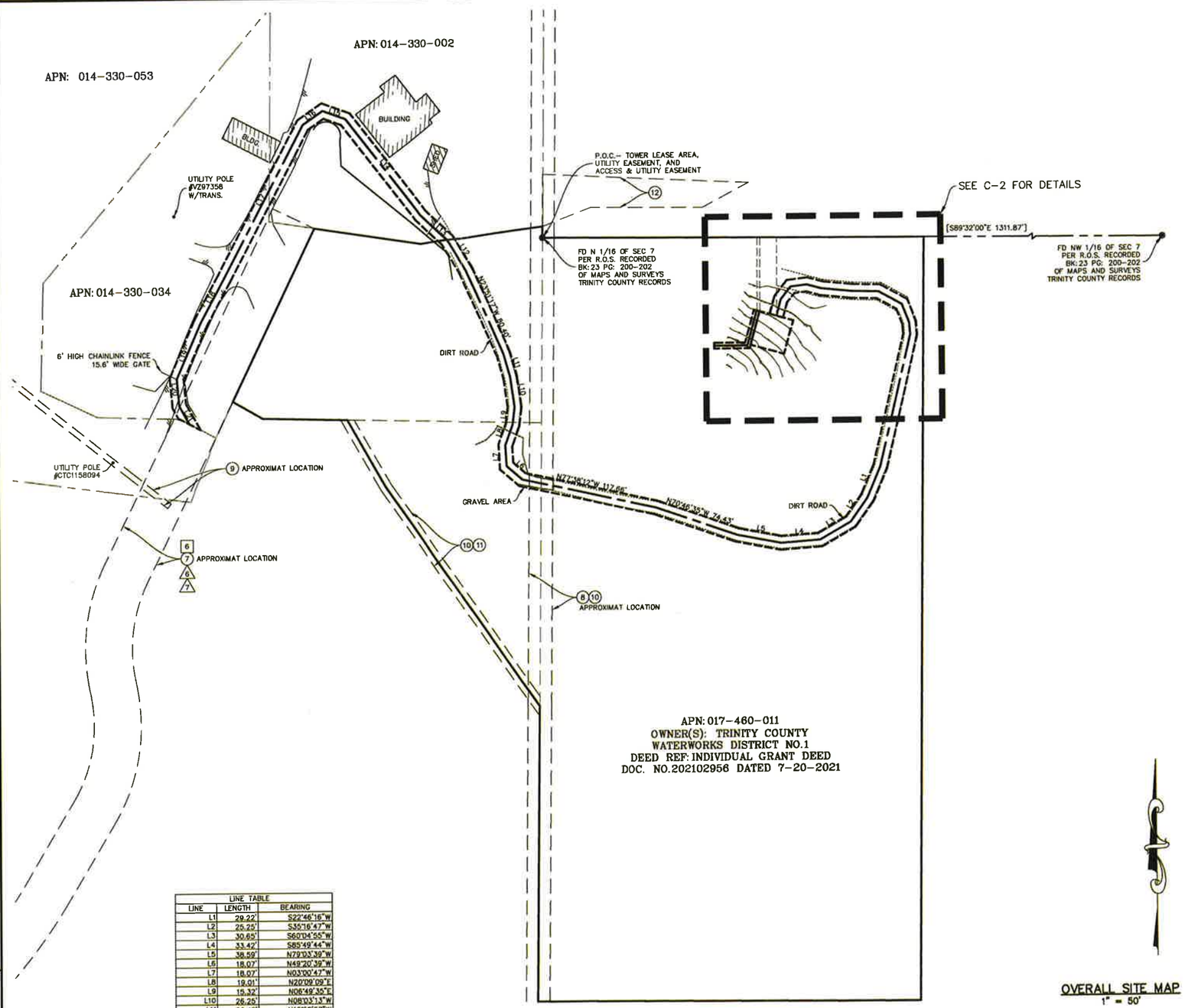
A PARCEL OF LAND IN SECTION 12, T. 31N., R. 12, W AND A PORTION OF LOT 2 (OR THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4) OF SECTION 7, T.31 N. R. 11, W. M.D.B.&M.

BEGINNING THE NORTHWEST CORNER OF SAID LOT 2 (ALSO BEING THE N. 1/16 CORNER BETWEEN SAID SECTION 12 AND SAID SECTION 7); SAID POINT BEING A STANDARD U.S.F.S. MONUMENT STAMPED L.S. 7791 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED IN BOOK 23 OF MAPS AND SURVEYS AT PAGE 200 TO 202 AND ALSO BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 89°32' E ALONG THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO; THENCE S 0°51'00"W AND PARALLEL WITH THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 660 FEET; THENCE N 89°32'W AND PARALLEL WITH THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO A POINT IN THE W LINE OF SAID LOT 2 AND ALSO BEING A POINT ON THE EAST LINE OF THE PARCEL MAP FOR CHARLES G. AND ELSIE M. MYERS AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF TRINITY COUNTY, CALIFORNIA, ON OCTOBER 9, 1980 IN BOOK 13 OF MAPS AND SURVEYS AT PAGE 69; THENCE N 0°51'00"E (SHOWN AS N 2°W, ON MYERS PARCEL MAP) ALONG THE EAST LINE OF SAID MYERS PARCEL MAP FOR A DISTANCE OF 56.62 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID MYERS PARCEL MAP; THENCE CONTINUING N 0°51'00"W (N 2° W) ALONG THE EAST LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 195.41 FEET TO A POINT ON THE SOUTH LINE OF THAT 10' STRIP SHOWN ON SAID MYERS PARCEL 1; THENCE N 37°30'W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 238.85 FEET; THENCE N 32°W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 70.20 FEET TO A POINT IN THE NORTH LINE OF SAID MYERS PARCEL 1; THENCE S 88°35'W ALONG THE NORTH LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 67.36 FEET TO AN ANGLE POINT THE NORTH LINE OF SAID MYERS PARCEL; THENCE N 63°02'16"W FOR A DISTANCE OF 29.89 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE ACCESS ROAD TO THE RESERVOIR SITE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE N 22°57'502'E FOR A DISTANCE OF 165.40 FEET TO THE SOUTHERLY LINE OF SAID RESERVOIR SITE; THENCE S 63°55;40"E FOR A DISTANCE OF 92.54 FEET; THENCE N 66°17'50"E FOR A DISTANCE OF 124.66 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE 0°51'00"E (S 2°00'E) ALONG THE EAST LINE OF SAID SECTION 12 FOR A DISTANCE OF 14.98 TO THE POINT OF BEGINNING

PURSUANT TO LOT LINE ADJUSTMENT #P-20-39

VICINITY MAP
N.T.S.





LINE TABLE		
LINE	LENGTH	BEARING
L1	29.22'	S22°46'16"W
L2	25.25'	S35°16'47"W
L3	30.65'	S60°04'55"W
L4	33.42'	S85°49'44"W
L5	38.59'	N79°03'39"W
L6	18.07'	N49°20'39"W
L7	18.07'	N03°00'47"W
L8	19.01'	N20°09'09"E
L9	15.32'	N06°49'35"E
L10	26.25'	N08°03'13"W
L11	20.47'	N15°50'57"W
L12	29.80'	N31°25'57"W
L13	31.95'	N47°15'07"W
L14	105.29'	N37°19'58"W
L15	20.96'	N69°47'30"W
L16	20.96'	S55°15'34"W
L17	149.65'	S27°47'06"W
L18	42.92'	S28°38'57"W
L19	52.97'	S23°39'44"W
L20	23.34'	S05°14'10"E
L21	17.86'	S29°05'55"E



OVERALL SITE MAP
1" = 50'

LEGEND
- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- +100.00 SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR: NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/19/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/28/24
3	REV. DESIGN	EJ	07/31/24
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7			

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DRAWN BY: LA
CHECKED BY: DA
DATE DRAWN: 02/19/24
SMITHCO JOB #: 56-1530

SITE NAME

HAYFORK

SITE ADDRESS

320 RESERVOIR RD.
HAYFORK, CA 96041

TRINITY COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-1

TOWER LEASE AREA DESCRIPTION:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 188.31 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.70 FEET; TO THE TRUE POINT OF BEGINNING;

THENCE S74°18'19"E, A DISTANCE OF 30.00 FEET;
THENCE S15°41'41"W, A DISTANCE OF 30.00 FEET;
THENCE N74°18'19"W, A DISTANCE OF 30.00 FEET;
THENCE N15°41'41"E, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 900 SQUARE FEET, MORE OR LESS.

12' ACCESS AND UTILITY EASEMENT DESCRIPTION:

BEING A 12.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 202.78 FEET; THENCE S00°28'04"W, A DISTANCE OF 67.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N15°41'41"E, A DISTANCE OF 14.78 FEET;
THENCE N38°07'55"E, A DISTANCE OF 13.74 FEET;
THENCE N83°00'25"E, A DISTANCE OF 13.74 FEET;
THENCE S74°33'20"E, A DISTANCE OF 12.72 FEET;
THENCE S84°07'32"E, A DISTANCE OF 26.36 FEET;
THENCE S88°38'02"E, A DISTANCE OF 23.24 FEET;
THENCE S60°57'07"E, A DISTANCE OF 23.11 FEET;
THENCE S21°24'02"E, A DISTANCE OF 17.09 FEET;
THENCE S04°27'41"E, A DISTANCE OF 10.30 FEET;
THENCE S13°27'15"W, A DISTANCE OF 116.95 FEET;
THENCE S22°48'16"W, A DISTANCE OF 29.22 FEET;
THENCE S35°16'47"W, A DISTANCE OF 25.25 FEET;
THENCE S60°04'55"W, A DISTANCE OF 30.65 FEET;
THENCE S85°49'44"W, A DISTANCE OF 33.42 FEET;
THENCE N79°03'39"W, A DISTANCE OF 38.59 FEET;
THENCE N70°46'35"W, A DISTANCE OF 74.43 FEET;
THENCE N77°38'12"W, A DISTANCE OF 117.66 FEET;
THENCE N49°20'39"W, A DISTANCE OF 18.07 FEET;
THENCE N03°00'47"W, A DISTANCE OF 18.07 FEET;
THENCE N20°09'09"E, A DISTANCE OF 19.01 FEET;
THENCE N06°49'35"E, A DISTANCE OF 15.32 FEET;
THENCE N08°03'13"W, A DISTANCE OF 28.25 FEET;
THENCE N15°50'57"W, A DISTANCE OF 20.47 FEET;
THENCE N23°51'17"W, A DISTANCE OF 80.40 FEET;
THENCE N31°25'57"W, A DISTANCE OF 29.80 FEET;
THENCE N47°15'07"W, A DISTANCE OF 31.95 FEET;
THENCE N37°19'58"W, A DISTANCE OF 105.29 FEET;
THENCE N89°47'30"W, A DISTANCE OF 20.96 FEET;
THENCE S55°15'34"W, A DISTANCE OF 20.98 FEET;
THENCE S27°47'06"W, A DISTANCE OF 149.65 FEET;
THENCE S28°39'57"W, A DISTANCE OF 42.92 FEET;
THENCE S23°39'44"W, A DISTANCE OF 52.97 FEET;
THENCE S05°14'10"E, A DISTANCE OF 23.34 FEET;
THENCE S29°05'55"E, A DISTANCE OF 17.86 FEET TO THE TERMINUES OF THIS DESCRIPTION.

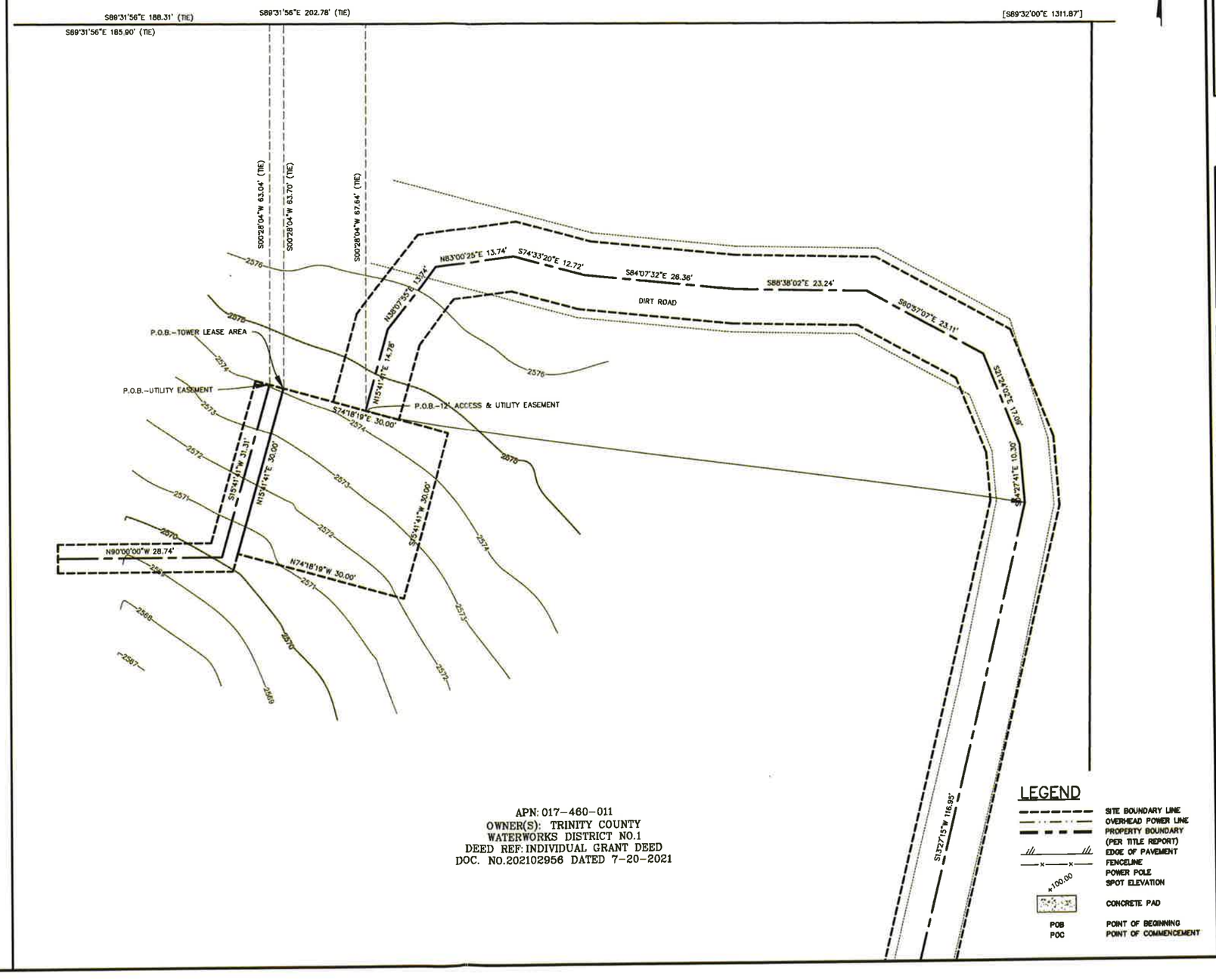
UTILITY EASEMENT DESCRIPTION:

BEING A 5.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 185.90 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.04 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S15°41'41"E, A DISTANCE OF 31.31 FEET;
THENCE N90°00'00"W, A DISTANCE OF 28.74 FEET TO TERMINUES OF THIS DESCRIPTION.

ENLARGED SITE PLAN
1" = 10'



APN: 017-460-011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1
DEED REF: INDIVIDUAL GRANT DEED
DOC. NO.202102956 DATED 7-20-2021

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR:
NextEdge

SMITHCO SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION			
NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/15/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/29/24
3	REV. DESIGN	EJ	07/31/24
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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56-1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-2

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65029:

(5) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(6) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS: A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(7) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(8) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(9) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(10) AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

(11) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1996, INSTRUMENT NO. 960001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

(12) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204:

[5] AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

[6] AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205:

△5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

△6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 187.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

△9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,

IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<

PREPARED FOR:
NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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6			
7			

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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56-1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-3

EASEMENT(S) PER TITLE REPORT:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:MARY E. YOUNG
FOR:ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED:SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS:A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

10 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

11 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1998, INSTRUMENT NO. 980001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

12 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

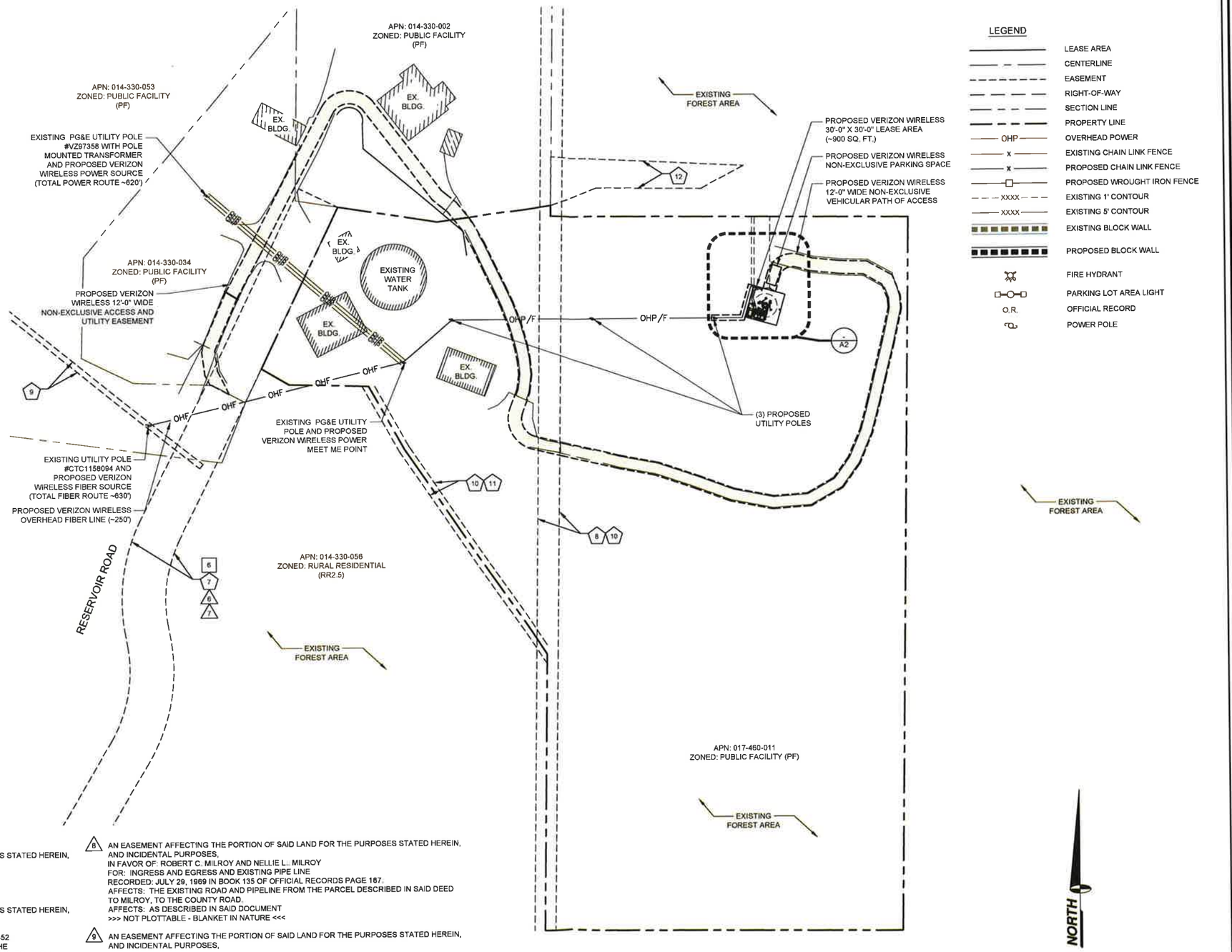
6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 167.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,

IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

SITE PLAN

11" X 17" SCALE	24" X 36" SCALE
1" = 100'	1" = 50'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4650 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

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2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

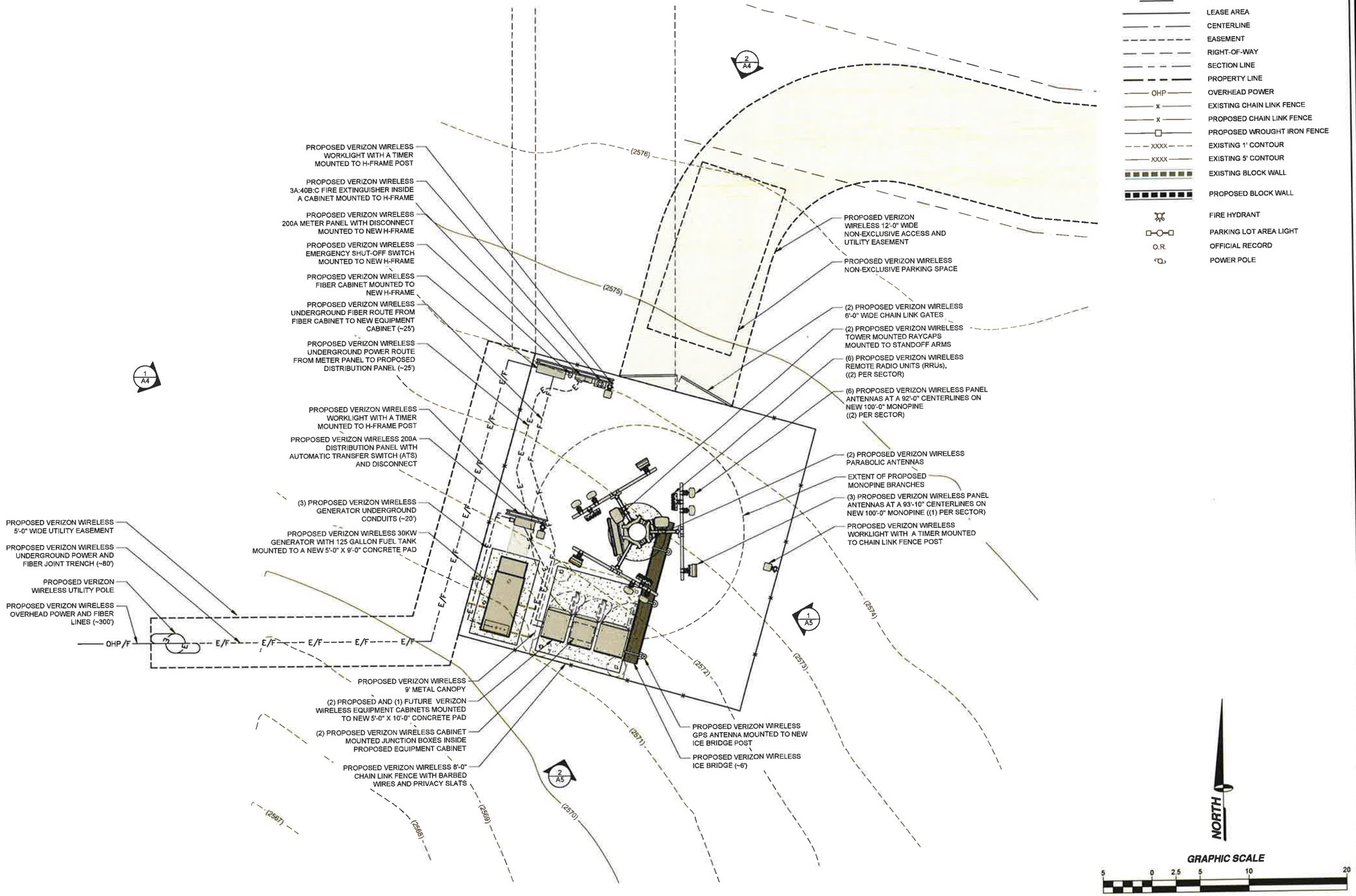
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

SITE PLAN

REVISION:
0

A1



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING CHAIN LINK FENCE
- PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

SITE DETAIL

11" X 17" SCALE	24" X 38" SCALE
1" = 10'	1" = 5'

1

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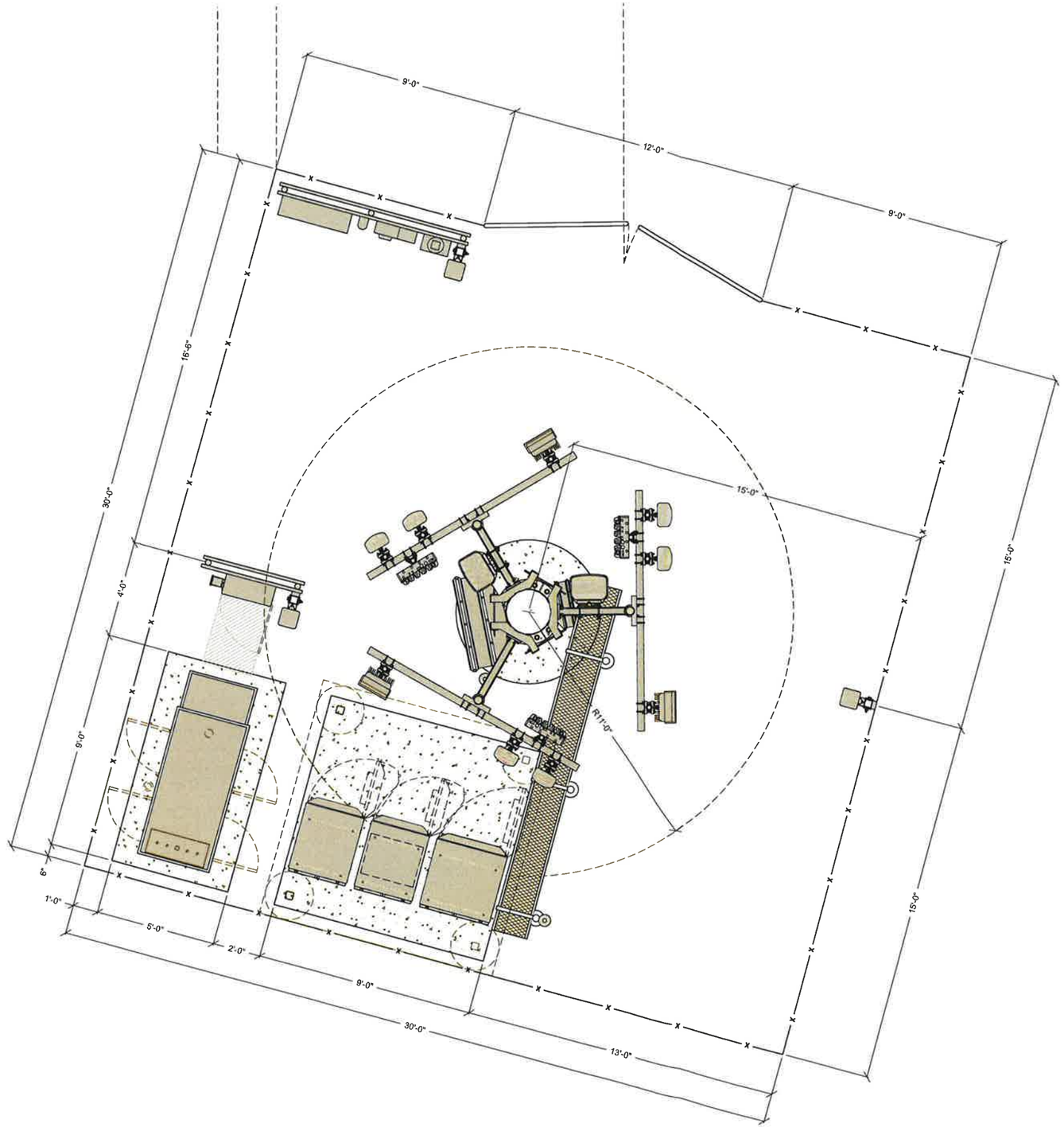
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
SITE DETAIL

A2

REVISION: 0



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE

2.5 0 1.25 2.5 5 10

(IN FEET)

11" X 17" SCALE	24" X 36" SCALE
1" = 5'	1" 2'-6"d

1

SITE DETAIL WITH DIMENSIONS

ISSUE STATUS

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BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
SITE DETAIL WITH DIMENSIONS

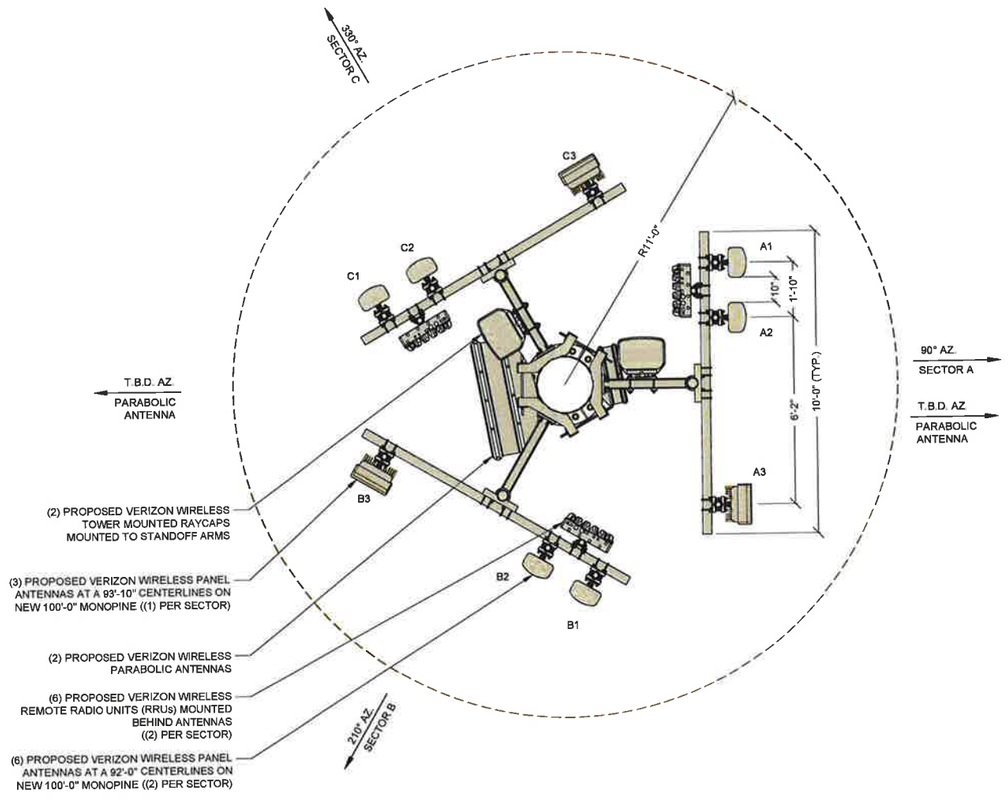
A2.1

REVISION:
0

ANTENNA & EQUIPMENT SCHEDULE

	ANT POS	ANTENNA MODEL	ANTENNA DIMENSIONS	ANTENNA AZIMUTH	ANTENNA CENTERLINE	RRU	CABLE LENGTH
ALPHA SECTOR	A1	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"	90°	92'-0"	-	~110'
	A2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	A3	ERICSSON 6419	28.3" X 16.1" X 8.0"		93'-10"	(1) RADIO 4890	
BETA SECTOR	B1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	210°	92'-0"	-	
	B2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	B3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	
GAMMA SECTOR	C1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	330°	92'-0"	-	
	C2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	C3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	

ANTENNA AND EQUIPMENT SCHEDULE



2 ANTENNA LAYOUT

11" X 17" SCALE	24" X 36" SCALE
1" = 5'	1" 2'-6"d

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

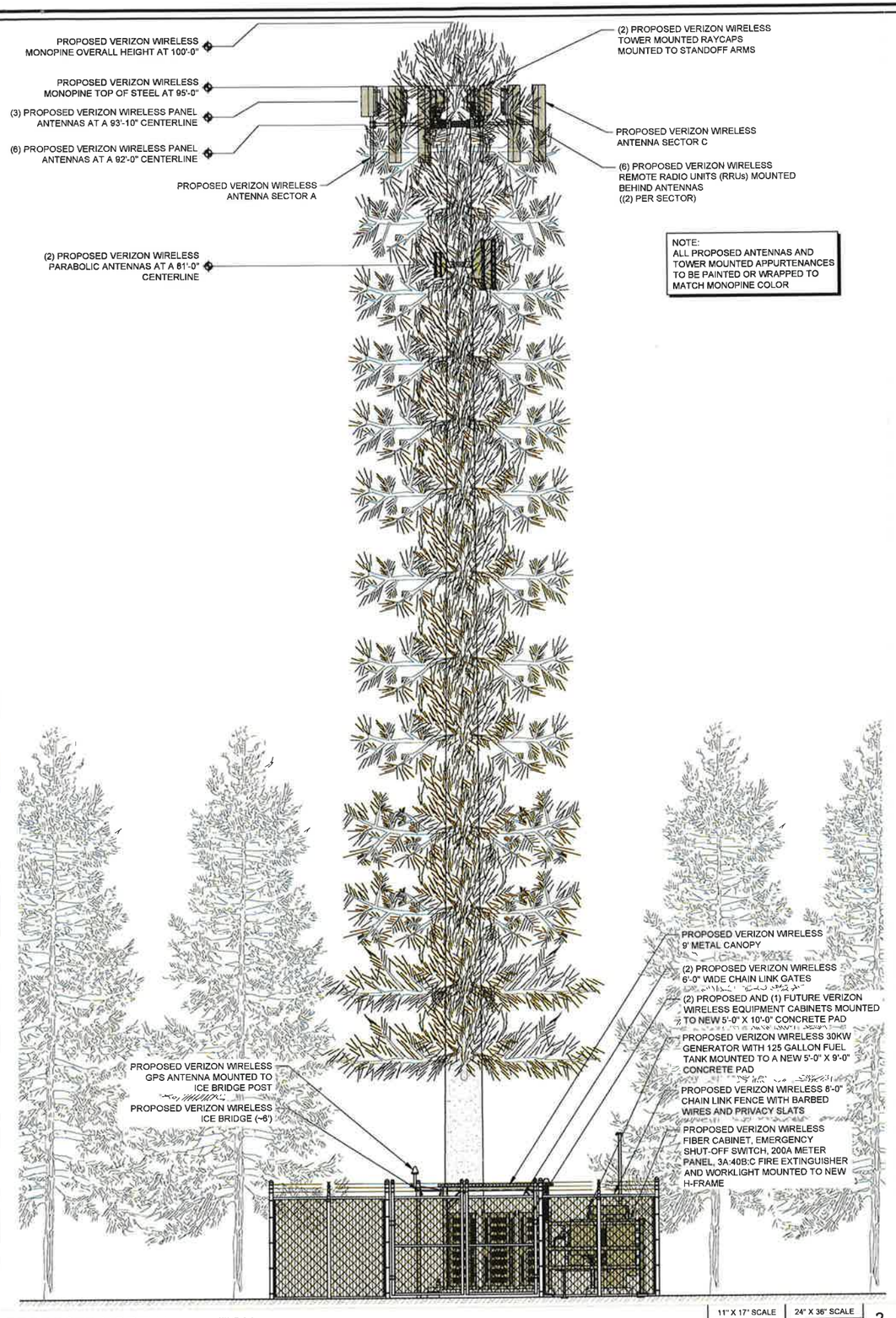
HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE

A3

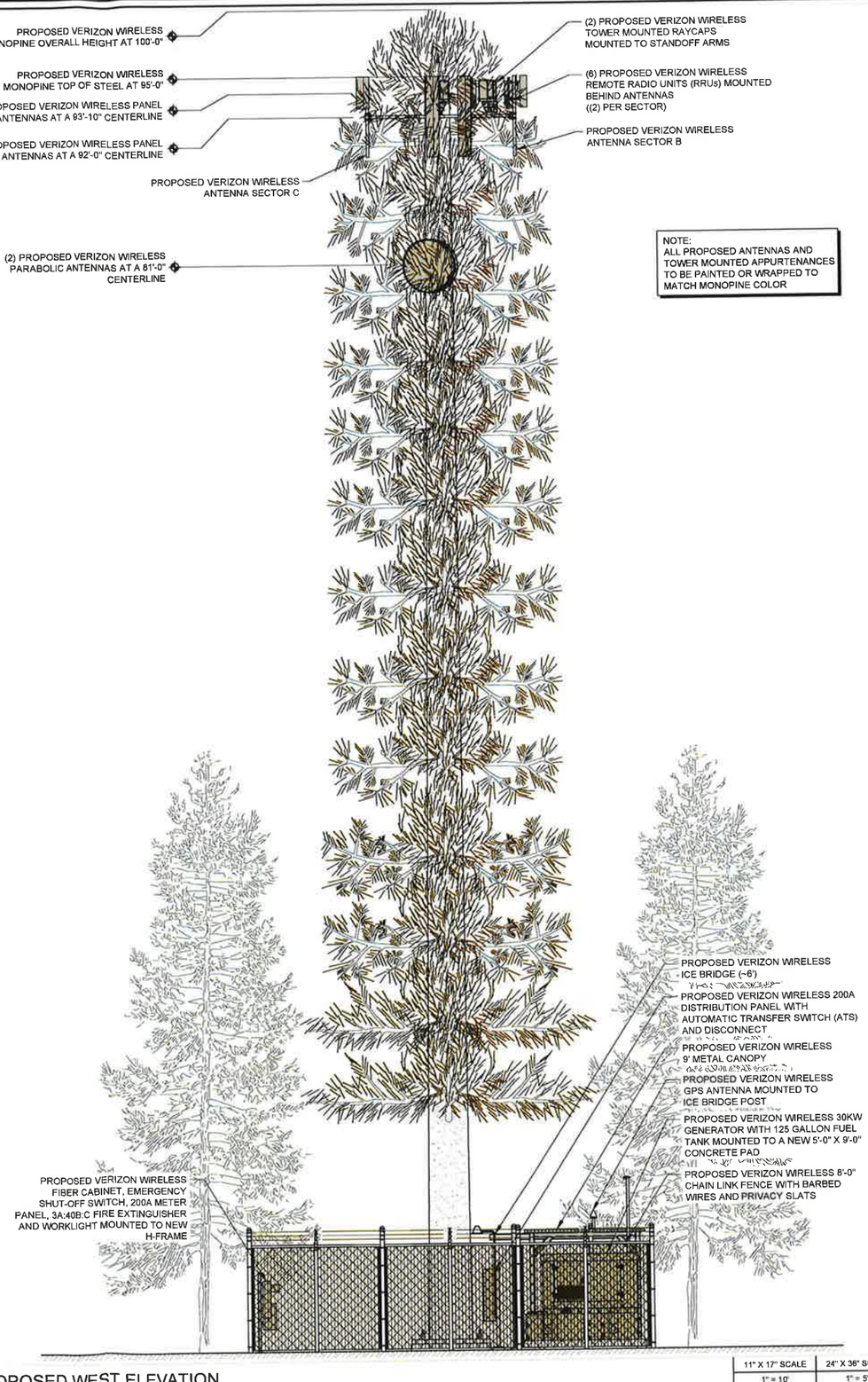
REVISION:
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PROPOSED NORTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

2



PROPOSED WEST ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

1

ISSUE STATUS

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1	08/07/24	100% ZONING	R.C.

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WALNUT CREEK, CALIFORNIA 94598

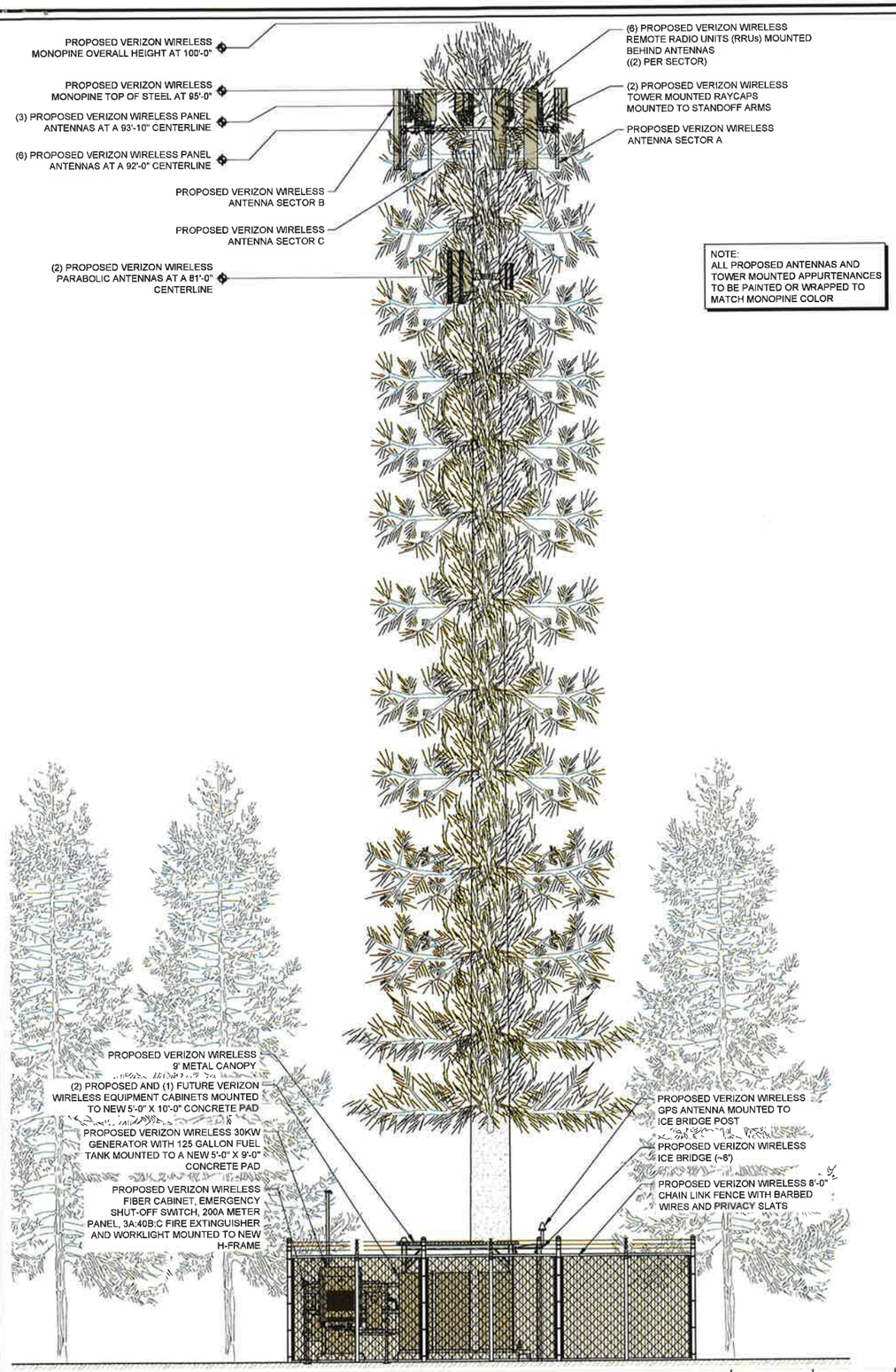
HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
PROPOSED NORTH AND WEST ELEVATIONS

A4

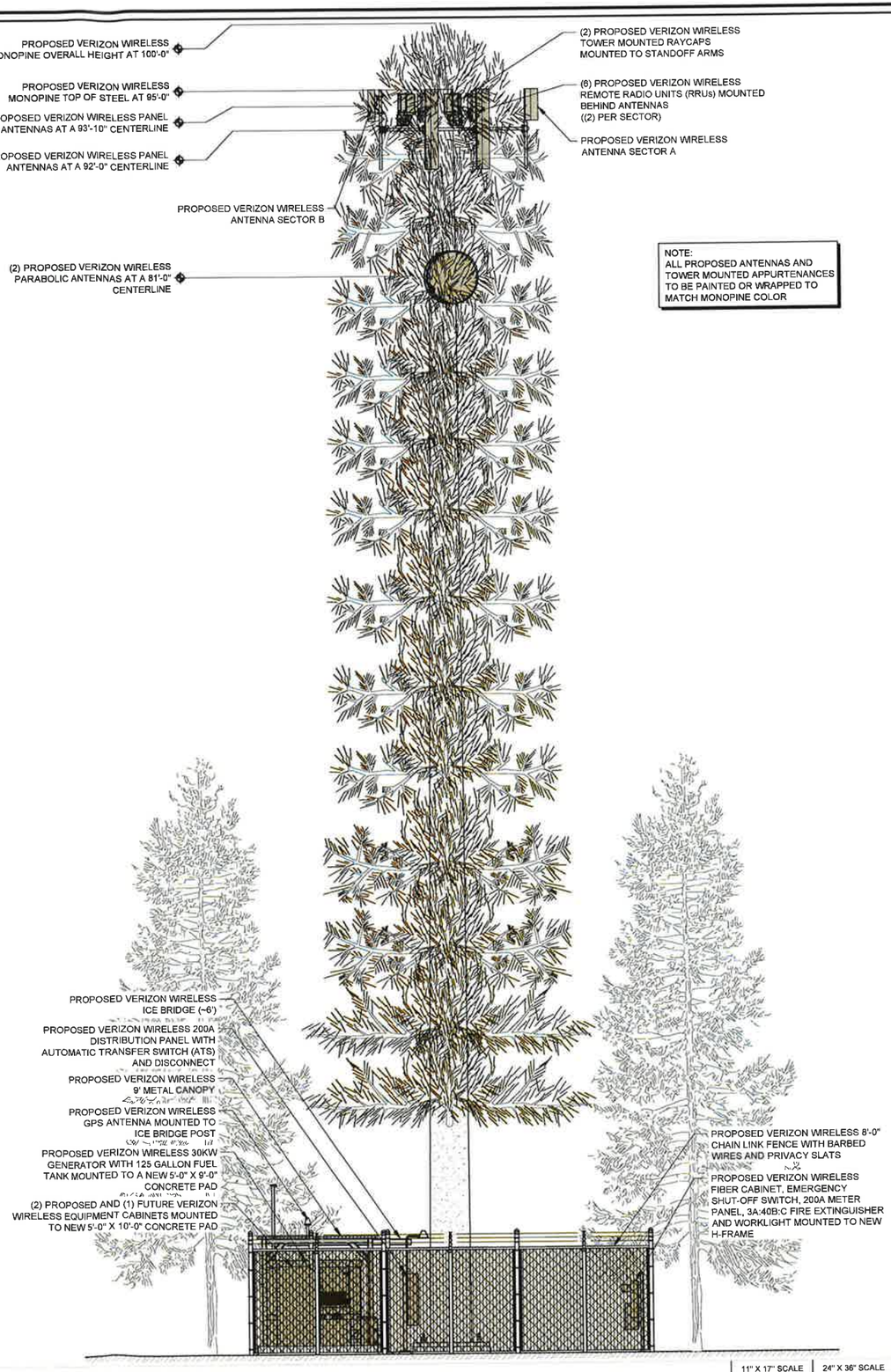
REVISION: 0



PROPOSED SOUTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

2



PROPOSED EAST ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

1

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1	08/07/24	100% ZONING	R.C.

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LAS VEGAS, NEVADA 89118
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BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
PROPOSED SOUTH AND EAST ELEVATIONS

A5

REVISION:
0

Application Number P-24-14

TRINITY COUNTY COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
530 Main St. ♦ PO Box 2819
Weaverville, CA 96093
Phone (530) 623.1351 ♦ fax (530) 623.1353

ENVIRONMENTAL QUESTIONNAIRE and CHECKLIST

This questionnaire is part of an Initial Study that will assist in determining the potential environmental impacts of your proposed project. Additional information may be required to complete an Initial Study.

PLEASE PRINT OR TYPE
(Use additional paper if necessary)

Proposed Project: Verizon Wireless is proposing to build a 100' monopine wireless communications facility.

Location: 320 Reservoir Rd., Hayfork, CA 96041

Access Road: Reservoir Rd.

Assessor's Parcel Number: 014-330-036 Project Acreage: 0.021

Parcel Owner Information

Parcel Owner(s): Trinity County Waterworks, Dist. 1

Mailing Address: P.O. Box 217, Hayfork, CA 96041

Email: shane@trinitycountywaterworks.com Phone: 530-628-5449

Applicant /Agent Information

Applicant/Agent: Matthew Norton Email: matthew.norton@nextedgenetworks.com Phone: 916-505-7178

Mailing Address: 1355 Windward Concourse, Suite 410, Alpharetta, GA 30005

Applicant/Agent please continue to the Environmental Checklist

THIS SECTION FOR OFFICE USE ONLY

Project No: Received by: Date:

Proposed Project:

General Plan Designation: Zoning:

Planning Commission date (anticipated): Board of Supervisors date (anticipated):

Environmental Checklist

Please describe the existing conditions of the project location (extent of structures and type of use):

The project is located in an Public Facility (PF) zoned district. It is a Trinity County water storage facility with office building.

AESTHETICS

1. Is your project located in or near :

Historic District	☐ Yes	☒ No
State Scenic Highway	☐ Yes	☒ No
Scenic, Wild or Recreational River	☐ Yes	☒ No

2. Type of exterior lighting proposed: FAA required lighting. Outdoor work lights.

3. Will the project obstruct scenic views from existing residential areas, public lands, public bodies of water or roads? ☐ Yes ☒ No

   Explain: N/A

AGRIGULTURAL & TIMBER RESOURCES

1. Is your project currently in a, Williamson Act Contract, Timberland Preserve Contract, Prime Farm Land, Unique Farm Land or Farm Land of Statewide importance? ☐ Yes ☒ No

   Explain: N/A

2. Will your project convert agricultural land to a non-agricultural use? ☐ Yes ☒ No

3. Will your project convert timberland to a non-timberland use? ☐ Yes ☒ No

AIR QUALITY

1. Would any noticeable amounts of air pollution, such as smoke, dust or odors be produced by this project? ☐ Yes ☒ No If yes, explain: N/A

2. Is your project subject to a North Coast Unified Air Quality Management permit? ☐ Yes ☒ No

3. Will project development require clearing and disposal of vegetation? ☐ Yes ☒ No

4. Will your project involve the operation of industrial equipment? ☐ Yes ☒ No
(rock crushers, smoke stacks, milling equipment, etc.)

If yes, explain: N/A

BIOLOGICAL RESOURCES

1. What is the predominant vegetative cover on the site? (trees, brush, grass, etc.) Estimate % of each:

Brush 5%

2. How many trees of 6 inch diameter or larger will be removed when this project is implemented:

None

3. Has a Timber Harvest Plan been filed in conjunction with the project? ☐ Yes ☒ No
(If yes, indicate plan number)
N/A

4. Are there any known candidate, sensitive, or special status species located on or near the project site? ☒ Yes ☐ No (Local, State or Federal) State

5. Will the project affect any wetland, riparian habitat or other sensitive natural community through removal, filling, hydrological interruption or other means? ☐ Yes ☒ No

Please explain: N/A

6. Is your project located within a Deer Winter Range area? ☐ Yes ☒ No

7. Has a biological assessment been performed on the property? ☒ Yes ☐ No
If yes please attach a copy.

CULTURAL RESOURCES

1. Are there any known:

Archeological Sites	☐ Yes	☒ No
Indian Sites	☐ Yes	☒ No
Historical Sites	☐ Yes	☒ No
Burial Sites	☐ Yes	☒ No

If yes, please indicate on the site map.

GEOLOGY AND SOILS

1. Slope of property: 100% 0 to 10% _____ 10 to 15% _____ 15 to 30% _____ Over 30%
   (Please indicate amount of property in each category)

2. Are there any soil settlement, rock falls or landslides on or adjacent to the property? ☐ Yes ☒ No
   If yes, please indicate on site map.

3. Describe changes in grade or contours resulting from project development: Concrete equipment pads and foundation to be poured level.

4. Please estimate the amount of soil disturbance that will occur during the project. 25 Cubic Yards
   (Building site, grading, road development, etc.)

5. Is there any existing sewage disposal system? ☐ Yes ☒ No

   If Septic:

   Tank Size: N/A Leach Field Length: N/A Permit or Installation date: N/A

   What does the system consist of: N/A

   What structures if any are currently connected: N/A

   If house, how many bedrooms? N/A

   Original System Owner: N/A

   If Sewer:

   System Name: N/A

5. If a new septic system is proposed, please indicate the following:

   Tank Size: N/A Leach Field Length: N/A If house, number of rooms: N/A

HYDOLOGY AND WATER SUPPLY

1. Are there any streams, lakes, ponds, wetlands, vernal pools, wet meadows, or perennially wet areas located on or near the project site?
   ☒ Yes ☐ No *If yes, please indicate on the site map.* Water body name? Water Reservoir

2. What is the distance from the proposed sewage disposal area to the nearest body of water, river, stream, or drainage: N/A

3. Is the project located within the floodplain of any stream or river? ☐ Yes ☒ No
   Please indicate any portion of the project that is located within the floodplain on the site map.

4. Will the project result in the direct or indirect discharge of silt or any other particles in noticeable amounts into any lakes, rivers or streams? ☐ Yes ☒ No

   If yes, in what way? N/A

5. Will the project result in the physical alteration of a natural body of water or drainage way?
   ☐ Yes ☒ No If yes, in what way? N/A

6. What is the proposed water source : N/A

   ☐ Spring ☐ Deep Well ☐ Stream/River ☐ Community System

   Name of Stream/River or Community Water System: N/A

HAZARDS OR HAZARDOUS MATERIAL

1. Will the project involve the application, use or disposal of potentially hazardous materials, including pesticides, herbicides, other toxic substances or radioactive material? ☒ Yes ☐ No

   If yes, please explain: The project includes a 30kw generator with 125 gallon diesel fuel tank

2. Is the project located on a site which is included on a list of hazardous material sites? ☐ Yes ☒ No

3. Is the project located within 2 miles of an existing airport? ☒ Yes ☐ No

4. Is the project located within 2 miles of a school? ☒ Yes ☐ No

5. Could the project create new or aggravate existing health problems (including, but not limited to flies, mosquitoes, rodents and other disease vectors)? ☐ Yes ☒ No

   If yes, please explain: N/A

MINERAL RESOURCES

1. Will the proposed project result in the removal of a natural resource for commercial purposes (including rock, sand, gravel, trees, minerals or top soil)? ☒ Yes ☐ No

   If yes, please explain: Top soil disturbance with concrete foundation and slabs.

COMMERCIAL, INDUSTRIAL, INSTITUTIONAL ONLY
(Including land divisions for such uses)

1. Type of use: Unmanned Wireless Facility
2. Hours of Operation: 24/7
3. Total Number of Anticipated Employees: 0
4. Number of Employees per Shift: 0
5. Gross Square Footage: 900
6. Proposed Construction Starting Date: 2025
7. Number of Parking Spaces provided: 1

NOISE

1. What types of noise would be created by the establishment of this land use, both during and after construction? General construction noise during build. Minimal noise during normal operation. Generator noise during power outages.

POPULATION AND HOUSING

Residential

1. Total lots to be created: N/A Total Dwelling Units to be created: N/A
2. What school district will the project be located in? N/A
3. Please indicate:
   Approximate unit/house size? N/A Sq. Ft.
   Approximate sale price or rent? N/A
   Type of household size expected? N/A

UTILITIES

1. What communication system supports the project area? N/A (Verizon, Pac Bell, etc.)
2. Is the project area be served by Cable? ☐ Yes ☒ No System: N/A
3. Is there power available at the project site? ☒ Yes ☐ No

   If so, what company? Trinity County PUD

4. Will the project require the extension of existing utility lines or systems? ☒ Yes ☐ No

   If yes, please identify system and give distance: Proposed tranformer POC on site. Extension of approximately 275'

FIRE PROTECTION

1. In what fire district is the project located? Hayfork Fire Department

2. How far is the nearest emergency source of water for fire protection and what is it? (pond, hydrant, etc.)

   Pond. 300'

3. What is the distance to the nearest fire station?

   Seasonal: 2.0 Miles Year Round: 2.0 Miles

4. Will the project create any dead-end roads greater than 600 feet in length? ☐ Yes ☒ No (If yes, please indicate on site plan.)

5. What is the proposed grade and width of access roads? 10%. 12 feet wide

TRANSPORTATION

1. Will the project use existing roads? ☒ Yes ☐ No

   If yes, please indicate the primary access road: Reservoir Rd.

   Please list all roads that may be affected by your project: Reservoir Rd.

2. If your project encroaches onto a state highway, please indicate highway, post mile, and nearest cross street: N/A

3. If the project encroaches onto a public road, do you have an encroachment permit? ☐ Yes ☒ No If yes, please attach a copy.

4. Please indicate amount and type of traffic, which will be created by the project: N/A

5. If commercial or industrial, please indicate expected vehicle size N/A axles.

6. Please indicate daily trip generation rate: N/A

7. Will the project increase hazards due to a design feature (e.g. sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)? ☐ Yes ☒ No
   If yes, please explain: N/A

GROWTH INDUCING IMPACTS

1. Will the project result in the introduction of activities not currently found within the community?
   ☐ Yes ☒ No

   If yes, please explain: N/A

2. Could the project serve to encourage development of presently undeveloped areas, or increases in development intensity of already developed areas (examples include the introduction of new or expanded public utilities, new industry, commercial facilities or recreation activities?

   ☐ Yes ☒ No If yes, explain: N/A

PROPOSED PROJECT SCHEDULING

1. Please indicate proposed project schedule (proposed construction start date, etc.) 2025

2. If the project is subject to any grant deadlines please indicate:
   Grant Source: N/A
   Contact Person: N/A
   Grant Deadline(s): N/A

3. If the project has federal grant funding, which agency will be responsible for N.E.P.A. processes?

   N/A

   Contact Person: N/A

TRINITY COUNTY WATERWORKS DISTRICT #1
BOARD OF DIRECTORS
REGULAR BOARD MEETING
320 Reservoir Road
Hayfork, CA

MEETING AGENDA
October 15, 2024
2:00 PM

Chairman Angenett Taft
Vice Chair John C. (Chris) Semer
Director Melody McLearn
Director Diane Yates
Director Arnold Bridges

Shane McDonald – General Manager
Brandy Perrone – Office Manager/Clerk of the Board

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1. **CALL MEETING TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **BOARD OF DIRECTORS ROLL CALL-DETERMINATION OF BOARD QUORUM**

   Angenett Taft- Chairman
   John C. (Chris) Semer
   Melody McLearn- Director
   Diane Yates- Director
   Arnold Bridges- Director

4. **PUBLIC COMMENT** (Note: *Members of the public are invited to address the Board at this time regarding any item that is not scheduled for discussion as part of this agenda, and that are within the jurisdiction of District. The Board Chair may limit comments to six (6) minutes per, or another specified time, unless additional time is requested of and permitted by the Chairman of the Board. No action can be taken by the Board at this meeting as a result of items presented by a member of the public at this time.)*

5. **AGENDA ADOPTION**
   a. Agenda Additions/Changes (Potential Action Item)
   b. Business/Campaign Conflict Disclosures (Potential Board Member disclosures)

   **Note: Only the following additions/changes are permitted: (1) To change the order of noticed agenda items, (2) determine to continue or not consider a noticed agenda item, or (3) Discussion/Action on an item not appearing on the posted agenda if a defined statutory emergency situation is determined to exist by majority vote (GC 56954.2(b) (1) and GC 54956.5)*

6. **CONSENT CALENDAR** – (Potential Action Item(s)) (Note: The following items are generally limited to

routine and non-controversial business matters, and can be approved by a single motion. Individual Board members may ask that any such items be pulled for separate discussion and potential action.)

a) Approval of minutes for the Board meeting of September 17, 2024 (Potential Action Item)
b) Approval and ratification of October 2024 warrants (Potential Action Item)
c) Approval of the September 2024 Profit and Loss report (Potential Action Item)

7. REGULAR CALENDAR

a) Separately consider Item(s) Pulled from the Consent Calendar, if any. (Potential Action)

b) Public Requested Agenda Items (Discussion Only)
   1. Review of Customer Deposit Policy (Discussion Only)
   2. Review of Service Fees and Meter Policies and Procedures (Discussion Only)
   3. Review of Customer Service (Discussion Only)

c) Retirement Trust Update (Discussion Only)

d) Discussion on Raising Septage Dumping Fees (Potential Action)

e) Potential Change of Billing Software Company (Potential Action)

f) Verizon Land Lease Contract for Cell Tower (Potential Action)

g) Review of Board Terms Expiring on December 31, 2024 (Potential Action)

8. GENERAL MANAGER REPORT (Note: Items listed below are for status reporting only, with no Board action to be requested or taken, and no direction to be given.)

a) Lead Line Survey Update (Discussion Only)
b) Meter Reading Route Update (Discussion Only)
c) Sewer Plant Gate (Discussion Only)

9. OFFICE MANAGER REPORT (Note: Items listed below are for status reporting only, with no Board action to be requested or taken, and no direction to be given.)

a) 2023/24 Audit Dates (Discussion Only)
b) Employee Update (Discussion Only)

10. CORRESPONDENCE

11. PUBLIC COMMENT CONCERNING CLOSED SESSION ITEMS (If Any) (Note: *Members of the public are permitted to address the Board at this time regarding any item scheduled for closed session consideration by the Board. The Board Chair may limit comments to six (6) minutes per, or another specified time, unless additional time is requested of and permitted by the Chairman of the Board. No action can be taken by the Board at this meeting as a result of items presented by a member of the public at this time.)*

12. CLOSED SESSION: Brown Act 54957- The board may convene to closed session on matters of personnel or litigation.

13. **PUBLIC ANNOUNCEMENT(S) FOLLOWING CLOSED SESSION** (Note: Only reportable actions taken by the Board need be announced in open session after a closed session is completed.)

14. **ADJOURNMENT**

Supporting Information for CEQA Categorical Exemption 15303 (Class 3)

Verizon Wireless - Wireless Communications Facility
P-24-14

Prepared by:
County of Trinity
530 Main St., P.O. Box 2819
Weaverville, California 96093
(530) 623-1351

January, 2026

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2. **Project Location Map**
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Attachments

1. **Project Plans**
2. **Biological Resources Assessment**

Project Information

1. **Project Title:** Verizon Wireless – Wireless Communications Facility

2. **Lead Agency Name and Address**:

   COUNTY OF TRINITY
   530 Main St., P.O. Box 2819
   Weaverville, CA 96093

3. **Contact Person and Contact Information:**

   Angel Chappell, Assistant Planner
   achappell@trinitycounty.org
   (530) 623-1351 ex. 2855

4. **Project Location:** The project is proposed on a small portion of a 6+-acre parcel owned by Trinity County Waterworks District No. 1 on 320 Reservoir Road in Hayfork, California (APN 014-330-036). The parcel is in the Public Facility (PF) zoning district and is currently developed with a water storage facility, office building, and related infrastructure. The proposed wireless tower would be located in the northeast corner of the parcel, surrounded by existing forest or dirt roads for at least 150 feet (see **Figures 1**-**3**).

5. **Applicant's Name and Address:**

   Verizon Wireless, c.o. Next Edge Networks
   2770 Shadelands Dr., Bldg 11
   Walnut Creek, CA 94598

6. **General Plan Designation:** Public Facility (PF)

7. **Zoning:** Public Facility (PF)

8. **Description of Project:** Verizon Wireless proposes a new wireless telecommunications facility in Hayfork, California, designed as a 100-foot faux pine tree. The project will improve coverage and capacity in and around the town of Hayfork and surrounding areas as well as along State Route 3.

   The stealth monopine will be in a 900 square foot fenced area. The equipment includes nine (9) panel antennas, six (6) radios, two (2) raycaps, two (2) outdoor equipment cabinets on a new concrete pad, a GPS antenna, two (2) parabolic antennas, and a 30kw DC generator with a 125-gallon diesel tank. As required by the Airport Land Use Commission of the County of Trinity, lighting for the wireless facility will include lighting at the top of the tower for air traffic safety purposes in accordance with FAA Advisory circular 70/7460-1 M Change 1.

   The project also requires a 12-foot-wide access and utility easement, approximately 1,315-feet long, that will connect the tower to Reservoir Road. Because the easement overlays the dirt road, no trees will be removed. Additionally, the project includes a 5-foot-wide utility easement for underground fiber extending from the western side of the compound approximately 60 feet to a proposed utility pole, as well as an overhead power line extending from the western side of the compound 40 feet to the proposed utility pole. Like the access easement, no trees will be removed for these utilities.

Trinity County Public Utilities District ("PUD") will also install three additional new utility poles to connect the project to the closest Trinity County PUD point of connection for power. For this span, power and fiber will run from the 5-foot-wide underground utility easement then continue overhead approximately 300 feet along the new utility poles to an existing utility pole.

The project applicant proposes to implement construction best management practices and incorporate project design elements to avoid or minimize potential impacts of the project. These measures are described below.

Best Management Practices and Project Design Elements: A range of best management practices and project design elements will be applied during project implementation, including but not limited to the following:

- **Work Timing:** All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- **Work Limits:** The proposed disturbance envelope shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits should be considered environmentally sensitive and should not be disturbed.
- **Vehicles and Equipment:** All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- **Avoiding Inadvertent Wildlife Entrapment:** Any open trench or excavation should be securely covered prior to stopping work each day. Additionally, wildlife exit ramps should be installed to prevent inadvertent wildlife entrapment. If pipes are stored onsite, they should be inspected for wildlife prior to burying, capping, moving, or filling.
- **Fencing:** Appropriate perimeter fencing should be implemented to fence off the construction area and alleviate potential hazards to wildlife. Fencing will be designed and implemented to alleviate potential hazards to wildlife. Fencing will be designed in accordance with recommendations provided in "A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind", Second Edition (Revised and Update 2012), prepared by the Montana Fish, Wildlife, and Parks. Final fence design will be submitted to CDFW for review.
- **Lighting:** All Project lighting fixtures will be fully shielded, directed downward, and designed and installed to minimize light pollution and prevent light spillover onto adjacent habitat. Lighting fixtures will use lower-intensity, warm-colored lighting with low color temperature (Kelvin) values, which emit fewer short-wavelength blue light components known to be particularly disruptive to wildlife (Gaston et al., 2017).
- **Low Impact Development for Neighboring Aquatic Special-Status Species:** Low Impact Development (LID) strategies will be applied to prevent any net increase in stormwater runoff from new impervious surfaces. Appropriate LID features may include permeable pavement, vegetated bioswales, and retention or infiltration basins designed to capture, filter, and infiltrate stormwater onsite. LID designs will be developed to ensure that post-project stormwater runoff volume, rate, and duration do not exceed pre-project conditions, and that hydromodification is avoided.

- **Native Vegetation in Landscaping:** Applicant will incorporate native plant species adapted to the local region in all landscaping associated with the Project.
- **Employee Awareness Training:** Prior to the beginning of construction activities in the proposed project site, all project personnel shall participate in a worker environmental awareness training regarding sensitive wildlife species and their habitat present in the proposed project area. As part of the training, an environmental awareness handout will be provided to all personnel that describes the bumble bee species to be avoided during project activities and lists applicable permit conditions identified by local, state, and federal agencies to protect these resources.
- **Sensitive Plant Species:** If construction occurs beyond one (1) calendar year of this survey, a follow-up special status plant species survey should be conducted to confirm if sensitive plant species are present. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special-status plant species with the potential to occur in the project area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance areas, the project proponent shall implement the following measures to avoid impacts to these species:
    - If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by project proponent will clearly delineate the location of the plant population, and install protective fencing between the disturbance zone and the plant population to ensure that the plant population is adequately protected.
    - If a special-status plant population is identified within the proposed disturbance zone, the project proponent will consult with CDFW and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. The project proponent will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, the project proponent will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved bank at a ratio approved by CDFW, USFWS, and the project proponent.
    - Oak and Pine Tree Removal: Currently, no tree removal is proposed as part of the proposed installation.
- **Sensitive Wildlife Species:** No direct impacts are anticipated to any sensitive wildlife species or their habitat, however, pre-construction habitat and species surveys should be utilized to rule out any potential presence prior to breaking ground.
- **Nesting Birds**: If nesting birds become established in the proposed project site or buffer area, the following measures will be implemented.

- If ground disturbing activities occur during the breeding season of these avian species (February through mid-September), surveys for active nests will be conducted by a qualified biologist no more than 7 days prior to start of activities. Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Preconstruction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys will follow required CDFW and USFWS protocols, where applicable. A qualified biologist will survey suitable habitat for the presence of these species. Surveys will begin prior to sunrise and continue until all potential habitat has been surveyed. If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area will be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline. If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival.
- Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds.
- Minimum no disturbance of 500 feet around active nest of non-listed raptor species; and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
- Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.
- A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and is recommended that CDFW and USFWS be notified in advance of implementation of a no disturbance buffer variance.

- **Bumble Bee Species (incl. Western, Crotch's, and Suckley's Cuckoo):** Potential direct impacts to bumble bees associated with ground disturbance, equipment operation, and other project activities, as well as indirect impacts related to vegetation removal, would be avoided or minimized through implementation of the following measures:
  - The project proponent shall conduct additional protocol-level surveys during the Queen Flight Season (February–March) and the Gyne Flight Season (October–November) to determine whether sensitive bumble bee species are present within the proposed project site. Surveys shall be conducted in accordance with the *CDFW Survey*

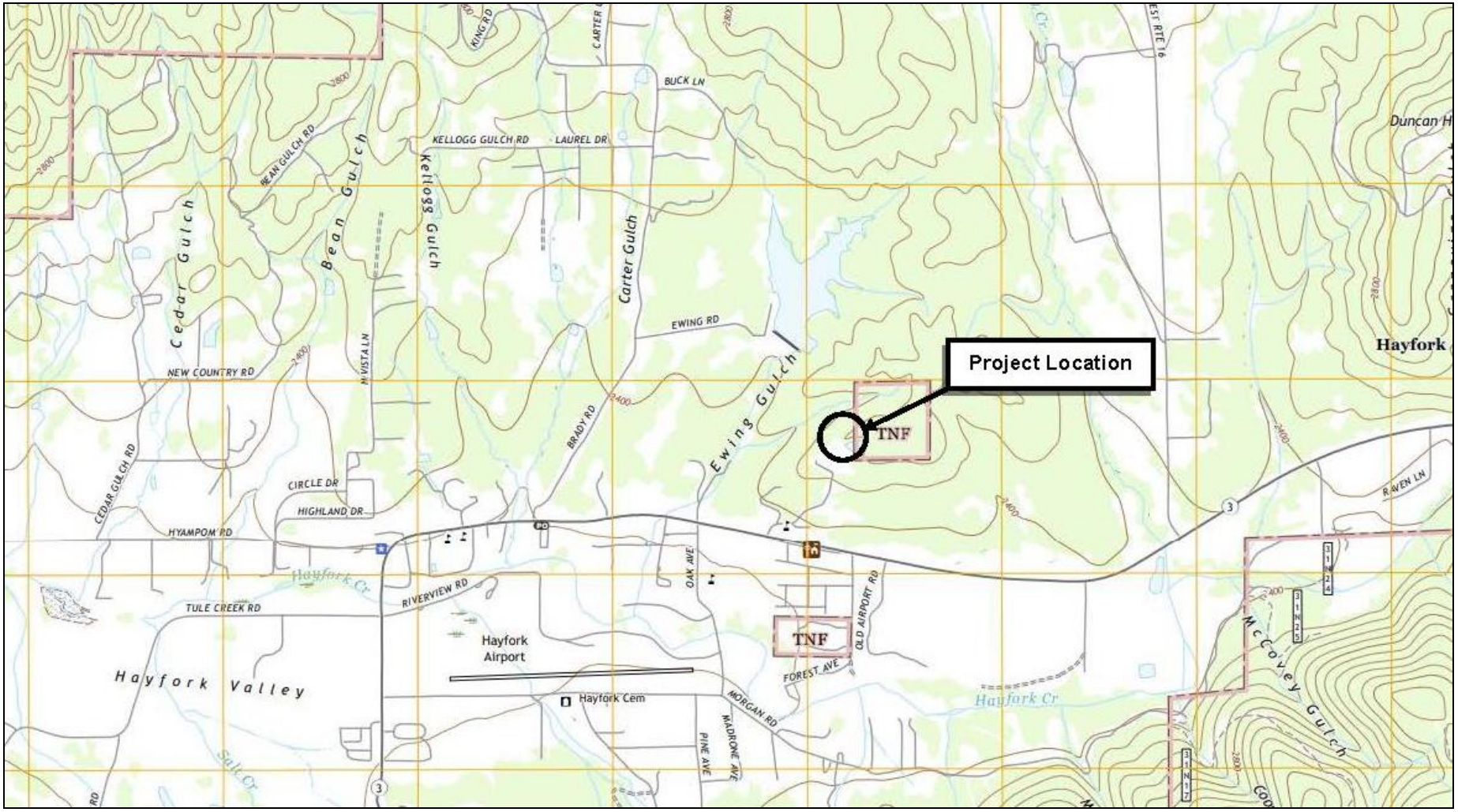
Requirements for California Endangered Species Act (CESA) Candidate Bumble Bee Species (CDFW 2023) and shall cover the proposed project site and a 300-foot buffer area. A letter report documenting survey methods, results, and a habitat assessment shall be prepared and submitted to CDFW for review and approval.

- If sensitive bumble bee species and/or their colonies are identified within the proposed project site, the project proponent shall consult with CDFW to determine appropriate avoidance and minimization measures.
- If project-related impacts to sensitive bumble bee species cannot be avoided, the project proponent shall obtain an Initial Take Permit from CDFW prior to project implementation.
- Prior to the commencement of construction activities, all project personnel shall participate in a worker environmental awareness training addressing bumble bee species and their potential habitat within the project area. Any new personnel added to the project shall receive this training before beginning work. Training shall include distribution of an environmental awareness handout describing bumble bee species to be avoided and summarizing applicable permit conditions and regulatory requirements intended to protect these resources.

9. **Surrounding Land Uses and Setting:** The project site is located in the community of Hayfork to the north of State Route 3. The site is on a forested hillside and is currently developed with a water storage facility and office building that is owned and operated by the Trinity County Waterworks District No. 1 (see **Figures 1**-**3**). The parcels surrounding the project site are owned by the Trinity County Waterworks District No. 1 and the U.S. Forest Service. There is some rural residential development within a half-mile radius of the project site and some land owned by the Bureau of Land Management further north of the site.

10. **Purpose of this Document:** This document provides supporting information for California Environmental Quality Act ("CEQA") Categorical Exemption 15303 (Class 3) exempting projects characterized as the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This document explains how the project meets the conditions for the Class 3 exemption and why the exceptions to the use of an exemption in CEQA Guidelines Section 15300.2 do not apply to the project.

Figure 1 – USGS Quadrangle Map



Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 2 – Project Location Map



Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 3 – Site Photographs



Site Photograph 1 – Looking north at the Site



Site Photograph 2 – Looking south at the Site

Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 3 – Site Photographs



Site Photograph 3 – Looking east at the Site



Site Photograph 4 – Looking west at the Site

Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 3 – Site Photographs



Site Photograph 5 – Looking north away from the Site



Site Photograph 6 – Looking south away from the Site

Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 3 – Site Photographs



Site Photograph 7 – Looking east away from the Site



Site Photograph 8 – Looking west away from the Site

Source: Trileaf, Dec. 2025, Biological Resources Assessment

Figure 3 – Site Photographs



Site Photograph 9 – Looking west along proposed overhead fiber route, away from site



Site Photograph 10 – Looking north/northwest at pond adjacent to project site

Source: Trileaf, Dec. 2025, Biological Resources Assessment

CEQA Guidelines Section 15303 – New Construction or Conversion of Small Structures

Article 19 of the California Environmental Quality Act (CEQA) Guidelines, Sections 15300 to 15333, identifies classes of projects that do not have a significant effect on the environment and, therefore, are exempt from review under CEQA. Among the classes of projects that are exempt from CEQA review are those that are specifically identified as the replacement or reconstruction of existing structures and facilities.

CEQA Guidelines Section 15303 states that the Class 3 exemption applies to projects that consist of the construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include, but are not limited to:

(a) One single-family residence, or a second dwelling unit in a residential zone. In urbanized areas, up to three single-family residences may be constructed or converted under this exemption.

(b) A duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

(c) A store, motel, office, restaurant or similar structure not involving the use of significant amounts of hazardous substances, and not exceeding 2500 square feet in floor area. In urbanized areas, the exemption also applies to up to four such commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

(d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction.

(e) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences.

(f) An accessory steam sterilization unit for the treatment of medical waste at a facility occupied by a medical waste generator, provided that the unit is installed and operated in accordance with the Medical Waste Management Act (Section 117600, et seq., of the Health and Safety Code) and accepts no offsite waste.

The analysis presented in this section provides substantial evidence that the proposed project qualifies for an exemption under CEQA Guidelines Section 15303, as a Class 3 new small structure construction project.

Reasons why project is exempt: The project qualifies for a Class 3 exemption, New Construction or Conversion of Small Structures, pursuant to CEQA Guidelines Section 15303. Class 3 exempts the "construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure."

The CEQA Guidelines provide examples of exempt projects pursuant to Class 3 such as: one single-family residence, or a second dwelling unit in a residential zone, up to three single-family residences; a duplex or similar multi-family residential structure totaling no more than four dwelling units; a store, motel, office, or restaurant not exceeding 2,500 square feet in floor area; and water main, sewage, electrical, gas, and other

utility extensions. Courts have upheld the application of the Class 3 exemption to a similar wireless tower disguised as a faux tree in a park surrounded by existing trees. (*Don't Cell Our Parks v. City of San Diego* (2018) 21 Cal.App.5th 338, 360).

As stated in the Project Description above, the proposed footprint of the wireless facility is 900 square feet, which is smaller than the other example projects listed in this exemption. Additionally, the project would occur on a six-acre plus parcel, which represents less than one percent of the parcel area. The project will result in minimal aesthetic impacts because the tower is designed as a faux pine tree pole and would be located amongst other trees in a forested setting. From State Route 3, it would be difficult to distinguish the tower from the other trees in the area. Additionally, the proposed utility extensions would be of reasonable lengths to connect the wireless facility to existing infrastructure in the project area and would primarily occur within the alignment of existing access roads and would not result in the removal of any trees.

Therefore, the project meets the criteria for the Class 3 exemption.

CEQA Guidelines Section 15300.2 - Exceptions

Even if a project is ordinarily exempt under the potential categorical exemptions, CEQA Guidelines Section 15300.2 provides specific instances where exceptions to otherwise applicable exemptions apply. Exceptions to a categorical exemption apply in the following circumstances, effectively nullifying a CEQA categorical exemption:

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may, in a particularly sensitive environment, be significant. Therefore, these classes are considered to apply in all instances, except when the project may affect an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type and in the same place over time is significant.

(c) Significant Effect. A categorical exemption shall not be used for an activity when there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(d) Scenic Highways. A categorical exemption shall not be used for a project that may result in damage to scenic resources, including, but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway that has been officially designated as a state scenic highway. This does not apply to improvements that are required as mitigation by an adopted negative declaration or certified environmental impact report (EIR).

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.

(f) Historical Resources. A categorical exemption shall not be used for a project that may cause a substantial adverse change in the significance of a historical resource.

The following analysis presents substantial evidence that there are no exceptions that apply to the proposed project or its sites, that the project would not have a significant effect on the environment, and that the Class 3 exemption remains applicable.

(a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, State, or local agencies.

Technical studies were prepared for the project to determine whether the project would result in potentially significant impacts including a Biological Resources Assessment and Cultural Resources Survey. The conclusions of these studies are discussed below as well as findings related to hazardous materials sites in the project area. As discussed below, it is not anticipated that the project would result in significant impacts due to its location in a particularly sensitive environment.

<u>Biological Resources Assessment</u>

The Biological Resources Assessment prepared for the project included a literature review and field surveys to determine the potential for the presence of special status plants and wildlife and aquatic resources at the project site. The report states that no special status plants or wildlife or aquatic

resources were observed during the field surveys, but that the site does contain habitat for special status wildlife species. The report concludes that no direct impacts are anticipated to any special status wildlife species or their habitat. The report provides recommendations for best management practices and project design elements to minimize potential impacts to wildlife species that could take up residence at the site prior to project implementation, which the applicant has incorporated into the project description (Trileaf, Dec. 2025).

Cultural Resources Survey

The Cultural Resources Survey report prepared for the project included background research, a records search at the Northeast Information Center, a pedestrian survey and visual inspection, and consultation with the State Historic Preservation Office. Based on these efforts, it was concluded that no archaeological or historic resources occur within the project site. The report recommends that project clearance be granted with no further investigation or evaluation of the project area relative to cultural resources (Trileaf, Sept. 2025).

Hazardous Materials

As discussed under exception (e) below, the project site is not known to contain any hazardous materials contamination (CalEPA, 2026; SWRCB, 2026; DTSC, 2026).

Therefore, the exception under CEQA Guidelines Section 15300.2(a) does not apply to the project.

(b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

The project will not have a significant impact on the environment either individually or cumulatively. Wireless towers cannot be sited close together, as they would interfere with each other's signals, rendering the towers useless. The closest tower to the project site is more than a mile away (AntennaSearch, 2025). The project will result in minimal aesthetic impacts because the tower is designed as a faux pine tree pole and would be located amongst other trees in a forested setting. From State Route 3, it would be difficult to distinguish the tower from the other trees in the area. Due to the design and size of the proposed wireless facility and the distance required between wireless towers, it is not anticipated that the project would result in cumulative impacts.

Therefore, the exception under CEQA Guidelines Section 15300.2(b) does not apply to the project.

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to the unusual circumstances.

The project proposes the installation of wireless facility on a site that is currently used by the Trinity County Waterworks District No. 1 for water infrastructure. There are no known unusual circumstances at the project site that would result in a significant impact from project implementation. The installation of the wireless facility would improve coverage and capacity in and around the town of Hayfork and the proposed tower structure is designed as a faux pine tree to reduce potential aesthetic impacts. As such, the proposed project will not have a significant impact on the environment due to unusual circumstances.

Therefore, the exception under CEQA Guidelines Section 15300.2(c) does not apply to the project.

(d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

According to the California Scenic Highway Mapping System, there are no officially designated state scenic highways in the project vicinity. State Route 3 is listed as an "Eligible State Scenic Highway" but is not officially designated (Caltrans, 2026). The project will result in minimal aesthetic impacts because the tower is designed as a faux pine tree pole and would be located amongst other trees in a forested setting. From State Route 3, it would be difficult to distinguish the tower from the other trees in the area. The project site does not contain any landmark trees, historic buildings, rock outcroppings, or similar scenic resources. As such, the proposed project will not substantially damage scenic resources within a state scenic highway.

Therefore, the exception under CEQA Guidelines Section 15300.2(d) does not apply to the project.

(e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

According to the data sources available through the Cortese List Data Resources database maintained by the California Environmental Protection Agency (CalEPA, 2026), the project site is not included on a list compiled pursuant to Section 65962.5 of the Government Code. Additionally, there is only one hazardous waste site located within 2,000 feet of the project site (K & M Tire), which received a cleanup status determination of "Completed – Case Closed" as 6/18/2003 (CalEPA, 2026; SWRCB, 2026; DTSC, 2026). As such, the proposed project would not be located on a hazardous waste site.

Therefore, the exception under CEQA Guidelines Section 15300.2(e) does not apply to the project.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

As discussed under exception (a), a Cultural Resources Survey report was prepared for the project that included background research, a records search at the Northeast Information Center, a pedestrian survey and visual inspection, and consultation with the State Historic Preservation Office. Based on these efforts, it was concluded that no archaeological or historic resources occur within the project site. The report recommends that project clearance be granted with no further investigation or evaluation of the project area relative to cultural resources (Trileaf, Sept. 2025). As such, the project would not cause a substantial adverse change in the significance of a historical resource.

Therefore, the exception under CEQA Guidelines Section 15300.2(f) does not apply to the project.

References

The following documents were used in the preparation of this document. The documents are available for review at the Trinity County Planning Division during regular business hours.

AntennaSearch. 2025. *AntennaSearch – Tower and Antenna Database. Updated 12/5/2025*. [Online]: https://www.antennasearch.com/HTML/search/search.php?address=Hayfork+CA.

California Department of Toxic Substances Control (DTSC). 2026. *Envirostor Database*. [Online]: https://www.envirostor.dtsc.ca.gov/public/.

California Department of Transportation (CalTrans). 2026. *California State Scenic Highway System Map.* [Online]: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa.

California Environmental Protection Agency (CalEPA). 2026. *Cortese List Data Resources database*. [Online]: https://calepa.ca.gov/sitecleanup/corteselist/.

State Water Resources Control Board (SWRCB). 2026. *GeoTracker Database*. [Online]: https://geotracker.waterboards.ca.gov/.

Trileaf. Sept. 2025. *Cultural Resources Survey. Hayfork Telecommunication project, Hayfork, Trinity County, California*.

Trileaf. Dec. 2025. *Biological Resources Assessment. Hayfork, 320 Reservoir Road*.

Attachment 1

Project Plans

verizon

HAYFORK

PROJECT ID# 16994886

MDG NO. 5000918242

320 RESERVOIR ROAD

HAYFORK, CALIFORNIA 96041

ASSESSOR'S PARCEL NO. 014-330-036-000

INSTALLATION OF A NEW TELECOMMUNICATION FACILITY

PROJECT TEAM

SITE ACQUISITION / PLANNING

MODUS, LLC.
1614 SE 10th AVENUE
PORTLAND, OREGON 97214
CONTAACT: NEIL GEISLER
PHONE: (509) 710-3515
EMAIL: ngeisler@modusllc.com

CIVIL ENGINEER

SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
CONTACT: GARRETT HAWTHORNE
PHONE: (702) 367-7705
FAX: (702) 367-8733

ELECTRICAL ENGINEER:

DGS CONSULTING ENGINEERING SERVICES LLC
9811 W. CHARLESTON BOULEVARD, SUITE 2539
LAS VEGAS, NEVADA 89117
CONTACT: DEREK G. STEFUREAC
PHONE: (702) 885-1552

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2022 CALIFORNIA ENERGY CODE
- 2022 CALIFORNIA BUILDING CODE
- 2022 CALIFORNIA ELECTRICAL CODE
- 2022 CALIFORNIA FIRE CODE
- 2022 CALIFORNIA GREEN BUILDING CODE
- 2022 CALIFORNIA MECHANICAL CODE
- 2022 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- INSTALLATION OF A 900 SQ. FT. VERIZON WIRELESS TELECOMMUNICATIONS FACILITY
- INSTALLATION OF (9) VERIZON WIRELESS PANEL ANTENNAS AT A 92'-0" & 93'-10" CENTERLINES MOUNTED TO A NEW 100'-0" MONOPINE
- INSTALLATION OF (6) VERIZON WIRELESS REMOTE RADIO UNITS (RRUs)
- INSTALLATION OF (2) VERIZON WIRELESS PARABOLIC ANTENNAS
- INSTALLATION OF (2) VERIZON WIRELESS TOWER MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS CABINET MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS OUTDOOR EQUIPMENT CABINETS ON A NEW CONCRETE PAD
- INSTALLATION OF (1) VERIZON WIRELESS GPS ANTENNAS
- INSTALLATION OF VERIZON WIRELESS 30KW DC GENERATOR WITH A 125 GALLON DIESEL TANK ON A NEW CONCRETE PAD
- COAXIAL/HYBRIFLEX CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW FIBER CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER

VICINITY MAP



PROJECT SUMMARY

APPLICANT/LESSEE

verizon

VERIZON WIRELESS
2270 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

ASSESSOR'S PARCEL NUMBER

APN: 014-330-36-00

PROPERTY OWNER

OWNER: TRINITY COUNTY WATER WORKS
ADDRESS: 320 RESERVOIR ROAD HAYFORK HAYFORK, CALIFORNIA 96041
CONTACT: SHANE MCDONALD
TELEPHONE: (530) 358-1090

PROPERTY INFORMATION

SITE NAME: HAYFORK
SITE ADDRESS: 320 RESERVOIR ROAD HAYFORK, CALIFORNIA 96041
JURISDICTION: SANTA CLARA COUNTY
LATITUDE: N 40° 33' 24.2" NAD 83 N 40.556727° NAD 83
LONGITUDE: W 123° 09' 43.4" NAD 83 W 123.162047° NAD 83

CONSTRUCTION INFORMATION

AREA OF CONSTRUCTION: 30' X30' (~900 SQ FT)
OCCUPANCY TYPE: U
TYPE OF CONSTRUCTION: V-B
CURRENT ZONING: PUBLIC FACILITY (PF)
ADA COMPLIANCE: FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

UTILITY INFORMATION

POWER: TRINITY P.U.D.
FIBER: T.B.D.

SHEET	DESCRIPTION	REV
T1	TITLE SHEET	0
C-1	SITE SURVEY	2
C-2	SITE SURVEY	2
C-3	SITE SURVEY	2
A1	SITE PLAN	0
A2	SITE DETAIL	0
A2.1	SITE DETAIL WITH DIMENSIONS	0
A3	ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE	0
A4	EXISTING AND PROPOSED NORTH ELEVATIONS	0
A5	EXISTING AND PROPOSED SOUTH ELEVATIONS	0

ZONING DRAWINGS

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT TOLL FREE: 1-800-227-2600 OR WWW.DIGALERT.ORG

CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

verizon
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

TITLE SHEET

T1 | REVISION: 0

NOTES

APN: 017-460-011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: TRINITY COUNTY TITLE COMPANY, TITLE FILE NO. 65029, DATED MARCH 11, 2024. WITHIN SAID TITLE REPORT THERE ARE TWELVE (12) EXCEPTIONS LISTED, EIGHT (8) OF WHICH ARE EASEMENTS AND TWO (2) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060401, PANEL NO. 1191E, DATED JANUARY 20, 2010 SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, AREAS ARE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 40° 33' 23.90" N. NAD 83
LONG. 123° 09' 42.42" W. NAD 83
ELEV. 2572.3' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1-A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

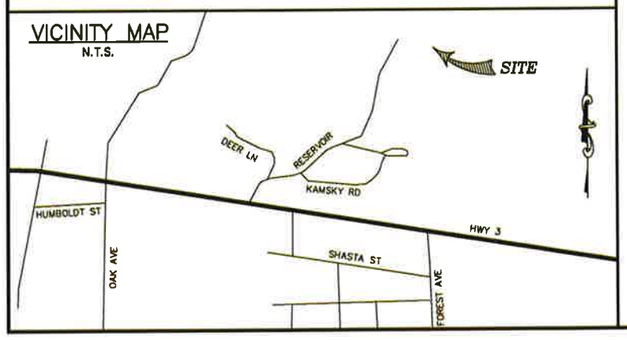
LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

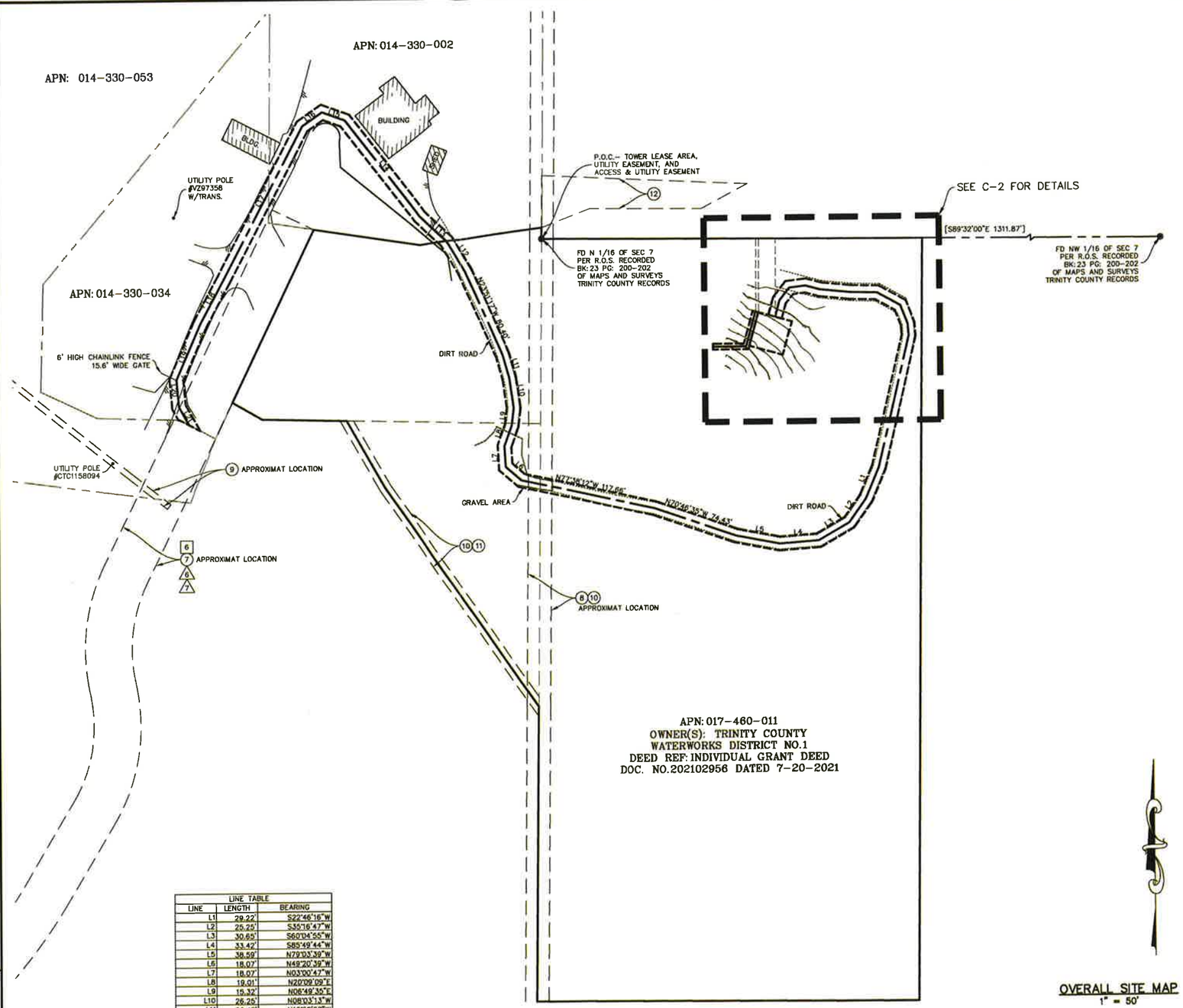
A PARCEL OF LAND IN SECTION 12, T. 31N., R. 12, W AND A PORTION OF LOT 2 (OR THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4) OF SECTION 7, T.31 N. R. 11, W. M.D.B.&M.

BEGINNING THE NORTHWEST CORNER OF SAID LOT 2 (ALSO BEING THE N. 1/16 CORNER BETWEEN SAID SECTION 12 AND SAID SECTION 7); SAID POINT BEING A STANDARD U.S.F.S. MONUMENT STAMPED L.S. 7791 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED IN BOOK 23 OF MAPS AND SURVEYS AT PAGE 200 TO 202 AND ALSO BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 89°32' E ALONG THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO; THENCE S 0°51'00"W AND PARALLEL WITH THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 660 FEET; THENCE N 89°32'W AND PARALLEL WITH THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO A POINT IN THE W LINE OF SAID LOT 2 AND ALSO BEING A POINT ON THE EAST LINE OF THE PARCEL MAP FOR CHARLES G. AND ELSIE M. MYERS AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF TRINITY COUNTY, CALIFORNIA, ON OCTOBER 9, 1980 IN BOOK 13 OF MAPS AND SURVEYS AT PAGE 69; THENCE N 0°51'00"E (SHOWN AS N 2°W, ON MYERS PARCEL MAP) ALONG THE EAST LINE OF SAID MYERS PARCEL MAP FOR A DISTANCE OF 56.62 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID MYERS PARCEL MAP; THENCE CONTINUING N 0°51'00"W (N 2° W) ALONG THE EAST LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 195.41 FEET TO A POINT ON THE SOUTH LINE OF THAT 10' STRIP SHOWN ON SAID MYERS PARCEL 1; THENCE N 37°30'W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 238.85 FEET; THENCE N 32°W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 70.20 FEET TO A POINT IN THE NORTH LINE OF SAID MYERS PARCEL 1; THENCE S 88°35'W ALONG THE NORTH LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 67.36 FEET TO AN ANGLE POINT THE NORTH LINE OF SAID MYERS PARCEL; THENCE N 63°02'16"W FOR A DISTANCE OF 29.89 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE ACCESS ROAD TO THE RESERVOIR SITE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE N 22°57'502'E FOR A DISTANCE OF 165.40 FEET TO THE SOUTHERLY LINE OF SAID RESERVOIR SITE; THENCE S 63°55;40"E FOR A DISTANCE OF 92.54 FEET; THENCE N 66°17'50"E FOR A DISTANCE OF 124.66 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE 0°51'00"E (S 2°00'E) ALONG THE EAST LINE OF SAID SECTION 12 FOR A DISTANCE OF 14.98 TO THE POINT OF BEGINNING

PURSUANT TO LOT LINE ADJUSTMENT #P-20-39

VICINITY MAP
N.T.S.





LINE TABLE		
LINE	LENGTH	BEARING
L1	29.22'	S22°46'16"W
L2	25.25'	S35°16'47"W
L3	30.65'	S60°04'55"W
L4	33.42'	S85°49'44"W
L5	38.59'	N79°03'39"W
L6	18.07'	N49°20'39"W
L7	18.07'	N03°00'47"W
L8	19.01'	N20°09'09"E
L9	15.32'	N06°49'35"E
L10	26.25'	N08°03'13"W
L11	20.47'	N15°50'57"W
L12	29.80'	N31°25'57"W
L13	31.95'	N47°15'07"W
L14	105.29'	N37°19'58"W
L15	20.96'	N69°47'30"W
L16	20.96'	S55°15'34"W
L17	149.65'	S27°47'06"W
L18	42.92'	S28°38'57"W
L19	52.97'	S23°39'44"W
L20	23.34'	S05°14'10"E
L21	17.86'	S29°05'59"E

OVERALL SITE MAP
1" = 50'

LEGEND
- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- +100.00 SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR: NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/19/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/28/24
3	REV. DESIGN	EJ	07/31/24
4			
5			
6			
7			

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DRAWN BY: LA
CHECKED BY: DA
DATE DRAWN: 02/19/24
SMITHCO JOB #: 56-1530

SITE NAME

HAYFORK

SITE ADDRESS

320 RESERVOIR RD.
HAYFORK, CA 96041

TRINITY COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-1

TOWER LEASE AREA DESCRIPTION:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 188.31 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.70 FEET; TO THE TRUE POINT OF BEGINNING;

THENCE S74°18'19"E, A DISTANCE OF 30.00 FEET;
THENCE S15°41'41"W, A DISTANCE OF 30.00 FEET;
THENCE N74°18'19"W, A DISTANCE OF 30.00 FEET;
THENCE N15°41'41"E, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 900 SQUARE FEET, MORE OR LESS.

12' ACCESS AND UTILITY EASEMENT DESCRIPTION:

BEING A 12.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 202.78 FEET; THENCE S00°28'04"W, A DISTANCE OF 67.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N15°41'41"E, A DISTANCE OF 14.78 FEET;
THENCE N38°07'55"E, A DISTANCE OF 13.74 FEET;
THENCE N83°00'25"E, A DISTANCE OF 13.74 FEET;
THENCE S74°33'20"E, A DISTANCE OF 12.72 FEET;
THENCE S84°07'32"E, A DISTANCE OF 26.36 FEET;
THENCE S88°38'02"E, A DISTANCE OF 23.24 FEET;
THENCE S60°57'07"E, A DISTANCE OF 23.11 FEET;
THENCE S21°24'02"E, A DISTANCE OF 17.09 FEET;
THENCE S04°27'41"E, A DISTANCE OF 10.30 FEET;
THENCE S13°27'15"W, A DISTANCE OF 116.95 FEET;
THENCE S22°48'16"W, A DISTANCE OF 29.22 FEET;
THENCE S35°16'47"W, A DISTANCE OF 25.25 FEET;
THENCE S60°04'55"W, A DISTANCE OF 30.65 FEET;
THENCE S85°49'44"W, A DISTANCE OF 33.42 FEET;
THENCE N79°03'39"W, A DISTANCE OF 38.59 FEET;
THENCE N70°46'35"W, A DISTANCE OF 74.43 FEET;
THENCE N77°38'12"W, A DISTANCE OF 117.66 FEET;
THENCE N49°20'39"W, A DISTANCE OF 18.07 FEET;
THENCE N03°00'47"W, A DISTANCE OF 18.07 FEET;
THENCE N20°09'09"E, A DISTANCE OF 19.01 FEET;
THENCE N06°49'35"E, A DISTANCE OF 15.32 FEET;
THENCE N08°03'13"W, A DISTANCE OF 28.25 FEET;
THENCE N15°50'57"W, A DISTANCE OF 20.47 FEET;
THENCE N23°51'17"W, A DISTANCE OF 80.40 FEET;
THENCE N31°25'57"W, A DISTANCE OF 29.80 FEET;
THENCE N47°15'07"W, A DISTANCE OF 31.95 FEET;
THENCE N37°19'58"W, A DISTANCE OF 105.29 FEET;
THENCE N89°47'30"W, A DISTANCE OF 20.96 FEET;
THENCE S55°15'34"W, A DISTANCE OF 20.98 FEET;
THENCE S27°47'06"W, A DISTANCE OF 149.65 FEET;
THENCE S28°39'57"W, A DISTANCE OF 42.92 FEET;
THENCE S23°39'44"W, A DISTANCE OF 52.97 FEET;
THENCE S05°14'10"E, A DISTANCE OF 23.34 FEET;
THENCE S29°05'55"E, A DISTANCE OF 17.86 FEET TO THE TERMINUES OF THIS DESCRIPTION.

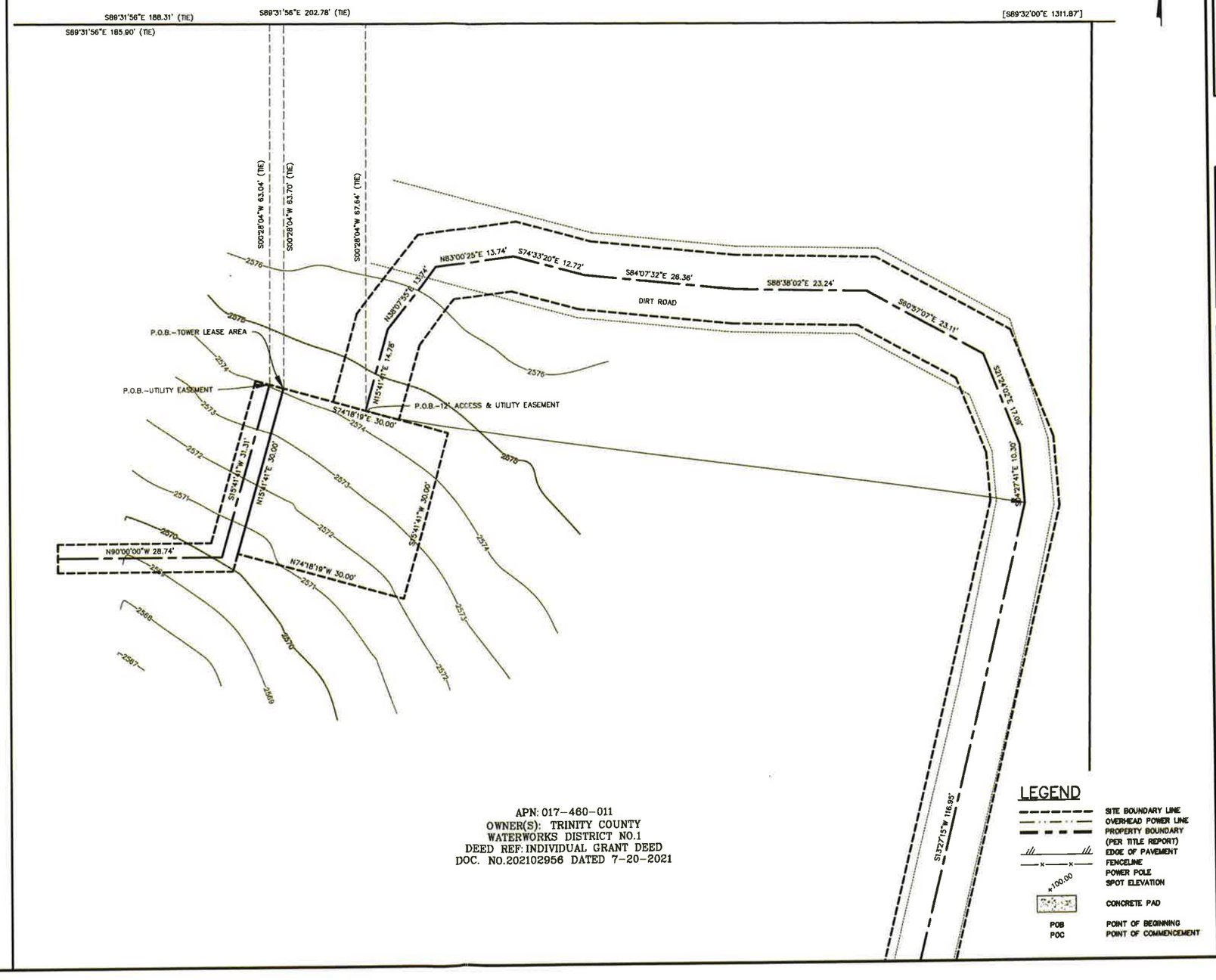
UTILITY EASEMENT DESCRIPTION:

BEING A 5.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P-20-39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200-202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 185.90 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.04 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S15°41'41"E, A DISTANCE OF 31.31 FEET;
THENCE N90°00'00"W, A DISTANCE OF 28.74 FEET TO TERMINUES OF THIS DESCRIPTION.

ENLARGED SITE PLAN
1" = 10'



APN: 017-460-011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1
DEED REF: INDIVIDUAL GRANT DEED
DOC. NO.202102956 DATED 7-20-2021

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR: NextEdge

SMITHCO SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION			
NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/15/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/29/24
3	REV. DESIGN	EJ	07/31/24
4			
5			
6			
7			

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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56-1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-2

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65029:

(5) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(6) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS: A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(7) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(8) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(9) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(10) AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

(11) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1996, INSTRUMENT NO. 960001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

(12) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204:

[5] AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

[6] AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205:

△5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

△6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 187.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

△9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,

IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<

PREPARED FOR:
NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56-1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-3

EASEMENT(S) PER TITLE REPORT:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:MARY E YOUNG
FOR:ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED:SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

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IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
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FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
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RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
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SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN
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>>> PLOTTED AS SHOWN HEREON <<<

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>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO TITLE REPORT ORDER #65204

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FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
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SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN
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EASEMENT(S) PER TRINITY COUNTY TITLE CO TITLE REPORT ORDER #65205

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FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

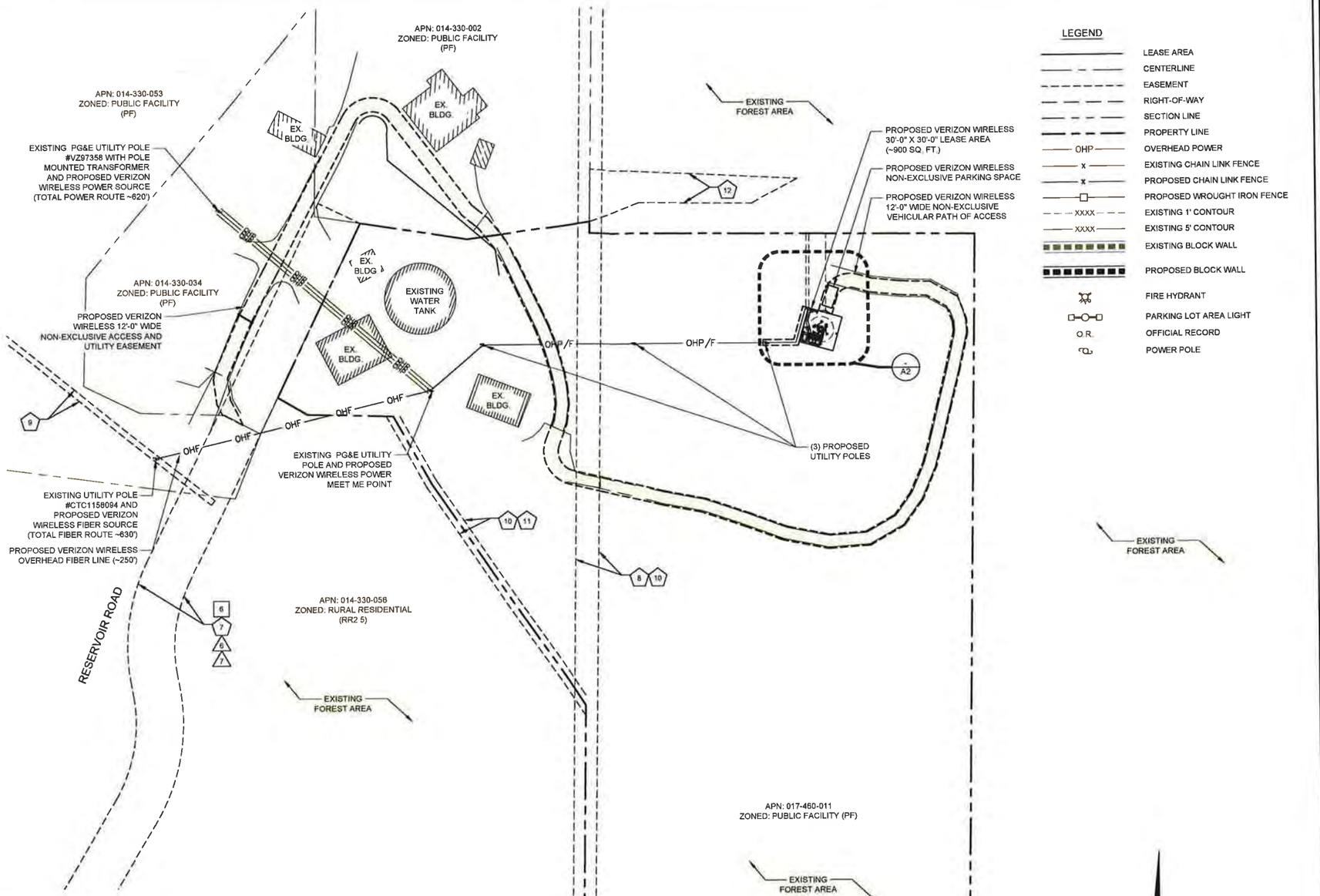
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AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

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MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

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IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 167
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AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

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IN FAVOR OF: STROUT REALTY, A CORPORATION
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AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

11" X 17" SCALE	24" X 36" SCALE
1" = 100'	1" = 50'

1

SITE PLAN

ISSUE STATUS

REV	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC
4650 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION
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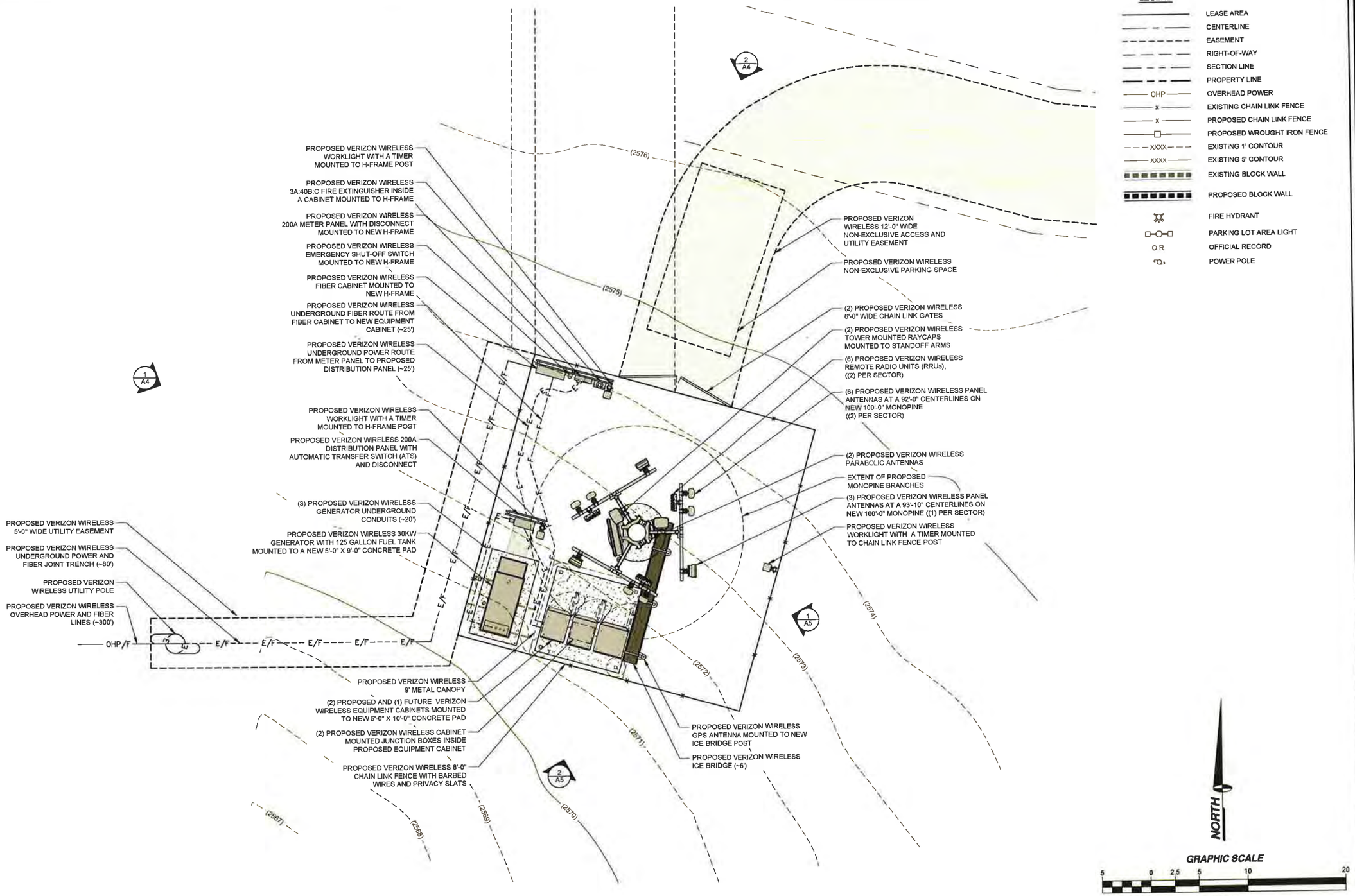
verizon
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
SITE PLAN

A1

REVISION
0



11" X 17" SCALE	24" X 38" SCALE
1" = 10'	1" = 5'

1

SITE DETAIL

ISSUE STATUS

REV	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

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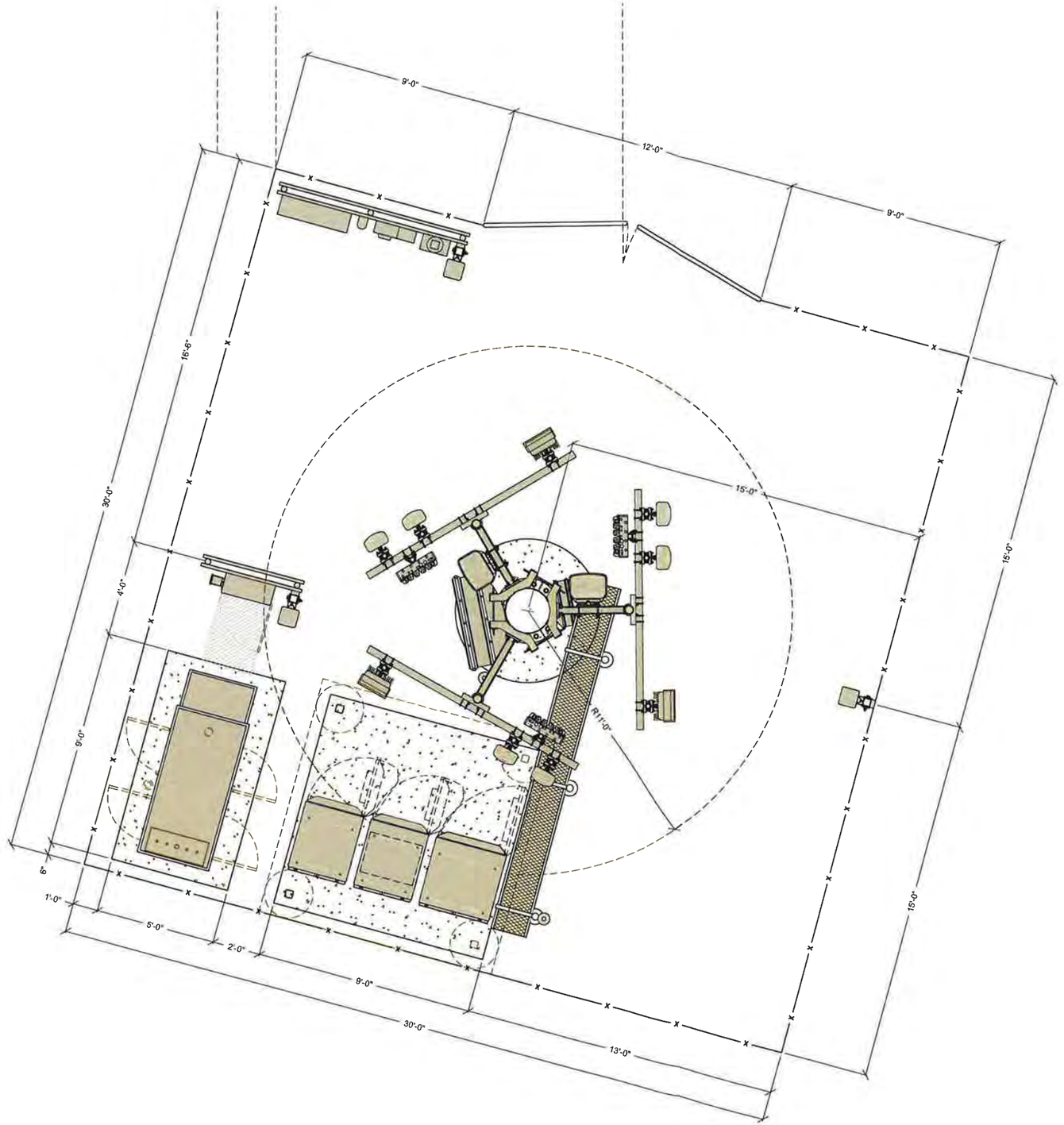
verizon

2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
SITE DETAIL

	REVISION:
A2	0



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE

2.5 0 1.25 2.5 5 10

(IN FEET)

11" X 17" SCALE	24" X 36" SCALE
1" = 5'	1" 2'-6"d

1

SITE DETAIL WITH DIMENSIONS

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
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verizon

2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
SITE DETAIL WITH DIMENSIONS

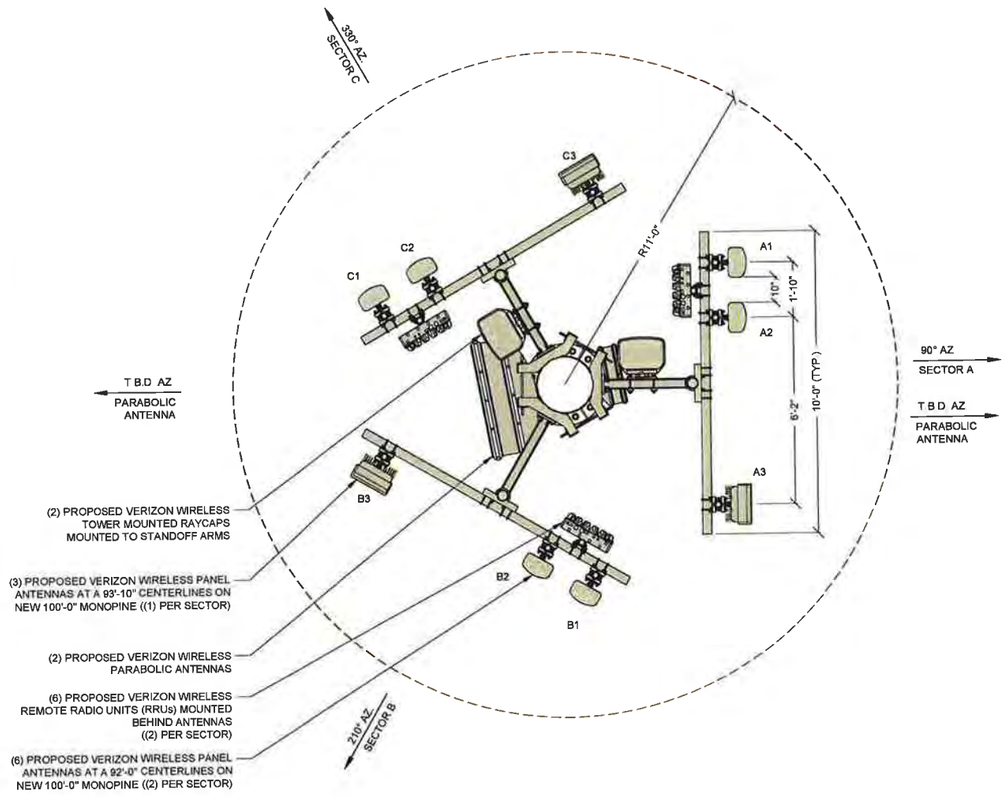
A2.1

REVISION
0

ANTENNA & EQUIPMENT SCHEDULE

	ANT POS	ANTENNA MODEL	ANTENNA DIMENSIONS	ANTENNA AZIMUTH	ANTENNA CENTERLINE	RRU	CABLE LENGTH
ALPHA SECTOR	A1	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"	90°	92'-0"	-	~110'
	A2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	A3	ERICSSON 6419	28.3" X 16.1" X 8.0"		93'-10"	(1) RADIO 4890	
BETA SECTOR	B1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	210°	92'-0"	-	
	B2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	B3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	
GAMMA SECTOR	C1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	330°	92'-0"	-	
	C2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	C3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	

ANTENNA AND EQUIPMENT SCHEDULE



2 ANTENNA LAYOUT

11" X 17" SCALE	24" X 36" SCALE
1" = 5'	1" 2'-6"d

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

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verizon

2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

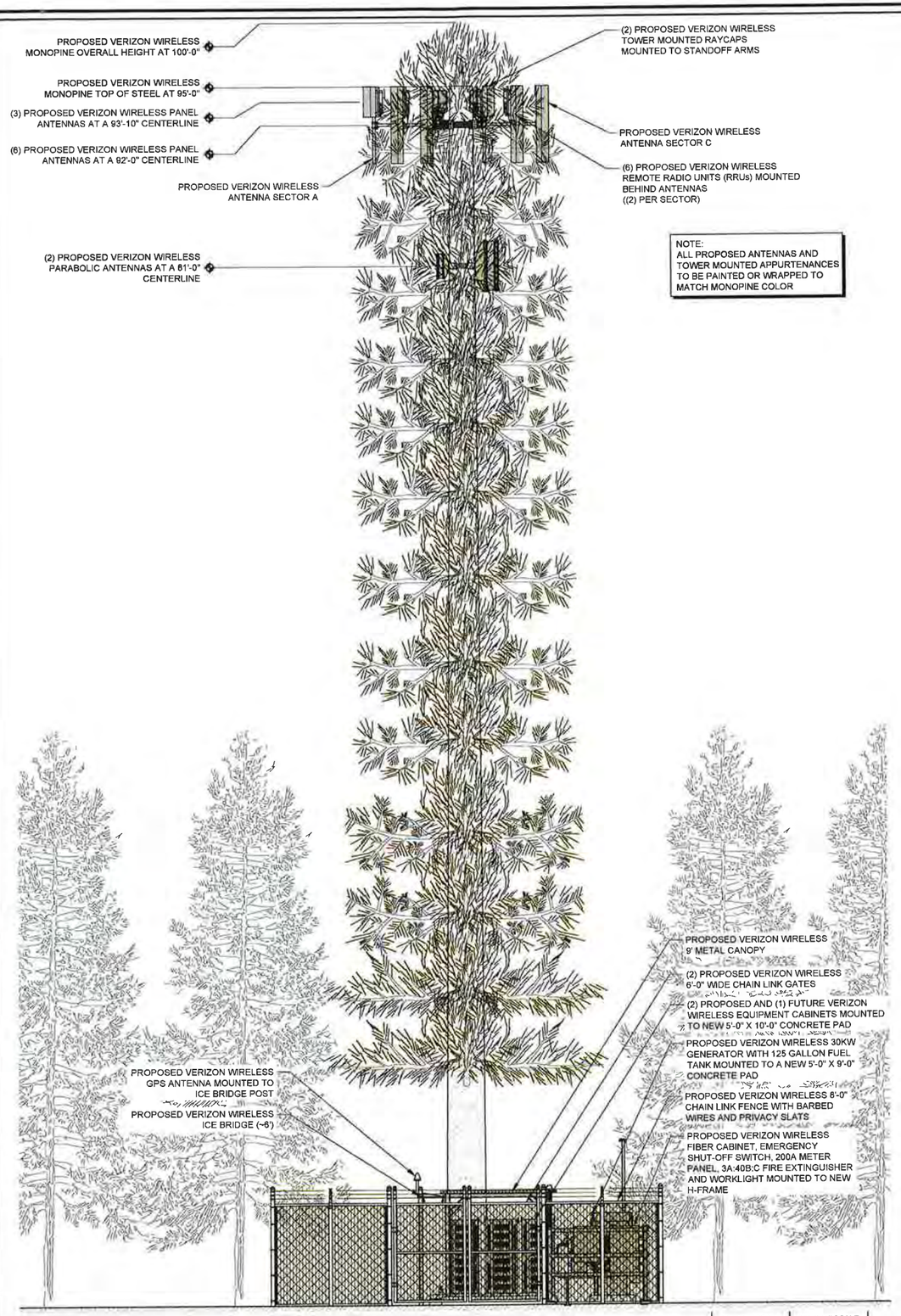
HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE

A3

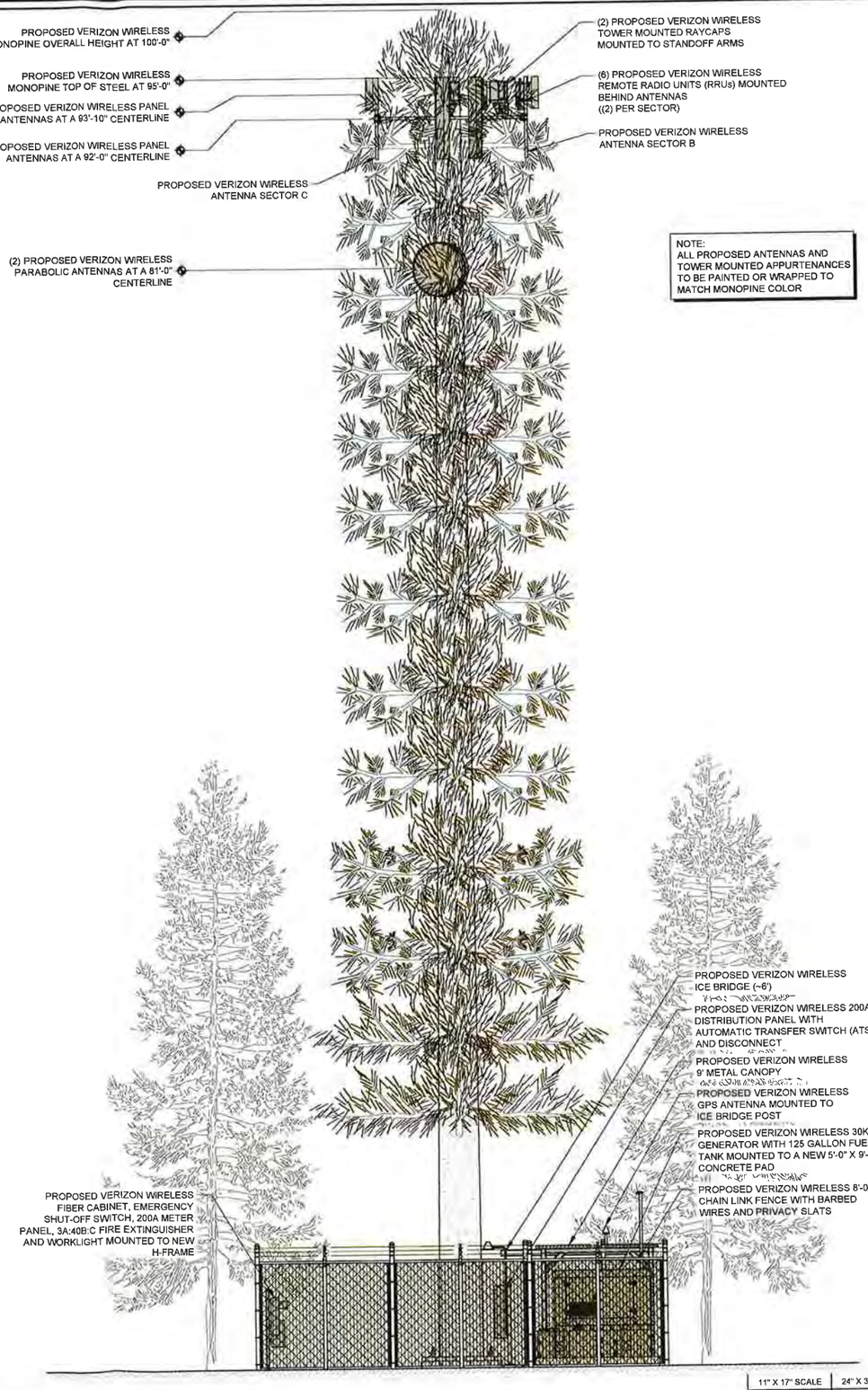
REVISION
0



PROPOSED NORTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

2



PROPOSED WEST ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

1

ISSUE STATUS

REV	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R C
1	08/07/24	100% ZONING	R C

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HAYFORK

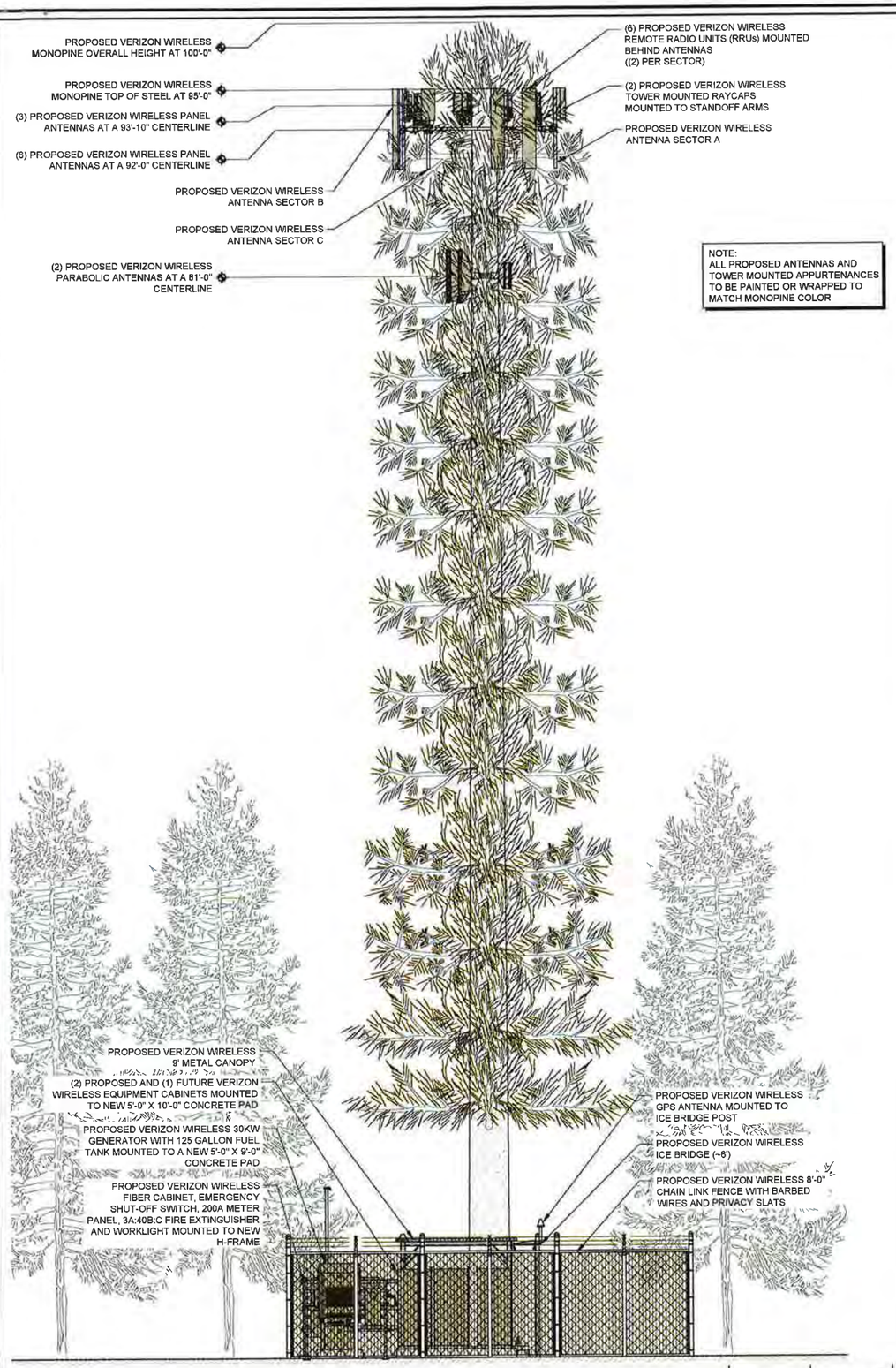
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

PROPOSED NORTH AND WEST ELEVATIONS

A4

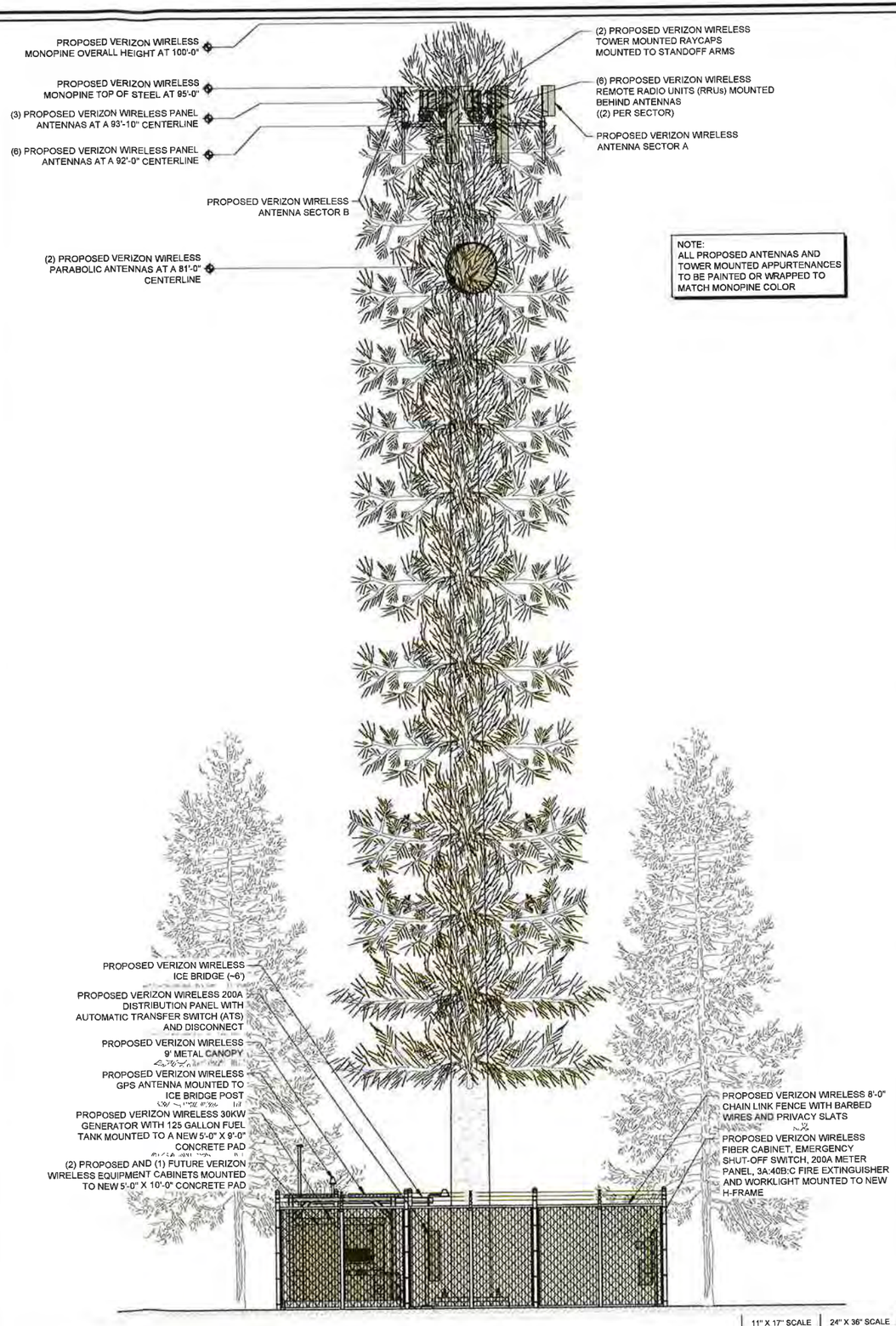
REVISION:
0



PROPOSED SOUTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

2



PROPOSED EAST ELEVATION

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
PROPOSED SOUTH AND EAST ELEVATIONS

SHEET	REVISION
A5	0

Attachment 2

Biological Resources Assessment

TRILEAF

environmental architecture engineering

Biological Resources Assessment

July 10, 2025

Revised December 15, 2025



HAYFORK

320 Reservoir Road

Hayfork, Trinity County, California 96041

Trileaf # 761329

Prepared For:

Everest Infrastructure Partners Holdings II LLC

Two Allegheny Center

Pittsburgh, Pennsylvania 15212

Prepared By:

Trileaf Corporation

2121 W. Chandler Boulevard, Suite 108

Chandler, Arizona 85224

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1. EXECUTIVE SUMMARY

This report contains the findings of a Biological Assessment conducted by Trileaf Corporation (Trileaf) on proposed Everest Infrastructure Partners Holdings II LLC candidate, HAYFORK, in Trinity County, California. This project is being undertaken to provide improved telecommunications services to the local area through the installation of a new communication tower and associated equipment. The project site is located generally north of California State Route 3, and is depicted on the Hayfork, California U.S. Geological Survey (USGS) 7.5-minute topographic map. The scope of work consists of the installation of a stealth telecommunications tower and associated ground-based equipment.

The project site was surveyed on May 12, and June 20, 2025 by Trileaf biologist, Ms. Rachel Bishop. The biological resources within the site are described in terms of plant communities and jurisdictional drainage features. A literature review provided information regarding sensitive plant and wildlife species potentially occurring within the project site and immediate vicinity. Based on current site conditions and suitable habitat requirements of sensitive species, this report provides an analysis of the potential impacts of the proposed undertaking on listed or proposed threatened or endangered species, designated critical habitats, wetlands, and migratory birds. A project description, site photographs and topographical site location maps are included in this report.

2. INTRODUCTION

This report contains the findings of a Biological Assessment conducted by Trileaf Corporation (Trileaf) on proposed Everest Infrastructure Partners Holdings II LLC candidate, HAYFORK, in Trinity County, California. This project is being undertaken to provide improved telecommunications services to the local area through the installation of a new communication tower and associated equipment. The project site is located generally north of California State Route 3, and is depicted on the Hayfork, California U.S. Geological Survey (USGS) 7.5-minute topographic map. The proposed project consists of the installation of a 95-foot tall monopine telecommunications tower, with an overall height of 100-feet including faux branches. The tower and associated ground-based equipment will be installed within a 30-foot by 30-foot lease area. A 12-foot wide access and utility easement will extend generally west, away from the tower for approximately 1,315-feet to Reservoir Road. Additionally, a 5-foot-wide utility easement will extend southwest along the western side of the compound, then west, for approximately 80-feet to a proposed utility pole. Power will continue overhead approximately 620 feet to a existing utility pole and fiber will continue approximately 630 feet to an existing utility pole. The proposed project area is located in a wooded hillside area, nearby rural residential development.

The purpose of this assessment is to document the biological resources on the property and identify potential impacts that could occur from the proposed project. This document has been prepared in accordance with the most recent guidelines provided by Trinity County, legal requirements found in Section 7 (a)(2) of the Endangered Species Act (16 U.S. C 1536(c)), and is intended for use during future impact analysis that is required under the California Environmental Quality Act (CEQA). The document presents technical information upon which later decisions regarding project affects are developed.

EXISTING CONDITIONS

The project area is located in Section 7 of the Hayfork 7.5-minute topographic quadrangle; located within Township 31N and Range 11W. The project is to be located along a lightly forested hillside at the approximate location of 320 Reservoir Road, Hayfork, Trinity County, California 96041 and is accessed via Reservoir Road. Including the access road, the potential project impacts are limited to the approximately 0.38-acre portion of the 53.53-acre property. The proposed Site is located at a latitude of 40.556722 and a longitude of -123.162056 at an elevation of approximately 2,588 feet above mean sea level.

The project site is located within the Klamath Mountains Bioregion of northwestern California. This bioregion is characterized by rugged terrain, diverse geologic substrates, and a mosaic of coniferous and hardwood forest communities that support high levels of biological diversity and endemism. Vegetation in the region typically includes mixed conifer forest, montane hardwood-conifer, and montane chaparral, with common species such as Douglas-fir (*Pseudotsuga menziesii*), ponderosa pine (*Pinus ponderosa*), canyon live oak (*Quercus chrysolepis*), and various shrub species. The Klamath Mountains Bioregion provides important habitat for numerous sensitive wildlife species, including northern spotted owl (*Strix occidentalis caurina*), Pacific fisher (*Pekania pennanti*), northern goshawk (*Accipiter gentilis*), and several anadromous fish species in adjacent watersheds. The ecological integrity of this region has made it a focus of conservation planning efforts, including the Sierra Pacific Industries Spotted Owl Habitat Conservation Plan, which covers large portions of managed forestland in the area.

The project site is located within the plan area of the Sierra Pacific Industries (SPI) Spotted Owl Habitat Conservation Plan (HCP), which covers private timberlands in Trinity County. This HCP was developed in coordination with the U.S. Fish and Wildlife Service to provide long-term conservation for the northern and California spotted owl while allowing for continued forest management activities. The HCP includes habitat retention areas, activity center buffers, and landscape-level survey strategies to minimize potential impacts on spotted owl nesting, roosting, and foraging habitat within the plan area.

For purposes of this report, the approximate 3.75-acre Biological Study Area (BSA) includes the entire 0.38-acre portion of the parcel to be impacted by the installation as well as the areas visible within 50-feet of the Site (Figure 3). Areas on adjacent parcels that lie adjacent to the work areas were surveyed visually from the subject public right-of-way. Impacts from the project would include the installation of the proposed tower and ground-based equipment within the approximately 900 square foot equipment lease area, as well as the proposed access and utility easements. Site maps illustrating site topography, project location, and the buffered survey area can be found in Appendix A.

3. REGULATORY FRAMEWORK

United States Fish and Wildlife Service

The United States Fish and Wildlife Service (USFWS) is responsible for enforcing the federal Endangered Species Act (ESA). This law protects species listed as threatened or endangered from "take," which includes both direct and indirect harm. Take is prohibited unless a Section 10 permit is issued to a non-federal entity or a Biological Opinion with incidental take authorization is issued to a federal agency through Section 7 consultation.

Under the ESA, agencies reviewing proposed projects within their jurisdiction must assess whether any federally listed species may be present in the project area and whether the proposed federal action could jeopardize the continued existence of those species. Habitat loss is specifically recognized as an adverse effect under the ESA. Additionally, the lead agency must evaluate whether its actions could jeopardize species proposed for listing or adversely affect proposed critical habitat. The USFWS also enforces the Migratory Bird Treaty Act of 1918, which makes it illegal to harm or destroy active nests, eggs, or young birds.

Clean Water Act (CWA)

The United States Army Corps of Engineers (USACE) is responsible for implementing the federal Clean Water Act (CWA). Under Section 404 of the CWA, prior authorization is required before placing dredged or fill material into waters of the United States. These waters include virtually all surface waters—such as navigable waters and their tributaries, interstate waters and their tributaries, wetlands adjacent to these waters, and any impoundments of such waters.

Wetlands are defined as areas where wetland vegetation is present and where soils are saturated for part of the growing season or where the surface is flooded during some portion of most years. Examples include seasonally inundated wetlands, swamps, marshes, bogs, and similar habitats.

At the state level, the State Water Resources Control Board (SWRCB) oversees implementation of the Clean Water Act in California. Under Section 401 of the CWA, any project seeking a USACE permit for discharge of dredged or fill material—including those qualifying for a Nationwide Permit—must obtain water quality certification from the appropriate Regional Water Quality Control Board (RWQCB) to ensure compliance with state water quality standards.

The SWRCB also administers the National Pollutant Discharge Elimination System (NPDES), which includes the General Permit for Storm Water Discharges from Construction Activities.

California Department of Fish and Wildlife

The California Department of Fish and Wildlife (CDFW) is responsible for enforcing the California Endangered Species Act (CESA). The state's policy under CESA is to conserve, protect, restore, and enhance endangered and threatened species, along with their habitats. CDFW has jurisdiction over species formally listed as threatened or endangered under CESA, which offers broad protection to at-risk fish, wildlife, and plant species.

In addition to CESA, the California Native Plant Protection Act (NPPA) provides protections for rare and endangered plant species. CDFW also maintains a list of “Species of Special Concern,” which must be considered during environmental review under the California

Environmental Quality Act (CEQA). Under CESA, when a state or local agency evaluates a proposed project, it must determine whether any state-listed species are likely to be present in the project area and assess whether the project could significantly impact those species. If such impacts are identified, the lead agency must adopt reasonable and prudent alternatives, as specified by CDFW, to avoid or mitigate those effects.

CDFW may authorize the take of a state-listed species either through recognition of an incidental take permit issued under the federal Endangered Species Act (ESA), or through a permit issued under Section 2080 of the Fish and Game Code, provided the impacts are adequately minimized and mitigated.

Additionally, CDFW enforces provisions of the California Fish and Game Code. Section 3503.5 makes it illegal to take, possess, or destroy birds of prey—including those in the Falconiformes (e.g., hawks, eagles, falcons, vultures) and Strigiformes (owls) families. This protection extends to nest disturbance resulting from construction or other activities.

California Native Plant Society

The California Native Plant Society (CNPS) is a non-profit organization focused on the preservation of California's native plant species. CNPS has developed a ranking system for plants of conservation concern, formerly known as the "CNPS List," which was renamed in 2011 to the California Rare Plant Rank (CRPR). While the name has changed, the ranking definitions and system remain the same and reflect varying levels of conservation concern:

CRPR 1A – Presumed Extinct in California

Plants in this category have not been observed or collected in the wild in California for many years and are considered either extinct (no longer occurring anywhere) or extirpated (eliminated from California but still present elsewhere). These plants meet the definitions under Section 1901 (Native Plant Protection Act) or Sections 2062 and 2067 (California Endangered Species Act) of the California Fish and Game Code and are eligible for state listing. If rediscovered, these taxa must be fully considered during CEQA environmental review.

CRPR 1B – Rare and Endangered in California and Elsewhere

These plants are rare, threatened, or endangered throughout their entire range, with most being endemic to California. Many have experienced substantial population declines over the past century. Like CRPR 1A plants, they meet legal definitions for protection and are eligible for state listing. They must be fully considered in CEQA-related environmental documentation.

CRPR 2 – Rare in California but Common Elsewhere

Plants in this category would otherwise qualify for CRPR 1B, except they are more common outside California. While these species may not be eligible for protection under the federal Endangered Species Act, California law (since 1979) considers them for state protection. CRPR 2 species help preserve regional biodiversity and genetic variation, and they are eligible for state listing. They must be considered during CEQA environmental review.

CRPR 3 – Plants of Uncertain Status

CRPR 3 includes plants for which there is insufficient information to assign a definitive rank. Most are taxonomically uncertain or poorly studied. CNPS encourages researchers to submit data on distribution, threats, ecology, and taxonomy. Some may qualify for protection under state law and should be evaluated during CEQA review.

CRPR 4 – Plants of Limited Distribution

These plants are not rare from a statewide perspective but are infrequent or locally distributed. Although few qualify for listing under the Native Plant Protection Act or the California Endangered Species Act, they may still be of regional significance. CNPS recommends monitoring and evaluation of CRPR 4 species during CEQA review, especially if their status appears to be changing.

Local Regulations, Trinity County Regulations

Trinity County does not have a local tree protection ordinance that regulates the removal of trees on private property. As such, tree removal on private land is generally not subject to county permitting requirements unless the activity occurs within a public road right-of-way. In those cases, an encroachment permit must be obtained from the Trinity County Transportation Department. While tree removal is not otherwise regulated at the county level, vegetation management activities are often guided by state defensible space requirements and encouraged through voluntary hazardous fuels reduction programs supported by the Trinity County Resource Conservation District and local Fire Safe Council. These programs typically focus on wildfire risk reduction and may be subject to CEQA compliance when implemented at a programmatic scale. Currently, there are no trees identified to be removed within the project area in the proposed project footprint.

4. METHODOLOGY

This review used the best available scientific and commercial data to evaluate the potential effects to biological resources from the proposed project. Methods to obtain data and biological resources information included a desktop review and field survey of the Biological Survey Area (BSA), which covered the project boundary and an approximate 50-foot buffer, with a focus on the proposed Site.

Desktop Review

Data regarding biological resources on the project site were obtained through a literature review that included data on biological resources in the project vicinity. The primary objective of the assessment was to document the existing conditions of the onsite biological resources. Document and digital data review included information from federal, state, and local resource agencies, including the National Wetland Inventory (NWI), California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS) Online Inventory of Rare and Endangered Plants, the California Department of Fish and Wildlife (CDFW) Special Animals List, biological reports for nearby projects, and the U.S. Fish & Wildlife Service (USFWS) Information for Planning and Consultation (IPaC).

Additional resources reviewed for information about the area of impact:

- Aerial photographs of the project area and general project vicinity.
- Hayfork USGS 7.5-minute topographic quadrangle.
- USDA Web Soil Survey mapping tool.
- USFWS Critical Habitat Mapper.
- US Geological Survey National Hydrography Dataset; and,
- USFWS National Wetlands Inventory.

An initial review indicated that the project site is located in a wooded hillside area on the grounds of Trinity County Waterworks District, surrounded by nearby rural residential development. Ms. Rachel Bishop conducted the biological resources field survey to document existing conditions and to determine potential impacts to sensitive biological resources based on current site plans. The survey was conducted on foot, making note of biological resources such as plant and wildlife species. Photographs of the project area are included in Appendix B. Attention was paid to any flora or fauna in the immediate project area to determine the presence or potential occurrence of any sensitive species that may occur on the project site.

Field Surveys

Trileaf biologist Ms. Rachel Bishop, visited and surveyed the site on May 12 and June 20, 2025. The field survey focused on existing biological resources, presence or absence of special-status wildlife and plant species and habitats, as well as the proposed potential of the present habitat to support these species. On-site field survey methods consisted of walking randomized transects throughout the project and recording wildlife observed by visual observation using binoculars, indirect signs (e.g. scat, animal tracks, burrows, and skeletal remains), and auditory cues (i.e. calls

and songs). Notes on vegetation communities and botanical resources were also recorded. The field survey was conducted in early May, within the typical blooming period for most potentially occurring special-status plant species with potential to occur within the BSA area.

Focused bumble bee surveys were conducted within the proposed project site and a surrounding buffer area during the Colony Active Period, which represents the period of highest detection potential for worker bumble bees. Surveys were completed by a qualified biologist in general accordance with the *CDFW Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (CDFW 2023). Survey methods included systematic visual searches of flowering vegetation, potential foraging areas, and suitable microhabitats under appropriate weather conditions. No sensitive bumble bee species were observed during surveys, and no evidence of active colonies was identified within the project site or buffer area at the time of the assessment.

Sensitive biological resources present, or potentially present, onsite were identified through a literature review using the following resources: the U.S. Fish and Wildlife Service's Information, Planning, and Consultation system (IPaC), the California Natural Diversity Data Base (CNDDB), and the California Native Plant Society (Tibor 2001 and CNPSEI 2010). For the purpose of this report, “sensitive” or “special status” species are those plant or wildlife species that are federally and/or state listed species, proposed for listing, or candidate species.

5. FINDINGS

5.1 Environmental Setting / Site Description

The biological assessment survey of the project site was conducted on May 12, and June 20, 2025. Weather conditions included a temperature of approximately 55 degrees Fahrenheit, winds up to 13 miles per hour, and clear skies. The Site is located at 320 Reservoir Road, Hayfork, Trinity County, California 96041, and consists of the installation of a 95-foot tall monopine telecommunications tower, with an overall height of 100-feet including faux branches. The tower and associated ground-based equipment will be installed within a 30-foot by 30-foot lease area. A 12-foot wide access and utility easement will extend generally west, away from the tower for approximately 1,315-feet to Reservoir Road. Additionally, a 5-foot-wide utility easement will extend southwest along the western side of the compound, then west, for approximately 80-feet to a proposed utility pole. Power will continue overhead approximately 620 feet to a existing utility pole and fiber will continue approximately 630 feet to an existing utility pole. The proposed project area is currently a wooded hillside area on the grounds of Trinity County Waterworks District, surrounded by nearby rural residential development. The proposed tower site is approximately 2,588 feet above mean sea level. Previous disturbances on the site include the development of the Trinity County Waterworks District Water Mill.

The surrounding habitat within a 1.0-mile radius of the proposed site consists predominantly of forested rural residential development. Overall, the proposed project area is located at a lightly forested hillside with a moderate slope generally south-southwest. No ponded surface water was observed at the time of the site survey. The Site is currently located within an undeveloped portion of the parent parcel dominated by Manzanita (*Arctostaphylos*) shrubs, California Black Oak (*Quercus kelloggii*), Oregon Oak (*Quercus garryana*), and Ponderosa Pine (*Pinus ponderosa*). Photographs of the project area are included in Appendix B. Photographs of the project area are included in Appendix B.

5.2 Vegetation

Based on observed species composition, vegetation structure, and regional setting, the vegetation within the proposed project footprint is best described as a mixed oak–pine woodland characteristic of the Klamath Mountains Bioregion. The overstory is dominated by California black oak (*Quercus kelloggii*), Oregon white oak (*Quercus garryana*), and ponderosa pine (*Pinus ponderosa*), species that commonly co-occur in lower to mid-elevation woodlands and open forests of Trinity County. The understory includes a well-developed shrub and herbaceous layer composed of manzanita (*Arctostaphylos* spp.), vetch (*Vicia* spp.), and common tarweed (*Centromadia pungens*).

This vegetation community corresponds most closely with a mosaic of alliances described in the CNPS *Manual of California Vegetation*, including the *Quercus kelloggii* Woodland Alliance and the *Pinus ponderosa* Forest Alliance (CNPS 2024). The intermixing of hardwood and conifer canopy species, coupled with a shrub-dominated understory, reflects transitional conditions typical of the Klamath Mountains, where oak woodlands and montane conifer forests commonly intergrade in response to complex topography, soils, and disturbance history (e.g., fire and grazing).

Although elements of both alliances are present, the vegetation does not exhibit the structural uniformity or species dominance necessary to assign the community to a single alliance with certainty. Accordingly, the community is conservatively described as an oak–pine woodland assemblage consistent with Klamath Mountains vegetation patterns, rather than a formally classified association.

5.3 Soils

According to the U.S. Department of Agriculture Natural Resources Conservation Service Web Soil Survey of Trinity County, California, Weaverville Area, the Site is underlain by Hoosimbim gravelly loam with a 30 to 50 percent slope. Hoosimbim soils consist of well drained soils that are formed from colluvium derived from conglomerate and/or residuum weathered from conglomerate and are found in hillslopes. The depth to the most restrictive feature is 40 to 60 inches. The depth to the water table is more than 80 inches. A typical profile of Hoosimbim soil consists of a surface layer of gravelly loam extending from 0 to 5 inches, subsurface layers of gravelly loam extending from 5 to 13 inches, very gravelly clay loam extending from 13 to 42 inches, and weathered bedrock extending from 42 to 46 inches. Hoosimbim soils have no frequency of flooding or ponding. Hoosimbim gravelly loam, 30 to 50 percent slopes, is not considered a hydric soil, and no hydrophytic vegetation or surface water was observed.

Underlying a portion of the easement is Crefork-Musserhill complex with a 30 to 50 percent slope. Crekfork and Musserhiull soils consist of well drained soils that are formed from colluvium and/or residuum derived from weakly consolidated mudstone and bedded sedimentary deposits and are found in hillslopes. In Crefork, the depth to both the most restrictive feature and the water table is more than 80 inches. A typical profile of Crefork soils consist of a surface layer of loam extending from 0 to 5 inches, subsurface layers of gravelly clay extending from 5 to 43 inches, and gravelly clay loam extending from 43 to 63 inches. In Musserhill, the depth to the most restrictive feature is 20 to 40 inches to paralithic bedrock. The depth to the water table is more than 80 inches. A typical profile of Musserhill soils consists of a surface layer of gravelly loam extending from 0 to 5 inches, subsurface layers of very gravelly clay loam extending from 5 to 11 inches, extremely cobbly clay loam extending from 11 to 32 inches, and weathered bedrock extending from 32 to 36 inches. Crefork-Musserhill complex soils have no frequency of flooding or ponding. Crefork-Musserhill complex, 30 to 50 percent slopes, is not considered a hydric soil, nor are its minor components including Jafa and Carrcreek.

Based on the soil characteristics described above, including well-drained profiles, absence of hydric conditions, and lack of serpentine or other unique substrates, the soils present within the project area—Hoosimbim gravelly loam and Crefork-Musserhill complex—are not considered suitable for supporting habitat conditions required by hydrophytic, serpentine-endemic, or other edaphically restricted plant species. No surface water, hydrophytic vegetation, or other indicators of specialized habitat were observed. Therefore, no concerns are anticipated related to sensitive species or habitats based on soil type within the project site.

5.4 General Wildlife

The site offers limited but suitable habitat for various wildlife species. The abundant tree cover provides marginal quality habitat for small- to medium-sized mammals and reptiles, supporting foraging, shelter, and breeding activities. The pond adjacent to the project area serve

as a temporary water source for wading birds, reptiles, and amphibians. No burrows were observed within the project site. A full list of species observed during site reconnaissance can be found in Appendix A.

Although no active bird nests were observed during surveys, the site contains appropriate habitat for both ground- and tree-nesting bird species, as well as foraging habitat for a variety of birds. It is reasonably likely that native birds use the site for nesting. Tree removal and site development could potentially disturb active nests if present during construction.

5.5 Sensitive Biological Resources – Special Status Species

Special status species are native species that have been accorded special legal or management protection because of concern for their continued existence. There are several categories of protection at both federal and state levels, depending on the magnitude of threat to continued existence and existing knowledge of population levels.

The U.S. Fish and Wildlife Service (USFWS) administers the federal Endangered Species Act (ESA). The ESA provides a process for listing species as either threatened or endangered, and methods of protecting listed species. The ESA defines as "endangered" any plant or animal species that is in danger of extinction throughout all or a significant portion of its range. A "threatened" species is a species that is likely to become endangered in the foreseeable future. A "proposed" species is one that has been officially proposed by USFWS for addition to the federal threatened and endangered species list.

Section 9 of the ESA prohibits "take" of threatened or endangered species. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in such conduct. Take can include disturbance to habitats used by a threatened or endangered species during any portion of its life history. The presence of any federally threatened or endangered species that is in a project area generally imposes severe constraints on development, particularly if development would result in take of the species or its habitat. Under the regulations of the ESA, the USFWS may authorize take when it is incidental to, but not the purpose of, an otherwise lawful act.

Sensitive habitats are natural communities that support concentrations of sensitive plant or wildlife species, are of relatively limited distribution, or are of particular value to wildlife. Sensitive habitats are not afforded legal protection unless they support protected species, except for wetland habitats, which cannot be filled without authorization from the U.S. Army Corps of Engineers (USACE) and CDFW.

Trileaf has researched the listed or proposed threatened or endangered species and designated critical habitat for the project area. This includes any such species that have been reported to exist within the action area where the project is located. For the purposes of this Biological Resources Assessment, special-status species include those that are federally listed as Endangered, Threatened or Proposed for federal listing (candidate) under the USFWS. Other species also evaluated in this Biological Assessment include non-listed federal and California Special Species of Concern (CSC) and those species that fall under the jurisdiction of the USFWS such as the Migratory Bird Treaty Act (MBTA) and the CDFW, such as CEQA Section 15380(d). Impacts to special-status species were assessed if: (1) those species occurred in habitats similar to those of

the project sites and buffer areas, and (2) were known to occur within the general vicinity of the proposed project sites.

5.5.1 Tracy's Eriastrum (*Eriastrum tracyi*)

Tracy's eriastrum (*Eriastrum tracyi*) is a small, annual herb in the phlox family (Polemoniaceae) that is endemic to northwestern California. It is included on California Rare Plant Rank (CRPR) 3.2, indicating it is a limited-distribution species about which more information is needed, and it may be eligible for listing pending further review.

This species typically occurs in chaparral, lower montane coniferous forest, and cismontane woodland habitats, often in openings or disturbed areas with well-drained, gravelly or sandy soils. Tracy's eriastrum is frequently found on serpentinite or other ultramafic substrates but may also occur in other rocky or nutrient-poor soils. It is usually associated with elevations ranging from approximately 300 to 1,800 meters (980 to 5,900 feet).

The species blooms from May to August, and detection is most reliable during this period. Because *E. tracyi* is an annual, its presence and detectability can vary significantly from year to year depending on climatic conditions, particularly winter and spring precipitation. Its small size and cryptic nature can make it difficult to detect outside of the peak blooming period. Botanical surveys for this species were conducted within the proposed project site and buffer area and were conducted during the appropriate phenological period for the species. No individuals of this species were identified during the botanical surveys. Therefore, this species is considered absent from the project site and buffer area, and as such, no impacts to this species are expected. Therefore, this species is not considered further in this document, and no mitigation measures are proposed.

5.5.2 Western Bumble Bee (*Bombus occidentalis occidentalis*)

The Western Bumble Bee (*Bombus occidentalis*) historically occurred throughout much of the western United States and remains potentially present in suitable habitats across Trinity County, California. This species occupies a range of upland and riparian habitats that provide abundant flowering plants for foraging and undisturbed areas for nesting and overwintering. Western bumble bees prefer open, sunny areas with diverse native floral assemblages, including *Ceanothus spp.*, *Lupinus spp.*, *Eriogonum spp.*, *Clarkia spp.*, and various Asteraceae.

In Trinity County, suitable foraging habitat commonly occurs along meadow edges, forest clearings, road margins, and stream terraces that support native perennial and annual wildflowers. Nesting typically occurs underground in abandoned rodent burrows or within dense vegetative thatch, often in areas with well-drained soils and minimal disturbance. Overwintering queens seek undisturbed duff layers, loose soils, or decaying woody material in shaded upland or forested areas.

On October, 10, 2025, Trileaf received guidance from the California Department of Fish and Wildlife (CDFW) to reevaluate the potential for western bumble bee (*Bombus occidentalis occidentalis*) to occur within the project area. Trileaf's initial assessment incorporated updated occurrence information from the California Natural Diversity

Database (CNDDB) and supplemental citizen science records from iNaturalist and Bumble Bee Watch. The nearest known occurrence of western bumble bee is located approximately 15 miles southwest of the project area, indicating a low likelihood of local occupancy. Additionally, Trileaf's initial field surveys were spaced six weeks apart and both within the species' recognized Colony Active Period (April–September). No western bumble bees or suitable nesting or foraging habitat were observed during either survey, and so the project area was determined to provide minimal potential to support the species.

5.5.3 Fisher (*Pekania pennanti*)

The Pacific fisher (*Pekania pennanti*), a medium-sized carnivorous mammal in the weasel family, is listed as a threatened species under the federal Endangered Species Act (Southern Sierra Nevada distinct population segment) and is a California Species of Special Concern. In California, the species occurs in disjunct populations primarily within mid- to high-elevation coniferous and mixed conifer-hardwood forests of the Klamath, Cascade, and Sierra Nevada ranges.

Fishers are closely associated with mature forest habitats characterized by high canopy cover, large-diameter trees, snags, downed woody debris, and complex vertical and horizontal structure. Resting and denning sites are typically located in tree cavities, broken treetops, snags, logs, or rock piles, often in areas with limited human disturbance. Foraging habitat consists of forested areas that support small- to medium-sized mammals and birds, and fishers are known to travel long distances through diverse forest types, provided adequate canopy cover and connectivity are present.

Although the project site is located within the general range of the Pacific fisher and is surrounded by mixed coniferous forest that may offer suitable habitat in the broader landscape, the potential for occurrence on-site is considered low. The project area is developed and actively operated as a water works center, and the associated infrastructure, human activity, and habitat modification have likely diminished the suitability of the site for fisher use. In addition, the overall project footprint is small, limiting the potential to support key habitat features such as resting structures, foraging areas, or travel corridors. No potential or known nesting or maternity dens of this species were identified during biological surveys in the project site and buffer area. Therefore, this species is considered absent from the project site and buffer area, and as such, no impacts to this species are expected. Therefore, this species is not considered further in this document, and no mitigation measures are proposed.

5.5.4 Northwestern Pond Turtle (*Actinemys marmorata*)

The Northwestern Pond Turtle (*Actinemys marmorata*), formerly considered a subspecies of the Western Pond Turtle, is a California Species of Special Concern and is under review for listing under the federal Endangered Species Act. This species is native to the Pacific slope of North America and inhabits a variety of aquatic environments in northern and central California, including slow-moving streams, ponds, marshes, lakes, reservoirs, and irrigation canals.

Pond turtles require aquatic habitats with abundant basking sites such as logs, rocks, or vegetated banks, as well as submerged and emergent vegetation for cover and foraging. They are generally associated with freshwater systems that retain water for at least part of the year, although they can persist in intermittent or seasonal water bodies if aquatic refugia are available nearby.

In addition to aquatic habitat, upland areas adjacent to water bodies are essential for nesting and overwintering. Females typically lay eggs in upland, well-drained, sparsely vegetated soils up to several hundred feet from the water's edge. Turtles may also use upland areas for overwintering, especially in colder climates, by burrowing into leaf litter, soil, or rodent burrows.

The proposed project site and buffer area occur outside of aquatic feeding and breeding habitat. Additionally, project activities will occur outside of potential nesting habitat for this species. Therefore, this species is considered absent from the project site and buffer area, and as such, no impacts to this species are expected. Therefore, this species is not considered further in this documents, and no mitigation measures are proposed.

5.5.5 Northern Spotted Owl (*Strix occidentalis caurina*)

The Northern Spotted Owl (*Strix occidentalis caurina*) is a federally threatened and California Species of Special Concern that inhabits mature and old-growth coniferous forests with a multi-layered canopy structure, high canopy closure, and the presence of large-diameter trees, snags, and downed woody debris. In California, suitable habitat typically consists of mixed evergreen or Douglas-fir forests, often in montane regions with moderate to high moisture availability. The species requires extensive, contiguous tracts of forest for nesting, roosting, and foraging. Nest sites are commonly located in cavities, broken tree tops, or platforms in large trees, typically over 30 inches in diameter. Roosting habitat is characterized by cool, shaded microclimates, often in stands with high structural complexity. Foraging habitat includes areas with a well-developed canopy and open understory, which supports populations of small mammals such as woodrats and flying squirrels, their primary prey.

The project site is located within the boundaries of the Sierra Pacific Industries (SPI) Spotted Owl Habitat Conservation Plan (HCP), which includes large areas of potential owl habitat and incorporates conservation measures to support the species across SPI-managed lands. Due to this location and the presence of coniferous forest in the region, there is potential for Northern Spotted Owl to occur in the vicinity of the project. However, the project site is currently developed and operated as a water works center, which has likely reduced or eliminated the availability of suitable nesting, roosting, or foraging habitat within the immediate project footprint. Developed infrastructure, human activity, and vegetation modification associated with the existing facility may limit the site's suitability for use by Northern Spotted Owl. It is highly unlikely this species would occur within the project site and buffer area, and as such, no impacts to this species are expected. Therefore, this species is not considered further in this document, and no mitigation measures are proposed.

5.5.6 Bat Species

Trileaf conducted a bat species and habitat assessment of the proposed project site and associated buffer area during field surveys. The project site and buffer area provide limited potential for bat foraging habitat, and bat species may intermittently forage within these areas. Potential roosting and maternity habitat, including large trees with crevices, cavities, or exfoliating bark, was evaluated during surveys. However, the assessment determined that none of the trees within the project site or buffer area contain hollow trunks, entrance holes, cavities, or exfoliating bark that would provide suitable roosting or maternity habitat for bat species. In addition, no rock outcrops or structures capable of supporting bat roosting were observed within the project site or buffer area. Accordingly, it is Trileaf's professional opinion that the proposed project would not result in impacts to individual bats or bat roosting or maternity sites, and bat species are not discussed further in this document.

Jurisdictional Areas

The USACE regulates discharges of dredged or fill material into waters of the United States. These waters include wetlands and non-wetland bodies of water that meet specific criteria. USACE regulatory jurisdiction pursuant to Section 404 of the federal Clean Water Act is founded on a connection or nexus between the water body in question and interstate commerce. This connection may be direct through a tributary system, linking a stream channel with traditional navigable waters used in interstate or foreign commerce, or may be indirect, through a nexus identified in the USACE regulations.

5.5.7 Waters of the U.S.

USACE jurisdiction over non-tidal waters of the United States extends laterally to the ordinary high-water mark (OHWM) or beyond the OHWM to the limit of any adjacent wetlands, if present (33 CFR 328.4). The OHWM is defined as "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding area" [33 CFR 329.11(a) (1)]. Jurisdiction typically extends upstream to the point where the OHWM is no longer perceptible.

Using local maps (see Appendix A) in combination with site reconnaissance, the following water bodies have been identified in the table below:

Water Body Type	Water Body Name	Direction from Structure	Distance from Structure
Pond	Unnamed	NNW	165 feet
Riverine	Hayford Creek Tributary	N	0.2 miles
Riverine	Hayford Creek Tributary	W	0.4 miles
Lake	Ewing Reservoir	NW	0.4 miles

A pond habitat resides approximately 150 feet north of the proposed project footprint, which serves as potential habitat for special-status species. However, no direct impacts are anticipated to this feature.

5.5.8 Wetlands

The USACE and EPA define "wetlands" 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 to life in saturated soil conditions." In order to be considered a jurisdictional wetland under Section 404, an area must possess three wetland characteristics: hydrophytic vegetation, hydric soils, and wetland hydrology. Each characteristic has a specific set of mandatory wetland criteria that must be satisfied for that wetland characteristic to be met. Trileaf has reviewed the topographic map, soil composition, as well as the National Wetlands Inventory (NWI) Map to determine if the proposed lease area and easements would have an impact on any wetlands or require significant amounts of fill or grading. Additionally, Trileaf performed a field visit and determined that the site is not located in a recognized wetland are and no jurisdictional wetlands will be impacted by the installation of the proposed facility.

5.5.9 Nesting Birds

The Migratory Bird Treaty Act (MBTA) protects all common wild birds found in the United States except the house sparrow, starling, feral pigeon, and resident game birds such as pheasant, grouse, quail, and wild turkey. The MBTA makes it unlawful for anyone to kill, capture, collect, possess, buy, sell, trade, ship, import, or export any migratory bird including feathers, parts, nests, or eggs.

The proposed Site is not located within a principal migratory bird flyway and no nests or nesting activity were observed during the biological assessment field survey. The trees and shrubs located within the immediate vicinity of the project site provide suitable avian nesting habitat. Additionally, although not considered natural nesting habitat, telecommunication towers are known to provide suitable nest sites for raptors and other avian species.

6. SENSITIVE BIOLOGICAL RESOURCES IMPACT ANALYSIS

6.1 Significance Criteria

The determination of significance of impacts to biological resources involves an evaluation of the context in which the impact may occur and the intensity and extent of the impact's effect. The significance of potential impacts is assessed at a site-specific scale and in the larger regional context. The project's effect on biological resources would be considered significant if the project results in:

1. Alteration of unique characteristics of the area, such as sensitive plant communities and habitats (i.e. serpentine habitats, wetlands, riparian habitats).
2. Adverse impacts to special-status species
3. Adverse impacts to important or vulnerable resources as determined by scientific opinion or resource agency concerns (i.e. special status habitats; e.g. wetlands).
4. Interference with migratory routes.

6.2 Potential Impacts & Avoidance and Minimization Measures

Construction Best Management Practices: A range of construction BMPs will be applied during project implementation, including but not limited to the following:

- **Work Timing:** All work activities shall be completed during daylight hours (between sunrise and sunset) and outside of rain events.
- **Work Limits:** The proposed disturbance envelope shall be clearly marked or delineated with stakes, flagging, tape, or signage prior to work. Areas outside of work limits should be considered environmentally sensitive and should not be disturbed.
- **Vehicles and Equipment:** All equipment and vehicles shall be checked and maintained daily to prevent spills of fuel, oil, and other hazardous materials. A designated staging area shall be established for vehicle/equipment parking and storage of fuel, lubricants, and solvents. All fueling and maintenance activities shall take place in the staging area.
- **Avoiding Inadvertent Wildlife Entrapment:** Any open trench or excavation should be securely covered prior to stopping work each day. Additionally, wildlife exit ramps should be installed to prevent inadvertent wildlife entrapment. If pipes are stored onsite, they should be inspected for wildlife prior to burying, capping, moving, or filling.
- **Fencing:** Appropriate perimeter fencing should be implemented to fence off the construction area and alleviate potential hazards to wildlife. Fencing will be designed and implemented to alleviate potential hazards to wildlife. Fencing will be designed in accordance with recommendations provided in "A Landowner's Guide to Wildlife Friendly Fences: How to Build Fence with Wildlife in Mind", Second Edition (Revised and Update 2012), prepared by the Montana Fish, Wildlife, and Parks. Final fence design will be submitted to CDFW for review.
- **Lighting:** Trileaf recommends that all Project lighting fixtures be fully shielded, directed downward, and designed and installed to minimize light pollution and prevent light spillover onto adjacent habitat. Trileaf further recommends using lower-intensity, warm-colored lighting with low color temperature (Kelvin) values, which emit fewer short-wavelength blue light components known to be particularly disruptive to wildlife (Gaston et al., 2017).

- **Low Impact Development for Neighboring Aquatic Special-Status Species:** Trileaf recommends implementing Low Impact Development (LID) strategies to prevent any net increase in stormwater runoff from new impervious surfaces. Appropriate LID features may include permeable pavement, vegetated bioswales, and retention or infiltration basins designed to capture, filter, and infiltrate stormwater onsite. LID designs should be developed to ensure that post-project stormwater runoff volume, rate, and duration do not exceed pre-project conditions, and that hydromodification is avoided.
- **Native Vegetation in Landscaping:** Trileaf recommends incorporating native plant species adapted to the local region in all landscaping associated with the Project. The use of native vegetation provides numerous ecological and operational benefits, including supporting pollinators and native wildlife, conserving water, reducing pesticide use, and minimizing maintenance needs. Resources available through the California Native Plant Society (CNPS) provide guidance for identifying appropriate native species, ensuring proper care and maintenance, and sourcing local seed or plant stock.
- **Employee Awareness Training:** Prior to the beginning of construction activities in the proposed project site, all project personnel shall participate in a worker environmental awareness training regarding sensitive wildlife species and their habitat present in the proposed project area. If project personnel are added to the proposed project, they must receive the mandatory training before starting work. As part of the training, an environmental awareness handout will be provided to all personnel that describes the bumble bee species to be avoided during project activities and lists applicable permit conditions identified by local, state, and federal agencies to protect these resources.

Sensitive Plant Species: The project site contains suitable habitat for sensitive plant species. However, no special-status plant species were observed within the project site and buffer area during plant surveys conducted during the appropriate phenological period of the sensitive plant species identified as potentially occurring. If construction occurs beyond one (1) calendar year of this survey, a follow-up special status plant species survey should be conducted to confirm if sensitive plant species are present. These surveys shall be conducted prior to the initiation of any construction activities and coincide with the appropriate flowering period of the special-status plant species with the potential to occur in the project area. If any special-status plant species populations are identified within or adjacent to the proposed disturbance areas, the project proponent shall implement the following measures to avoid impacts to these species:

- If any population(s) of special-status plant species is identified directly adjacent to the proposed project site, a qualified biologist retained by project proponent will clearly delineate the location of the plant population, and install protective fencing between the disturbance zone and the plant population to ensure that the plant population is adequately protected.
- If a special-status plant population is identified within the proposed disturbance zone, the project proponent will consult with CDFW and USFWS to determine the appropriate measures to avoid or mitigate for impacts to the species or population. The project proponent will adjust the boundaries of the disturbance zone, where feasible, to avoid impacts to the plant species/population. Where avoidance is not feasible, the project

proponent will implement one or more of the following measures: (1) transplant potentially affected plants to areas not planned for disturbance. If a plant is transplanted, two more plants shall be planted. Plantings shall be managed and monitored by the applicant and shall survive to 5 years after planting; (2) seed or purchase plants and place them in an area adjacent to the disturbance zone; (3) purchase credits at an approved mitigation bank at a ratio approved by CDFW, USFWS, and the project proponent.

Oak and Pine Tree Removal: Trinity County does not have a standalone oak tree preservation ordinance, or a specific ordinance regulating the removal of pine trees; however, removal of these trees may still be subject to regulation under broader land use and environmental policies. Tree removal could require review or permitting under zoning provisions such as Timberland Production Zone (TPZ) or agricultural-forest zoning, particularly if associated with grading or development activities. Additionally, discretionary projects that involve oak woodland removal may trigger environmental review under CEQA, which could require biological assessment, mitigation, or replacement planting. Trinity County is also within a statewide quarantine area for Sudden Oak Death, and tree removal activities must comply with applicable disease prevention guidelines. Currently, no tree removal is proposed as part of the proposed installation.

Sensitive Wildlife Species: Suitable habitat for sensitive wildlife species is present within the surveyed buffer surrounding the proposed development footprint, however, none are likely to occur within the proposed development footprint itself. Evidence of surface disturbance on and in the immediate vicinity of the site has greatly reduced the potential for sensitive plant species to occupy the area. No small mammal burrows were observed on or within the immediate vicinity of the site. Additionally, the lack of tree removal as part of the proposed scope of work limits potential impacts to most avian and bat species. No direct impacts are anticipated to any sensitive wildlife species or their habitat, however, pre-construction habitat and species surveys should be utilized to rule out any potential presence prior to breaking ground.

Nesting Birds: Implementation of the proposed project could potentially impact individual, foraging, and nesting migratory birds and raptor species should they become established within the proposed project site or buffer area prior to project implementation. Impacts to these species could occur through crushing or destruction by construction equipment during implementation of project activities. Actively nesting birds could also be affected due to noise and vibration from project activities, if nests are located close enough to project activities. Project related noise and vibration could cause the abandonment of active nest sites. Impacts to these species would be considered significant. If nesting birds become established in the proposed project site or buffer area, the following mitigation measures will be implemented.

If ground disturbing activities occur during the breeding season of these avian species (February through mid-September), surveys for active nests will be conducted by a qualified biologist no more than 7 days prior to start of activities. Pre-construction nesting surveys shall be conducted for nesting migratory avian and raptor species in the project site and buffer area. Pre-construction biological surveys shall occur prior to the proposed project implementation, and during the appropriate survey periods for nesting activities for individual avian species. Surveys

will follow required CDFW and USFWS protocols, where applicable. A qualified biologist will survey suitable habitat for the presence of these species. Surveys will begin prior to sunrise and continue until all potential habitat has been surveyed. If a migratory avian or raptor species is observed and suspected to be nesting, a buffer area will be established to avoid impacts to the active nest site. Identified nests should be continuously surveyed for the first 24 hours prior to any construction-related activities to establish a behavioral baseline. If no nesting avian species are found, project activities may proceed and no further Standard Construction Conditions measures will be required. If active nesting sites are found, the following exclusion buffers will be established, and no project activities will occur within these buffer zones until young birds have fledged and are no longer reliant upon the nest or parental care for survival.

- Minimum no disturbance of 250 feet around active nest of non-listed bird species and 250 foot no disturbance buffer around migratory birds;
- Minimum no disturbance of 500 feet around active nest of non-listed raptor species; and 0.5-mile no disturbance buffer from listed species and fully protected species until breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival.
- Once work commences, all nests should be continuously monitored to detect any behavioral changes as a result of project activities. If behavioral changes are observed, the work causing that change should cease and the appropriate regulatory agencies (i.e. CDFW, USFWS, etc.) shall be consulted for additional avoidance and minimization measures.
- A variance from these no disturbance buffers may be implemented when there is compelling biological or ecological reason to do so, such as when the project area would be concealed from a nest site by topography. Any variance from these buffers is advised to be supported by a qualified wildlife biologist and is recommended that CDFW and USFWS be notified in advance of implementation of a no disturbance buffer variance.

Bumble Bee Species (incl. Western, Crotch's, and Suckley's Cuckoo): Trileaf did not observe any western sensitive bumble bee species, nor evidence of suitable nesting or foraging habitat, during either biological survey conducted in 2025; both of which were conducted within the known Colony Active Period, which represents the period of highest detection potential for bumble bee species. Potential nesting and foraging habitat was identified within the proposed project site and associated buffer area during biological surveys; however, without completion of additional CDFW protocol-level surveys during the Queen Flight Season (February–March) and the Gyne Flight Season (October–November), Trileaf cannot conclude with certainty that sensitive bumble bee species are absent from the project site.

Bumble bee species typically forage on large patches of flowering vegetation and form annual underground colonies, most often within abandoned rodent burrows located approximately 6 to 18 inches below ground surface. Project-related ground disturbance and vegetation removal within areas of annual vegetation could result in direct impacts to bumble bees through the destruction of nests or hibernating queens, if present. Indirect impacts may also occur through the temporary or permanent removal of flowering plant species used for foraging. As such, the project has the potential to result in a loss of suitable foraging and nesting habitat where flowering vegetation is removed. It should be noted that no evidence of sensitive bumble bee species was

observed within the project site or buffer area during habitat assessments, and no documented occurrences of these species are known from the general project vicinity.

Potential direct impacts to bumble bees associated with ground disturbance, equipment operation, and other project activities, as well as indirect impacts related to vegetation removal, would be avoided or minimized through implementation of the following measures:

- The project proponent shall conduct additional protocol-level surveys during the Queen Flight Season (February–March) and the Gyne Flight Season (October–November) to determine whether sensitive bumble bee species are present within the proposed project site. Surveys shall be conducted in accordance with the *CDFW Survey Requirements for California Endangered Species Act (CESA) Candidate Bumble Bee Species* (CDFW 2023) and shall cover the proposed project site and a 300-foot buffer area. A letter report documenting survey methods, results, and a habitat assessment shall be prepared and submitted to CDFW for review and approval.
- If sensitive bumble bee species and/or their colonies are identified within the proposed project site, the project proponent shall consult with CDFW to determine appropriate avoidance and minimization measures.
- If project-related impacts to sensitive bumble bee species cannot be avoided, the project proponent shall obtain an Initial Take Permit from CDFW prior to project implementation.
- Prior to the commencement of construction activities, all project personnel shall participate in a worker environmental awareness training addressing bumble bee species and their potential habitat within the project area. Any new personnel added to the project shall receive this training before beginning work. Training shall include distribution of an environmental awareness handout describing bumble bee species to be avoided and summarizing applicable permit conditions and regulatory requirements intended to protect these resources.

7.0 CONCLUSIONS & DETERMINATIONS

On May 12 and June 20, 2025, a Trileaf representative visited and photographed the project site, and compared the habitat at the site with that of the list of federal and state threatened and/or endangered species (photographs of the project area are included in Appendix B). The lease area is not located within an aquatic environment; therefore, any obligate aquatic species should not be directly impacted by this project and were not included in Trileaf's assessment. Please refer to Appendix A for a list of these species and their habitat requirements.

Suitable habitat for sensitive wildlife species is present within the surveyed project site as well as the buffer surrounding the proposed development footprint. No sensitive wildlife species were observed during surveys of the project site and buffer area; nor were any small mammal burrows observed on or within the immediate vicinity of the site. No direct impacts are anticipated to any sensitive wildlife species or their habitat; however, there is potential that sensitive wildlife species could take up residence within the the proposed project site and buffer area prior to project implementation. Therefore, Trileaf recommends that the project proponent implement the BMPs and mitigation measures presented in Section 6 above to prevent impacts to these species.

Rachel Bishop
Senior Project Scientist

Samantha Neary
Principal Biologist
Project Manager

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Appendix A

Site Vicinity Map and Site Plans

verizon

HAYFORK

PROJECT ID# 16994886

MDG NO. 5000918242

320 RESERVOIR ROAD

HAYFORK, CALIFORNIA 96041

ASSESSOR'S PARCEL NO. 014-330-036-000

INSTALLATION OF A NEW TELECOMMUNICATION FACILITY

PROJECT TEAM

SITE ACQUISITION /PLANNING:

MODUS, LLC.
1614 SE 10th AVENUE
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CONTAACT: NEIL GEISLER
PHONE: (509) 710-3515
EMAIL: ngeisler@moduslic.com

CIVIL ENGINEER:

SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
CONTACT: GARRETT HAWTHORNE
PHONE: (702) 367-7705
FAX: (702) 367-8733

ELECTRICAL ENGINEER:

DGS CONSULTING ENGINEERING SERVICES LLC
9811 W. CHARLESTON BOULEVARD, SUITE 2539
LAS VEGAS, NEVADA 89117
CONTACT: DEREK G. STEFUREAC
PHONE: (702) 885-1552

GENERAL CONTRACTOR NOTES

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ARCHITECT IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR THE SAME.

CODE COMPLIANCE

- 2022 CALIFORNIA ENERGY CODE
- 2022 CALIFORNIA BUILDING CODE
- 2022 CALIFORNIA ELECTRICAL CODE
- 2022 CALIFORNIA FIRE CODE
- 2022 CALIFORNIA GREEN BUILDING CODE
- 2022 CALIFORNIA MECHANICAL CODE
- 2022 CALIFORNIA PLUMBING CODE
- SHELTER IS STATE OF CALIFORNIA APPROVED AND INSPECTED, NOT FOR LOCAL INSPECTION.

PROJECT DESCRIPTION

THIS PROJECT IS A VERIZON WIRELESS UNMANNED TELECOMMUNICATION WIRELESS FACILITY. IT WILL CONSIST OF THE FOLLOWING:

- INSTALLATION OF A 900 SQ. FT. VERIZON WIRELESS TELECOMMUNICATIONS FACILITY
- INSTALLATION OF (9) VERIZON WIRELESS PANEL ANTENNAS AT A 92'-0" & 93'-10" CENTERLINES MOUNTED TO A NEW 100'-0" MONOPINE
- INSTALLATION OF (6) VERIZON WIRELESS REMOTE RADIO UNITS (RRUs)
- INSTALLATION OF (2) VERIZON WIRELESS PARABOLIC ANTENNAS
- INSTALLATION OF (2) VERIZON WIRELESS TOWER MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS CABINET MOUNTED RAYCAPS
- INSTALLATION OF (2) VERIZON WIRELESS OUTDOOR EQUIPMENT CABINETS ON A NEW CONCRETE PAD
- INSTALLATION OF (1) VERIZON WIRELESS GPS ANTENNAS
- INSTALLATION OF VERIZON WIRELESS 8' BLOCK WALL
- INSTALLATION OF VERIZON WIRELESS 30KW DC GENERATOR WITH A 125 GALLON DIESEL TANK ON A NEW CONCRETE PAD
- COAXIAL/HYBRIFLEX CABLE RUNS FROM RADIOS TO ANTENNAS
- NEW FIBER CONDUIT RUN TO CABINETS
- NEW 200A DEDICATED ELECTRICAL SERVICE TO METER

VICINITY MAP



PROJECT SUMMARY

APPLICANT/LESSEE

verizon

VERIZON WIRELESS
2270 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

ASSESSOR'S PARCEL NUMBER

APN: 014-330-36-00

PROPERTY OWNER:

OWNER:	TRINITY COUNTY WATER WORKS
ADDRESS:	320 RESERVOIR ROAD HAYFORK HAYFORK, CALIFORNIA 96041
CONTACT:	SHANE MCDONALD
TELEPHONE:	(530) 356-1090

PROPERTY INFORMATION:

SITE NAME:	HAYFORK
SITE ADDRESS:	320 RESERVOIR ROAD HAYFORK, CALIFORNIA 96041
JURISDICTION:	SANTA CLARA COUNTY
LATITUDE:	N 40° 33' 24.2" NAD 83 N 40.556727° NAD 83
LONGITUDE:	W 123° 09' 43.4" NAD 83 W 123.162047° NAD 83

CONSTRUCTION INFORMATION

AREA OF CONSTRUCTION:	30' X30' (~900 SQ FT)
OCCUPANCY TYPE:	U
TYPE OF CONSTRUCTION:	V-B
CURRENT ZONING:	PUBLIC FACILITY (PF)
ADA COMPLIANCE:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. MACHINERY SPACES ARE EXEMPT FROM ACCESSIBILITY REQUIREMENTS PER THE CBC SECTION 11B-203.5.

UTILITY INFORMATION

POWER:	TRINITY P.U.D.
FIBER:	T.B.D.

SHEET	DESCRIPTION	REV
T1	TITLE SHEET	0
C-1	SITE SURVEY	2
C-2	SITE SURVEY	2
C-3	SITE SURVEY	2
A1	SITE PLAN	0
A2	SITE DETAIL	0
A2.1	SITE DETAIL WITH DIMENSIONS	0
A3	ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE	0
A4	EXISTING AND PROPOSED NORTH ELEVATIONS	0
A5	EXISTING AND PROPOSED SOUTH ELEVATIONS	0

ZONING DRAWINGS

811 Know what's below. Call before you dig.

TO OBTAIN LOCATION OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN CALIFORNIA (SOUTH), CALL DIG ALERT TOLL FREE: 1-800-227-2600 OR WWW.DIGALERT.ORG

CALIFORNIA STATUTE REQUIRES MIN OF 2 WORKING DAYS NOTICE BEFORE YOU EXCAVATE

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION

THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

verizon
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

TITLE SHEET

T1

REVISION: 0

NOTES

APN: 017–460–011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1

THIS DRAWING DOES NOT REPRESENT A BOUNDARY SURVEY OF ANY PARCEL OF LAND, NOR DOES IT IMPLY OR INFER THAT A BOUNDARY SURVEY WAS PERFORMED. THIS IS A SPECIALIZED TOPOGRAPHIC MAP WITH PROPERTY AND EASEMENTS BEING A GRAPHIC DEPICTION BASED ON INFORMATION GATHERED FROM VARIOUS SOURCES OF RECORD AND AVAILABLE MONUMENTATION. PROPERTY LINES AND LINES OF TITLE WERE NEITHER INVESTIGATED NOR SURVEYED AND SHALL BE CONSIDERED APPROXIMATE ONLY. NO PROPERTY MONUMENTS WERE SET.

THE EASEMENTS (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN PLOTTED BASED SOLELY ON INFORMATION CONTAINED IN THE PRELIMINARY TITLE REPORT BY: TRINITY COUNTY TITLE COMPANY, TITLE FILE NO. 65029, DATED MARCH 11, 2024. WITHIN SAID TITLE REPORT THERE ARE TWELVE (12) EXCEPTIONS LISTED, EIGHT (8) OF WHICH ARE EASEMENTS AND TWO (2) OF WHICH CAN NOT BE PLOTTED.

THE UNDERGROUND UTILITIES (IF ANY) THAT APPEAR ON THIS MAP HAVE BEEN LOCATED BY FIELD OBSERVATION. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES STATE THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE.

THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD RATE MAP FOR COMMUNITY NO. 060401, PANEL NO. 1191E, DATED JANUARY 20, 2010 SHOWS THAT THE LOCATION OF THIS SITE FALLS WITHIN ZONE X, AREAS ARE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.

THE LATITUDE AND LONGITUDE AT THE LOCATION AS SHOWN WAS DETERMINED BY GPS OBSERVATIONS.

LAT. 40° 33' 23.90" N. NAD 83
LONG. 123° 09' 42.42" W. NAD 83
ELEV. 2572.3' NAVD 88 (BASIS OF DRAWING)

The information shown above meets or exceeds the requirements set forth in FAA order 8260.19D for 1–A accuracy (± 20' horizontally and ± 3' vertically). The horizontal datum (coordinates) are expressed as degrees, minutes and seconds, to the nearest hundredth of a second. The vertical datum (heights) are expressed in feet and decimals thereof and are determined to the nearest 0.1 foot.

LESSOR'S PROPERTY LEGAL DESCRIPTION PER TITLE REPORT:

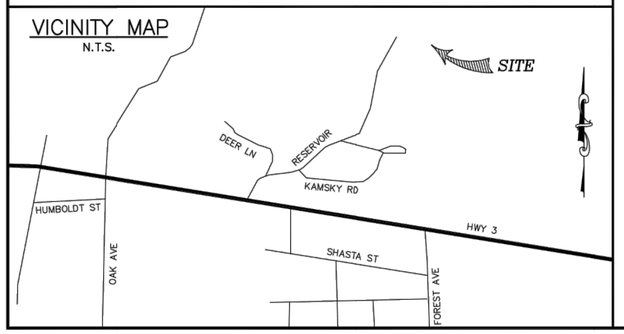
A PARCEL OF LAND IN SECTION 12, T. 31N., R. 12, W AND A PORTION OF LOT 2 (OR THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4) OF SECTION 7, T.31 N. R. 11, W. M.D.B.&M.

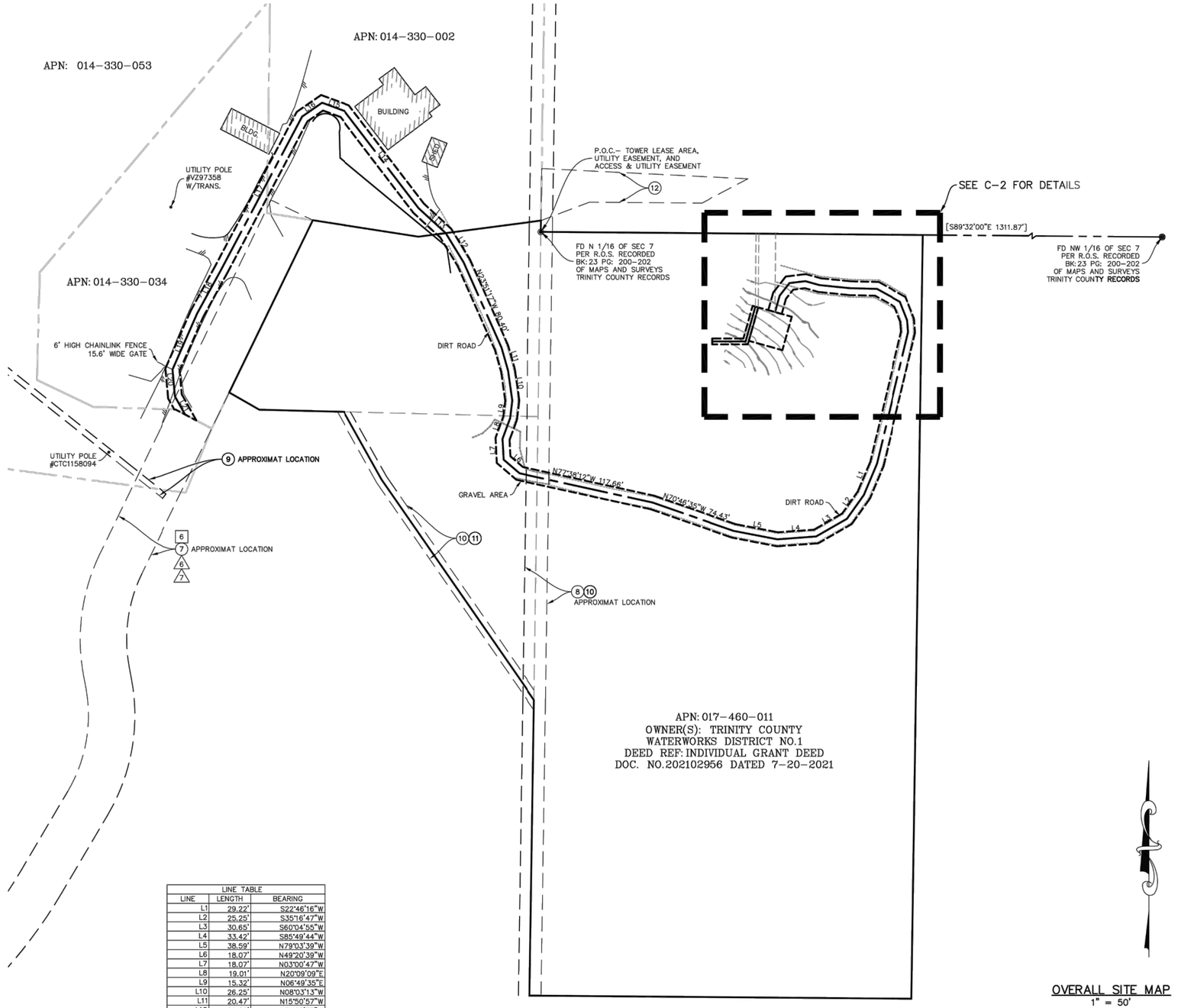
BEGINNING THE NORTHWEST CORNER OF SAID LOT 2 (ALSO BEING THE N. 1/16 CORNER BETWEEN SAID SECTION 12 AND SAID SECTION 7); SAID POINT BEING A STANDARD U.S.F.S. MONUMENT STAMPED L.S. 7791 AS SHOWN ON THAT CERTAIN RECORD OF SURVEY RECORDED IN BOOK 23 OF MAPS AND SURVEYS AT PAGE 200 TO 202 AND ALSO BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S 89°32' E ALONG THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO; THENCE S 0°51'00"W AND PARALLEL WITH THE WEST LINE OF SAID LOT 2 FOR A DISTANCE OF 660 FEET; THENCE N 89°32'W AND PARALLEL WITH THE NORTH LINE OF SAID LOT 2 FOR A DISTANCE OF 330 FEET TO A POINT IN THE W LINE OF SAID LOT 2 AND ALSO BEING A POINT ON THE EAST LINE OF THE PARCEL MAP FOR CHARLES G. AND ELSIE M. MYERS AND FILED FOR RECORD IN THE OFFICE OF THE COUNTY RECORDER OF TRINITY COUNTY, CALIFORNIA, ON OCTOBER 9, 1980 IN BOOK 13 OF MAPS AND SURVEYS AT PAGE 69; THENCE N 0°51'00"E (SHOWN AS N 2'W, ON MYERS PARCEL MAP) ALONG THE EAST LINE OF SAID MYERS PARCEL MAP FOR A DISTANCE OF 56.62 FEET TO THE SOUTHEAST CORNER OF PARCEL 1 OF SAID MYERS PARCEL MAP; THENCE CONTINUING N 0°51'00"W (N 2' W) ALONG THE EAST LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 195.41 FEET TO A POINT ON THE SOUTH LINE OF THAT 10' STRIP SHOWN ON SAID MYERS PARCEL 1; THENCE N 37°30'W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 238,85 FEET; THENCE N 32'W ALONG THE SOUTH LINE OF SAID 10' STRIP FOR A DISTANCE OF 70.20 FEET TO A POINT IN THE NORTH LINE OF SAID MYERS PARCEL 1; THENCE S 88°35'W ALONG THE NORTH LINE OF SAID MYERS PARCEL 1 FOR A DISTANCE OF 67.36 FEET TO AN ANGLE POINT THE NORTH LINE OF SAID MYERS PARCEL; THENCE N 63°02'16"W FOR A DISTANCE OF 29.89 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT OF WAY LINE OF THE ACCESS ROAD TO THE RESERVOIR SITE; THENCE ALONG SAID EASTERLY RIGHT OF WAY LINE N 22°57'502'E FOR A DISTANCE OF 165.40 FEET TO THE SOUTHERLY LINE OF SAID RESERVOIR SITE; THENCE S 63'55;40"E FOR A DISTANCE OF 92.54 FEET; THENCE N 66°17'50"E FOR A DISTANCE OF 124.66 FEET TO THE EAST LINE OF SAID SECTION 12; THENCE 0°51'00"E (S 2°00'E) ALONG THE EAST LINE OF SAID SECTION 12 FOR A DISTANCE OF 14.98 TO THE POINT OF BEGINNING

PURSUANT TO LOT LINE ADJUSTMENT #P–20–39

VICINITY MAP

N.T.S.





LINE TABLE		
LINE	LENGTH	BEARING
L1	29.22'	S22°46'16"W
L2	25.25'	S35°16'47"W
L3	30.65'	S60°04'55"W
L4	33.42'	S85°49'44"W
L5	38.59'	N79°03'39"W
L6	18.07'	N49°20'39"W
L7	18.07'	N03°00'47"W
L8	19.01'	N20°09'09"E
L9	15.32'	N06°49'35"E
L10	26.25'	N08°03'13"W
L11	20.47'	N15°50'57"W
L12	29.80'	N31°25'57"W
L13	31.95'	N47°15'07"W
L14	105.29'	N37°19'58"W
L15	20.96'	N69°47'30"W
L16	20.96'	S55°15'34"W
L17	149.65'	S27°47'06"W
L18	42.92'	S28°39'57"W
L19	52.97'	S23°39'44"W
L20	23.34'	S05°14'10"E
L21	17.86'	S29°05'55"E

OVERALL SITE MAP
1" = 50'

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR:
NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/19/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/29/24
3	REV. DESIGN	EJ	07/31/24
4			
5			
6			
7			

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DRAWN BY: LA
CHECKED BY: DA
DATE DRAWN: 02/19/24
SMITHCO JOB #: 56–1530

SITE NAME

HAYFORK

SITE ADDRESS

320 RESERVOIR RD.
HAYFORK, CA 96041

TRINITY COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-1

TOWER LEASE AREA DESCRIPTION:

BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P–20–39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200–202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 188.31 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.70 FEET; TO THE TRUE POINT OF BEGINNING;

THENCE S74°18'19"E, A DISTANCE OF 30.00 FEET;
THENCE S15°41'41"W, A DISTANCE OF 30.00 FEET;
THENCE N74°18'19"W, A DISTANCE OF 30.00 FEET;
THENCE N15°41'41"E, A DISTANCE OF 30.00 FEET TO THE TRUE POINT OF BEGINNING.

CONTAINING 900 SQUARE FEET, MORE OR LESS.

12' ACCESS AND UTILITY EASEMENT DESCRIPTION:

BEING A 12.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P–20–39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 6.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200–202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 202.78 FEET; THENCE S00°28'04"W, A DISTANCE OF 67.64 FEET TO THE TRUE POINT OF BEGINNING;

THENCE N15°41'41"E, A DISTANCE OF 14.78 FEET;
THENCE N38°07'55"E, A DISTANCE OF 13.74 FEET;
THENCE N83°00'25"E, A DISTANCE OF 13.74 FEET;
THENCE S74°33'20"E, A DISTANCE OF 12.72 FEET;
THENCE S84°07'32"E, A DISTANCE OF 26.36 FEET;
THENCE S88°38'02"E, A DISTANCE OF 23.24 FEET;
THENCE S60°57'07"E, A DISTANCE OF 23.11 FEET;
THENCE S21°24'02"E, A DISTANCE OF 17.09 FEET;
THENCE S04°27'41"E, A DISTANCE OF 10.30 FEET;
THENCE S13°27'15"W, A DISTANCE OF 116.95 FEET;
THENCE S22°46'16"W, A DISTANCE OF 29.22 FEET;
THENCE S35°16'47"W, A DISTANCE OF 25.25 FEET;
THENCE S60°04'55"W, A DISTANCE OF 30.65 FEET;
THENCE S85°49'44"W, A DISTANCE OF 33.42 FEET;
THENCE N79°03'39"W, A DISTANCE OF 38.59 FEET;
THENCE N70°46'35"W, A DISTANCE OF 74.43 FEET;
THENCE N77°38'12"W, A DISTANCE OF 117.66 FEET;
THENCE N49°20'39"W, A DISTANCE OF 18.07 FEET;
THENCE N03°00'47"W, A DISTANCE OF 18.07 FEET;
THENCE N20°09'09"E, A DISTANCE OF 19.01 FEET;
THENCE N06°49'35"E, A DISTANCE OF 15.32 FEET;
THENCE N08°03'13"W, A DISTANCE OF 26.25 FEET;
THENCE N15°50'57"W, A DISTANCE OF 20.47 FEET;
THENCE N23°51'17"W, A DISTANCE OF 80.40 FEET;
THENCE N31°25'57"W, A DISTANCE OF 29.80 FEET:
THENCE N47°15'07"W, A DISTANCE OF 31.95 FEET:
THENCE N37°19'58"W, A DISTANCE OF 105.29 FEET:
THENCE N69°47'30"W, A DISTANCE OF 20.96 FEET:
THENCE S55°15'34"W, A DISTANCE OF 20.96 FEET:
THENCE S27°47'06"W, A DISTANCE OF 149.65 FEET:
THENCE S28°39'57"W, A DISTANCE OF 42.92 FEET:
THENCE S23°39'44"W, A DISTANCE OF 52.97 FEET:
THENCE S05°14'10"E, A DISTANCE OF 23.34 FEET:
THENCE S29°05'55"E, A DISTANCE OF 17.86 FEET TO THE TERMINUES OF THIS DESCRIPTION.

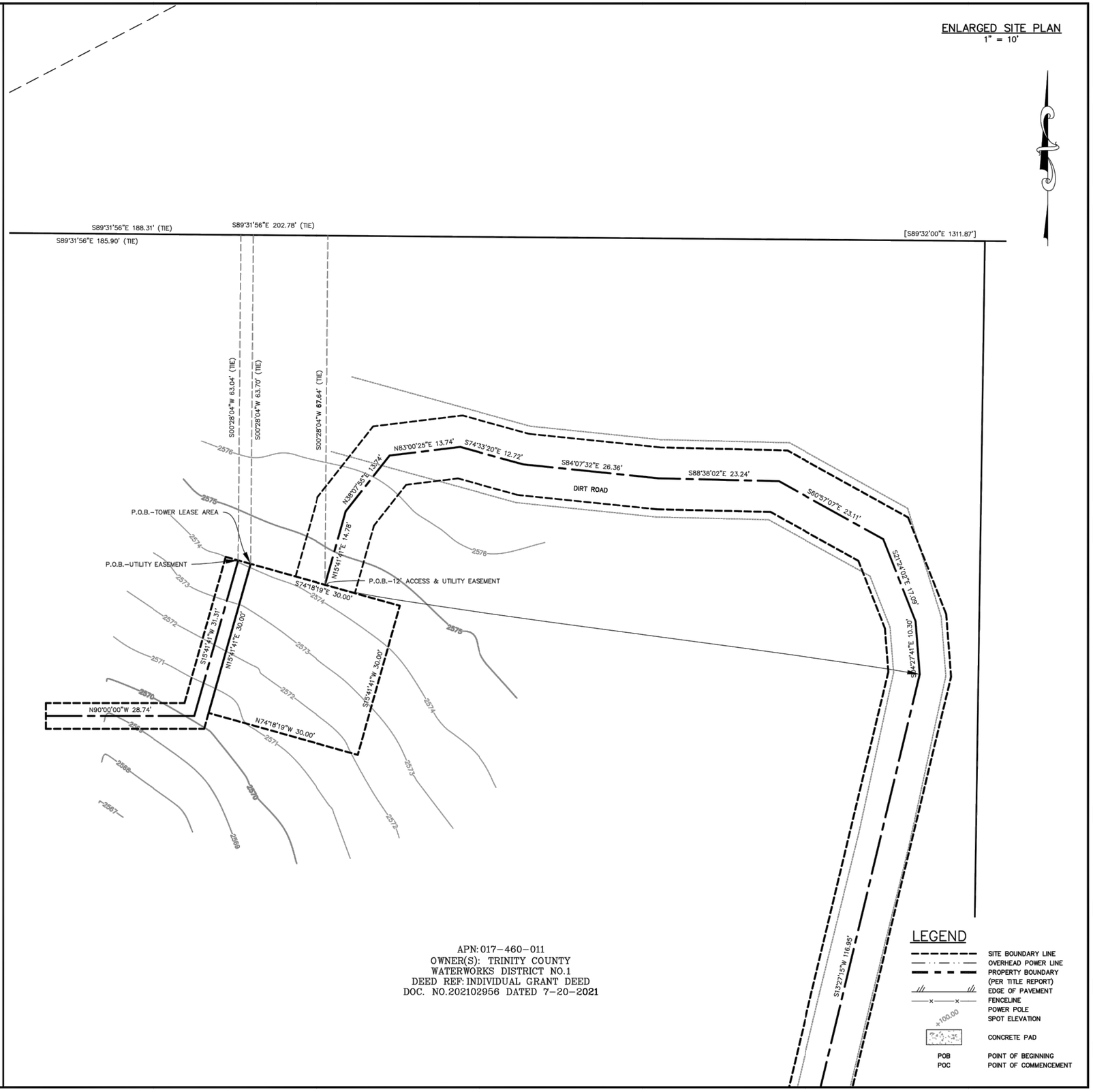
UTILITY EASEMENT DESCRIPTION:

BEING A 5.00 FOOT STRIP OF LAND BEING A PORTION OF THAT CERTAIN PARCEL OF LAND IN LOT LINE ADJUSTMENT #P–20–39, RECORDED JULY 20, 2021, TRINITY COUNTY, STATE OF CALIFORNIA, FALLING 2.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE NORTH 1/16 CORNER OF SECTIONS 7 & 12, AS SHOWN ON RECORD OF SURVEY, IN BOOK 23 OF MAPS AND SURVEYES AT PAGE 200–202, RECORDED IN TRINITY COUNTY, STATE OF CALIFORNIA; THENCE S89°31'56"E, (AS SHOWN ON SAID MAP AS S89°32'00"E) A DISTANCE OF 185.90 FEET; THENCE S00°28'04"W, A DISTANCE OF 63.04 FEET TO THE TRUE POINT OF BEGINNING;

THENCE S15°41'41"E, A DISTANCE OF 31.31 FEET;
THENCE N90°00'00"W, A DISTANCE OF 28.74 FEET TO TERMINUES OF THIS DESCRIPTION.

ENLARGED SITE PLAN
1" = 10'



APN: 017–460–011
OWNER(S): TRINITY COUNTY WATERWORKS DISTRICT NO.1
DEED REF: INDIVIDUAL GRANT DEED
DOC. NO.202102956 DATED 7–20–2021

LEGEND

- SITE BOUNDARY LINE
- OVERHEAD POWER LINE
- PROPERTY BOUNDARY (PER TITLE REPORT)
- EDGE OF PAVEMENT
- FENCELINE
- POWER POLE
- +100.00 SPOT ELEVATION
- CONCRETE PAD
- POB POINT OF BEGINNING
- POC POINT OF COMMENCEMENT

PREPARED FOR:
NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
0	PRELIM. ISSUE	LA	02/15/24
1	TITLE REVIEW	EJ	04/08/24
2	ADD DESIGN	EJ	05/29/24
3	REV. DESIGN	EJ	07/31/24
4			
5			
6			
7			

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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56–1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-2

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65029:

(5) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(6) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS: A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

(7) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(8) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(9) AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

(10) AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

(11) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1996, INSTRUMENT NO. 960001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

(12) THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204:

[5] AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

[6] AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205:

△5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

△6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

△8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 187.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

△9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,

IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<

PREPARED FOR:

NextEdge

SMITHCO
SURVEYING & ENGINEERING
P.O. BOX 81626 BAKERSFIELD, CA 93380
PHONE: (661) 393-1217 FAX: (661) 393-1218

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SPACE RESERVED FOR PROFESSIONAL SEAL

REVISION

NO.	DESCRIPTION	BY	DATE
△0	PRELIM. ISSUE	LA	02/15/24
△1	TITLE REVIEW	EJ	04/08/24
△2	ADD DESIGN	EJ	05/29/24
△3	REV. DESIGN	EJ	07/31/24
△4			
△5			
△6			
△7			

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DRAWN BY:	LA
CHECKED BY:	DA
DATE DRAWN:	02/15/24
SMITHCO JOB #:	56-1526

SITE NAME

SFSFO001149A
DISH WIRELESS
STEVENSON SUPPLY & TRACTOR

SITE ADDRESS

3601 REGIONAL PKWY.
SANTA ROSA, CA 95403

SAN MATEO COUNTY

SHEET TITLE

SITE SURVEY

FOR EXAMINATION ONLY

SHEET

C-3

EASEMENT(S) PER TITLE REPORT:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:MARY E. YOUNG
FOR:ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED:SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS:A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF:
COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

10 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

11 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1996, INSTRUMENT NO. 960001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

12 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

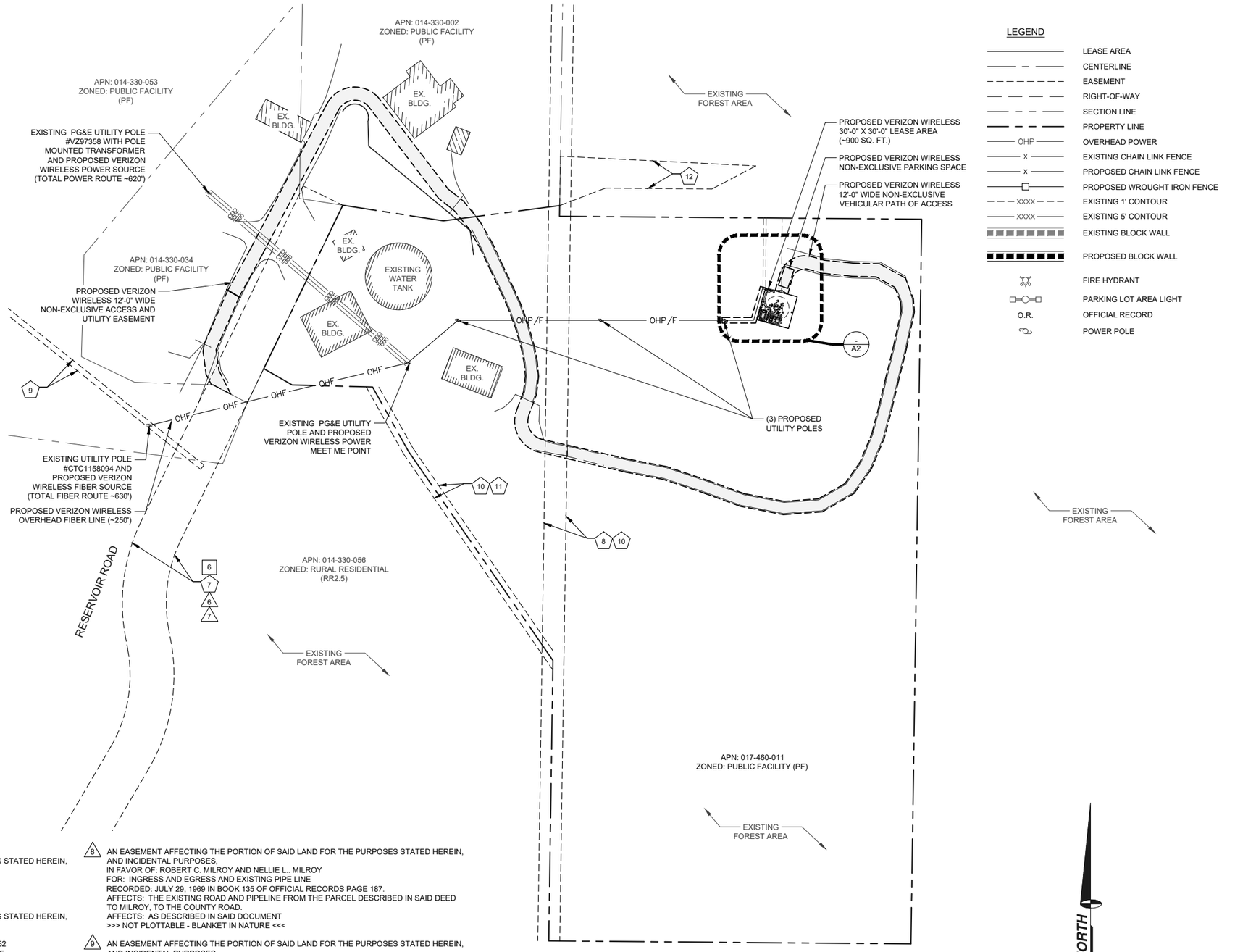
6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L.. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 187.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

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IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE

50 0 25 50 100 200

(IN FEET)

SITE PLAN

11" X 17" SCALE	24" X 36" SCALE	
1" = 100'	1" = 50'	1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

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2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

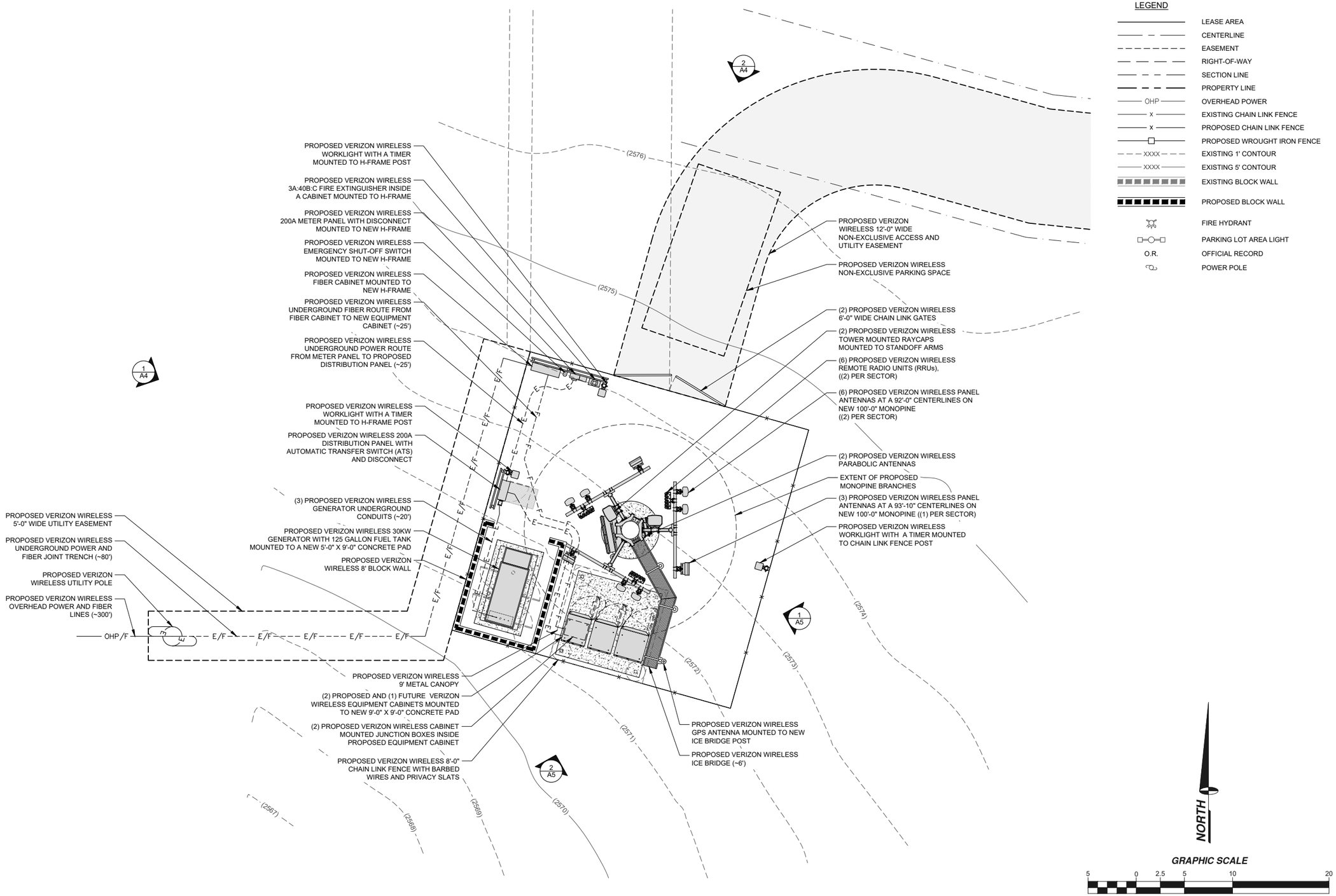
HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

SITE PLAN

A1

REVISION: 0



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- EXISTING CHAIN LINK FENCE
- PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE

5 0 2.5 5 10 20

(IN FEET)

SITE DETAIL

11" X 17" SCALE	24" X 36" SCALE
1" = 10'	1" = 5'

1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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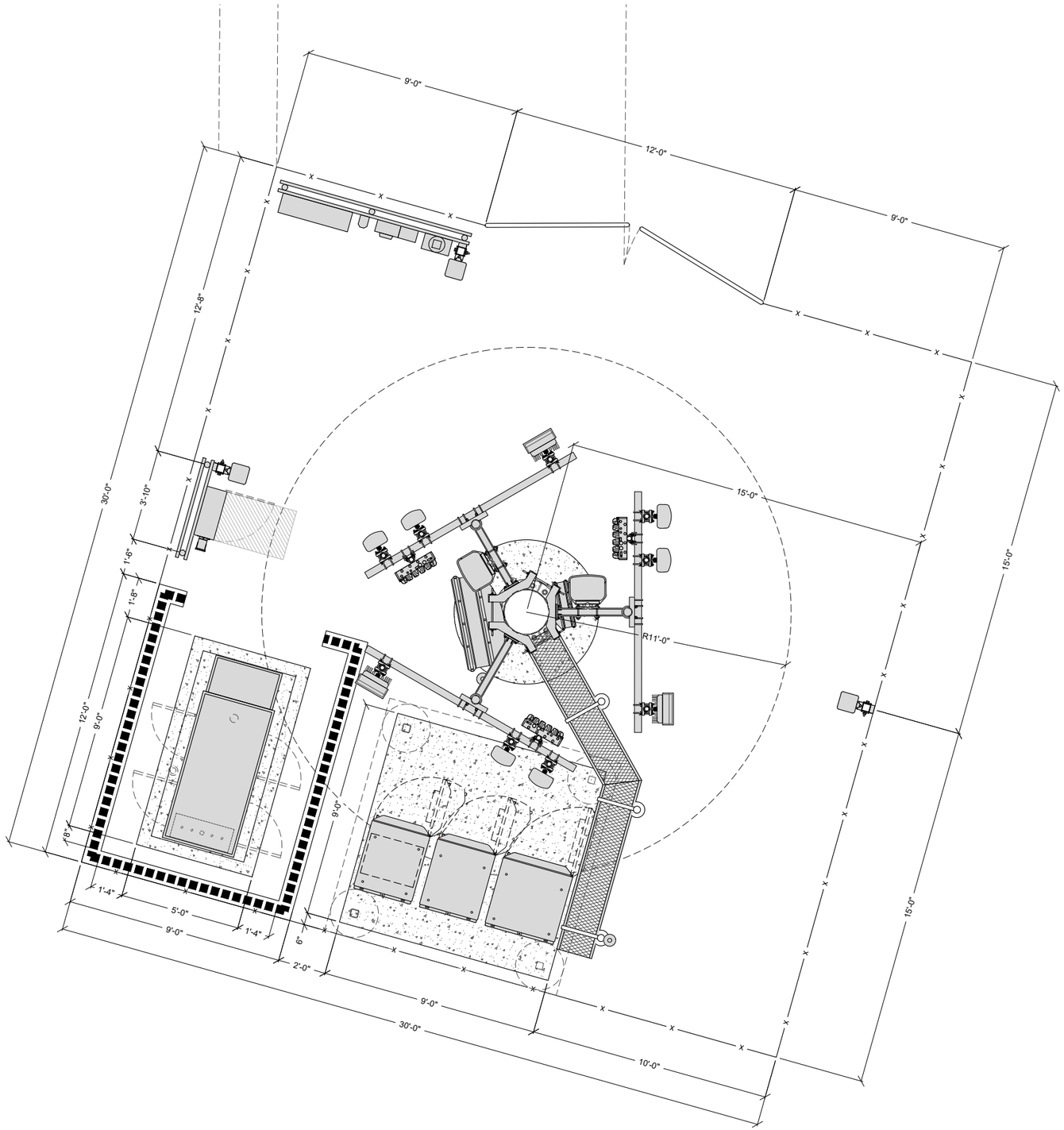
HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

SITE DETAIL

A2

REVISION: 0



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. — OFFICIAL RECORD
- POWER POLE

NORTH

GRAPHIC SCALE

2.5 0 1.25 2.5 5 10

(IN FEET)

SITE DETAIL WITH DIMENSIONS

11" X 17" SCALE	24" X 36" SCALE	
1" = 5'	1" 2'-6"d	1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

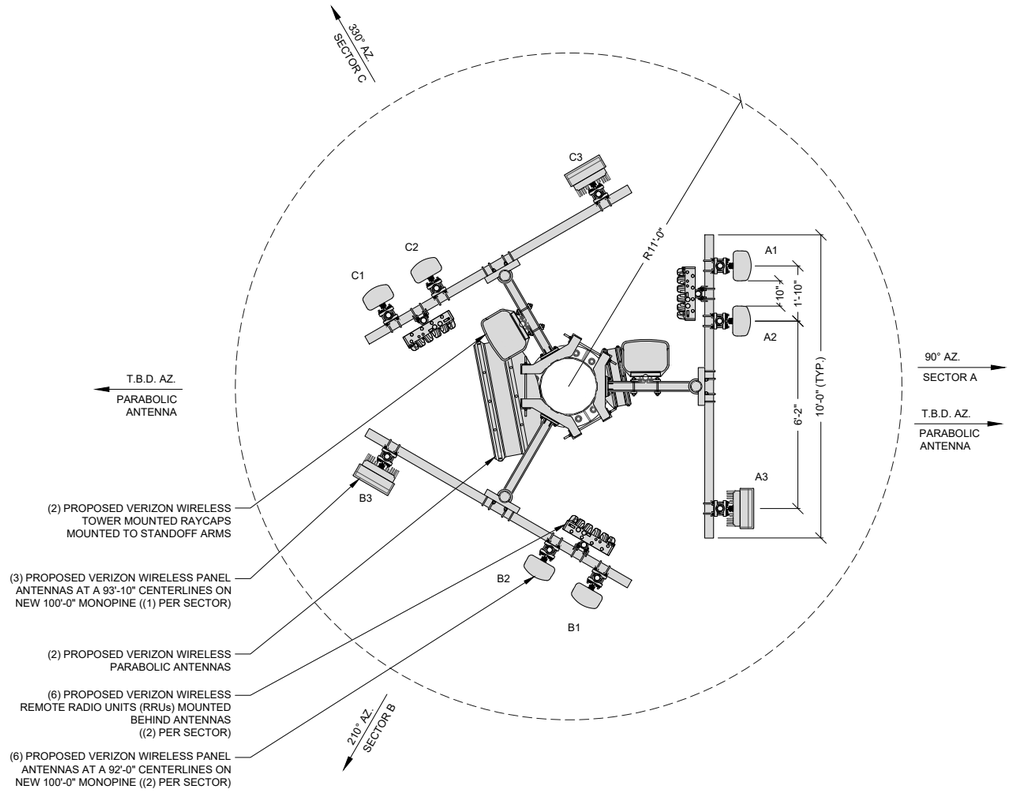
SITE DETAIL WITH DIMENSIONS

A2.1	REVISION: 0

ANTENNA & EQUIPMENT SCHEDULE

	ANT POS	ANTENNA MODEL	ANTENNA DIMENSIONS	ANTENNA AZIMUTH	ANTENNA CENTERLINE	RRU	CABLE LENGTH
ALPHA SECTOR	A1	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"	90°	92'-0"	-	~110'
	A2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	A3	ERICSSON 6419	28.3" X 16.1" X 8.0"		93'-10"	(1) RADIO 4890	
BETA SECTOR	B1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	210°	92'-0"	-	
	B2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	B3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	
GAMMA SECTOR	C1	COMMSCOPE NHH-65B-R2B	28.3" X 16.1" X 8.0"	330°	92'-0"	-	
	C2	COMMSCOPE NHH-65B-R2B	72.0" X 11.9" X 7.1"			(1) RADIO 4490	
	C3	ERICSSON 6419	72.0" X 11.9" X 7.1"		93'-10"	(1) RADIO 4890	

ANTENNA AND EQUIPMENT SCHEDULE | 2



ANTENNA LAYOUT | 1

11" X 17" SCALE	24" X 36" SCALE
1" = 5'	1" 2'-6"d

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4850 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
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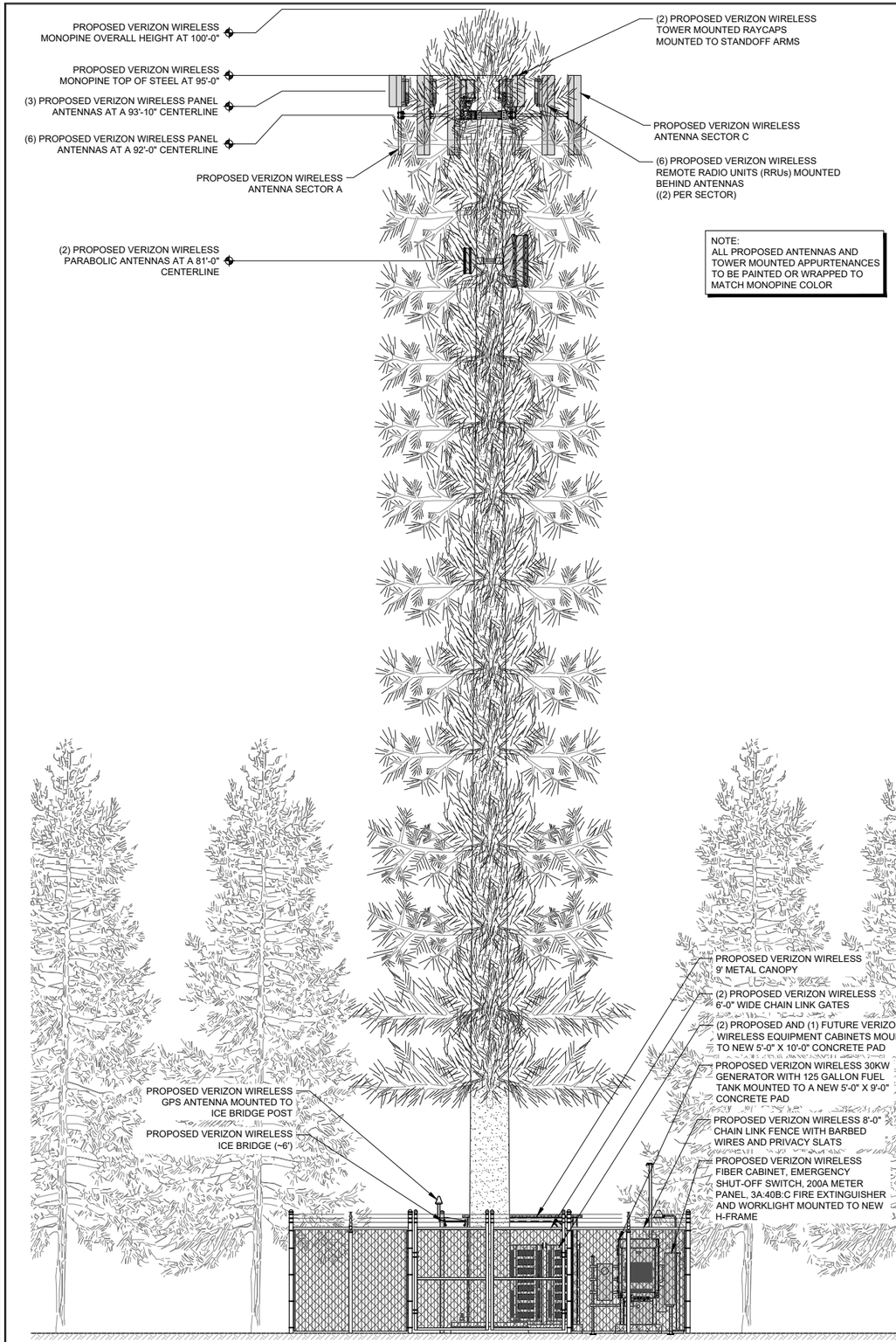
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2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

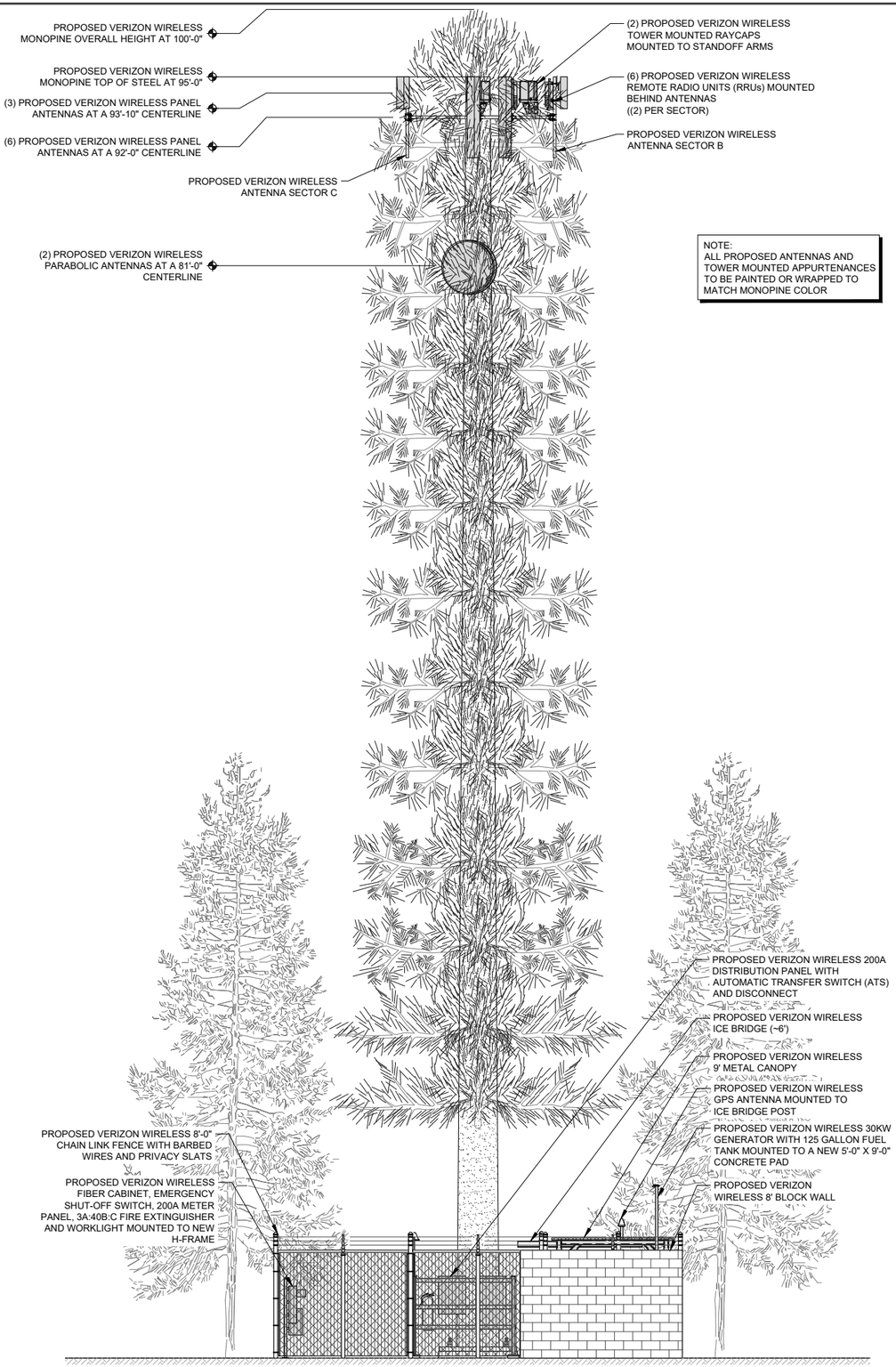
SHEET TITLE:
ANTENNA LAYOUT AND ANTENNA & EQUIPMENT SCHEDULE

A3 | REVISION: 0



PROPOSED NORTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE	
1" = 10'	1" = 5'	2



PROPOSED WEST ELEVATION

11" X 17" SCALE	24" X 36" SCALE	
1" = 10'	1" = 5'	1

ISSUE STATUS

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0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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LAS VEGAS, NEVADA 89118
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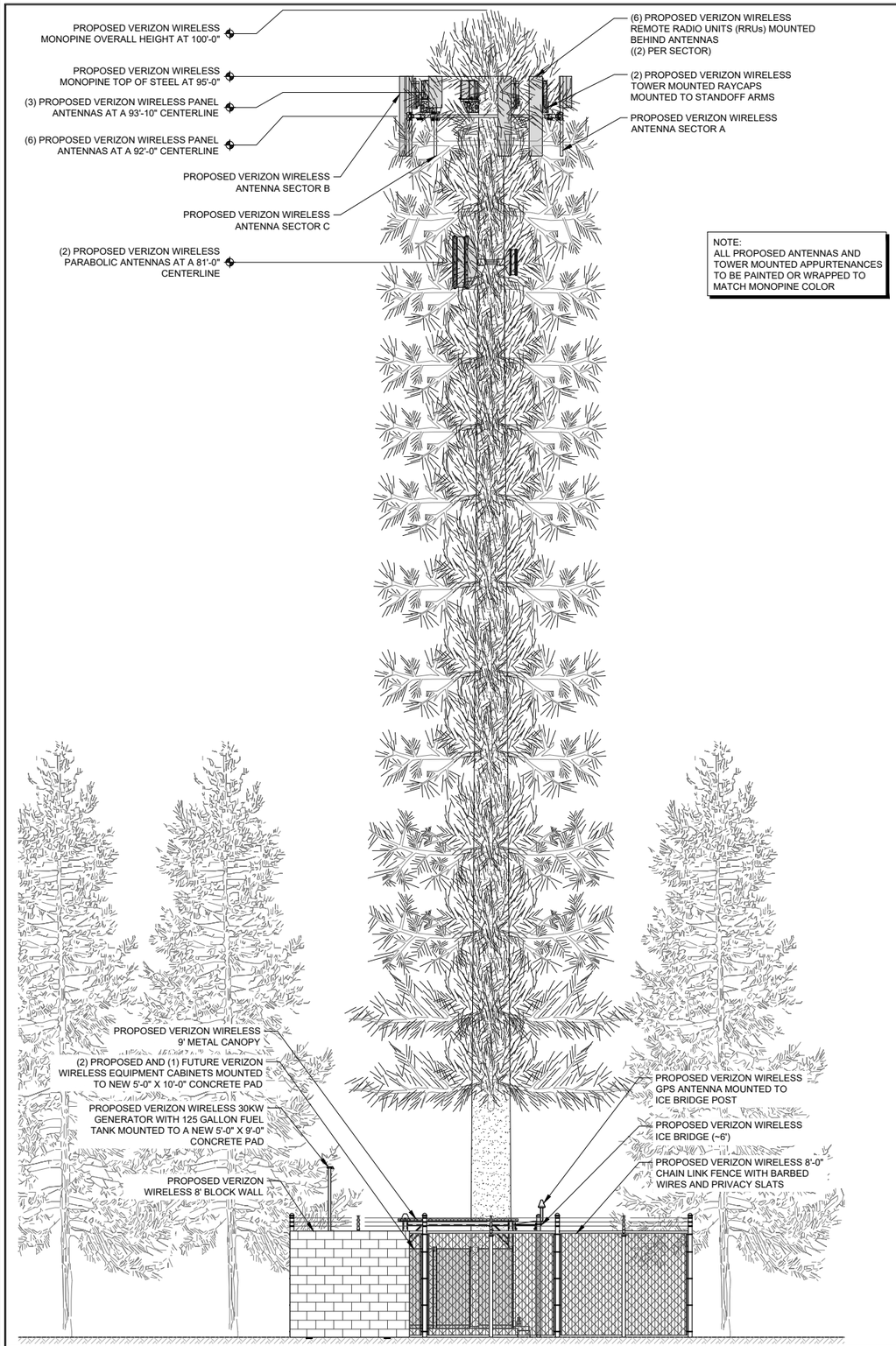
verizon
2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
PROPOSED NORTH AND WEST ELEVATIONS

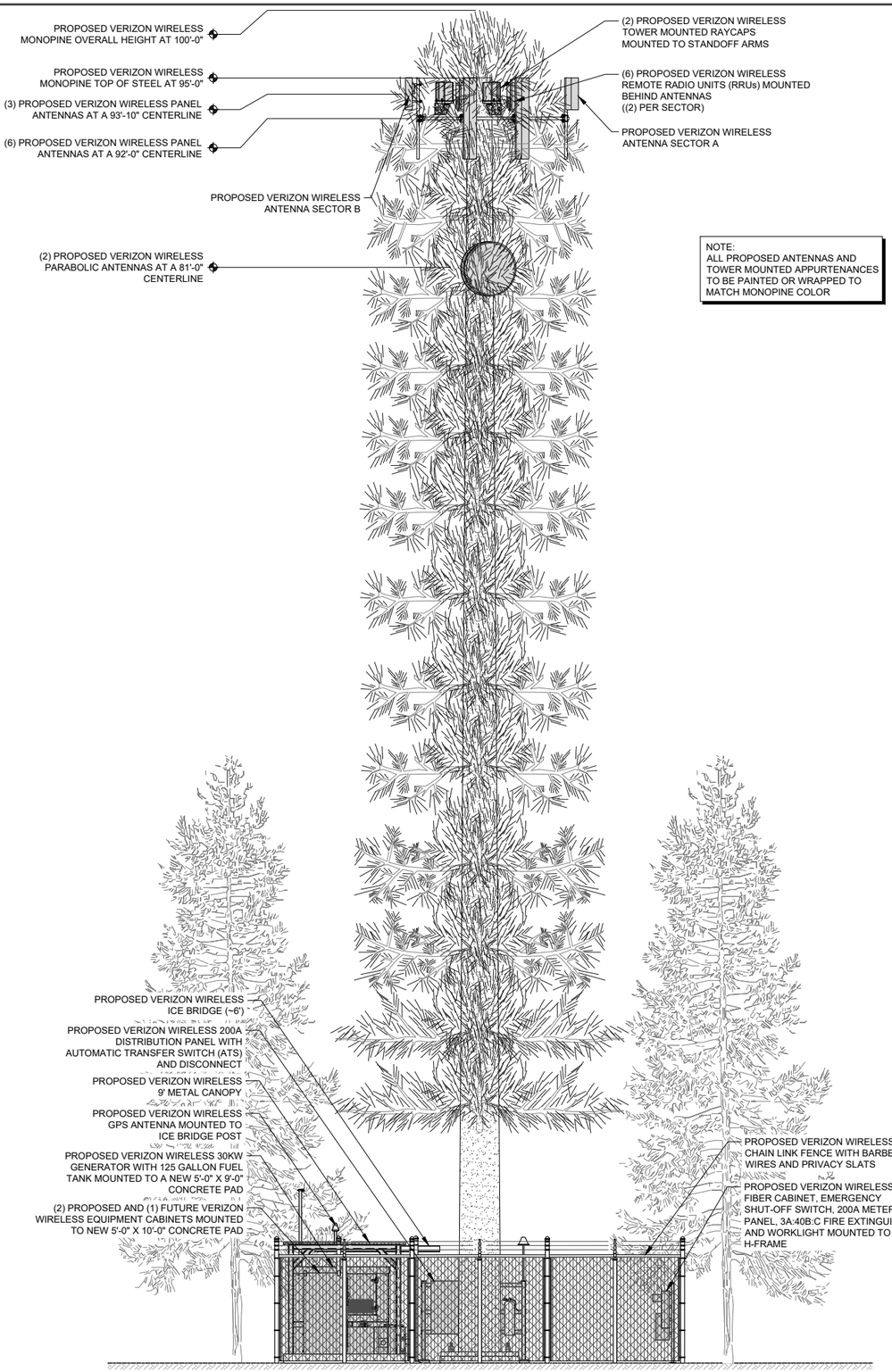
A4

REVISION: 0



PROPOSED SOUTH ELEVATION

11" X 17" SCALE	24" X 36" SCALE	
1" = 10'	1" = 5'	2



PROPOSED EAST ELEVATION

11" X 17" SCALE	24" X 36" SCALE	
1" = 10'	1" = 5'	1

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

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HAYFORK
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:
PROPOSED SOUTH AND EAST ELEVATIONS

A5

REVISION:
0

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Mammals						
Fisher	*Pekania pennanti*	--	SSC	--	This is a medium-sized carnivorous mammal in the weasel family (Mustelidae) that inhabits dense, mature coniferous and mixed-conifer forests at mid to high elevations in the mountains of northern California. Fisher habitat is typically characterized by structural complexity, including high canopy closure, large diameter live trees, snags, and downed woody debris, which provide cover, resting sites, and denning structures. The species favors areas with limited human disturbance and avoids large open areas and young regenerating forests. In California, suitable habitat is often found in mixed stands of Douglas-fir (*Pseudotsuga menziesii*), white fir (*Abies concolor*), incense cedar (*Calocedrus decurrens*), and hardwoods such as black oak (*Quercus kelloggii*). Fishers are generally associated with late-successional forest conditions, although they may use a variety of successional stages for foraging and movement if adequate structural features are present. The Pacific fisher is considered sensitive to habitat fragmentation, and populations have declined due to historical trapping, logging, and wildfire impacts.	**Unlikely to be present**. The conditions observed on site are consistent with those preferred by this species. According to CNDDB documentation, the nearest observance of this species was over 1 mile generally east of the proposed installation. No individuals were observed on site and no potential or known tree dens of this species were observed during biological surveys.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
American Badger	*Taxidea taxus*	--	SSC	--	The American badger is a fossorial carnivore that typically inhabits open, dry habitats with sandy or friable soils conducive to digging. Preferred habitats include grasslands, open shrublands, pastures, fallow agricultural fields, and sparsely vegetated woodlands. This species avoids dense forests and areas with excessive ground moisture that limit its ability to excavate burrows. In California, badgers are most commonly associated with annual grasslands and scrub habitats, but they may also occur in desert areas and montane meadows. Badgers require large home ranges with abundant populations of prey, primarily ground squirrels, pocket gophers, and other small mammals. Their presence is often indicated by burrows with elliptical entrances and characteristic spoil piles. Suitable habitat for the American badger is considered present in areas with open terrain, minimal human disturbance, and adequate prey base.	**Unlikely to be present.** No potential habitat suitable for this species was observed within the proposed project site or buffer area. There are no known occurrences of this species within 1 mile of the project area and due to existing human disturbance, it is unlikely for this species to establish a range here.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Humboldt Marten	*Martes caurina humboldtensis*	Threatened	Endangered SSC	--	The Humboldt marten (*Martes caurina humboldtensis*) occupies closed-canopy, late-successional coastal forests, particularly redwood and Douglas-fir stands with multi-layered vertical structure and dense shrub understories. Denning, resting, and escape structures—such as tree cavities, snags, logs, and serpentine rock outcrops—are essential habitat components. The species avoids open or fragmented areas and requires large, contiguous forest blocks for movement. Historically ranging from Sonoma County to southern Oregon, Humboldt martens are now restricted to a few small, highly fragmented populations, with fewer than 400 individuals remaining.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Sonoma Tree Vole	*Arborimus pomo*	--	SSC	--	The Sonoma Tree Vole (*Arborimus pomo*) is a State-listed Species of Special Concern that relies on mature to old-growth Douglas-fir forest stands—often mixed with redwood, grand fir, or Sitka spruce—for nesting and foraging. This highly specialized, canopy-dwelling species constructs nests composed of resin ducts and foliage and feeds almost exclusively on Douglas-fir and grand fir needles. Habitat studies indicate the species is most abundant in unharvested or partially harvested old-growth Douglas-fir, with substantially lower occupancy in younger and redwood-dominated stands.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Townsends Big-eared Bat	*Corynorhinus townsendii*	--	SSC	--	The Townsend's big-eared bat (*Corynorhinus townsendii*), designated as a California Species of Special Concern, frequents mesic areas outside alpine and subalpine zones, including forests, riparian corridors, and open-edge habitats. It is roost-site limited, depending on caves, mines, tunnels, and buildings—usually preferring large open roost areas—for maternity and hibernation. Field studies in coastal California show the species forages primarily along riparian edges adjacent to forests and grazed grasslands, with females foraging farther afield than males while remaining closely tied to core roost sites.	**Potentially present**. The conditions observed on site are consistent with those preferred by this species for foraging activities. However, appropriate roosting and maternity sites were not observed within the project site or buffer area during biological surveys. According to CNDDB documentation, the nearest observance of this species was over 1.7 miles generally southeast of the proposed installation. No individuals were observed on site.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Wolverine	*Gulo gulo*	Threatened	Threatened	--	The wolverine (*Gulo gulo*) is a wide-ranging carnivore historically known from high-elevation habitats in the Sierra Nevada and southern Cascade ranges of California. It typically occupies remote alpine and subalpine environments, favoring coniferous forest, montane meadows, talus slopes, and areas with persistent snow cover, which are important for denning and food caching. Wolverines require large home ranges and are sensitive to habitat fragmentation and human disturbance. While the species has not been confirmed in northwestern California in recent decades, suitable habitat is limited to high-elevation, snow-covered areas and does not occur in low-elevation settings like the project site.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.
Birds						

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Northern Spotted Owl	*Strix occidentalis caurina*	Threatened	--	--	**None.** This species inhabits structurally complex, old-growth coniferous forests, particularly in areas with high canopy closure and a variety of tree species. High-quality spotted owl habitat includes a multilayered canopy, large overstory trees, shade-tolerant understory, moderate to high canopy closure, and the presence of snags and downed wood. The range-wide distribution includes British Columbia through the Cascade Range, coastal ranges, and intervening forested lands in Washington, Oregon, and northern California, as far south as Marin County. The southeastern boundary of its range is the Pit River area of Shasta County, California. Northern spotted owls are very territorial and intolerant of habitat disturbance.	**Potentially present.** The project site is located within the known range of the Northern Spotted Owl (*Strix occidentalis caurina*) in Trinity County and contains suitable habitat characteristics to support the species. Additionally, the site falls within the boundaries of the Sierra Pacific Industries Spotted Owl Habitat Conservation Plan, and the broader region is recognized as part of the species' core range in the Klamath Mountains. According to CNDDB there are no known occurrences within 1 miles of the proposed installation. However, based on the active use of the project site for human activities, it is unlikely that this species would be present or use the project site for it's foraging and nesting activities.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Yellow-Billed Cuckoo	*Coccyzus americanus*	Threatened	--	--	This species is a migratory bird species that primarily occupies riparian woodlands characterized by dense, multilayered vegetation along rivers, streams, and floodplains. In California, this species is closely associated with mature cottonwood (*Populus* spp.) and willow (*Salix* spp.) forests, often within broad alluvial valleys that provide ample canopy cover and dense understory for nesting and foraging. Preferred habitat includes areas with a diverse shrub layer, such as wild grape (*Vitis* spp.) and other deciduous shrubs, which support abundant insect prey. Yellow-billed Cuckoos require relatively large, contiguous patches of riparian forest for breeding, and are sensitive to habitat fragmentation and alteration of natural hydrologic regimes. They typically nest in low to mid-level branches and forage actively in dense foliage for caterpillars and other insects during the breeding season.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Bald Eagle	*Haliaeetus leucocephalus*	Delisted	Endangered	--	The bald eagle (*Haliaeetus leucocephalus*) is a large raptor associated with large bodies of open water such as lakes, rivers, reservoirs, and coastal habitats that support abundant fish populations, its primary prey. Nesting typically occurs in large, old-growth or mature trees located near water, often in secluded areas with minimal human disturbance. Bald eagles may also roost communally in large trees during winter. In California, they are year-round residents in suitable habitats, with increased numbers during the winter months due to migrants from northern regions.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Willow Flycatcher	*Empidonax traillii*	--	Endangered	--	The willow flycatcher (*Empidonax traillii*) is a riparian-obligate songbird that breeds in dense, shrubby riparian habitats dominated by willow (*Salix* spp.), alder, or other deciduous shrubs, typically near wet meadows, streams, or lake edges. In California, breeding populations are primarily found in montane meadows and riparian zones above 1,000 meters in the Sierra Nevada and southern Cascades, although migrants may pass through a broader range of habitats statewide. The species requires dense riparian vegetation for nesting, usually within 2 to 3 meters of the ground, and feeds primarily on flying insects captured in open areas adjacent to cover.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.
Amphibians & Reptiles						

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Northwestern Pond Turtle	*Actinemys marmorata*	Proposed Threatened	SSC	--	This species primarily inhabits freshwater environments like ponds, lakes, streams, and rivers. They require both aquatic and terrestrial habitats for nesting, basking, and overwintering. Specific habitat features include deep pools, submerged logs or debris, undercut banks, and abundant aquatic vegetation.	**Potentially Present.** Pond and riverine habitats are present within the area surrounding the proposed installation, along with suitable upland areas to provide nesting habitat within the proposed project site and buffer area. Northwestern Pond Turtles are known to occur throughout Trinity County in appropriate habitat, and the project site falls within the species' known range. No sign of this species was observed during biological surveys, and this species has not been documented within the general vicinity of the proposed project site according to CNDDB.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Foothill Yellow-Legged Frog	*Rana boylii pop. 1*	--	SSC	--	This is a stream-dependent amphibian found in foothill and lower montane regions of California. This species primarily inhabits shallow, rocky streams and rivers with permanent or seasonally flowing water during the spring and summer months. Suitable habitat typically includes open, sunlit stream channels with moderate to fast-flowing water, exposed cobble or gravel bars, and well-oxygenated water. In northern California, including Trinity County, foothill yellow-legged frogs are often associated with perennial and intermittent streams within mixed hardwood-conifer forests, chaparral, and oak woodlands.	**Unlikely to be present.** The project site is located in Trinity County within the Klamath Mountains in an area within the species- known range. According to CNDDB, there are documented occurrences 0.6 miles east and 0.6 miles south-southwest of the proposed installation. However, the lack of habitat within the immediate project area or surveyed buffer zone reduces the potential for this species to occur on site.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Pacific Tailed Frog	*Ascaphus truei*	--	SSC	--	The Pacific tailed frog (*Ascaphus truei*) is a stream-associated amphibian native to cool, fast-flowing, well-oxygenated mountain streams and rivers primarily in the coastal and Cascade ranges of northern California. This species requires clean, perennial streams with stable rocky substrates and abundant cover from boulders, woody debris, and overhanging vegetation. Larvae develop in riffle areas with high dissolved oxygen, while adults utilize adjacent riparian zones with dense canopy cover that maintains cool stream temperatures and protects against desiccation.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Southern Torrent Salamander	*Rhyacotriton variegatus*	--	SSC	--	The Southern Torrent Salamander (*Rhyacotriton variegatus*) is a small, lungless salamander endemic to northern California and southern Oregon, typically found in cool, clear, fast-flowing perennial streams and seeps within moist, old-growth or mature coniferous forests. This species requires shaded, well-oxygenated aquatic habitats with stable rocky substrates and abundant cover such as mosses, leaf litter, and woody debris. Terrestrial adults and juveniles are often found beneath rocks, logs, or bark near stream banks. The Southern Torrent Salamander is sensitive to sedimentation, changes in water quality, and loss of canopy cover that can increase stream temperatures and reduce moisture availability. Suitable habitat is generally located at mid-elevations in forested watersheds with intact riparian zones.	**None**. No potential habitat suitable for this species was observed within the proposed project site or buffer area.
Insects						

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Monarch Butterfly	*Danaus plexippus*	Proposed Threatened	--	--	This species habitats include a variety of open spaces where milkweed grows, such as prairies, meadows, roadsides, and even urban gardens. They need both milkweed for their caterpillars and nectar-rich flowers for the adults. In winter, monarchs from different populations overwinter in specific locations with unique microclimates, such as oyamel fir forests in Mexico for the eastern population and coastal areas in California for the western population.	**None.** This species is heavily dependent on its host plant, milkweed, which was not observed during site reconnaissance. No potential habitat suitable for this species was observed within the proposed project site or buffer area.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Suckley's Cuckoo Bumble Bee	*Bombus suckleyi*	Proposed Endangered	SGCN	--	In California, this species has historically been found in a variety of habitats including montane meadows, grasslands, open woodlands, and high-elevation forests, particularly where diverse flowering plant communities are present to support foraging bumble bees. Key habitat features include abundant nectar and pollen sources, undisturbed nesting sites such as rodent burrows or vegetated ground, and overwintering habitat for queens, typically in soft soil or leaf litter. This species depends entirely on host bumble bees, primarily *Bombus occidentalis* (Western Bumble Bee), to complete its life cycle. It does not construct its own nests but instead invades and takes over the nests of its host species. Suitable habitat for *B. suckleyi* is therefore closely tied to the habitat preferences and availability of its host species.	**Potentially Present.** Potential habitat suitable for this species was observed within the proposed project site and buffer area. No sign of this species was observed during biological surveys. This species has not been documented within the general vicinity of the proposed project site according to CNDDB.
Western Bumble Bee	*Bombus occidentalis*	Species of Concern	CESA Candidate	--	Historically widespread across northern California, including montane and forested landscapes of the Klamath Mountains. Occupies a variety of habitats with abundant flowering resources, including meadows, open woodlands, forest edges, and shrublands. Nests are typically located underground, often in abandoned rodent burrows. Populations have experienced significant declines, and current distribution is patchy.	**Potentially Present.** Potential habitat suitable for this species was observed within the proposed project site and buffer area. No sign of this species was observed during biological surveys. This species has not been documented within the general vicinity of the proposed project site according to CNDDB.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Crotches Bumble Bee	*Bombus crotchii*	Endangered	CESA Candidate	--	Primarily associated with grasslands, coastal scrub, chaparral, open oak woodlands, and agricultural margins in central and southern California. Most known occurrences are concentrated in the Central Valley, Coast Ranges, and southern California. Requires diverse, season-long floral resources and underground nesting habitat.	**Potentially Present.** Potential habitat suitable for this species was observed within the proposed project site and buffer area. No sign of this species was observed during biological surveys. This species has not been documented within the general vicinity of the proposed project site according to CNDDB.
Plants						
Tracy's Eriastrum	*Eriastrum tracyi*	--	S3; Rare	1B.2	This species is endemic to northwestern California, primarily found in Humboldt, Mendocino, and Trinity Counties. It typically grows in dry, open areas within chaparral, cismontane woodland, and lower montane coniferous forest habitats. Tracy's eriastrum is frequently associated with serpentine or other ultramafic soils and is often found in disturbed or sparsely vegetated areas such as roadcuts, ridgelines, or rocky outcrops. Suitable habitat conditions include well-drained soils, full sun exposure, and minimal canopy cover, allowing for early-season growth and reproduction before the summer dry period. Elevation Range: 300 to 1,600 meters; Blooming period: generally May to August	**Potentially present.** The conditions observed on site are consistent with those preferred by this species. There are known occurrences of this species approximately 0.5 miles southwest, and approximately 1 mile southeast, of the proposed project area. Given the fact that the habitat assessment occurred within the known blooming season for this species and no individuals were observed, if construction is to occur beyond a year of this survey, an additional survey should be completed during the species blooming season to confirm absence from the site.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Lassics Lupine	*Lupinus constancei*	--	S1	1B.1	This species is endemic to the higher elevations of the Lassics Mountains in northwestern California, primarily within northern Mendocino and southern Trinity Counties. This species typically occurs on serpentine or ultramafic soils derived from peridotite, in open, rocky slopes and ridgelines within subalpine coniferous forest and chaparral communities, often found in areas with sparse vegetation where competition is low, and it is closely associated with Jeffrey pine (*Pinus jeffreyi*), knobcone pine (*Pinus attenuata*), and various serpentine-adapted shrubs and forbs. Habitat for this species is highly restricted and characterized by extreme soil chemistry, poor nutrient availability, and harsh environmental conditions. Elevation Range: 1,700 to 2,000 meters; Blooming period: generally May through July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Canyon Creek Stonecrop	*Sedum paradisum ssp. paradisum*	--	--	1B.3	Canyon Creek stonecrop (*Sedum spathulifolium* var. *spathulifolium*) is a succulent perennial herb native to the coastal and inland mountains of northern California and southern Oregon. This species typically occurs in rocky, well-drained habitats such as rock outcrops, cliffs, talus slopes, and serpentine soils, often on south- to west-facing exposures where sunlight is abundant. It is adapted to xeric conditions and is commonly found in open, sparsely vegetated areas with minimal competition from other plants. Elevation Range: 300 to 1,900 meters; Blooming period: typically through June.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Coast Fawn Lily	*Erythronium revolutum*	--	--	2B.2	Coast fawn lily (*Erythronium revolutum*) is a perennial herb native to the moist coastal forests and riparian zones of western Oregon and northern California. It typically grows in shaded to partially shaded habitats such as mixed evergreen forests, redwood forests, and along stream banks and moist slopes. The species prefers cool, well-drained soils rich in organic matter and is often found in areas with consistent moisture but good drainage. Blooming in early spring, coast fawn lily is an important component of the understory flora, contributing to native biodiversity. Elevation Range: 800 to 1,000 meters; Blooming period: generally April through May.	**Potentially present.** The conditions observed on site are consistent with those preferred by this species. Given the fact that the habitat assessment occurred within the known blooming season for this species and no individuals were observed, if construction is to occur beyond a year of this survey, an additional survey should be completed during the species blooming season to confirm absence from the site.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Dudleys Rush	*Juncus dudleya*	--	--	2B.3	Dudley's rush (*Juncus dudleyi*) is a perennial rush native to parts of western North America, including California. It typically occurs in moist to wet habitats such as marshes, wet meadows, streambanks, ditches, and seasonally saturated soils. This species prefers full sun to partial shade and thrives in freshwater environments with consistent soil moisture, often in areas with slow-moving or standing water. Dudley's rush contributes to the structure and function of wetland and riparian ecosystems, providing habitat for wildlife and stabilizing soils. Elevation Range: 365 to 2,000 meters; Blooming period: generally June to September.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Heckners Lewisia	*Lewisia cotyledon var. heckneri*	--	--	1B.2	Heckner's Lewisia (*Lewisia heckneri*) is a perennial herb endemic to northern California, primarily found in rocky, well-drained habitats such as granite outcrops, talus slopes, and exposed cliffs within montane and subalpine zones. This species typically occurs at mid- to high-elevations, where it thrives in open, sparsely vegetated areas with minimal soil accumulation and limited competition from other plants. Adapted to xeric conditions, Heckner's Lewisia relies on stable microhabitats with adequate drainage and sunlight exposure. Elevation Range: 400 to 2,200 meters; Blooming period: generally May to July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Hookers catchfly	*Silene hookeri*	--	--	2B.2	Hooker's catchfly (*Silene hookeri*) is a perennial herb native to northern California, typically found in open, rocky habitats such as serpentine soils, rocky outcrops, and dry grasslands within chaparral and oak woodland communities. This species prefers well-drained soils with sparse vegetation cover, often occurring on south- or west-facing slopes with full sun exposure. Due to its affinity for serpentine and other nutrient-poor soils, Hooker's catchfly is adapted to specialized habitats that limit competition from more aggressive plants. Elevation Range: 150 to 1,260 meters; Blooming period: generally April to July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Jepsons Dodder	*Cuscuta jepsonii*	--	--	1B.2	Hepson's dodder (*Cuscuta hepsonii*) is a parasitic annual vine native to California, primarily found in open, disturbed habitats such as grasslands, chaparral, and scrublands, often on sandy or well-drained soils. This species relies on specific host plants for survival, commonly parasitizing native herbs and shrubs. It typically occurs in areas with seasonal moisture availability, blooming in late spring through summer. Elevation Range: up to 2,410 meters; Blooming period: generally May to August.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Niles Harmonia	*Harmonia doris-nilesiae*	--	--	1B.1	Niles harmonia (*Harmonia nilesii*) is a rare annual herb endemic to northern California, typically found in open, rocky habitats such as serpentine outcrops, rocky slopes, and chaparral communities. This species thrives in well-drained, nutrient-poor soils**,** often associated with serpentine substrates that limit competition from other vegetation. It prefers full sun exposure and sparse vegetation cover, commonly occurring on south- or west-facing slopes. Elevation Range: 650 to 1,660 meters; Blooming period: generally May to July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Oregon Fireweed	*Epilobium oreganum*	--	--	1B.2	Oregon fireweed (*Epilobium oreganum*) is a perennial herb native to northern California and southern Oregon, typically found in moist, shaded habitats such as springs, seeps, wet meadows, and along stream banks within montane and subalpine forested areas. This species prefers cool, well-oxygenated soils with consistent moisture and is often associated with mixed conifer forests. Elevation Range: up to 8,000 meters; Blooming period: generally June to September.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Serpentine Rockcress	*Boechera serpenticola*	--	--	1B.2	Serpentine rockcress (*Boechera serpentinicola*) is a perennial herb endemic to northern California, typically occurring in serpentine soil habitats characterized by rocky outcrops, slopes, and ridges with well-drained, nutrient-poor, and heavy-metal-rich soils. This species thrives in open, sunny locations where sparse vegetation reduces competition. Its specialized adaptation to serpentine substrates allows it to occupy niches less suitable for many other plants. Elevation Range: 135 to 1,800 meters; Blooming period: generally March through June.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Shasta Chaenactis	*Chaenactis suffrutescens*	--	--	1B.3	Shasta chaenactis (*Chaenactis thompsonii*) is a perennial herb endemic to northern California, primarily found in open, rocky habitats such as granite outcrops, talus slopes, and rocky ridges within montane and subalpine zones. This species typically grows in well-drained, nutrient-poor soils and prefers areas with full sun exposure and sparse vegetation cover. Adapted to harsh, xeric environments, Shasta chaenactis is often associated with serpentine or granitic substrates that limit competition from other plants. Elevation Range: 700 to 2,300 meters; Blooming period: generally May to September.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
Starry-tentacled Bushmallow	*Malacothamnus astrotentaculatus*	--	--	1B.3	Starry-tentacled bushmallow (*Malacothamnus orbiculatus*) is a perennial shrub native to northern California, typically found in chaparral, coastal scrub, and oak woodland habitats. This species prefers well-drained soils on slopes and ridges, often occurring on serpentine or rocky substrates with full sun to partial shade. It is adapted to dry, Mediterranean-type climates with hot, dry summers and mild, wet winters. The bushmallow provides important habitat and forage for native pollinators and contributes to the structural diversity of chaparral and woodland plant communities. Elevation Range: 285 to 1,455 meters; Blooming period: generally May to July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.
Stebbins Harmonia	*Harmonia stebbinsii*	--	--	1B.2	Stebbins' harmonia (*Harmonia stebbinsii*) is a rare annual herb endemic to northern California, typically found in open, rocky habitats such as serpentine outcrops, rocky slopes, and chaparral communities. This species thrives in well-drained, nutrient-poor soils often associated with serpentine substrates, which limit competition from other plants. It is usually found in areas with full sun exposure and sparse vegetation cover. Elevation Range: 400 to 1,580 meters; Blooming period: generally May to July.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Common Name	Scientific Name	Federal Status	State Status	Rare Plant Rank	Habitat / Observances	Potential to Occur on Project site and Buffer Area
White-flowered Rein Orchid	*Piperia candida*	--	--	1B.2	White-flowered rein orchid (*Piperia candida*) is a perennial terrestrial orchid native to coastal and montane regions of northern California and southern Oregon. This species typically occurs in open to partially shaded habitats such as mixed evergreen forests, coastal scrub, and coniferous woodlands, often on well-drained soils with leaf litter or moss cover. It is frequently found in areas with moderate canopy cover that provides dappled sunlight and maintains suitable moisture conditions. Blooming in late spring to early summer, the white-flowered rein orchid depends on specific mycorrhizal fungi for seed germination and nutrient uptake. Elevation Range: 0 to 1,500 meters; Blooming period: generally May to August.	**Unlikely to be present.** The project area site outside of the known species range, and this species is known to have specific environmental tolerances. No potential habitat suitable for this species was observed within the proposed project site or buffer area. According to CNDDB there are no known occurrences within the areas surrounding the proposed installation.

Status Codes: California Rare Plant Rank 1A = Plants presumed extinct in California California Rare Plant Rank 1B = Plants rare, threatened, or endangered in California and elsewhere California Rare Plant Rank 2A = Plants presumed extirpated from California, but more common elsewhere California Rare Plant Rank 2B = Plants rare or endangered in California, but more common elsewhere California Rare Plant Rank 3 = Plants about which we need more information; a review list California Rare Plant Rank 4 = Plants of limited distribution; a watch list. California Rare Plant Rank Rarity Status of .1 = Seriously endangered in California California Rare Plant Rank Rarity Status of .2 = Fairly endangered in California Status, distribution, and habitat information from the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database RareFind 5 (CDFW 2020); California Native Plant Society, California Rare Plant Electronic Inventory (CNPS 2020); and USFWS Online Endangered Species Database (USFWS 2020).

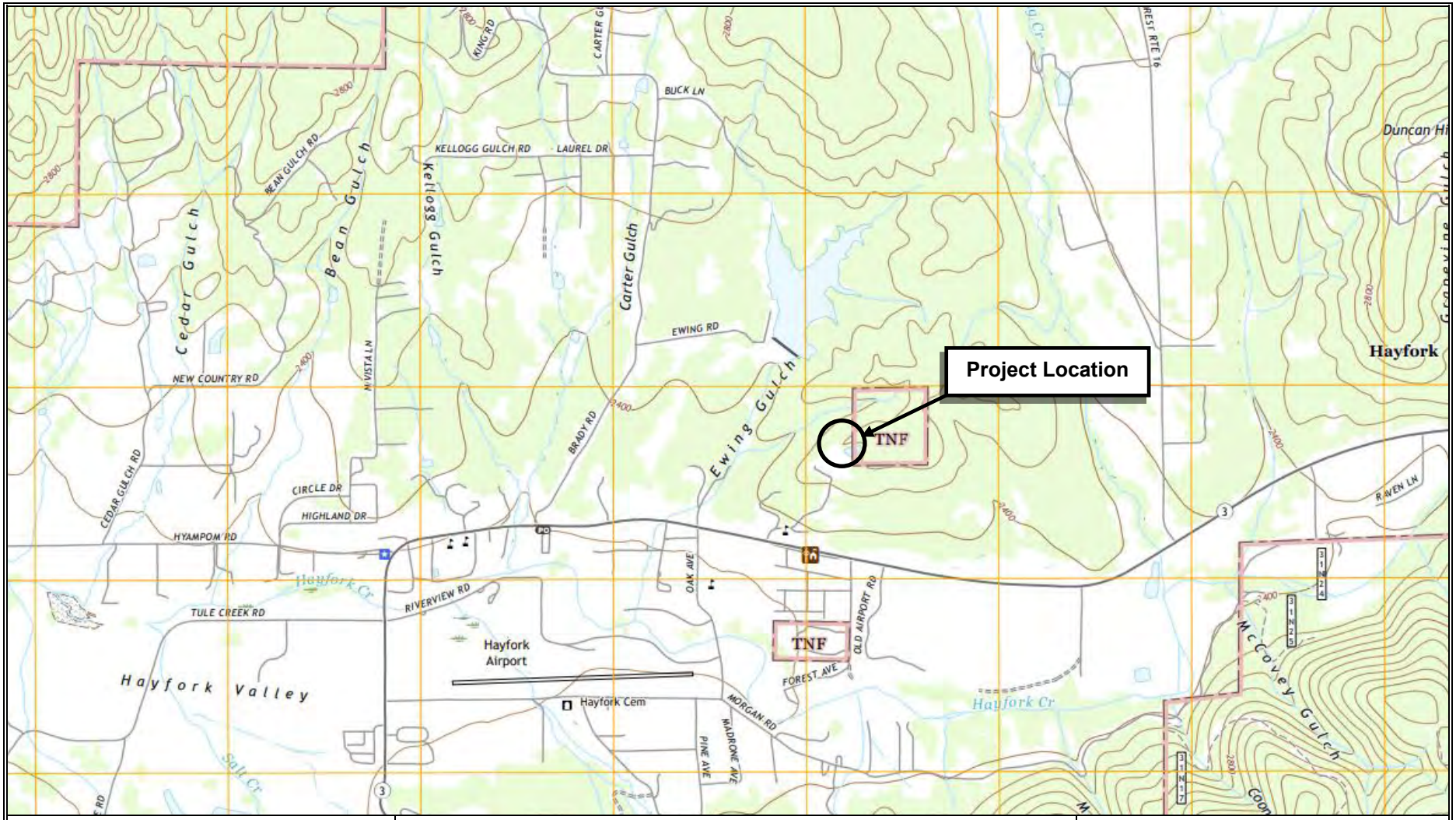
Table 2: Complete Plant Inventory List – 320 Reservoir Road

Species Name	Common Name
Quercus kelloggii	California Black Oak
Quercus garryana	Oregon Oak
Pinus ponderosa	Ponderosa Pine
Arctostaphylos patula	Greenleaf Manzanita
Arctostaphylos canescens	Hoary Manzanita
Arctostaphylos viscida	Whiteleaf Manzanita
Ceanothus ssp.	
Monardella villosa	Coyote Mint
Clarkia rhomboidea	Diamond Clarkia
Lathyrus latifolius	Everlasting pea
Hypericum perforatum	St. Johns Wort
Madia exigua	Small tarweed
Collomia grandiflora	Grand collomia
Verbascum Thapsus	Great mullein
Brodiaea elegans	Harvest brodiaea
Madia gracilis	Grassy tarweed
Ceanothus lemmonii	Lemmons ceanothus
Acmispon americanus	Spanish clover
Rubus armeniacus	Armenian blackberry
Lathyrus vestitus	Sweet pea
Lathyrus latifolius	Broad leaved sweet pea

Vinca major	Greater periwinkle
Vicia villosa	Hairy vetch
Verbena lasiostachys	Western vervain

Table 3: Complete Wildlife Inventory List – 320 Reservoir Road

Species Name	Common Name
Odocoileus hemionus hemionus	Black-tailed Deer
Otospermophilus beecheyi	Common Ground Squirrel
Buteo jamaicensis	Red-tailed Hawk
Aphelocoma californica	California Scrub Jay
Sceloporus occidentalis	Northwestern Fence Lizard



Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Figure 1
Hayfork Quadrangle, California (2021)
Contour Interval = 10 Feet
Scale 1 Inch = ~2,000 Feet
Latitude: 40° 33' 24.20" N, Longitude: 123° 9' 43.40" W
Township: T31N Range: R11W Section: S7

TRILEAF
environmental architecture engineering



Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Figure 2
Project Location Map

TRILEAF
environmental architecture engineering



Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Figure 3
CNDDB Species Occurrences in the Vicinity of the Project Area

TRILEAF
environmental architecture engineering

Appendix B

Site Photographs



Site Photograph 1 – Looking north at the Site



Site Photograph 2 – Looking south at the Site

Site Photographs

Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Photographed:
June 20, 2025



Site Photograph 3 – Looking east at the Site



Site Photograph 4 – Looking west at the Site

Site Photographs

Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Photographed:
June 20, 2025



Site Photograph 5 – Looking north away from the Site



Site Photograph 6 – Looking south away from the Site

Site Photographs

Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Photographed:
June 20, 2025



Site Photograph 7 – Looking east away from the Site



Site Photograph 8 – Looking west away from the Site

Site Photographs

Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Photographed:
June 20, 2025



Site Photograph 9 – Looking west along proposed overhead fiber route, away from site



Site Photograph 10 – Looking north/northwest at pond adjacent to project site

Site Photographs

Everest Infrastructure Partners Holdings II LLC – HAYFORK
320 Reservoir Road
Hayfork, California 96041

Photographed:
June 20, 2025

Appendix C

Reference Material

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: 07/30/2025 16:57:22 UTC
Project Code: 2025-0128995
Project Name: HAYFORK

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 threatened, endangered, proposed and candidate species, as well as proposed and final designated critical habitat, 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.*).

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 impacts 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 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 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:

https://www.fws.gov/sites/default/files/documents/endangered-species-consultation-handbook.pdf

Migratory Birds: In addition to responsibilities to protect threatened and endangered species under the Endangered Species Act (ESA), there are additional responsibilities under the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA) to protect native birds from project-related impacts. Any activity resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). For more information regarding these Acts, see https://www.fws.gov/program/migratory-bird-permit/what-we-do.

It is the responsibility of the project proponent to comply with these Acts by identifying potential impacts to migratory birds and eagles within applicable NEPA documents (when there is a federal nexus) or a Bird/Eagle Conservation Plan (when there is no federal nexus). Proponents should implement conservation measures to avoid or minimize the production of project-related stressors or minimize the exposure of birds and their resources to the project-related stressors. For more information on avian stressors and recommended conservation measures, see https://www.fws.gov/library/collections/threats-birds.

In addition to MBTA and BGEPA, Executive Order 13186: *Responsibilities of Federal Agencies to Protect Migratory Birds*, obligates all Federal agencies that engage in or authorize activities that might affect migratory birds, to minimize those effects and encourage conservation measures that will improve bird populations. Executive Order 13186 provides for the protection of both migratory birds and migratory bird habitat. For information regarding the implementation of Executive Order 13186, please visit https://www.fws.gov/partner/council-conservation-migratory-birds.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Code in the header of this letter with any request for consultation or correspondence about your project that you submit to our 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:

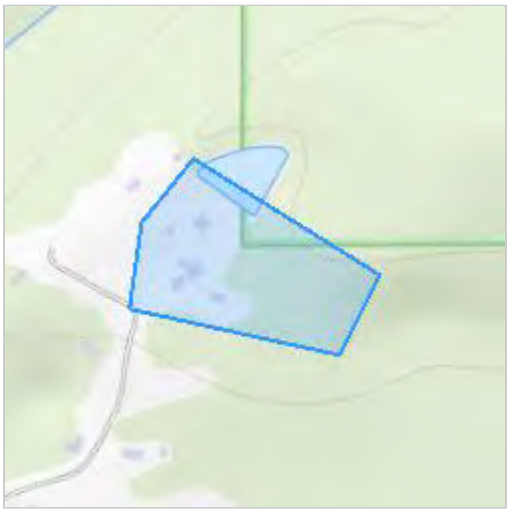
Yreka Fish And Wildlife Office
1829 South Oregon Street
Yreka, CA 96097-3446
(530) 842-5763

PROJECT SUMMARY

Project Code: 2025-0128995
Project Name: HAYFORK
Project Type: Communication Tower New Construction
Project Description: Client proposes to construct a 95-foot tall monopine telecommunications tower, with an overall height of 100-feet including faux branches. The tower and associated ground-based equipment will be installed within a 30-foot by 30-foot lease area. A 12-foot wide access and utility easement will extend generally west, away from the tower for approximately 1,315-feet to Reservoir Road. Additionally, a 5-foot-wide utility easement will extend southwest along the western side of the compound, then west, for approximately 80-feet to a proposed utility pole. Power will continue overhead approximately 620 feet to a existing utility pole and fiber will continue approximately 630 feet to an existing utility pole. The site is located in a wooded area, nearby rural residential development.

Project Location:

The approximate location of the project can be viewed in Google Maps: https://www.google.com/maps/@40.55692145,-123.16256486106394,14z



Counties: Trinity County, California

ENDANGERED SPECIES ACT SPECIES

There is a total of 9 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 Fisheries[1], 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.

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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
California Condor *Gymnogyps californianus* Population: Pacific Northwest NEP No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/8193	Experimental Population, Non-Essential
Northern Spotted Owl *Strix occidentalis caurina* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/1123	Threatened
Yellow-billed Cuckoo *Coccyzus americanus* Population: Western U.S. DPS There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/3911	Threatened

REPTILES

NAME	STATUS
Northwestern Pond Turtle *Actinemys marmorata* No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/1111	Proposed Threatened

INSECTS

NAME	STATUS
Monarch Butterfly *Danaus plexippus* There is **proposed** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/9743	Proposed Threatened
Suckley's Cuckoo Bumble Bee *Bombus suckleyi* Population: No critical habitat has been designated for this species. Species profile: https://ecos.fws.gov/ecp/species/10885	Proposed Endangered

CRUSTACEANS

NAME	STATUS
Conservancy Fairy Shrimp *Branchinecta conservatio* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/8246	Endangered
Vernal Pool Fairy Shrimp *Branchinecta lynchi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat. Species profile: https://ecos.fws.gov/ecp/species/498	Threatened
Vernal Pool Tadpole Shrimp *Lepidurus packardi* There is **final** critical habitat for this species. Your location does not overlap the critical habitat.	Endangered

NAME STATUS

Species profile: https://ecos.fws.gov/ecp/species/2246

CRITICAL HABITATS

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

YOU ARE STILL REQUIRED TO DETERMINE IF YOUR PROJECT(S) MAY HAVE EFFECTS ON ALL ABOVE LISTED SPECIES.

IPAC USER CONTACT INFORMATION

Agency:	Trileaf
Name:	Samantha Neary
Address:	2121 W. Chandler Blvd.
Address Line 2:	Suite 108
City:	Chandler
State:	AZ
Zip:	85224
Email	s.neary@trileaf.com
Phone:	4808500575

Scientific_Name	Common_Name	Federal_Status	State_Status	Global_Rank	State_Rank	Rare_Plant_Rank	CDFW_Status	Taxon_Group
Rana boylii pop. 1	foothill yellow-legged frog - north coast DPS	None	None	G3T4	S4		SSC	Amphibians
Eriastrum tracyi	Tracy's eriastrum	None	Rare	G3Q	S3	3.2		Dicots
Pekania pennanti	Fisher	None	None	G5	S2S3		SSC	Mammals
Actinemys marmorata	northwestern pond turtle	Proposed Threatened	None	G2	SNR		SSC	Reptiles

U.S. Fish and Wildlife Service
National Wetlands Inventory

HAYFORK

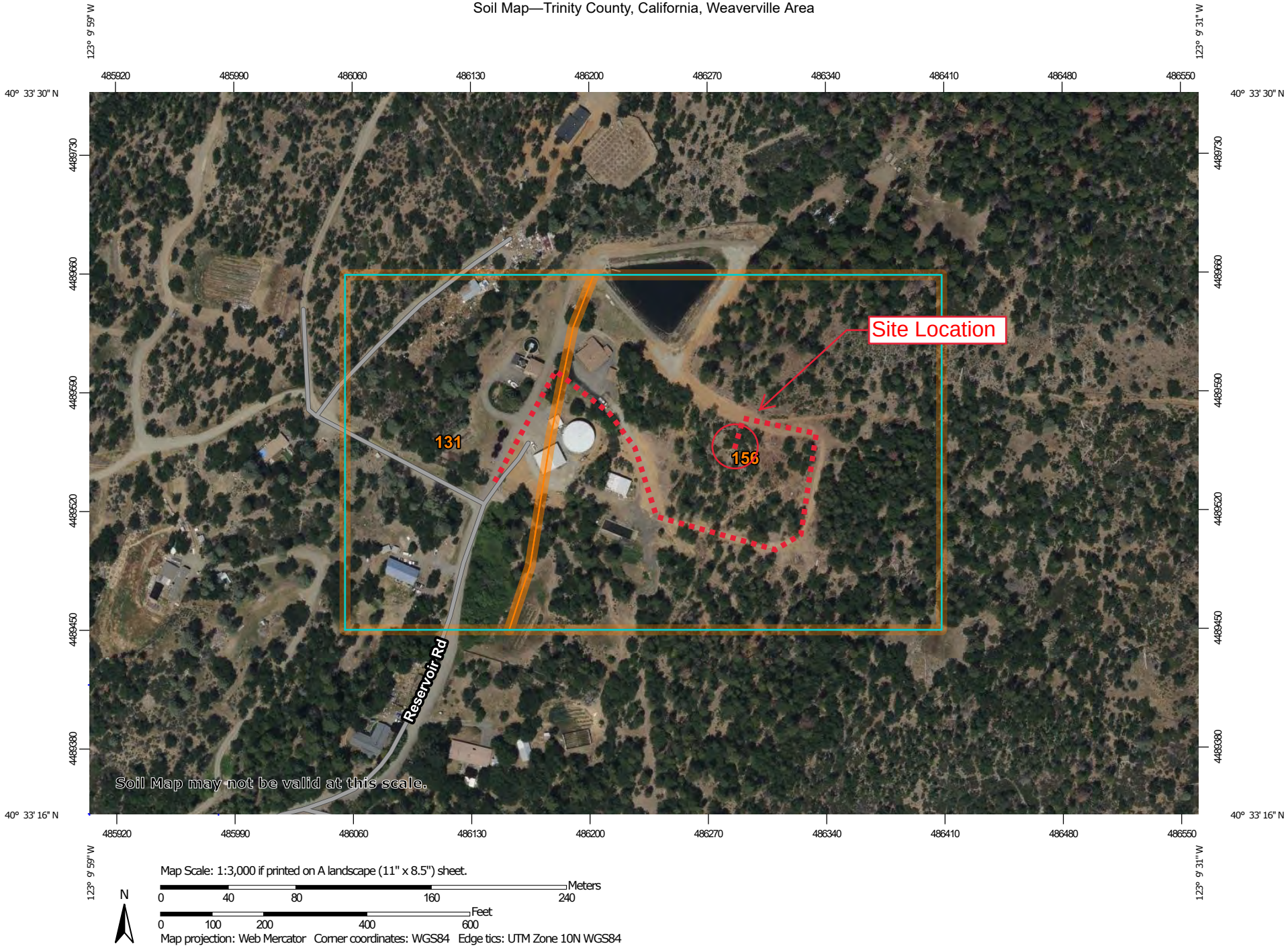


March 27, 2025

Wetlands

- Estuarine and Marine Deepwater
- Estuarine and Marine Wetland
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Lake
- Other
- Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.



Map Scale: 1:3,000 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 40 80 160 240

Feet: 0 100 200 400 600

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)

- Area of Interest (AOI)

Soils

- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features

- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features

- Streams and Canals

Transportation

- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background

- Aerial Photography

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: Trinity County, California, Weaverville Area
Survey Area Data: Version 17, Aug 28, 2024

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

Date(s) aerial images were photographed: Jun 1, 2022—Jun 19, 2022

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
131	CREFORK-MUSSERHILL COMPLEX, 30 TO 50 PERCENT SLOPES	6.3	34.3%
156	HOOSIMBIM GRAVELLY LOAM, 30 TO 50 PERCENT SLOPES	12.0	65.7%
Totals for Area of Interest		**18.3**	**100.0%**

Trinity County, California, Weaverville Area

156—HOOSIMBIM GRAVELLY LOAM, 30 TO 50 PERCENT SLOPES

Map Unit Setting

National map unit symbol: hmz5
Elevation: 2,500 to 3,000 feet
Mean annual precipitation: 30 to 40 inches
Mean annual air temperature: 50 to 57 degrees F
Frost-free period: 90 to 130 days
Farmland classification: Not prime farmland

Map Unit Composition

Hoosimbim and similar soils: 85 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Hoosimbim

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Mountainflank
Down-slope shape: Concave
Across-slope shape: Convex
Parent material: Colluvium derived from conglomerate and/or residuum weathered from conglomerate

Typical profile

H1 - 0 to 5 inches: gravelly loam
H2 - 5 to 13 inches: gravelly loam
H3 - 13 to 42 inches: very gravelly clay loam
H4 - 42 to 46 inches: weathered bedrock

Properties and qualities

Slope: 30 to 50 percent
Depth to restrictive feature: 40 to 60 inches to lithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Low (about 4.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: C
Ecological site: F005XZ019CA - Deep Mesic Mountains 40-60"ppt

Hydric soil rating: No

Data Source Information

Soil Survey Area: Trinity County, California, Weaverville Area
Survey Area Data: Version 17, Aug 28, 2024

Trinity County, California, Weaverville Area

131—CREFORK-MUSSERHILL COMPLEX, 30 TO 50 PERCENT SLOPES

Map Unit Setting

National map unit symbol: hmy8
Elevation: 2,000 to 3,300 feet
Mean annual precipitation: 30 to 40 inches
Mean annual air temperature: 50 to 57 degrees F
Frost-free period: 90 to 130 days
Farmland classification: Not prime farmland

Map Unit Composition

Crefork and similar soils: 50 percent
Musserhill and similar soils: 30 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Crefork

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Concave
Across-slope shape: Convex
Parent material: Colluvium and/or residuum derived from weakly consolidated mudstone and bedded sedimentary deposits

Typical profile

H1 - 0 to 5 inches: loam
H2 - 5 to 43 inches: gravelly clay
H3 - 43 to 63 inches: gravelly clay loam

Properties and qualities

Slope: 30 to 50 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Moderate (about 7.9 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: D

Ecological site: F005XZ006CA - Mesic Hills <40"ppt
Hydric soil rating: No

Description of Musserhill

Setting

Landform: Hillslopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Colluvium and/or residuum derived from weakly consolidated conglomerate

Typical profile

H1 - 0 to 5 inches: gravelly loam
H2 - 5 to 11 inches: very gravelly clay loam
H3 - 11 to 32 inches: extremely cobbly clay loam
H4 - 32 to 36 inches: weathered bedrock

Properties and qualities

Slope: 30 to 50 percent
Depth to restrictive feature: 20 to 40 inches to paralithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high (0.20 to 0.60 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: Very low (about 3.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: C
Ecological site: F005XZ006CA - Mesic Hills <40"ppt
Hydric soil rating: No

Minor Components

Jafa

Percent of map unit: 5 percent
Hydric soil rating: No

Carrcreek

Percent of map unit: 5 percent
Hydric soil rating: No

Unnamed, sloping areas

Percent of map unit: 5 percent
Hydric soil rating: No

Unnamed

Percent of map unit: 5 percent

Hydric soil rating: No

Data Source Information

Soil Survey Area: Trinity County, California, Weaverville Area
Survey Area Data: Version 17, Aug 28, 2024

Appendix D

Qualifications

TRILEAF

Professional Resume

RACHEL BISHOP

SENIOR PROJECT SCIENTIST

Education

B.S. Environmental Science and Studies / Emphasis in Biology
Towson University / Towson, MD

Areas of Expertise

Ms. Rachel Bishop has experience performing site inspections and conducting due diligence pursuant to EPA All Appropriate Inquiries (AAI) and the American Society of Testing and Materials (ASTM) for commercial real estate and lending projects. Ms. Bishop has experience performing National Environmental Policy Act (NEPA) reviews for wireless telecommunications projects as well as experience in Migratory Bird Evaluations and Indoor Air Quality Assessments.

Environmental service expertise includes:

Phase I/II Environmental Site Assessments
Property Condition Assessments (PCA)
Historical City Directories
Indoor Air Quality Assessments
Information Section 7 Consultation
National Wetland Inventory Maps
Flood Insurance Rate Maps
Critical Habitat Maps
Environmental Evaluation Summaries
Soil Characterization
Field Reconnaissance
Section 106 Compliance
NEPA Environmental Assessments
Migratory Bird Evaluations
Form 620/621 Submittals
Historical Topographic Maps and Aerial Imagery
Mold and Lead-Based Paint Surveys
Local Government Consultation
Land Use History

Certifications/Affiliations

OSHA 40-Hour HAZWOPER
Environmental Professional (EP) as defined by ASTM Standard E1527-13 (AAI)
ANSI/FCC RF Radiation Safety Competent Person
Adult First Aid/CPR/AED

TRILEAF

Professional Resume

SAMANTHA NEARY, M.S.

PROJECT MANAGER

Education

Biology, M.S. / Emphasis in Marine Ecology
San Diego State University / San Diego, CA

Zoology, B.S. / Emphasis in Limnology
University of Wisconsin-Madison / Madison, WI

Areas of Expertise

Ms. Neary has experience performing field visits for National Environmental Policy Act (NEPA) and Section 106 reviews for commercial real estate, lending, and wireless telecommunications projects. This includes characterization of habitats, pre-build surveys for critical species habitats, and migratory bird evaluations. In addition, Ms. Neary has experience overseeing and completing field surveys and biological assessment reports for CEQA analysis.

Environmental service expertise includes:

Phase I/II Environmental Site Assessments
Property Condition Assessments (PCA)
Indoor Air Quality Assessments
National Wetland Inventory Maps
Flood Insurance Rate Maps
Critical Habitat Maps
Environmental Evaluation Summaries
Soil Characterization
Field Reconnaissance
Section 106 Compliance
NEPA Environmental Assessments
Migratory Bird Evaluations
Form 620/621 Submittals
Historical Topographic Maps and Aerial Imagery
Mold and Lead-Based Paint Surveys
Local Government Consultation
Land Use History

Certifications/Affiliations

Basic Wetland Delineation Course (2024)
Burrowing Owl Survey Certification, U.S. Fish and Wildlife Service and Arizona Game and Fish
Introduction to the Mojave Desert Tortoise, Desert Tortoise Council Course Completion
OSHA 40-Hour HAZWOPER
Western Society of Naturalists, member since 2016
American Academy of Underwater Scientists, member since 2017
AAUS Certified Scientific Diver
Adult and Pediatric First Aid/CPR/AED/O_2



TRINITY COUNTY

2024-2029 HOUSING ELEMENT UPDATE

Certified | August 27, 2025



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT
DIVISION OF HOUSING POLICY DEVELOPMENT
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Sacramento, CA 95811
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August 27, 2025

Trent Tuthill, County Administrative Officer
County of Trinity
11 Court Street, Room 230
Weaverville, CA 96093

Dear Trent Tuthill:

RE: County of Trinity 7th Cycle (2024-2029) Adopted Housing Element

Thank you for submitting the County of Trinity's (County)housing element that was adopted August 5, 2025 and received for review on August 11, 2025. Pursuant to Government Code section 65585, the California Department of Housing and Community Development (HCD) is reporting the results of its review.

HCD is pleased to find the adopted housing element in substantial compliance with State Housing Element Law (Gov. Code, § 65580 et seq) as of the date of this letter. The adopted element was found to be substantially the same as the revised draft element that HCD's May 13, 2025 review determined met statutory requirements.

Additionally, the County must continue timely and effective implementation of all programs including but not limited to the following:

- Program HE-1: Housing Element Implementation
- Program HE-2: Development Constraints
- Program HE-3: State Law Compliance
- Program HE-4: Water and Sewer Capacity
- Program HE-5: Zoning Code Consistency
- Program HE-6: Low- and Moderate-Income Rental Housing
- Program HE-7: Accessory Dwelling Units
- Program HE-9: Incentives for Affordable and Special Needs Housing
- Program HE-12: Extremely Low-Income Affordable Housing
- Program HE-13: Employee and Farmworker Housing
- Program HE-14: Emergency Housing
- Program HE-15: Fire Safety Recommendations
- Program HE-16: Preservation of Existing Affordable Housing
- Program HE-17: Housing Rehabilitation
- Program HE-20: Affirmatively Furthering Fair Housing
- Program HE-21: Outreach to Impacted Areas

- Program HE-23: Anti-displacement Program
- Program HE-24: Ordinance for Moveable Tiny Homes
- Program HE-25: Ordinance for Tiny Houses Villages
- Program HE-27: Equitable Broadband Access
- Program HE-28: Address Fire Risk
- Program HE-31: Place-based Strategies for Community Investment

The County must monitor and report on the results of these and other programs through the annual progress report, required pursuant to Government Code section 65400. Please be aware, Government Code section 65585, subdivision (i) grants HCD authority to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law.

Several federal, state, and regional funding programs consider housing element compliance as an eligibility or ranking criteria. For example, the CalTrans Senate Bill (SB) 1 Sustainable Communities grant, the Strategic Growth Council and HCD's Affordable Housing and Sustainable Communities program, HCD's Prohousing Designation Program, HCD's Prohousing Incentive Program, and HCD's Permanent Local Housing Allocation consider housing element compliance and/or annual reporting requirements pursuant to Government Code section 65400. With a compliant housing element, the County now meets housing element requirements for these and other funding sources.

For your information, some general plan element updates are triggered by housing element adoption. HCD reminds the County to consider timing provisions and welcomes the opportunity to provide assistance. For information, please see the Technical Advisories issued by the Governor's Office of Land Use and Climate Innovation at: https://www.lci.ca.gov/planning/general-plan/guidelines.html.

HCD appreciates the cooperation and dedication that consultant Ryan Lester, provided throughout the course of the housing element review. HCD wishes the County success in implementing its housing element and looks forward to following its progress through the General Plan annual progress reports pursuant to Government Code section 65400. If HCD can provide assistance in implementing the housing element, please contact Jed Hackett, of our staff, at jed.hackett@hcd.ca.gov.

Sincerely,



Paul McDougall
Senior Program Manager

RESOLUTION NO. 2025-057

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY

A RESOLUTION OF THE BOARD OF SUPERVISORS OF TRINITY COUNTY, ADOPTING A GENERAL PLAN AMENDMENT TO REPEAL THE 2019-2024 TRINITY COUNTY HOUSING ELEMENT AND ADOPT THE TRINITY COUNTY HOUSING ELEMENT OF THE GENERAL PLAN FOR THE PERIOD OF 2024-2029 AND CEQA EXEMPTION IN COMPLIANCE WITH STATE HOUSING ELEMENT LAW.

WHEREAS, the California Legislature has found that "California has a housing supply and affordability crisis of historic proportions. The consequences of failing to effectively and aggressively confront this crisis are hurting millions of Californians, robbing future generations of the chance to call California home, stifling economic opportunities for workers and businesses, worsening poverty and homelessness, and undermining the state's environmental and climate objectives" (Government Code Section 65589.5.); and

WHEREAS, the Legislature has further found that "Among the consequences of those actions are discrimination against low-income and minority households, lack of housing to support employment growth, imbalance in jobs and housing, reduced mobility, urban sprawl, excessive commuting, and air quality deterioration" (Government Code Section 65589.5.); and

WHEREAS, the Legislature recently adopted the Housing Crisis Act of 2019 (SB 330) which states that "In 2018, California ranked 49th out of the 50 states in housing units per capita… California needs an estimated 180,000 additional homes annually to keep up with population growth, and the Governor has called for 3.5 million new homes to be built over 7 years;" and

WHEREAS, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the Board of Supervisors adopt a Housing Element for the four-year period 2024-2029 to accommodate the County regional housing need allocation (RHNA) of two housing units, comprised of one very-low income unit, one low-income unit, zero moderate-income units, and zero above moderate-income units; and

WHEREAS, to comply with State Housing Element Law, Trinity County has prepared the 2024-2029 Housing Element (the Housing Element) in compliance with State Housing Element Law and has identified sites that can accommodate housing units meeting the County's RHNA; and

WHEREAS, as provided in Government Code Section 65350 et. seq., adoption of the Housing Element constitutes a General Plan Amendment; and

WHEREAS, the County conducted extensive community outreach over the last nine months including three public workshops and two study sessions before the Planning Commission and Board of Supervisors; and

WHEREAS, in accordance with Government Code Section 65585 (b), on November 22, 2024, the County posted the draft Housing Element and requested public comment for a 30-day review period, and on March 18, 2025, after responding to public comments, the County submitted the draft Housing Element to the State Department of Housing and Community Development (HCD) for its review; and

WHEREAS, on April 14, 2025, HCD contacted the County to discuss the adequacy of the draft Housing Element, and based upon this, County staff revised the draft Housing Element to include additional information and data; and

WHEREAS, on May 13, 2025, the County received a letter from HCD stating that the draft Housing Element is in substantial compliance with State Housing Element Law, and will comply with State Housing Element Law when it is adopted; and

WHEREAS, on May 15, 2025, the County published the final draft Housing Element (determined to be in substantial compliance by HCD) on the County website and requested public comment on the final draft; and

WHEREAS, on June 26, 2025, the Planning Commission held a duly and properly noticed public hearing and recommended that the Board of Supervisors adopt the Housing Element; and

WHEREAS, on July 15, 2025 the Board of Supervisors conducted a duly and properly noticed public hearing to take public testimony and considered the proposed Housing Element, reviewed the Housing Element and all pertinent maps, documents and exhibits, including HCD's findings, the County's response to HCD's findings, the staff report, and all attachments, and oral and written public comments, and by an affirmative vote of 5-0 approved the Housing Element.

WHEREAS, on August 5, 2025 the Board of Supervisors conducted a duly and properly noticed public hearing regarding the proposed adoption of the Housing Element.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Trinity based on substantial evidence in the record;

1. The foregoing recitals are true and correct and are incorporated by reference into this action.
2. The Housing Element substantially complies with Housing Element Law, as provided in Government Code 65580 et seq., and contains all provisions required by State Housing Element Law, as shown in Exhibit C to this resolution, incorporated herein.
3. The Housing Element has been determined to be exempt from the California Environmental Quality Act (CEQA) based on CEQA Guidelines Section 15061(b)(3) common sense exemption.
4. The 2019-2024 Trinity County Housing Element is hereby repealed in its entirety, and the 2024-2029 Trinity County Housing Element, as shown in Exhibit A to this Resolution, incorporated herein, is adopted.
5. This Resolution shall become effective upon adoption by the Board of Supervisors.
6. The Director of Planning or designee is hereby directed to file all necessary material with the Department of Housing and Community Development for the Department to find that the Housing Element is in conformance with State Housing Element Law and is further directed and authorized to make all non-substantive changes to the Housing Element to make it internally consistent or to address any non-substantive changes or amendments requested by the Department to achieve certification.

7. The Director of Planning or designee is hereby directed to distribute copies of the Housing Element in the manner provided in Government Code Sections 65357 and 65589.7.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Supervisors hereby approves the 2024-2029 Housing Element in its current form, which has been found by HCD to be in substantial compliance.

DULY PASSED AND ADOPTED this 5th day of August, 2025 by the Board of Supervisors of the County of Trinity by motion, second (Leutwyler/Gogan), and the following vote:

AYES:	Supervisors Gogan, Leutwyler, Cox, Brownfield and Carpenter-Harris
NOES:	None
ABSENT:	None
ABSTAIN:	None
RECUSE:	None

LIAM GOGAN, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

TRENT TUTHILL
Clerk of the Board of Supervisors

By: Shan Brigman
Deputy

2024-2029 HOUSING ELEMENT UPDATE

CERTIFIED | AUGUST 27, 2025

PREPARED BY:

Mintier Harnish
1415 20th Street
Sacramento, California 95811

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CHAPTER 1: INTRODUCTION

PURPOSE OF THE ELEMENT

In response to California's critical housing needs, the State Legislature enacted housing element law with the goal of providing adequate, safe, and affordable housing for every Californian. The attainment of housing for all requires the cooperation of local and state governments.

Housing element law requires local governments to adequately plan to meet their existing and projected housing needs including their share of the regional housing need. Housing element law is the State's primary market-based strategy to increase housing supply. The law recognizes that the most critical decisions regarding housing development occur at the local level within the context of the general plan. In order for the private sector to adequately address housing needs and demand, local governments must adopt land use plans and regulatory schemes that provide opportunities for, and do not unduly constrain, housing development for all income groups.

Unlike the other mandatory elements of the general plan, the housing element is subject to detailed statutory requirements regarding its content and must be updated every five years. The housing element is also subject to mandatory review by a State agency, the California Department of Housing and Community Development (HCD). This reflects the statutory recognition that the availability of housing is a matter of statewide importance and that cooperation between all levels of government and the private sector is critical to attainment of the State's housing goals.

PUBLIC PARTICIPATION

Section 65583(c)(5) of the Government Code states that "The local government shall make diligent effort to achieve public participation of all the economic segments of the community in the development of the housing element, and the program shall describe this effort." Public participation played a critical role in the formulation and refinement of the County's housing goals and policies.

Housing issues affect the entire community, including residents, employers, and the public and private sectors. The public participation requirement of housing element law presents an opportunity to engage community members and stakeholders in a dialogue where they define problems and create solutions. The inclusion of community stakeholders in the housing element public participation process helps ensure appropriate housing strategies are more efficiently and effectively evaluated, developed, and implemented. An inadequate public participation process may lead to community conflict. Successful public participation is important because a diverse cross section of the population can be engaged in defining the housing problem and in crafting community-sensitive solutions. Another benefit of broad participation and true engagement of the public is that when it is time to adopt housing strategies and approve housing developments, a greater portion of the community has been involved and participated in the plan and more frequently will support its implementation.

In response to the need for public participation, County planning staff worked with consultants to develop a robust community engagement program tailored to ensure the community and other stakeholders are engaged in the process and are given ample opportunities to provide input. The key objective of the community engagement program is to maximize opportunities for everyone interested in the Housing Element to participate. The engagement program includes overall project branding, a project website, newsletters and eblasts, announcements on the County website and social media, multiple workshops, and Planning Commission and Board of Supervisors meetings and hearings. This section summarizes the County's engagement program.

BRANDING

A branding package was prepared for the General Plan Update, including the Housing Element Update. This included a project logo and style templates for all work products, maps, presentations, and publicity materials. The common branding helps to build recognition for the project and ensures that this effort is distinct in the minds of the community. The logo to the right will be used on all materials developed for all elements being updated during the Trinity County Housing Element and General Plan Update process.

EBLASTS AND NOTICING

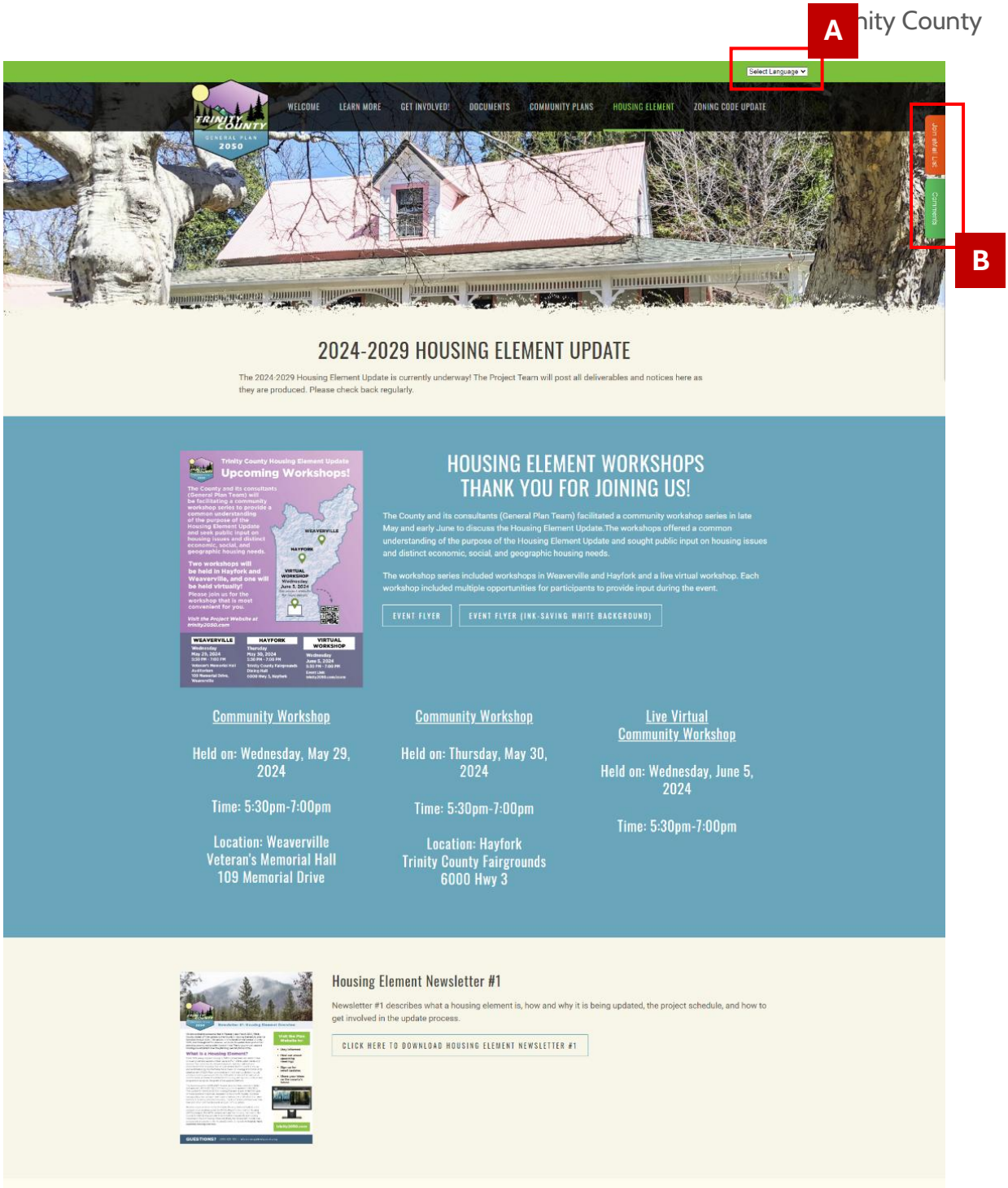
Throughout the Project, the Housing Element Team sent out a variety of eblasts and notices through the General Plan email list, which as of January 2025 includes over 500 contacts. Additionally, the County used social media posts on Facebook and physical flyers in key public areas and businesses around the county to extend the reach of notifications on the Housing Element.

In addition to local residents, the General Plan Update email list includes county agencies, the county sheriff, special districts, the forest service, local tribes, social organizations, the human response network, school districts, and local planning commissioners and supervisors. Noticing was also completed in coordination with engagement efforts for the Comprehensive General Plan Update and Community Plans, which included individual meetings in eight communities throughout the county.

Noticing in Spanish and Hmong. In response to a comment received on the Public Review Draft Housing Element Update, the County began to provide notices in English, Spanish, and Hmong and will continue to provide multilingual notices through the completion of the Update.

WEBSITE

During the development and review of the Housing Element, the County created and maintained a website for the overall 2050 General Plan update, including a page dedicated to the 2024-2029 Housing Element. This website provided easy access to information on the Project, including general information about housing elements and details about workshops and other engagement opportunities. Project documents were posted to the website and comments were encouraged through the provided "Comments" button on each page. A button on the website allowed residents to sign up for the email list. Additionally, a Google Translate tool located on the heading to each website page allowed users to translate the entire website into Hmong and Spanish.



*A: **Google Translate Tool** allows users to translate the* entire *website into Hmong and Spanish*

*B: **Email and contact buttons** allow users to* join *the project email list and provide a comment to the project team*

https://trinity2050.com/housing-element.html

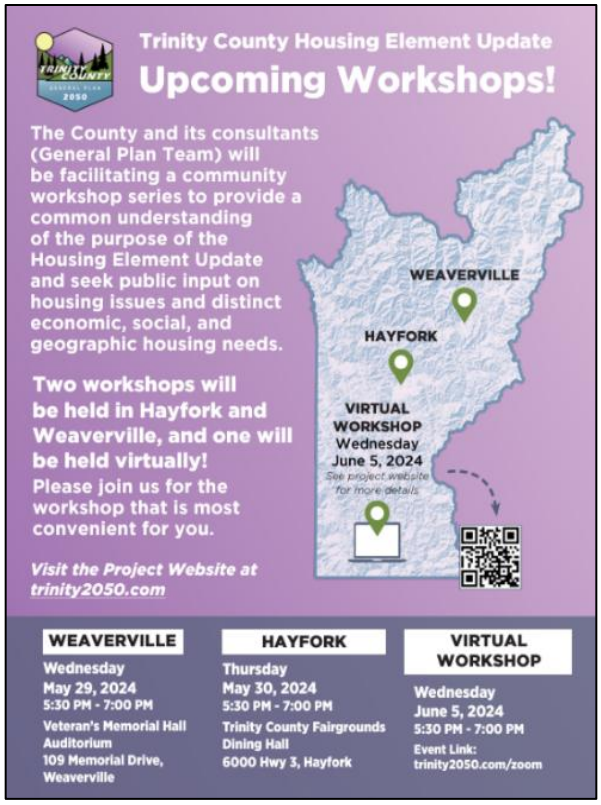
NEWSLETTER

NEWSLETTER #1: HOUSING ELEMENT OVERVIEW

Newsletter #1 provides an introduction to the Housing Element Update, background information on housing elements, the Affirmatively Furthering Fair Housing (AFFH) Analysis, a description of the phases of the project, and ways for the public to get involved in the process. The newsletter was distributed at public workshops and was made available from the project website.



PUBLIC WORKSHOP SERIES





IN-PERSON WORKSHOPS

In May 2024, the General Plan Update Team facilitated an in-person community workshop series to discuss the Housing Element Update. In-person workshops were held in Weaverville (May 29th, 2024) and Hayfork (May 30th, 2024). The workshops provided a common understanding of the purpose of the Housing Element Update, key steps in the process, and sought public input on housing issues and distinct economic, social, and geographic housing needs. The workshops were held in an open house format with multiple stations including display posters and interactive activities designed to encourage community input. Each event was attended by 10-15 participants.

During the in-person workshops, the Project Team facilitated discussions with participants on potential housing sites and fair housing topics. Additionally, feedback was received through interactive exercises on posters and worksheets from participants. A range of opinions and ideas were expressed in both the workshop discussions and exercises, which generally fall under the following topics summarized below.

FACILITATED QUESTIONS

Mintier Harnish facilitated a group discussion to gather input on housing needs, housing types to encourage, and areas appropriate for multifamily uses.

During the Weaverville meeting we heard:

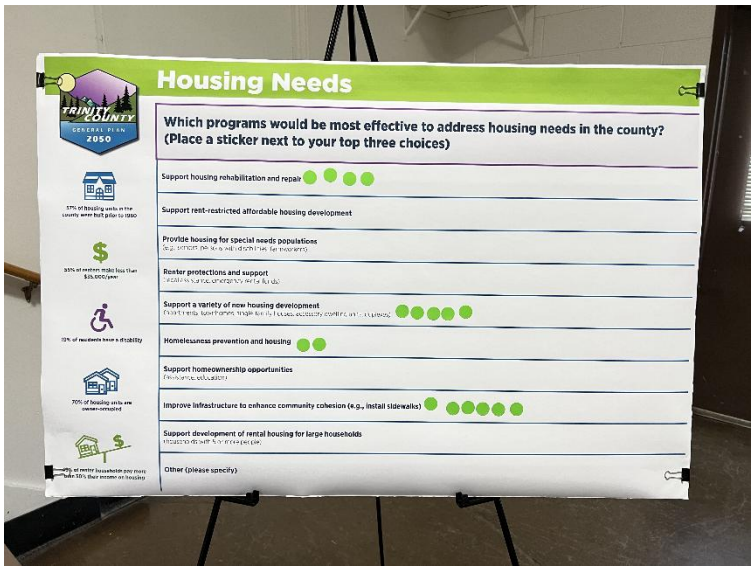
- Fire insurance is too expensive for the average resident and there is a lack of fire safety features in homes.
- Residents are open to alternative housing types.
- Some existing prefabricated housing stock is unsafe.

- Many seniors live in prefabricated housing.
- It is difficult to increase housing stock within the county due to high land, construction, and utility cost.
- Water and sewer infrastructure limitations, property taxes, and insurance costs limit ADU feasibility.
- There are not enough rental units within the county to support the demand of the job market.

During the Hayfork meeting we heard:

- Insurance is difficult to obtain and can cost as much as a mortgage payment.
- There is a lack of housing that qualifies for conventional loans. There is a lack of skilled labor to rehab and bring housing to habitable shape.
- There is a significant desire for rental housing. Some of the suggestions included, two story apartments, manufactured housing, mother in law units, SRO, or dorm style rentals.
- Community members wanted to develop a website where information about housing opportunities can be posted and referenced during housing searches.
- There was a desire to encourage more government based jobs in the area but it was noted that there needs to be enough housing to support the increase in jobs.
- Community members felt that encouraging a trade school would be a good way to get contractors into the county and provide affordable education.

COMMUNITY WORKSHOP STATIONS



HOUSING NEEDS EXERCISE

This poster identified potential housing needs (e.g., housing rehabilitation assistance, units for seniors or those with a disability, sidewalks, and infrastructure to enhance community cohesion, assistance with weatherization and energy efficiency upgrades) and asked participants to identify those they felt are the highest priority.

In response to this input received on this exercise, the County provided a number of implementation programs, including measures to support rehabilitation, encourage a variety of housing types, incentivize new construction, and pursue funding for infrastructure projects.

TABLE 8.1 IN-PERSON HOUSING NEEDS POSTER EXERCISE RESPONSES

Which programs would most effectively address housing needs in the county?	Weaverville Count	Hayfork Count	Total Count	% Total
Support housing rehab and repair	4	6	10	27.0%
Support a variety of new housing development	5	5	10	27.0%
Improve infrastructure to enhance community cohesion (e.g., install sidewalks)	6	0	6	16.2%
Homelessness prevention and housing	2	3	5	13.5%
Support homeownership opportunities	0	5	5	13.5%
Provide housing for special needs populations	0	1	1	2.7%
Support rent restricted affordable housing development	0	0	0	0.0%
Renter protections and support	0	0	0	0.0%
Support development of rental housing for large households	0	0	0	0.0%
Other (please specify)	0	0	0	0.0%



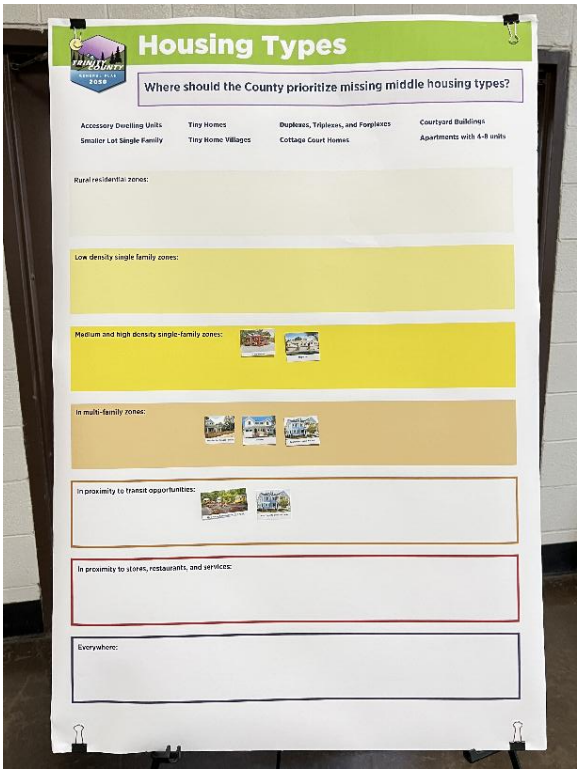
HOUSING TYPES PREFERENCE SURVEY

This poster exercise provided images of a variety of housing types and formats and asked participants to identify those they would like to see developed in Trinity County.

In response to the input received, the County revised the General Plan land use designations to incorporate a wider variety of housing types in low, medium, and high density designations. The County also revised the commercial designation to allow for multifamily residential uses and added a new mixed-use designation.

TABLE 8.2 IN-PERSON HOUSING TYPES POSTER EXERCISE RESPONSES

Which housing type will work best for residents?	Weaverville Responses and Count	Hayfork Responses and Count	Total Responses and Count
Smaller Lot Single Family	2	1	3
Duplexes	2	0	2
Triplexes	2	0	2
Four-plexes	1	0	1
Cottage Court Homes	3	0	3
Accessory Dwelling Units	2	4	6
Tiny Homes	4	3	7
Tiny Home Communities/Villages	4	2	6
Courtyard Buildings	1	2	3
Apartments with 4-8 Units	1	1	2



MISSING MIDDLE HOUSING TYPES

This poster exercise listed areas of the county by zone/proximity to transit and services and asked participants to identify where the County should prioritize missing middle housing types, such as ADUs or tri-plexes. To indicate a response, participants placed a photo of the housing type in the appropriate box.

The County also used this input to inform the 2050 General Plan Land Use Element.

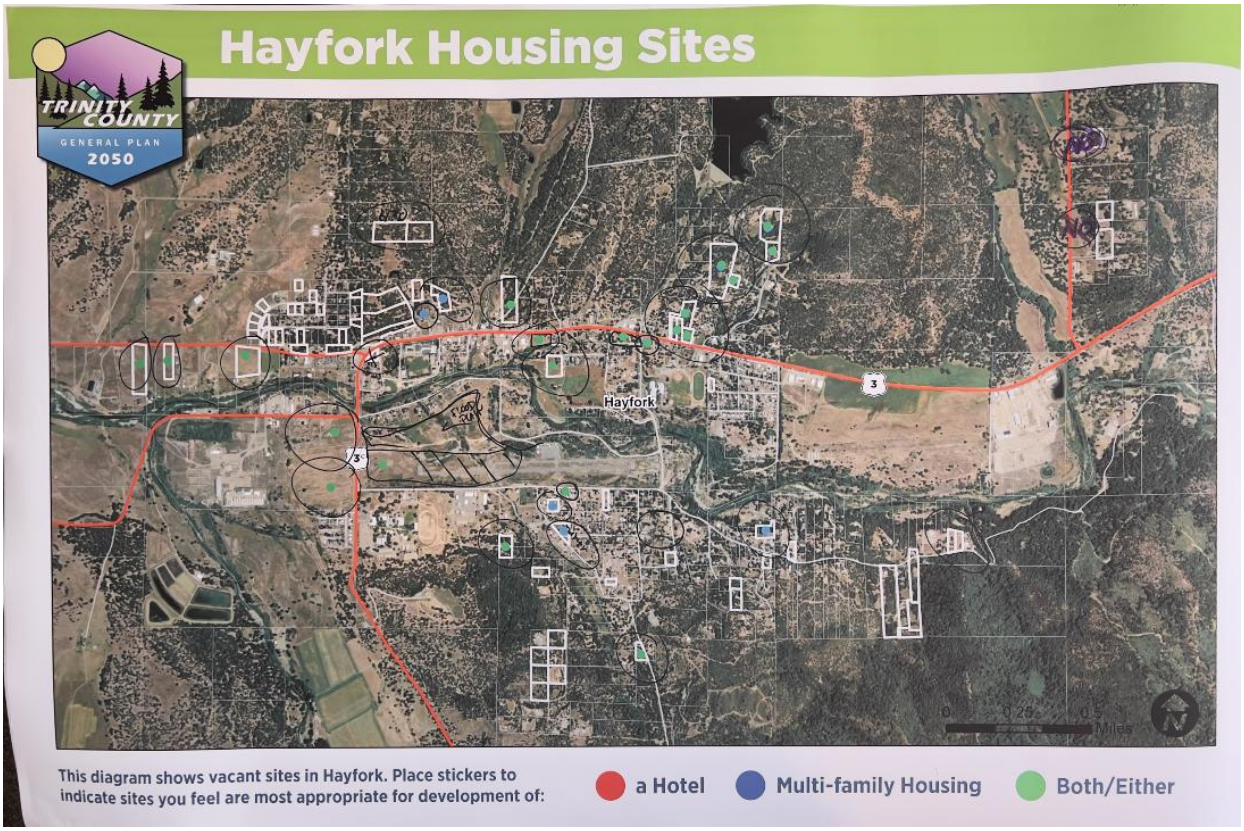
TABLE 8.3 IN-PERSON MISSING MIDDLE HOUSING TYPES POSTER EXERCISE RESPONSES

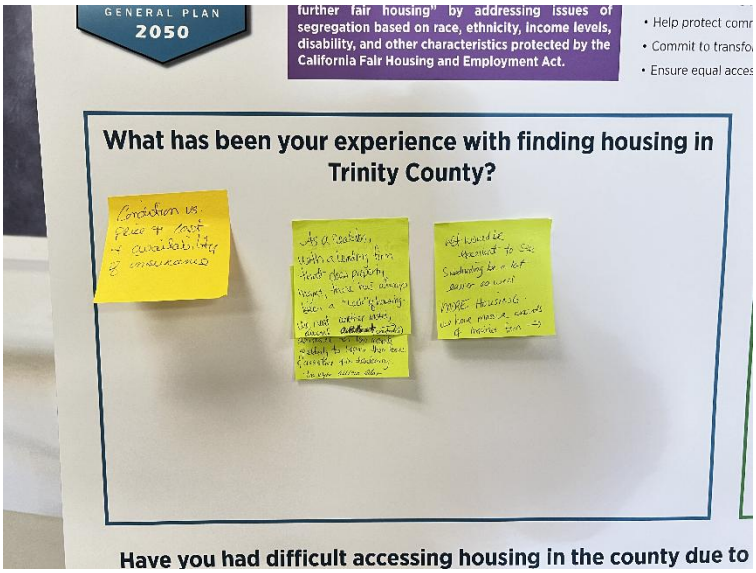
Where should the county prioritize missing middle housing types?	Weaverville Responses and Count	Hayfork Responses and Count	Total Responses and Count
Rural Residential Zones	--	Accessory dwelling unit - **1**	Accessory dwelling unit - **1**
Low Density Single Family Residential Zones	--	Tiny homes - **1**	Tiny homes - **1**
Medium and High Density Single Family Residential Zones	Tiny homes - **1** Triplexes -**1**	--	Tiny homes - **1** Triplexes -**1**
Multifamily Zones	Smaller lot single family - **1** Duplexes - **1** Apartments with 4-8 units - **1**	--	Smaller lot single family - **1** Duplexes - **1** Apartments with 4-8 units -**1**
In Proximity to Transit Opportunities	Tiny home community/villages - **1** Apartment with 4-8 units - **1**	Apartment with 4-8 units - **1**	Tiny home community/villages - **1** Apartment with 4-8 units - **2**
In Proximity to Stores, Restaurants, and Services	--	Courtyard building -**1** Apartment with 4-8 units - **1**	Courtyard building -**1** Apartment with 4-8 units - **1**
Everywhere	--	--	--

HOUSING SITES EVALUATION

This station provided mapping exercises where participants could assist the County in identifying sites appropriate for higher density housing types. The maps used in these exercises focused on communities with infrastructure to support hotels and apartments (Hayfork, Lewiston, and Weaverville). This exercise asked participants to place a dot near sites they feel are appropriate for multifamily housing or a hotel/motel.

The input received through these housing sites exercises was used to revise the draft housing sites inventory, with several new sites being added, a few being removed, and a handful identified for potential redesignation/upzoning.





FAIR HOUSING

Participants were asked to identify fair housing issues most relevant to their recent experience in the county.

This information informed the fair housing analysis included in Appendix A, as well as programs intended to affirmatively further fair housing, including Program HE-20. The County also included programs to address comments related to rehabilitation needs (Program HE-17) and development constraints (Program HE-2).

TABLE 8.4 IN-PERSON AFFH POSTER EXERCISE RESPONSES

How can the County affirmatively further fair housing?	Responses
What has been your experience with finding housing in Trinity County?	• Condition vs. price + cost + availability of insurance • As a realtor with a leading firm that does property management, there has always been a "lack" of housing. We need another motel, several apartment complexes would be very much needed. Even 1 large one. • Houses are run down and many won't qualify for bank loans, which limits what buyers can purchase. • The County needs to make it easier to develop vacant land and provide permitting cost/red tape/etc. assistance for low income and elderly to repair their homes and assistance in developing (thank you) • It would be excellent to see subdividing be a lot easier as well • MORE housing - we have massive amounts of inquiries from laborers and workers for housing (seasonal mainly) and zero options many of the time for these transplants
What makes a neighborhood great?	• People knowing each other - working together - community • Location to town - especially for elderly without drivers license • Safety

VIRTUAL WORKSHOP

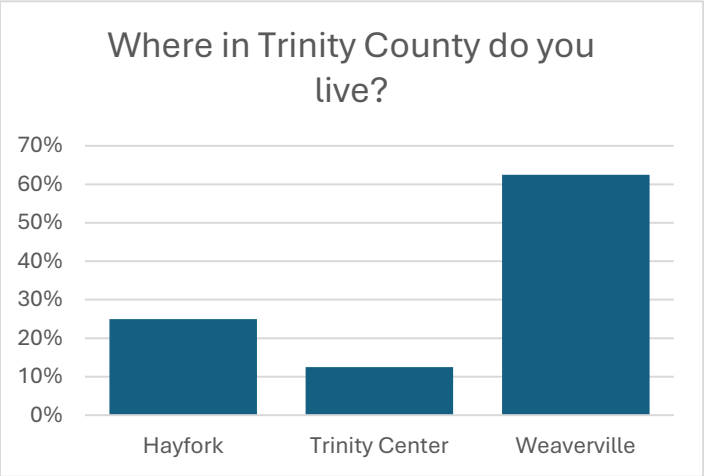
In June 2024, the General Plan Update Team facilitated a virtual community workshop to discuss the Housing Element Update. This live virtual workshop was held via Zoom on June 5th, 2024, and offered county residents who live far from Weaverville or Hayfork a way to participate in the Housing Element Update process. This workshop provided a common understanding of the purpose of the Housing Element Update, key steps in the process, and sought public input on housing issues and distinct economic, social, and geographic housing needs. Virtual workshop attendees were also encouraged to complete online surveys on various housing topics, all of which were found on the project website and are described in depth in the following sections.

During the virtual workshop, the Project Team facilitated discussions with participants on potential housing issues, needs, and fair housing topics. Additionally, feedback was received through interactive Zoom polls. A range of opinions and ideas were expressed in both the workshop discussions and exercises, which generally fall under the following topics summarized below.

LIVE POLL

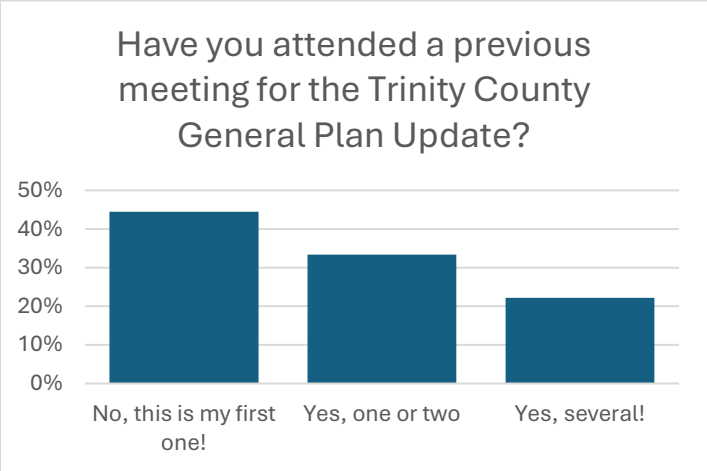
During the presentation, participants were asked to respond to poll questions to provide input on housing needs and opportunities in the county. Twelve attendees participated in the live poll. Questions and responses are included below.

Please note: Responses summarized here include only those that completed the live poll. For those unable to attend the event, an online survey was created using these polling questions. Complete survey results are provided later in this chapter.



QUESTION 1: WHERE IN TRINITY COUNTY DO YOU LIVE?

Findings: 63 percent of participants live in Weaverville. Twenty-five percent of participants live in Hayfork. Thirteen percent of participants live in Trinity Center. This Data provides insight on the households participating in the live poll.



QUESTION 2: HAVE YOU ATTENDED A PREVIOUS MEETING FOR THE TRINITY COUNTY GENERAL PLAN UPDATE?

Findings: Nearly 45 percent of the participants were attending a meeting for the Trinity County General Plan update for the first time. Thirty-three percent that attended the meeting had previously attended one or two meetings. Twenty-two percent have attended several Trinity County General Plan Update meetings. This data shows through virtual engagement, more community members are able to be reached than through exclusively in person events.

QUESTION 3: WHAT DO YOU THINK IS MOST NEEDED IN TRINITY COUNTY?

Findings: Over 90 percent of the attendees felt that affordable units were the most needed housing type in Trinity County. Eighty-three percent of attendees felt that any type of housing unit is needed. The responses highlight the need for an increase in affordable housing stock.

Response: The County included programs to address affordable rental housing and special needs housing. The County is also revising the Land Use Element to allow residential uses in commercial zones and to implement a new mixed use zone.

TABLE 8.5 HOUSING NEEDS POLL RESPONSES

What do you think is most needed in Trinity County? (Select up to three)	Number of responses	Percent of total responses
Affordable units	11	92%
Senior housing	3	25%
Supportive housing for special needs	3	25%
Housing for large families	2	17%
Workforce/farmworker housing	3	25%
Mixed-use with commercial and residential units	4	33%
Housing units of any type, we just need more units!	10	83%
Total Respondents	12	100%

QUESTION 4: WHAT IS THE LARGEST BARRIER TO HOUSING IN TRINITY COUNTY?

Findings: Sixty percent of the attendees felt that the cost of rent in Trinity County is too high and the motions for rental units are too low creating a barrier to securing housing within the county. This echoes the desire for an increased number of affordable units within the county. Sixty percent of attendees felt that fire insurance was a significant barrier to housing within the county. The responses highlight the need for an increase in affordable rental unit stock and insurance.

Response: The County included a variety of programs responding to these issues, including programs to encourage affordable rental housing, provide assistance to homebuyers, encourage special needs housing, and provide information on fair housing rights and responsibilities.

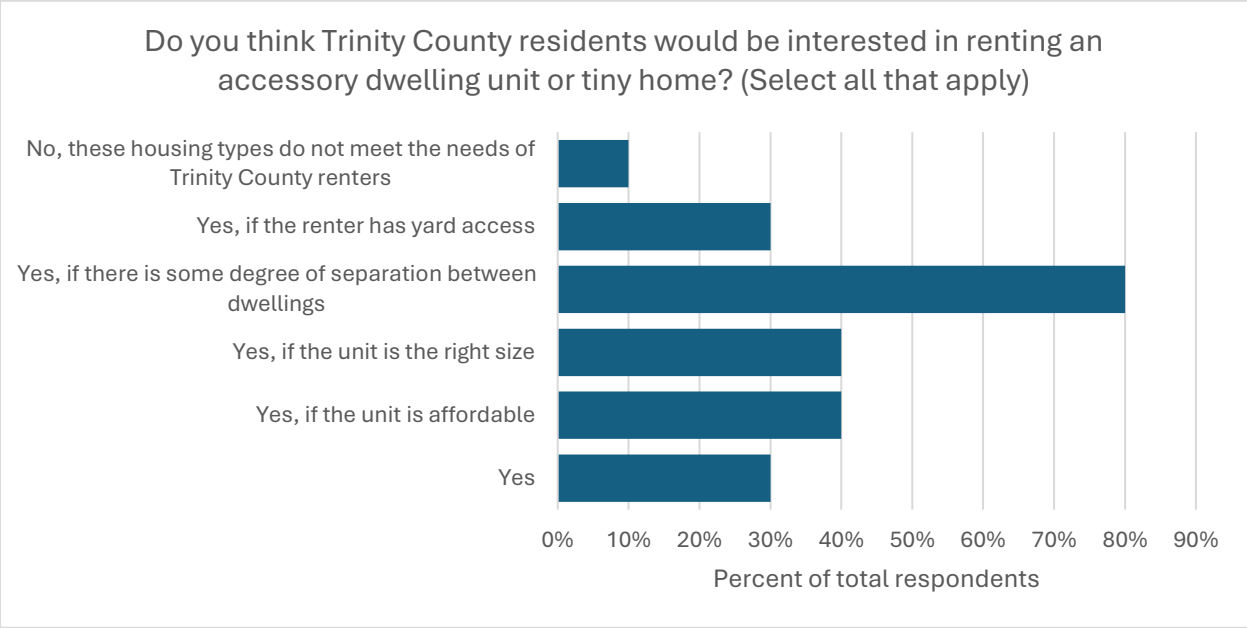
TABLE 8.6 HOUSING BARRIER POLL RESPONSES

What is the largest barrier to housing in Trinity County? (Select up to three)	Number of responses	Percent of total responses
Cost of rent	6	60%
Cost of mortgage payment	4	40%
Cost of fire insurance/inability to secure insurance	6	60%
Upfront costs	2	20%
Few options for rental units	6	60%
Few options for units for-sale	2	20%
Lack of accessible units	1	10%
Discrimination by landlords	1	10%
Total respondents	10	100%

QUESTION 5: DO YOU THINK TRINITY COUNTY RESIDENTS WOULD BE INTERESTED IN RENTING AN ACCESSORY DWELLING UNIT OR TINY HOME?

Findings: Participants indicated that residents of the county would be interested in renting an ADU or tiny home if there is some degree of separation between dwellings. They also noted that the units must be affordable and the right size.

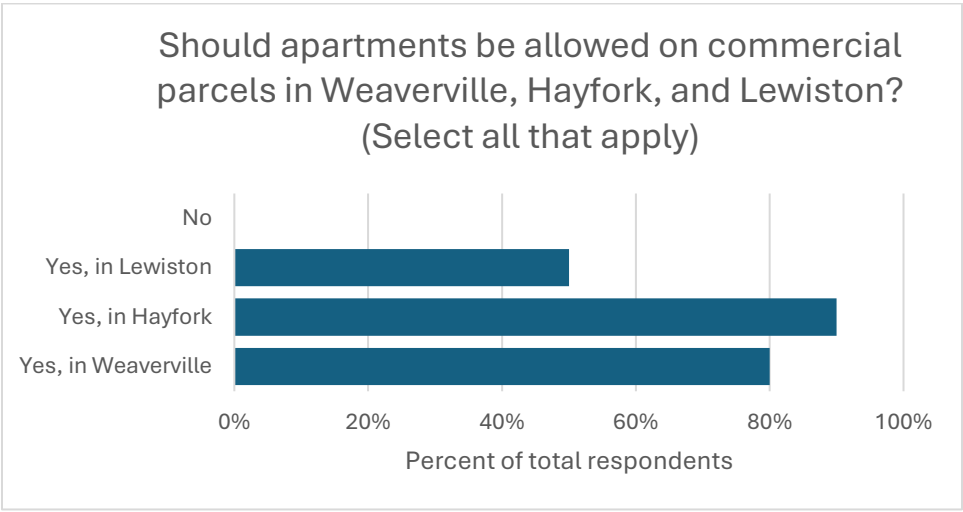
Response: The County included a program to encourage and incentivize the development of ADUs (Program HE-7)



QUESTION 6: SHOULD APARTMENTS BE ALLOWED ON COMMERCIAL PARCELS IN WEAVERVILLE, HAYFORK, AND LEWISTON?

Findings: All the respondents felt that apartments should be allowed on commercial parcels. Ninety percent felt that apartments should be encouraged on commercial parcels in Hayfork compared to 80 percent in Weaverville and 50 percent in Lewiston. This shows residents feel that if there is adequate infrastructure to support the development, apartments should be considered.

Response: The County is revising the Land Use Element to allow residential uses on commercially designated parcels, and will update the zoning code for consistency in 2026.



HOUSING NEEDS ONLINE SURVEY

From June 1, 2024, to June 30, 2024, the General Plan Update Team posted an online survey to the project website that aimed to understand residents' opinions on current housing conditions, needs, and opportunities that could influence future housing in Trinity County. The survey questions were designed to better understand and respond to the community's sentiments about future housing growth. This survey included nine questions and took about five minutes to complete. At the end of the survey, participants had the option to sign up for the project e-blast list in order to stay informed on the County's Housing Element Update. Seventy-eight individuals completed the survey. The responses to questions asked during the survey are summarized below.

QUESTION 1: WHAT ARE THE LARGEST BARRIERS TO ACCESSING HOUSING IN TRINITY COUNTY?

Findings: In the table below, responses are ranked 1-8 from most to least significant. Their average scores are shown. The three highest ranked barriers to housing were the limited options for rental units, cost of insurance, and the cost of rent.

Response: The County included a variety of programs responding to these issues, including programs to encourage affordable rental housing, provide assistance to homebuyers, encourage special needs housing, and provide information on fair housing rights and responsibilities.

TABLE 8.7 HOUSING BARRIERS SURVEY RESPONSES

Largest barriers to accessing housing within the county	Score
Cost of rent	6.05
Cost of mortgage payment	5.18
Cost of fire insurance/inability to secure insurance	5.96
Upfront costs (e.g., security deposit, down payment)	4.28
Few options for rental units	6.09
Few options for units for-sale	3.96
Lack of accessible units	2.88
Discrimination by landlords	1.59

QUESTION 2: IF YOU RENT OR HAVE RENTED IN TRINITY COUNTY IN THE PAST, ARE THERE BARRIERS TO FINDING AFFORDABLE RENTAL HOUSING OPTIONS WITHIN THE COUNTY?

Findings: Over 60 percent of the responses indicated that there are not enough rental units in Trinity County. Another 40 percent indicated that the existing rental housing opportunities are too costly.

Response: The County included Program HE-6 to encourage and incentivize affordable rental housing.

TABLE 8.8 BARRIERS TO AFFORDABLE RENTAL HOUSING SURVEY RESPONSES

Answer Choices	Responses	
No; there are no barriers to finding affordable rental housing options	4.29%	3
I have never rented within the county	31.43%	22
Yes; there are too few units available for rent	61.43%	43
Yes; existing rental housing is too costly	40.00%	28
Yes; existing rental housing units are not the right size for my household	22.86%	16
Yes; existing rental housing was in too poor of condition	41.43%	29
Other (please specify)	21.43%	15

QUESTION 3: WHAT TYPES OF HOUSING ARE MOST APPROPRIATE TO FILL TRINITY COUNTY'S HOUSING NEEDS?

Findings: In the table below, responses were ranked 1-11 from most to least significant. Their average score is shown. Respondents felt rental units would be the most appropriate type of housing for Trinity County's housing needs. They also felt that affordable homes or single family housing on smaller lots would be beneficial.

Response: The County included programs to address affordable rental housing and special needs housing, and to encourage the development of emergency shelters.

TABLE 8.9 HOUSING TYPES AND NEEDS SURVEY RESPONSES

What types of housing are most appropriate to fill Trinity County's housing needs?	Score
Rental units	10.01
Affordable homes available for purchase	9.54
Single-family housing types on smaller lots (such as cottage housing or single-family homes with reduced yard space)	7.94
Townhomes	5.61
Tiny homes or tiny home communities	6.41
Multifamily housing/apartments	6.06
Housing for large or multi-generational families	4.66
Agricultural/farmworker housing	3.66
Shelters for those experiencing homelessness	4
Supportive housing for individuals with a disability	3.17

QUESTION 4: A MAJORITY OF THE HOUSING UNITS IN THE COUNTY ARE SINGLE-UNIT, DETACHED RESIDENCES OR MOBILE HOMES. WHAT OTHER TYPES OF RESIDENTIAL DEVELOPMENT OPPORTUNITIES SHOULD BE ENCOURAGED IN TRINITY COUNTY?

Findings: In the table below, responses were ranked 1-8 from most to least significant. Their average score is shown. Respondents indicated that duplexes, triplexes, four-plexes and other smaller

multifamily housing types should be encouraged the most in Trinity County. They also felt that ADU rentals and mixed use development would be beneficial.

Response: The County included programs to encourage a variety of housing types (Program HE-2) and included a variety of housing sites at varying densities with residential capacity beyond the RHNA.

TABLE 8.10 RESIDENTIAL DEVELOPMENT OPPORTUNITIES SURVEY RESPONSES

What other types of residential development opportunities should be encouraged in Trinity County	Score
Developments with a mix of commercial and residential uses	5.18
Duplexes, triplexes, four-plexes and other smaller multifamily housing types	5.97
Apartments and multifamily developments with 12+ units	4.39
Accessory dwelling units for rent	5.43
Accessory dwelling units for housing family members, friends, and extended family	4.6
Lot splits that allow owners to build another home on their property	4.49
RV/mobile home parks	2.64
Tiny home villages/communities	3.31

QUESTION 5: ACCESSORY DWELLING UNITS (ADUS; ALSO KNOWN AS A GUEST UNIT OR GRANNY FLAT) ARE ONE WAY TO INCREASE HOUSING AVAILABILITY IN EXISTING RESIDENTIAL AREAS OF THE COUNTY. ADUS CAN TAKE A VARIETY OF DIFFERENT FORMS, BUT ARE GENERALLY SMALLER, SINGLE BEDROOM OR STUDIO RESIDENCES LOCATED ON THE SAME PROPERTY AS AN EXISTING SINGLE-FAMILY HOME OR WITHIN A CONVERTED GARAGE SPACE. IF YOU OWN YOUR HOME, WHAT WOULD MAKE YOU CONSIDER ADDING AN ACCESSORY DWELLING UNIT TO YOUR PROPERTY?

Findings: Respondents that own a home would consider adding an ADU to their property if it was easy, quick, and expedited process. Over 50 percent would consider adding an ADU if fees were waived, reduced, or deferred and the County had preapproved building plans they could use.

Response: The County included Program HE-7 to encourage and incentivize the development of ADUs.

TABLE 8.11 ACCESSORY DWELLING UNIT DEVELOPMENT SURVEY RESPONSES

If you own your home, what would make you consider adding an accessory dwelling unit to your property? (check all that apply)	Positive Response percentage
Easy, quick and expectable application and permitting process	68%
Reduced, waived, or deferred fees	58.67%
Pre-approved building plans	50.67%
Help with financing	46.67%
The availability of technical assistance relates to permitting and code compliance	38.67%
Renting the accessory dwelling unit would be a new source of income	36%
If it would increase your property's potential sale price	33.33%
Not interested/doesn't apply to me	20%
Other	14.67%

QUESTION 6: IF YOU ARE A RENTER, WOULD YOU BE INTERESTED IN RENTING AN ACCESSORY DWELLING UNIT?

Findings: Almost 60 percent of respondents said they would not be interested in renting an ADU or that it does not apply to them. This equates to approximately the percentage of homeowners that participated in the survey. Of those that would be interested in renting an ADU, affordability and separation from the main dwelling were the most important considerations.

Response: The County is taking this input under consideration in development of zoning standards to be revised through the upcoming Comprehensive Zoning Code Update.

TABLE 8.12 RENTAL ACCESSORY DWELLING UNIT SURVEY RESPONSES

Answer Choices	Positive Response percentage
Not interested/doesn't apply to me	58.46%
Very interested, no concerns	3.08%
Yes, if it is affordable	29.23%
Yes, if the unit the right size for my household	20.00%
Yes, if I had some degree of separation from the main dwelling	29.23%
Yes, if it had yard access	20.00%
Other (please specify)	7.69%

QUESTION 7: ANOTHER WAY TO INCREASE HOUSING AVAILABILITY IS TO ALLOW MULTIFAMILY HOUSING DEVELOPMENTS IN MORE AREAS OF THE COUNTY. WHERE SHOULD MULTIFAMILY DEVELOPMENTS BE PRIORITIZED?

Findings: Over 65 percent of responses indicated that the county should prioritize multifamily development near opportunities for employment. They also felt that it was important housing is close to schools, major streets, and transportation corridors. Responses indicated a majority preference to prioritize multifamily housing on underutilized or vacant parcels as well.

Response: The County considered this information in the development and refinement of the sites inventory.

TABLE 8.13 MULTIFAMILY DEVELOPMENT LOCATION SURVEY RESPONSES

	Response percentage
Residential areas	37.84%
Underutilized or vacant parcels	56.76%
Along major streets and transportation corridors	58.11%
Near schools	48.65%
In proximity to employment opportunities/major employers	66.22%
Near existing commercial areas	35.14%
Within commercial zones	17.57%

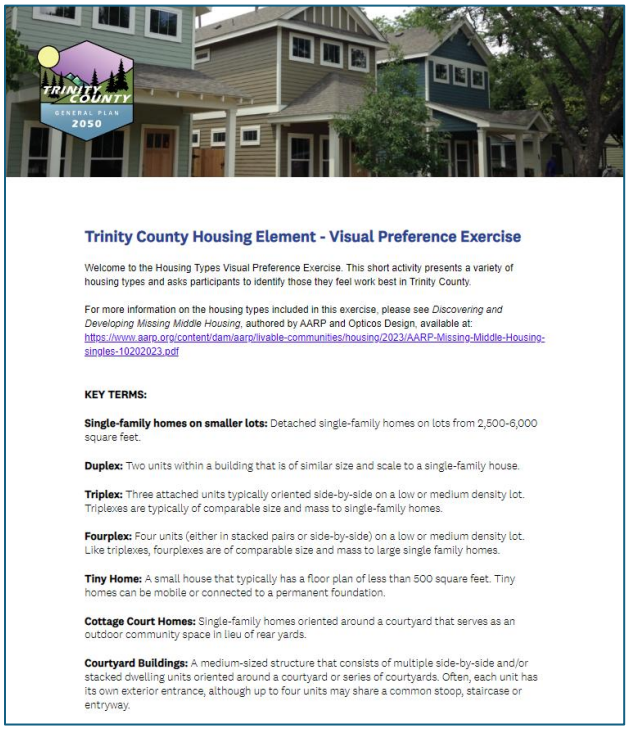
QUESTION 8: INCORPORATING NEW AMENITIES INTO AREAS WITH EXISTING OR PROPOSED RESIDENTIAL DEVELOPMENTS CAN ENHANCE RESIDENT'S QUALITY OF LIFE AND CREATE A MORE COMFORTABLE AND APPEALING ENVIRONMENT TO LIVE IN. WHAT ARE YOUR TOP THREE CHOICES FOR AMENITIES TO PRIORITIZE NEAR NEW RESIDENTIAL DEVELOPMENTS?

Findings: The top three amenities that respondents felt should be prioritized near new residential development are grocery stores, open space and trails, and parks and play areas. This indicates that there is a desire to live a healthy active lifestyle and there are opportunities for the County to improve access to those types of services.

Response: The County considered proximity to amenities in the development of the sites inventory. Multifamily sites, particularly lower-income RHNA sites were targeted to areas with services, access to transportation, and amenities.

	Response percentage
Parks and play areas	51.95%
Open space and trails	53.25%
A bus stop	24.68%
Proximity to downtown areas	23.38%
Proximity to government services	18.18%
Grocery stores and other retail shopping	64.94%
Schools	36.36%
Community centers, libraries, or other public facilities	37.66%
Health Care Providers	37.66%
Pharmacy	11.69%
Other (please specify)	12.99%

HOUSING TYPES AND VISUAL PREFERENCE ONLINE SURVEY





From June 1, 2024, to June 30, 2024, the General Plan Update Team posted a short online survey to the project website that presented a variety of housing types and asked participants to identify those they felt would work best in Trinity County. This exercise was designed to better understand what smaller housing types and missing middle housing types were preferred by participants. This survey included two visual preference questions and took about two minutes to complete. At the end of the survey, participants had the option to sign up for the project e-blast list in order to stay informed on the County's Housing Element Update. Fifty-six individuals completed the survey. The ideas expressed through this survey generally fall under the following topics summarized below:

HOUSING TYPES AND VISUAL PREFERENCE ONLINE SURVEY Public Input Summary	
Comment	**Response to Comment**
In terms of small housing types, single-family homes on smaller lots, tiny homes, and Accessory Dwelling Units would work best for residents in the county.	The County has worked to encourage each of these housing types through revisions to the Land Use Element. See also Program HE-2 and Program HE-7.
In terms of higher density housing types, triplexes and apartments with 4-8 units would work best for residents in the county.	Through the 2050 General Plan Update, the County has expanded the allowed housing types in the medium density designation to include plexes and small apartments.

Question 1: A variety of smaller housing types are shown below. Please check those you feel will work best for residents in the county.

Answer Choices	Response percentage
Single Family Homes on Smaller Lots Single-family homes on smaller lots	76.79%
Duplexes	60.71%
Tiny Homes/Tiny Home Communities	71.43%
Accessory Dwelling Units/Granny Flats/Secondary Dwelling Units ADU	71.43%
Cottage Court Homes	32.14%

Findings: The smaller housing type that respondents felt best serves the residents of Trinity County was single family homes on smaller lots. They also believe that tiny homes and ADUs will serve the community as well. Many did not feel that cottage court style homes would work well for the residents of the county.

Response: This input was incorporated into revisions to the General Plan Land Use Element.

Question 2: A variety of medium-sized housing types are shown below. Please check those you feel will work best for residents in the county.

Answer Choices	Response percentage
Triplexes	67.39%
Fourplexes fourplex	36.96%
Courtyard Buildings	30.43%
Apartments with 4-8 Units	63.04%

Findings: Out of the medium-sized housing type options that are available, 67 percent of respondents believe that triplexes will best serve the residents of the county. Sixty-three percent of respondents also felt that apartments with 4-8 units would work well for the residents in the county.

Response: Through the 2050 General Plan Update, the County has expanded the allowed housing types in the medium density designation to include plexes and small apartments.

AFFIRMATIVELY FURTHERING FAIR HOUSING (AFFH) ONLINE SURVEY

From June 1, 2024, to June 30, 2024, the General Plan Update Team posted an online survey to the project website that aimed to understand potential fair housing issues in Trinity County. The survey questions prompted participants to provide information on any differences in housing access and affordability that may exist between communities within the county. The County used these responses to identify, understand, and respond to housing issues and the impacts they have on communities within the county. This survey included 11 questions and took about 10 minutes to complete. At the end of the survey, participants had the option to sign up for the project e-blast list in order to stay informed on the County's Housing Element Update. Thirty-nine individuals completed the survey. The ideas expressed through this survey generally fall under the following topics summarized below:

AFFIRMATIVELY FURTHERING FAIR HOUSING ONLINE SURVEY Public Input Summary	
Comment	**Response to Comment**
Rural areas that are lacking in services tend to be more affordable than more developed areas within the county.	The 2050 General Plan Land Use Element allows for an additional unit(s) on land designated rural residential and low density residential.
Lewiston, Hayfork, Douglas City, Trinity Pines/Post Mountain, and southern Trinity County overall are considered to be lower income/high poverty areas.	This information informed the local context reporting in the fair housing analysis. See Appendix A.
Many parts of the county do not have reliable access to internet and cell service, particularly outside of Weaverville and Hayfork.	This information informed the fair housing analysis. The County is working to address service deficiencies through the 2050 General Plan Public Facilities, Services, and Infrastructure Element.
Many homes are not being rehabilitated due to a lack of funding. Homes in high need of rehabilitation include housing built between the 1950s and 1980s, the Lewiston dam housing subdivision, Lower Mill Street in Weaverville, and some housing in Post Mountain, Zenia, and Hayfork.	This information informed the fair housing analysis. See also Program HE-17: Housing Rehabilitation.
The county's homeless population generally congregates in Weaverville and Hayfork adjacent to community services.	This information informed the fair housing analysis. See also Program HE-14.
There has been a noticeable increase in rents and sales prices countywide, particularly due to the high cost of insurance and the low stock of housing.	See Program HE-6 and Program HE-9.

SUMMARY OF INPUT RECEIVED

The table below summarizes input collected through the outreach process outlined above, including the workshop series, virtual workshop, and online surveys.

WHAT WE HEARD Public Input Summary		
Topic	**Comment**	**Response to Comment**
Rehabilitation of Existing Homes	Old and substandard housing is an issue throughout the county. Much of this housing could be made livable through rehabilitation of units.	See Program HE-17.
	Interest in grant program for rehabilitation of units for special needs groups, including manufactured housing for seniors.	See Program HE-10
	The local skilled labor force does not meet the demand needed to rehabilitate housing in the county.	See Program HE-18
	Many homes in county do not qualify for conventional loans due to being substandard, making it difficult for residents to purchase homes.	This comment informed the housing needs and fair housing analyses. See Program HE-8.
High Cost of Housing	A variety of housing is needed throughout the County, particularly affordable housing and mixed-use developments with commercial and residential units.	See Program HE-2
	The cost of rent and mortgage payments is too high considering typical local wages.	This comment informed the housing needs analysis.
	Interest in use of community land trusts to lower housing costs.	Comment noted. These could be incorporated when implementing strategies under Program HE-6 or Program HE-9.
	Interest in hotel to single-room occupancy conversions, building housing on parcels owned by religious organizations or County surplus land, and prioritizing nonprofit projects such as Habitat for Humanity	See Program HE-2
	In some cases, the cost of building permits and connecting to utilities makes residential development too costly to pencil out in the county.	This information informed the development of Program HE-9 and Program HE-12.
Impact of Wildfires on Housing	All insurance, including fire insurance, is expensive and difficult to maintain in the county, often costing more than mortgage payments.	This information informed the fair housing analysis.
	General concern over fire risks and emergency preparedness.	The County considered this in the development of the sites inventory. Sites outside of existing fire protection districts were not included.

WHAT WE HEARD Public Input Summary		
Topic	**Comment**	**Response to Comment**
Low Availability of Rental Units	There is an extremely low stock of rental units in the county, which makes it difficult to get new potential residents to move to the county for jobs.	See Program HE-2
	Some areas of the county have too many Airbnbs or other short-term vacation rentals which could instead be used as long-term rental units. The high prevalence of short-term rentals has driven up the cost of housing.	See Program HE-20.
	ADU development is often restricted by septic tank size, parcel size, distance from existing fire hydrants, and other permitting barriers.	See Program HE-7
	Apartments should be allowed on commercial parcels in Weaverville and Hayfork.	See Program HE-2
Special Housing Needs	There is a need for improved emergency shelter and transitional housing options in the county.	See Program HE-14.
Rehabilitation of Existing Homes	Old and substandard housing is an issue throughout the county. Much of this housing could be made livable through rehabilitation of units.	See Program HE-17.
	Interest in reinstating grant program for rehabilitation of units.	See Program HE-17
Disproportionate Housing Needs	There is a need for more housing which fits the needs of young families, seniors, and low income residents, such as smaller, single story units with no yard close to existing services.	See Program HE-2 and Program HE-6, which work to expand allowable housing types and encourage affordable rental housing.
Disparities in Access to Opportunity	Certain amenities are generally needed near residential developments: grocery stores and other retail shopping areas, schools, parks and play areas, open space and trails, and access to public transit.	This input informed the sites inventory.
	Some parts of the county do not have enough steady jobs to fill rental units.	This input informed the selection of multifamily sites in the sites inventory.
	Residents without access to a car have very few transportation options in the county.	The County considered proximity to transportation options in the selection

WHAT WE HEARD Public Input Summary		
Topic	**Comment**	**Response to Comment**
		of sites appropriate for lower-income capacity.
Potential Housing Sites	Owner of 21 Trunnel Drive in Hayfork (014-190-005-000 would like a rezone of property to allow multiple dwelling units and a motel/cottage rental.	The County incorporated this change into the sites inventory.
	Additional potential housing sites were identified based on input from the in-person workshop mapping exercises.	The County incorporated these changes into the sites inventory.
Preferred Housing Types	Smaller housing types: tiny homes, tiny home villages/communities, and accessory dwelling units	See Program HE-2
	Medium density housing: duplexes, Accessory Dwelling Units, and developments with a mix of commercial and residential uses. Smaller single family housing on small lots, cottage court homes, and courtyard buildings	See Program HE-2
	Other housing type needs: senior housing, supportive housing for those with special needs, and mixed-use developments	See Program HE-9.
	Accessory Dwelling Units could be incentivized through an easy, quick and expectable application and permitting process, as well as with reduced, waived, or deferred fees.	See Program HE-7.
	Multifamily developments should be prioritized in proximity to employment opportunities and along major transportation corridors.	The County considered proximity to employment and transportation options in the selection of sites appropriate for lower-income capacity.
Affirmatively furthering fair housing	Many parts of the county do not have reliable access to internet and cell service.	This input was reported in the fair housing analysis. The County is working to address this issue through the 2050 General Plan Public Facilities, Services, and Infrastructure Element.

WHAT WE HEARD Public Input Summary		
Topic	**Comment**	**Response to Comment**
	Many homes are not being rehabilitated due to a lack of funding. Homes in high need of rehabilitation include housing built between the 1950s and 1980s, the Lewiston dam housing subdivision, Lower Mill Street in Weaverville, and some housing in Post Mountain, Zenia, and Hayfork.	See Program HE-17.
Housing Amenities	New residential developments should be prioritized near grocery stores, retail shopping, parks, and open spaces.	The County considered proximity to services, grocers, and amenities in the development of the sites inventory.

STAKEHOLDER INTERVIEWS

During June and July 2024, the County's consultant team conducted interviews with local housing businesses, agencies, developers, and housing and community health advocates to gain an understanding of the housing conditions, issues, and opportunities in Trinity County. The input received during these interviews provides context on housing needs and constraints in the county. The interviews included eleven participants, identified below.

Name	**Details**
Dee Sanders	Trinity River Lumber Co.
Jesse Ferguson	Trinity County Health and Human Services
Sheri White	Human Response Network
Tom Gocha	Local Developer
Jeff Morris	Trinity County Office of Education
Fabio Robles	Trinity County Office of Education
Jessica Watkins	Northern Valley Catholic Social Services
Wendy Taylor	Northern Valley Catholic Social Services
Liz Hamilton	Trinity County Health and Human Services
Dana Ryan	Local Developer
Kristy Anderson	Trinity County Environmental Health

SUMMARY OF INPUT RECEIVED

Each interview lasted approximately 30 minutes and was conducted virtually via conference call or Zoom. After the facilitators provided a brief project overview, stakeholders were encouraged to provide their thoughts on local housing needs and constraints. This section summarizes themes that emerged across the interviews. Although a broad range of opinions and ideas were expressed during the interviews, comments can be generally summarized into issues and opportunities. With each summarized comment, the County has indicated how the information was incorporated into the Housing Element.

Please note that the opinions expressed in this summary are exclusively those of the stakeholders and do not necessarily reflect the opinions of Trinty County or its consultant team. All comments are paraphrased and presented without attribution.

ISSUES

- **Affordability.** Housing affordability is the most cited constraint to accessing housing in the county. Sale prices are reported to be out of reach for most residents and the lack of rental units leaves many residents without an alternative. Response: See Program HE-6, Program HE-8, and Program HE-10, which work to encourage affordable housing opportunities.
- **Substandard units.** There are many substandard units in the county. In some cases, these units continue to be occupied due to the lack of affordable housing options. The costs of improvement are often beyond what property owners can afford. Additionally, units in need of major repair are less likely to qualify for mortgages, which limits the pool of potential buyers. Response: See Program HE-17, which works to support housing rehabilitation.
- **Insufficient supply of rental units.** There is an insufficient number of rental units countywide. Due to the lack of available rental units in the county, rents have increased, students and skilled workers have left the county, open jobs have remained unfilled across a number of industries, local renters will remain in substandard units. Response: See Program HE-6, see also the 2050 General Plan Economic Development Element.
- **Cost of insurance.** The cost of insurance in Trinity County is a major constraint for homeowners and rental property owners. Due to the threat of wildfires and the exodus of insurance companies from the California market during the previous planning period, insurance costs have risen considerably in the county. The cost of insurance has displaced residents throughout the county. Further, high insurance costs impact the ability of property owners to complete repairs and maintenance, exacerbating the substandard housing issue. Response: This comment informed the housing needs and fair housing analyses. Program HE-8 seeks funding to create a homebuyer assistance program.
- **Rental prices.** Property owners have begun renting units at above market rate prices due to an imbalanced supply and demand. The supply of rental units is low, and the demand is high, prompting property owners to rent units for prices well above the market rate. Response: See Program HE-6, which encourages and incentives construction of new rental units. See also Program HE-7, which encourages the development of ADUs, a more affordable housing type.
- **Limited labor market.** The county's limited housing stock forces potential recruits to seek employment outside the county. Both the county and local business report that it can take as six months or more to find housing in the county and that most recruits cannot wait that long to start a new job. Workers that commute from Redding are susceptible to burnout due to the long commute. Response: This comment informed the housing needs analysis and fair housing analysis. The County worked to create capacity beyond the RHNA to encourage development to support a larger labor market.

- **Labor shortage.** The limited labor and housing markets have led to is a significant shortage of local skilled labor. The shortage of plumbers, contractors, builders, and electricians, in particular, has constrained housing development and rehabilitation. Residents have difficulty scheduling repairs, even when urgent (i.e., broken pipe), and home builders are limited by the lack of available skilled craftsmen. Response: This input informed the housing needs analysis. See also Program HE-18, which supports the development of a volunteer network of skilled professionals willing to provide workshops to teach home repair skills.
- **Employment constraints.** Local businesses and agencies have struggled to recruit and retain enough employees due to the shortage of housing. This reduces the potential services that businesses can provide. As existing skilled laborers continue to age into retirement, housing constraints in the county make it difficult to replace the previous generation of laborers. Response: The County is working to encourage development beyond the RHNA to support a wider employment base.
- **Workforce training/education.** Due to the lack of trade schools and colleges in the county, residents typically move to Redding to obtain the training, certification, or a degree they need. However, due to the lack of housing options in Trinity County, most never return to long-term residency in the county. Response: This input informed the housing needs analysis.
- **Housing and Health.** Housing insecurity has direct adverse effects on health and educational outcomes. Students living in unstable or substandard housing situations face difficulties in achieving educational goals. Response: The County is working through the Housing Element to provide access to affordable housing in high resource areas new transportation, goods, and services. Additionally, Program HE-17 works to support housing rehabilitation.
- **Public opinion on rental housing.** While some landowners have the means to develop additional housing on their land, many are apprehensive due to concerns about bad tenants, the potential for property damage, and requirements for evictions. Response: This comment informed the fair housing analysis.
- **Mining Tailings.** Developing over mine tailings is extremely costly and can take up to a year to remediate. Additionally, State housing grants do not offer funding for ground remediation, making mine tailings a major constraint to development. Response: Sites believed to be constrained by mine tailings were not included in the sites inventory.

OPPORTUNITIES

- **Housing Choice Vouchers.** The use of Housing Choice Vouchers (HCVs) is unpopular in Trinity County. As of 2024, HCVs are administered by the Shasta County Housing Choice Voucher program. Encouraging the use of HCVs and promoting wider local acceptance of the program would increase affordable housing options for residents while also ensuring occupancy for property owners. Response: see Program HE-20, which includes engagement with the Shasta County Housing Authority to discuss opportunities to support and expand HCV use.
- **Tiny homes and ADUs.** There is rising interest in the development of tiny homes and accessory dwelling units (ADUs) as a way of meeting affordable housing needs in the county. The County

should allow tiny homes in residential neighborhoods to spur production. Additionally, the preapproved ADU plans are a huge incentive for property owners and encourage the construction of housing affordable by design. Finally, while ADUs and tiny home villages should be encouraged, county residents, generally, prefer when these units provide some amount of privacy from neighbors. Response: The County is revising land use designations to encourage tiny homes, among other housing types. Program HE-7 works to encourage and incentivize ADUs.

- **Emergency shelters.** As of 2024, there are no emergency shelters in Trinity County. It is reported that 20 to 25 people experiencing homelessness in the county rely on hotels for short-term/monthly shelter. However, the costs to stay in these hotels is high and the rooms are often substandard. Both emergency shelters and transitional housing are needed to serve those experiencing homelessness. Response: See Program HE-14.
- **Homeless point-in-time counts.** Point-in-time counts (PITs) are conducted in January, resulting in unreliable estimates as those experiencing homelessness tend to travel to warmer regions during the winter months. This results in an inaccurate estimate of housing needs in the county. The County has an opportunity to conduct an additional PIT during the summer months to improve the accuracy of estimated housing needs. Response: See Program HE-14.
- **Hotels.** There is a need for new hotels in Trinity County, especially in Weaverville. Hotels are a critical asset that serve tourists, those traveling for business, residents, and the local economy. The majority of the existing hotels in the county require significant rehabilitation, which encourages visitors traveling to or through the county stay outside the county. The County has an opportunity to provide zoning and incentives to encourage the development of hotels. Response: The County worked with the public to identify parcels appropriate for multifamily uses and/ or hotels and incorporated this input into the sites inventory.
- **Multifamily housing.** There is a need for multifamily housing types in Trinity County to meet housing needs. The County should encourage multifamily uses in areas with services, retail businesses, and access to transportation routes. There are concerns in the community related to the management and upkeep of multifamily developments, however. Proper management of these developments is critical to ensure the long-term success of multifamily housing types. Response: The County worked to increase multifamily housing capacity through the development of the sites inventory, in coordination with the 2050 General Plan Land Use Element.
- **Public land and County surplus sites.** A large percentage of land in Trinity County is publicly owned by the State or Federal government, limiting the amount of developable land in the county. The County should prioritize higher density multifamily developments to ensure that developable areas can efficiently and effectively provide for the local housing need. Response: The County does not currently own any public surplus land that is appropriate for housing.
- **County organization.** County staff does not provide a comprehensive list of documents required for project applicants. This slows down the application process and leaves applicants guessing on what they need to provide for each project. The County has an opportunity to

significantly improve the permitting process by documenting and publicizing the steps and requirements involved with permitting residential and mixed-use developments. Response: See Program HE-2.

- **Economic Development.** The shortage of basic amenities and services in Trinity County forces residents to travel to neighboring counties for the goods and services they need. The local economy is limited by the lack of labor, which is limited by the lack of housing. The County has an opportunity to encourage the development of housing opportunities necessary to attract an employment base sufficient to serve the needs of businesses and the local economy. Response: The County is working to provide capacity beyond the RHNA to provide needed housing and support economic development.

PLANNING COMMISSION AND BOARD OF SUPERVISORS MEETINGS AND HEARINGS

The County will hold meetings and hearings with the Planning Commission and Board of Supervisors throughout the process of updating the Housing Element. Each meeting will incorporate opportunities for public comment.

BOARD OF SUPERVISORS STUDY SESSION #1: PUBLIC REVIEW DRAFT HOUSING ELEMENT

On April 3, 2024, County staff held a study session with the Board of Supervisors to kick off the 2024-2029 Housing Element Update. The meeting included a presentation summarizing the housing elements generally, new State requirements, and the Project scope of work. The in-person study session was broadcast on Zoom for those unable to attend.

BOARD OF SUPERVISORS/PLANNING COMMISSION JOINT MEETING: PUBLIC REVIEW DRAFT HOUSING ELEMENT

The County held a meeting with the Board of Supervisors and Planning Commission on March 4, 2025, to review the Public Review Draft Housing Element and receive comments from the Board, Commission, and public. The meeting was informational and provided an opportunity for supervisors and commissioners to ask questions of the Project Team related to state requirements and Housing Element implementation.

PLANNING COMMISSION ADOPTION HEARING

On June 26, 2025, the County held a public hearing with the Planning Commission to review the Public Hearing Draft Housing Element. This meeting included a presentation outlining the contents of the Housing Element, a summary of responses to HCD comments on the Draft Housing Element, and an opportunity for public input. To concluded the meeting, the Planning Commission recommended that the Board of Supervisors adopt the Public Hearing Draft Housing Element.

BOARD OF SUPERVISORS ADOPTION HEARING

On July 15, 2025, the County held a public hearing with the Board of Supervisors to review and adopt the Final Housing Element. This meeting included a presentation outlining the contents of the Housing Element, a summary of responses to HCD comments on the Draft Housing Element, and an opportunity for public input. The Board of Supervisors adopted the Public Hearing Draft Housing Element, with revisions, and adopted the adopting resolution (Resolution No. 2025-057) at the following meeting, held August 5, 2025.

CONSISTENCY WITH THE GENERAL PLAN

Government Code Section 65300 requires each county or city to adopt a comprehensive, long- term general plan for its physical development. Section 65302 states, "The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals." Section 65302 also enumerates seven elements which every general plan must include: land, circulation, housing, conservation, open space, noise, and safety.

In enacting Government Code Article 10.6 (Housing Elements), detailing requirements for the mandatory housing element, the California Legislature declared the availability of housing is a matter of "vital statewide importance" and "the early attainment of decent housing and suitable living environment for every California family is a priority of the highest order." To attain the state housing goal, the Legislature requires cooperative participation between government and the private sector, cooperation among all levels of government, and use of State and local government power to facilitate the improvement and development of housing for all economic segments of the community. The Legislature recognized that each local government in adopting a housing element must also consider economic, environmental, and fiscal factors as well as community goals set forth in the general plan.

Trinity County's 2024-2029 Housing Element Update meets the specific requirements of Government Code Article 10.6 and the intent of the HCD guidelines. It also meets the requirement of internal consistency.

The Housing Element goals, policies, objectives, and programs are consistent with and complement the land use and transportation goals, policies, objectives, and programs. Specifically, the Land Use Element provides for more than enough land for future housing needs. Both the Housing Element and the General Plan identify the need to expand housing in areas that already have services and infrastructure and to seek ways and means to expand infrastructure in existing communities, consistent with local community plans.

Effective January 2006, Senate Bill (SB) 1087 requires water and sewer providers to grant priority for service allocations to proposed developments that include units affordable to lower-income households. Pursuant to these statutes, upon adoption of its Housing Element, the element will be distributed to all county water and wastewater providers, along with a summary of its Regional Housing Needs Allocation (RHNA). See Program HE-4.

The County is currently undertaking comprehensive updates to the General Plan and Zoning Code. The 2050 General Plan will ensure compliance with recent legislation, including the safety and conservation elements. The Housing Element is being developed in combination with the 2050 General Plan to ensure consistency. The Zoning Code Update will be responsive to state law, the 2050 General Plan, and 2024-2029 Housing Element Update and will implement all housing action implementation measures involving updates to the zoning code or development standards. Additionally, if the General Plan is amended during the planning period, the County will review the Housing Element for internal consistency, and make any necessary revisions to address to ensure consistency within six months of identification.

CHAPTER 2: HOUSING NEEDS

POPULATION

POPULATION GROWTH TRENDS

Trinity County is composed of several small communities, with no incorporated cities. The majority of the county's population is concentrated in and around the communities of Weaverville, Hayfork, and Lewiston. These three communities are Census Designated Places (CDPs). Lesser concentrations of residents occur in Douglas City, Junction City, Burnt Ranch, Post Mountain, and Trinity Center. The rest of the population is dispersed throughout smaller communities, which include Salyer, Hawkins Bar, Big Bar, Del Loma, Big Flat, Coffee Creek, Hyampom, Wildwood, Mad River, Ruth, Zenia, and Kettenpom.

As shown in Table 8.14, with the addition of 2,326 residents, the county's population overall saw a nearly 17 percent increase from 2010 to 2020. Over this period, the county experienced an average annual increase of 232 residents (1.57 percent annually), according to the US Census data.

TABLE 8.14 POPULATION GROWTH TRENDS – TRINITY COUNTY, 2000–2020

Year	Population	Numerical Change	Average Annual Change	
			Number	Percentage
2000	13,022			
2010	13,786	764	76	0.55%
2020	16,112	2,326	232	1.57%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, 2000 Census Table DP1, 2010 and 2020 Census, Table P1.

The American Community Survey (ACS) 5-year estimates indicate that total population declined slightly to 15,898 in 2022. Most of this decline is attributed to displacement due to wildfire impacts, housing shortages, and limited employment opportunities. The Department of Finance estimates that the population in Trinity County will further decline to an estimated 15,727 residents by 2040.

Table 8.15 depicts population increases in neighboring counties. The changes have varied, with Shasta, Tehama, and Trinity counties showing the highest population growth between 2000 and 2020, at 24 percent, 33 percent, and 24 percent, respectively, according to the US Census and the California Department of Finance. Siskiyou County had the slowest growth (one percent) between 2000 and 2020.

TABLE 8.15 POPULATION TRENDS IN NEIGHBORING COUNTIES, 2000–2020

County	Population			Population Change (2000–2020)	
	2000	2010	2020	Number	Percentage
Trinity	13,022	13,786	16,112	3,090	24%
Shasta	147,036	177,223	182,155	35,119	24%
Humboldt	119,118	134,623	136,463	17,345	15%
Siskiyou	43,531	44,900	44,076	545	1%
Tehama	49,625	63,463	65,829	16,204	33%
Mendocino	80,345	87,841	91,601	11,256	14%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, 2000 Census Table DP1, 2010 and 2020 Census, Table P1.

POPULATION BY AGE

Table 8.16 compares population data for Trinity County by age. Between 2010 and 2021, the number of people in the 75 to 84 age group increased by over 90 percent and the 65 to 74 age group increased by 82 percent. Conversely, the 20 to 24 age group had a nearly 40 percent decrease in the same time frame, while the 45 to 54 age group had a decrease of approximately 20 percent. Further, the 55 to 59 age group decreased by nearly 15 percent, while the 15 to 19 and under 5 age groups decreased by 3.3 percent, and 13.1 percent, respectively. All other age groups increased at varying rates, according to the US Census, by between 10 and 44 percent. Generally, the county population is aging, as evidenced by the increase in median age in the county from 48.5 years in 2010 to 53.2 years in 2021.

TABLE 8.16 POPULATION BY AGE IN TRINITY COUNTY, 2010-2022

Age Group	2010		2022		Population Change	
	Number	Percentage	Number	Percentage	Number	Percentage
Under 5 years	663	4.8%	576	3.6%	-87	-13.1%
5 to 9 years	626	4.6%	785	4.9%	159	25.4%
10 to 14 years	744	5.4%	823	5.2%	79	10.6%
15 to 19 years	780	5.7%	754	4.7%	-26	-3.3%
20 to 24 years	660	4.8%	398	2.5%	-262	-39.7%
25 to 34 years	1,265	9.2%	1,514	9.5%	249	19.7%
35 to 44 years	1,478	10.8%	1,722	10.8%	244	16.5%
45 to 54 years	2,358	17.2%	1,891	11.9%	-467	-19.8%
55 to 59 years	1,323	9.7%	1,128	7.1%	-195	-14.7%
60 to 64 years	1,321	9.6%	1,902	12.0%	581	44.0%
65 to 74 years	1,507	11.0%	2,743	17.3%	1236	82.0%
75 to 84 years	638	4.7%	1,214	7.6%	576	90.3%
85 years and over	338	2.5%	439	2.8%	101	29.9%
Median age (years)	48.5		53.2			

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American community Survey (ACS), 2011 and 2022 5-Year Estimates, Table DP05.

Table 8.17 shows population data for children, working age adults, and seniors. As shown, a majority of the population of Trinity County is between the ages of 18 to 64 years old (55.9 percent). Just over 16 percent of residents are under the age of 18, and almost 28 percent of residents are 65 years or older.

TABLE 8.17 POPULATION AGE GROUP, TRINITY COUNTY, 2022

Age Group	Total	Percentage
Under 18 years	2,608	16.4%
18 to 64	8,885	55.9%
65 years and over	4,396	27.7%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American community Survey (ACS), 2022 5-Year Estimates, Table DP05.

As shown in Table 8.18, amongst the population of Trinity County 18 years and older, the county has a sex ratio of 109 males per 100 females. Among the population aged 65 and older the ratio is similar at 108 males per 100 females.

TABLE 8.18 POPULATION BY SEX AND AGE GROUP, TRINITY COUNTY, 2022

	Total
18 years and over	13,281
Male	6,926
Female	6,355
Sex ratio (males per 100 females)	109.0
65 years and over	4,396
Male	2,282
Female	2,114
Sex ratio (males per 100 females)	107.9

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American community Survey (ACS), 2022 5-Year Estimates, Table DP05.

Table 8.19 summarized population data by race. As shown, just over seven percent of the county's population identifies as Hispanic or Latino (of any race). Of this category, 36.1 percent identify as Mexican, 1.4 percent identify as Cuban, less than one percent identifies as Puerto Rican, and the remaining 62.3 percent are categorized as Other Hispanic or Latino.

The majority of the population (92.5 percent) identifies as not Hispanic or Latino, with approximately 85 percent of the total county population identifying as white alone. Approximately three percent of the county's population identifies as "American Indian and Alaska Native alone" followed by "Black or African American alone" with over one percent and "Native Hawaiian and other Pacific Islander alone," with less than one percent of the county's total population.

TABLE 8.19 POPULATION BY RACE, TRINITY COUNTY, 2022

	Total	Percent of Total Population	Percent of Population Group
Total population	15,889		
Hispanic or Latino (of any race)	1,198	7.5%	
Mexican	432	2.7%	36.1%
Puerto Rican	3	<0.1%	0.3%
Cuban	17	0.1%	1.4%
Other Hispanic or Latino	746	4.7%	62.3%
Not Hispanic or Latino	14,691	92.5%	
White alone	12,533	78.9%	85.3%
Black or African American alone	217	1.4%	1.5%
American Indian and Alaska Native alone	490	3.1%	3.3%
Asian alone	392	2.5%	2.7%
Native Hawaiian and Other Pacific Islander alone	54	0.3%	0.4%
Some other race alone	373	2.3%	2.5%
Two or more races	632	4.0%	4.3%
Two races including Some other race	201	1.3%	1.4%
Two races excluding Some other race, and Three or more races	431	2.7%	2.9%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American community Survey (ACS), 2022 5-Year Estimates, Table DP05.

EMPLOYMENT

EMPLOYMENT BY INDUSTRY

Table 8.20 shows employment by industry for residents of Trinity County. According to American Community Survey (ACS) data, there were approximately 5,200 employed residents in Trinity County in 2022. Industries categorized as "Educational services, and health care and social assistance" (15.69 percent), "Arts, entertainment, and recreation, and accommodation and food services" (15.38 percent), and "Construction" (15.15 percent) make up over 46 percent (2,404) of total county employment. Other significant industries in the county include "Agriculture, forestry fishing and hunting, and mining" (12.6 percent) and "Retail trade" (11.88 percent).

TABLE 8.20 EMPLOYMENT BY INDUSTRY – TRINITY COUNTY, 2022

Industry Type	2022	
	Estimate	Percentage
Civilian employed population 16 years and over	5,200	100.00%
Agriculture, forestry, fishing and hunting, and mining	655	12.60%
Construction	788	15.15%
Manufacturing	201	3.87%
Wholesale trade	64	1.23%
Retail trade	618	11.88%
Transportation and warehousing, and utilities	182	3.50%
Information	86	1.65%
Finance and insurance, and real estate and rental and leasing	135	2.60%
Professional, scientific, and management, and administrative and waste management services	254	4.88%
Educational services, and health care and social assistance	816	15.69%
Arts, entertainment, and recreation, and accommodation and food services	800	15.38%
Other services, except public administration	180	3.46%
Public administration	421	8.10%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American Community Survey (ACS), 2022 5-Year Estimates, Table S2405.

Table 8.21 summarizes data on employment by occupation. As shown, "Management, business, science, and arts occupations" were the largest proportion of occupations in the county at 36 percent of all occupations. This was followed by "Service occupations," (26 percent) and "Natural resources, construction, and maintenance occupations" (17 percent). "Sales and office occupations" and "Production, transportation, and material moving occupations" made up just under 12 percent and nine percent of all occupations, respectively.

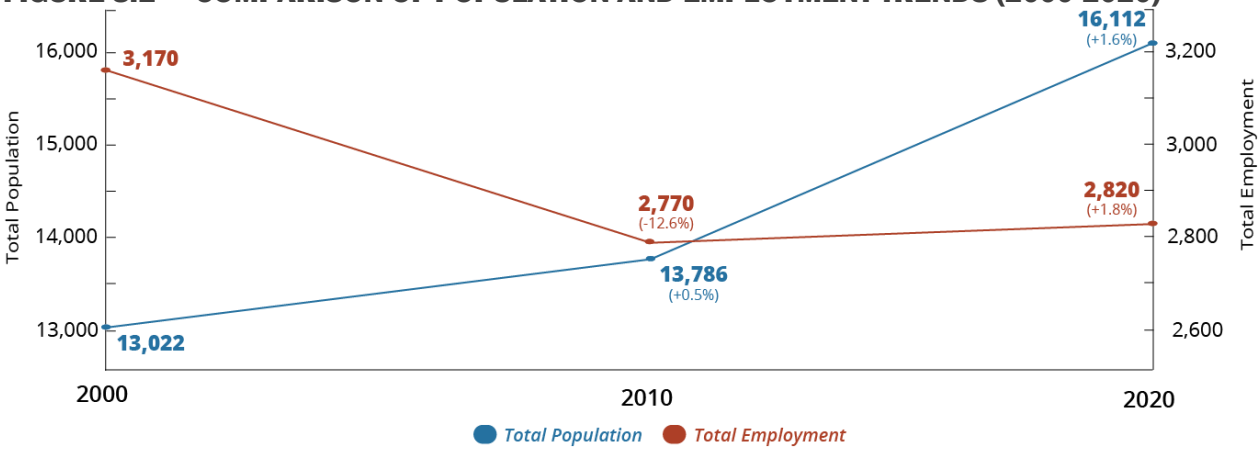
TABLE 8.21 EMPLOYMENT BY OCCUPATION, TRINITY COUNTY, 2022

Industry	Total	Percent
Total:	5,200	100.0%
Management, Business, Science, And Arts Occupations	1,872	36.0%
Service Occupations	1,342	25.8%
Sales And Office Occupations	619	11.9%
Natural Resources, Construction, And Maintenance Occupations	900	17.3%
Production, Transportation, And Material Moving Occupations	468	9.0%

Source: HCD Pre-approved Data Package, U.S. Census Bureau, American Community Survey (ACS), 2022 5-Year Estimates, Table S2405.

Figure 8.1 below compares the change in total population to the change in total employment for the years 2000, 2010, and 2020. As shown, there has been an inverse relationship between population and employment, with population increasing and employment decreasing over the 20-year period. As shown, since 2000 the county population grew by more than 3,000 people, while the number of jobs decreased by more than 300.

FIGURE 8.1 COMPARISON OF POPULATION AND EMPLOYMENT TRENDS (2000-2020)



Source: HCD Pre-approved Data Package, U.S. Census Bureau, 2000 Census Table DP1, 2010 and 2020 Census, Table P1. California Employment Development Department, 2019 Labor Market Information for the Northern Mountains Region.

EMPLOYMENT PROJECTIONS BY INDUSTRY

Table 8.22 lists the projected employment gains and losses for the Northern Mountains Region for the year 2026 from the California Employment Development Department. The Northern Mountains Region includes Lassen, Modoc, Nevada, Plumas, Sierra, Siskiyou, and Trinity counties. Overall, the region is projected to have the largest jobs gains in "Educational Services (Private), Health Care, and Social Assistance" with 2,180 new jobs disbursed throughout the region. "Government" is projected to have the next largest increase of 1,450 new jobs, with "Construction" next at 1,190 new jobs. The "Mining and Logging" industry is expected to shed about 30 percent of its total employment by 2026.

TABLE 8.22 INDUSTRY EMPLOYMENT PROJECTIONS THROUGH 2026 – NORTHERN MOUNTAINS REGION (LASSEN, MODOC, NEVADA, PLUMAS, SIERRA, SISKIYOU, AND TRINITY COUNTIES)

Industry Title	Annual Average Employment		Employment Change	
	2016	2026	Numerical	Percentage
Total Employment	74,440	81,070	6,630	8.9%
Total Farm	2,010	1,740	-270	-13.4%
Total Nonfarm	72,430	79,330	6,900	9.5%
Mining and Logging	410	290	-120	-29.3%
Construction	3,670	4,860	1,190	32.4%
Manufacturing	2,930	3,090	160	5.5%
Trade, Transportation, and Utilities	9,800	9,620	-180	-1.8%
Information	640	530	-110	-17.2%
Financial Activities	2,020	2,140	120	5.9%
Professional and Business Services	3,560	4,150	590	16.6%
Educational Services (Private), Health Care, and Social Assistance	9,740	11,920	2,180	22.4%
Leisure and Hospitality	8,390	9,500	1,110	13.2%
Other Services (excludes 814 private household workers)	2,830	3,120	290	10.3%
Government	22,430	23,880	1,450	6.5%

Source: California Employment Development Department, 2019 Labor Market Information for the Northern Mountains Region.

MAJOR EMPLOYERS

Table 8.23 lists major employers in Trinity County in 2024. Government agencies and schools appear most frequently on the list, along with a lumber company, medical services, a golf course, and a non-profit agency providing vocational guidance.

TABLE 8.23 MAJOR EMPLOYERS - TRINITY COUNTY, 2024

Employer Name	Location	Industry	Number of Employees
Trinity Alps Unified Sch District[1]	Weaverville	School Districts	100-249
Trinity River Lumber	Weaverville	Sawmills	100-249
USDA Forrest Svc	Weaverville	Federal Government-Executive Offices	100-249
Dawn Hospice	Weaverville	Hospices	20-49
Douglas City Elementary School	Douglas City	Schools	20-49
Hayfork High School	Hayfork	Schools	20-49
Highway Patrol	Weaverville	Government Offices-State	20-49
Lewiston Elementary Schl District	Lewiston	School Districts	20-49
Southern Trinity Joint Unified	Mad River	School Districts	20-49
Trinity Alps Golf Course	Weaverville	Golf Courses	20–49
Trinity County Behavioral Health	Weaverville	Government Offices-County	20–49
Trinity County Resource	Weaverville	Environmental Conservation/Ecological Organization	20–49
Trinity County Sheriff	Weaverville	Government Offices-County	20–49
Trinity County Supt-Schools	Weaverville	School Districts	20–49
Watershed Research & Training	Hayfork	Vocational Guidance	20–49
California Department	Lewiston	State Govt-Correctional Institutions	50-99
County Landfill	Weaverville	Government Offices-County	50-99
Hayfork Elementary School	Hayfork	Schools	50-99
Trinity County Dept-Transportation	Weaverville	Government Offices-County	50-99
Trinity County Jail	Weaverville	Government Offices-County	50-99
Trinity High School	Weaverville	Schools	50-99
Weaverville Elementary School	Weaverville	Schools	50-99
Hayfork RS	Hayfork	Farming Service	50–99
Health & Human Svc Dept	Weaverville	Government Offices-County	50–99
Shasta Trinity National	Weaverville	Government Offices-State	50–99

[1] *Trinity Alps Unified School District employment totals include Trinity High School and Weaverville Elementary.*
Source: California Employment Development Department, Labor Market Info, Largest Employers by County, 2024.

JOBS-TO-HOUSING BALANCE

Commute times and distances play an important role in housing affordability. These distances are also an indicator of a community's jobs-to-housing balance. Communities with longer commutes generally have what is considered a poor jobs-to-housing balance, while those with shorter commutes tend to have a strong balance, meaning there is a sufficient number of jobs in the community to serve the residents who are in the workforce. The additional costs associated with extended commuting disproportionately burden lower-income households who must spend a larger portion of their overall

income on fuel and other transportation costs, affecting a household's ability to afford decent housing. Table 8.24 highlights the number of commuters traveling for a given length of time in Trinity County. Of the 5,176 estimated commuters in 2022, approximately 62 percent (3,229 commuters) traveled less than 30 minutes to work one way. The mean travel time to work is just over 31 minutes, which in the rural communities of Trinity County would seem to indicate a relatively strong jobs-to-housing balance. According to the 2022 ACS, approximately 87 percent of all Trinity County residents work within the county.

TABLE 8.24 TRAVEL TIME TO WORK – TRINITY COUNTY, 2022

	Number of Commuters	Percentage of Commuters
Less than 10 minutes	932	18.0%
10 to 14 minutes	657	12.7%
15 to 19 minutes	1263	24.4%
20 to 24 minutes	305	5.9%
25 to 29 minutes	72	1.4%
30 to 34 minutes	683	13.2%
35 to 44 minutes	450	8.7%
45 to 59 minutes	295	5.7%
60 or more minutes	518	10.0%
Total Commuters	5,176	100%

Source: US Census Bureau, ACS 2022 Five-Year Estimates, Table S0801.

HOUSEHOLD CHARACTERISTICS

The US Census Bureau defines a household as all persons who occupy a housing unit. This includes single persons, families, and unrelated individuals living together. Persons living in group quarters such as retirement homes, dormitories, and prisons are counted separately from the household population. The following sections present household characteristics in Trinity County.

HOUSEHOLD GROWTH AND TENURE TRENDS

Tenure refers to whether a unit is owner or renter occupied. Table 8.25 indicates the total number of households in the years 2010, 2017, and 2022 categorized by tenure. This table shows that from 2010 to 2017, Trinity County lost 427 households, a decrease of over seven percent. Trinity County has had a consistently high rate of homeownership, including nearly 71 percent in 2022. The high rate of homeownership seems to be impacted by the large number of mobile homes (which tend to cost less than site-built homes), the generally lower cost of homeownership in Trinity County compared to most urban areas of the state, and the dominance of single-family housing types.

TABLE 8.25 HOUSEHOLDS BY TENURE - TRINITY COUNTY, 2010–2022

Year	Number of Households	Owner-Occupied	Percentage	Renter-Occupied	Percentage
2010	5,889	4,328	73.5%	1,561	26.5%
2017	5,462	3,758	68.8%	1,704	31.2%
2022	5,483	3,883	70.8%	1,600	29.2%

Source: HCD Pre-Approved Data Package, US Census Bureau, 2010 Demographic Summary Profile and ACS Five-Year Estimates 2017, 2022, Table S1101.

The lower percentage of rental housing and the poor condition as identified in the housing condition section of this report are indicators of a need for affordable rental housing. Any growth in the number of service-oriented jobs will require an increase in the number of affordable rental housing units.

Table 8.26 shows household tenure by age. Within the "owner occupied" group, the highest proportion of homeowners is between the ages of 65 to 74 (32.3 percent of all homeowners), followed by the 75 to 84 year age group (17.6 percent of all homeowners). Only about 18 percent of all homeowners are below the age of 45, compared to over 40 percent among renter-occupied households. Notably, 35.4 percent of rental-occupied units are occupied by a householder 60 years of age or older, indicating a need for senior rental housing in the county.

TABLE 8.26 HOUSEHOLDS BY TENURE AND AGE – TRINITY COUNTY, 2022

	Estimate	Percent of Total Households	Percent by Tenure
Total:	5,492		
Owner occupied:	3,862	70.3%	100.0%
Householder 15 to 24 years	1	<0.1%	0.0%
Householder 25 to 34 years	239	4.4%	6.2%
Householder 35 to 44 years	406	7.4%	10.5%
Householder 45 to 54 years	334	6.1%	8.6%
Householder 55 to 59 years	358	6.5%	9.3%
Householder 60 to 64 years	478	8.7%	12.4%
Householder 65 to 74 years	1,247	22.7%	32.3%
Householder 75 to 84 years	679	12.4%	17.6%
Householder 85 years and over	120	2.2%	3.1%
Renter occupied:	1,630	29.7%	100.0%
Householder 15 to 24 years	41	0.7%	2.5%
Householder 25 to 34 years	306	5.6%	18.8%
Householder 35 to 44 years	338	6.2%	20.7%
Householder 45 to 54 years	210	3.8%	12.9%
Householder 55 to 59 years	157	2.9%	9.6%
Householder 60 to 64 years	51	0.9%	3.1%
Householder 65 to 74 years	289	5.3%	17.7%
Householder 75 to 84 years	173	3.2%	10.6%
Householder 85 years and over	65	1.2%	4.0%

Source: HCD Pre-Approved Data Package, US Census Bureau, ACS Five-Year Estimates 2022, Table B25007.

Table 8.27 shows household tenure by size of household. Within the "owner occupied" group, a majority of households consist of 1-person or 2-person households, at approximately 40.7 percent and 43.1 percent of all owner-occupied households, respectively. Just 5.5 percent of all owner-occupied households consist of more than five people. Similarly, a majority of "renter occupied" households consist of 1-peson or 2-person households, at approximately 41.5 percent and 33.9 percent of all renter occupied households, respectively. Just under eight percent of all renter-occupied households consist of more than five people.

TABLE 8.27 HOUSEHOLDS BY TENURE AND SIZE – TRINITY COUNTY, 2022

	Estimate	Percent of Total Households	Percent by Tenure
Total:	5,483		
Owner occupied:	3,883	70.8%	100.0%
1-person household	1,582	28.9%	40.7%
2-person household	1,672	30.5%	43.1%
3-person household	167	3.0%	4.3%
4-person household	251	4.6%	6.5%
5-person household	45	0.8%	1.2%
6-person household	123	2.2%	3.2%
7-or-more person household	43	0.8%	1.1%
Renter occupied:	1,600	29.2%	100.0%
1-person household	664	12.1%	41.5%
2-person household	542	9.9%	33.9%
3-person household	149	2.7%	9.3%
4-person household	118	2.2%	7.4%
5-person household	95	1.7%	5.9%
6-person household	32	0.6%	2.0%
7-or-more person household	0	0.0%	0.0%

Source: HCD Pre-Approved Data Package, US Census Bureau, ACS Five-Year Estimates 2022, Table B25OO.

HOUSEHOLD INCOME

A major factor affecting a household's ability to afford adequate housing is income. Median income is an economic indicator identifying the midpoint or middle income of an area's income distribution; 50 percent of all community households earn more than the median and 50 percent earn less. The US Department of Housing and Urban Development (HUD) and California Department of Housing and Community Development (HCD) have established income categories using county area median income (AMI) as adjusted for household size. These income categories are a guideline for defining housing needs and include the extremely low-, very low-, and low- income categories.

Table 8.28 illustrates the 2023 HCD maximum income limits for each income category Trinity County by household size. These income limits are produced for the purpose of calculating eligibility and rent cost for income-restricted affordable housing. HCD, pursuant to federal and State law, adjusts median income levels for all counties so they are not less than the non-metropolitan county median income established by HUD ($87,900 for a household of four in 2024). For Trinity County, HCD applied this minimum median income, which equates to $61,550 for a single-person household annually.

TABLE 8.28 INCOME LEVELS - TRINITY COUNTY, 2023

Income Limit Category	Persons in Household			
	1	2	3	4
Extremely Low (0–30% AMI)	$17,350	$19,900	$24,860	$30,000
Very Low (31–50% AMI)	$28,900	$33,000	$37,150	$41,250
Low (51–80% AMI)	$46,200	$52,800	$59,400	$65,950
Moderate (81–120% AMI)	$70,400	$80,450	$90,500	$100,500

Source: HCD 2023.

While HCD's income limits are controlled by State and federal law, the actual median income in the county is much lower. According to American Community Survey data for 2022, the median income in the county was just $47,317. This equates to $37,853 for a low-income household, $23,658 for a very low-income household, and $14,195 for an extremely low-income household.

As noted above, the State determines the income levels annually for use in calculation eligibility and rent cost of income-restricted affordable housing units. In developing the income limits, the State applies a methodology that works to protect rents from shifts in the area median income by never decreasing below a minimum threshold. When the minimum threshold is applied, a greater number of residents may qualify for income-restricted assisted housing, however, some households may have to pay more than 30 percent of their income on rents to afford rent calculated in this manner.

Table 8.29 highlights Trinity County's income distribution for households by tenure, as estimated by the 2022 ACS. Overall, owner-occupied households tend to have higher incomes than renters, with 67 percent of owners making more than $35,000, compared to 45 percent among renters. Further, 21.2 percent of renter households have income lower than $15,000 compared to 10.6 percent owner-occupied households.

TABLE 8.29 HOUSEHOLD INCOME BY TENURE – TRINITY COUNTY, 2022

	Total		Owner-Occupied		Renter-Occupied	
Income Category	Number	Percentage	Number	Percentage	Number	Percentage
Less than $5,000	284	5.2%	145	3.7%	139	8.7%
$5,000 to $9,999	260	4.7%	223	5.7%	37	2.3%
$10,000 to $14,999	209	3.8%	46	1.2%	163	10.2%
$15,000 to $19,999	274	5.0%	172	4.4%	102	6.4%
$20,000 to $24,999	429	7.8%	320	8.2%	109	6.8%
$25,000 to $34,999	672	12.3%	349	9.0%	323	20.2%
$35,000 to $49,999	753	13.7%	598	15.4%	155	9.7%
$50,000 to $74,999	841	15.3%	575	14.8%	266	16.6%
$75,000 to $99,999	575	10.5%	498	12.8%	77	4.8%
$100,000 to $149,999	518	9.4%	343	8.8%	175	10.9%
$150,000 or more	668	12.2%	614	15.8%	54	3.4%
Total	5,483	100.0%	3,883	70.8%	1,600	29.2%

Source: US Census Bureau, ACS Five-Year Estimates, 2022, Table S2503.

OVERCROWDED HOUSEHOLDS

The US Census Bureau defines overcrowding as when a housing unit is occupied by more than one person per room (not including kitchens and bathrooms). Units with more than 1.5 persons per room are considered severely overcrowded and indicate inadequate housing.

Overcrowding is not a significant housing issue in Trinity County according to the ACS. Table 8.30 indicates that as of 2022, 96 percent of owner households and about 93 percent of renter households are occupying units of sufficient size. Overall, about five percent of total households are overcrowded, 21 of which are severely overcrowded.

TABLE 8.30 OVERCROWDED HOUSEHOLDS – TRINITY COUNTY, 2022

Persons per Room	Total		Owner		Renter	
	Households	Percentage	Households	Percentage	Households	Percentage
1.00 or less	5,213	95.1%	3,729	96.0%	1,484	92.8%
1.01 to 1.50	249	4.5%	133	3.4%	116	7.3%
1.51 or more	21	0.4%	21	0.5%	0	0.0%
Total	5,483	100.0%	3,883	100.0%	1,600	100.0%

Source: HCD Preapproved Data Package, US Census Bureau, ACS Five Year Estimates, 2022, Table B25014.

HOUSEHOLDS OVERPAYING

Household overpayment is defined by State and federal standards as monthly shelter costs greater than 30 percent of a household's income, with shelter costs being the monthly owner costs including

mortgages, debts on the property, taxes, insurance, and utilities, or the monthly rent plus monthly utilities costs. When paying 50 percent or more, a household falls into the category of severe overpayment. It is important to view overpayment in terms of tenure because renters, especially lower-income renters, tend to pay a larger percentage of their household income toward housing, which leaves less income for other necessities such as food, clothing, transportation, and education. For owners, the cost of housing tends to be more stable and declines over time, as mortgage payments remain constant while income grows.

The HUD Comprehensive Affordable Housing Strategy (CHAS) data, as adapted from the ACS, estimated that approximately 33 percent of all households are households earning less than 80 percent of the area median income and paying more than 30 percent of their income toward shelter costs. Table 8.31 shows to what extent occupied housing units (households) are overpaying for housing costs by tenure and whether or not they were cost burdened (spending 30–50 percent of household income on housing) or severely cost burdened (spending 50+ percent of household income on housing). According to the most recent CHAS data, of all owner-occupied households, 26 percent were overpaying for housing costs in 2020, while 48.5 percent of all renter-occupied households were overpaying. Out of all severely cost burdened households (paying more than 50 percent of household income on housing), renters carried a higher cost burden than owners (25.1 percent compared to 1.52 percent, respectively).

TABLE 8.31 HOUSEHOLDS OVERPAYING – TRINITY COUNTY, 2020

Type of Household	Renter-Occupied Housing		Owner-Occupied Housing		All Occupied Housing	
	Number	% of Total Housing	Number	% of Total Housing	Number	% of Total Housing
Total Households	**1,855**	**100.0%**	**4,040**	**100.0%**	**5,895**	**100.0%**
Lower Income Households	1,450	77.7%	1,975	48.9%	3,425	58.1%
Total Paying More Than 30%	900	48.5%	1,050	26.0%	1,945	33.0%
Moderate Income	0	0.0%	295	28.1%	295	15.2%
Lower Income	900	100%	755	71.9%	1,650	84.8%
Extremely Low Income	*490*	*54.4%*	*305*	*29.0%*	*790*	*40.6%*
Very Low Income	*250*	*27.8%*	*195*	*18.6%*	*450*	*23.1%*
Low Income	*160*	*17.8%*	*255*	*24.3%*	*410*	*21.1%*
Total Paying More Than 50%	465	25.1%	465	11.5%	930	15.77%
Moderate Income	0	0.0%	20	4.3%	20	2.2%
Lower Income	465	100.0%	445	95.7%	910	97.8%
Extremely Low Income	*400*	*86.0%*	*275*	*59.1%*	*670*	*72.0%*
Very Low Income	*65*	*14.0%*	*100*	*21.5%*	*170*	*18.3%*
Low Income	*0*	*0.0%*	*70*	*15.1%*	*70*	*7.5%*

Source: HCD Pre-approved Data Package, CHAS 2020.

On a case-by-case basis, affordable housing has been provided with Community Development Block Grants (CDBG) and HOME Investment Partnership Program (HOME) grants and loans. While these programs have been helpful, they have reached a very small percentage of those in need of relief from the burden of housing overpayment. Through the 2050 General Plan and Comprehensive Zoning Code Update scheduled for adoption in 2026, the County is working to address housing costs by increasing residential capacity in areas with sufficient infrastructure and providing incentives to encourage affordable housing, including units appropriate for lower-income households with special housing needs. The success of these efforts is contingent on adoption and implementation of the General Plan and Zoning Code Updates, in addition to this Housing Element. For more information, please see Program HE-2 and Program HE-3.

HOUSING PROBLEMS

Households with housing problems include those that are cost burdened, overcrowded, or occupy a unit without complete kitchen or plumbing facilities. As described above, households with a cost burden are households paying shelter costs in excess of 30 percent of their household income, and overcrowded households are those with more than one person per room. Table 8.32 summarizes households by tenure and income category and housing problem(s), as reported by CHAS. This data indicates that approximately 67 percent (970) of all renter households making less than 80 percent of

the area median income (AMI) have any housing problems, while approximately 40 percent (795) of all owners making less than 80 percent of the area median income have any housing problems. There is a significant difference between low-income renters and owners with housing problems, which only further illustrates the need for affordable rental housing options for Trinity County residents.

TABLE 8.32 HOUSING PROBLEMS, TRINITY COUNTY, 2020

Household Income Category	With Problems			All Households		
	Owners	Renters	Total Households with Problems	Owners	Renters	Total Households
0–30% AMI	315	490	805	525	650	1,175
30%–50% AMI	230	255	485	635	325	960
50%–80% AMI	250	225	475	815	475	1,290
80%–100% AMI	100	0	100	435	175	610
100% AMI or more	350	25	375	1,640	230	1,870
Total Households	1,250	990	2,240	4,040	1,855	5,895
Percentage of Lower-income Households (0–80% AMI) with any housing problems				40.25%	66.90%	51.53%

Source: State of the Cities Data Systems: Comprehensive Housing Affordability Strategy (CHAS) Data 2020
Note: It is important to recognize that, similar to ACS data, the CHAS dataset uses small samples and is subject to large margins of error and therefore may have totals and percentages that are slightly different from other data sources used in this document.

HOUSING AFFORDABILITY

Table 8.33 outlines the maximum affordable home prices for extremely low-, very low-, low-, and moderate-income households. Maximum affordable monthly mortgage payments, assuming a required 10 percent down payment, are determined by allowing 30 percent of household income for housing costs, based on each income category for a variety of household sizes. According to the table, an extremely low-income household of four can afford a maximum home price of $103,582, a very low-income household of four can afford a maximum home price of $140,097, a low-income household of four can afford a maximum home price of $220,223, a median income household of four can afford a maximum home price of $273,671, and a moderate income household of four can afford a maximum of $372,102. All maximum affordable home prices in trinity county are below the 2023 median housing sales price in the county of $331,261. Housing subsidies would be needed to make homeownership affordable for households across all income categories. Homeownership assistance programs at the local level and through the state would be necessary in making homeownership affordable for residents across all income categories.

All households seeking homeownership face the challenge of obtaining the funds necessary to pay the down payment and closing costs, as such funding is substantially harder to collect or obtain by the lower income groups. While homeowners are paying more for housing costs, they have benefits, which are not available to renters, including building equity in their home as a major investment and having the option to sell their home.

Table 8.33 also assesses the monthly rents affordable to households of different sizes in the different income categories. An extremely low-income four-person household can afford maximum monthly rental payments of up to $614 and very low-income four-person households can afford monthly rental payments up to $844, while low-income households of the same size can afford rents up to $1,351. The range of current rents in the county shows that extremely low-income households will struggle to find rental housing within their budget and are likely to be cost burdened (see Table 8.38). Very low-income households would have difficulty paying for anything other than the most basic one-bedroom apartment or a studio unit. Low-income households could reasonably afford a two-bedroom and possibly a three-bedroom apartment. Moderate-income families could afford a three-bedroom unit. Lower-income families large households (five or more persons) likely have difficulty finding rental housing with a sufficient number of bedrooms without overpaying.

TABLE 8.33 HOUSING AFFORDABILITY BASED ON MEDIAN INCOME – TRINITY COUNTY

Income Category	1-Person	2-Person	3-Person	4-Person
Extremely Low				
Annual income	$14,195	$16,281	$20,339	$24,545
Monthly income	$1,183	$1,357	$1,695	$2,045
Max. monthly rent	$355	$407	$508	**$614**
Max. sales price	$62,645	$70,896	$86,946	**$103,582**
Very Low				
Annual income	$23,658	$27,018	$30,417	$33,777
Monthly income	$1,972	$2,252	$2,535	$2,815
Max. monthly rent	$591	$675	$760	**$844**
Max. sales price	$100,074	$113,364	$126,807	**$140,097**
Low				
Annual income	$37,853	$43,261	$48,668	$54,035
Monthly income	$3,154	$3,605	$4,056	$4,503
Max. monthly rent	$946	$1,082	$1,217	**$1,351**
Max. sales price	$156,219	$177,609	$198,995	**$220,223**
Median				
Annual income	$47,317	$54,072	$60,827	$67,548
Monthly income	$3,943	$4,506	$5,069	$5,629
Max. monthly rent	$1,183	$1,352	$1,521	**$1,689**
Max. sales price	$193,652	$220,369	$247,087	**$273,671**
Moderate				
Annual income	$56,780	$64,886	$72,992	$81,057
Monthly income	$4,731.70	$5,407.18	$6,082.65	$6,754.77
Max. monthly rent	$1,419	$1,622	$1,824	**$2,026**
Max. sales price	$231,080	$263,142	$295,203	**$327,102**

Source US Census Bureau, ACS 2022 Five-Year Estimates, Table S1903.
Notes: Affordable monthly rent assumes 30% of gross household income, not including utility cost. Affordable housing sales prices are based on the following assumed variables: 10% down payment, 30-year fixed rate mortgage at 6.5% annual interest rate.

HOUSING STOCK CHARACTERISTICS

HOUSING UNITS BY TYPE

Table 8.34 shows the number of housing units by structure type. As shown, the majority of housing units in Trinity County are single-family detached structures. As of 2022, 76.5 percent of housing units in the county were single-family (1-unit) detached dwellings. The second largest category of housing units is mobile homes at 15.7 percent of existing units. Multifamily units (including housing structures with two or more units) make up only a small percentage of the county's housing stock at just over five percent of total housing units. Less than one percent of housing units in the county are in multifamily developments with 10 or more units.

TABLE 8.34 HOUSING UNITS BY STRUCTURE TYPE - TRINITY COUNTY, 2022

Structure Type	Total	Percent
Total housing units	8,201	100.0%
1-unit, detached	6,270	76.5%
1-unit, attached	69	0.8%
2 units	100	1.2%
3 or 4 units	113	1.4%
5 to 9 units	169	2.1%
10 to 19 units	40	0.5%
20 or more units	9	0.1%
Mobile home	1,288	15.7%
Boat, RV, van, etc.	143	1.7%

Source: HCD Pre-approved Data Package, ACS Five Year Estimates, 2022, Table DP04.

OCCUPIED HOUSING UNITS

Table 8.35 summarizes occupancy status by tenure. As shown, of the 8,201 total housing units in the county, just 5,483 (66.9 percent) were occupied in 2022. Vacant units in the county include a large proportion of housing units that are purposely left vacant for seasonal, recreational, or occasional use. Vacancy rates of five to eight percent for rental housing and one to two percent for ownership are generally considered healthy and suggest there is a balance between the demand for and the supply of housing. A high vacancy rate may indicate low demand due to high home values, interest rates, or insurance costs. A low vacancy rate may indicate that households are having difficulty in finding housing that is affordable, leading to overcrowding or households having to pay more than they can afford. When not accounting for seasonal vacancies, the vacancy rate in the county is estimated at 2.7 percent for ownership housing and 5.5 for rental housing, indicating a cooling for sale market and high demand for rental housing.

TABLE 8.35 HOUSING UNITS BY OCCUPANCY– TRINITY COUNTY, 2022

	Number	Percentage
Total housing units	8,201	100.0%
Occupied housing units	5,483	66.9%
Vacant housing units	2,718	33.1%
Vacant for rent	*93*	*1.1%*
Rented, not occupied	*3*	*0.0%*
Vacant, for sale only	*108*	*1.3%*
Sold, not occupied	*28*	*0.3%*
For seasonal, recreational, or occasional use	*1,908*	*23.3%*
For migrant workers	*15*	*0.2%*
All other vacant units	*563*	*6.9%*
Homeowner vacancy rate		**2.7%**
Rental vacancy rate		**5.5%**

Source: HCD Pre-approved Data Package, ACS Five Year Estimates, 2022, Table DP04T.

Trends related to the mix of housing units are expected to continue. Those building second homes, as well as retirees with a higher income, will continue to build single-family dwellings. For lower-income households, used mobile homes will continue to provide an economical source of permanent housing. Through the 2050 General Plan Update and Comprehensive Zoning Code Update, the County is revising standards to allow mobile home parks in all high-density multifamily zones. Manufactured housing will continue to be allowed in all districts allowing single-family homes, subject only to the requirements of traditional stick-built units.

HOMES SALES PRICE

A review of Zillow's home value index for Trinity County indicates that the average home value in 2022 was approximately $331,261, as shown in Table 8.36. Data available for Lewiston, Weaverville, Douglas City Hayfork, Junction City, and Trinity Center show that the average home values were lowest in Hayfork ($296,491) and Junction City ($296,666) and highest in Douglas City ($373,665).

TABLE 8.36 HOME VALUE INDEX

Community	2022 Home Value Index
Lewiston	$320,541
Weaverville	$312,239
Douglas City	$373,665
Hayfork	$296,491
Junction City	$296,666
Trinity Center	$304,071
Trinity County	$331,261

Source: www.zillow.com, Home Value Index, 2022, accessed January 2024.

Table 8.37 shows the range of home values for owner-occupied units in Trinity County, based on ACS data for 2022. The value of most units in the county falls between $200,000 and $499,999, accounting for more than 60 percent of all owner-occupied units. Approximately 15 percent of all owner-occupied units have a home value ranging from $500,000 to $999,999, while less than five percent of owner-occupied units have a value of $1,000,000 or more. About 20 percent of all owner-occupied units have a value of $199,999 or less.

TABLE 8.37 HOME VALUES, OWNER OCCUPIED - TRINITY COUNTY, 2022

	Total	Percentage
Owner-occupied units	**3,883**	**100.00%**
Less than $50,000	202	5.20%
$50,000 to $99,999	66	1.70%
$100,000 to $149,999	138	3.55%
$150,000 to $199,999	362	9.32%
$200,000 to $299,999	912	23.49%
$300,000 to $499,999	1,436	36.98%
$500,000 to $999,999	591	15.22%
$1,000,000 or more	176	4.53%
Median value (dollars)		**$326,200**

Source: HCD Pre-approved Data Package, ACS Five Year Estimates, 2022, Table DP04.

RENTAL PRICES

Rents are determined by the interaction of supply and demand within the housing market. The two most significant factors contributing to rental prices are location and condition. Table 8.38 provides samples of "typical" rental housing prices in Trinity County as identified through a point-in-time survey conducted in February and March 2025 using various apartment search websites. At the time of the survey, a total of 34 residential units were available for rent, a majority of which were located in Weaverville. As shown, rents can fluctuate greatly from $500 to $1,500 for a one-bedroom unit, from $950 to $1,950 for a two-bedroom unit, from $1,300 to $2,195 for a three-bedroom unit, and from $1,800 to $2,800 for a four-bedroom.

TABLE 8.38 RENTAL PRICES

Type	Number of Units Surveyed	Low	High	Average
One Bedroom	5	$500	$1,500	$810
Two Bedroom	20	$950	$1,950	$1,301
Three Bedroom	7	$1,300	$2,195	$1,814
Four Bedroom	2	$1,800	$2,800	$2,300

Source: Apartments.com, Trinity Journal classifieds, and Craigslist, February and March 2025.

Additional rental market data is available through rentdata.org, which reports the following fair market rents for the year 2024:

- 1-Bedroom: $784
- 2-Bedroom: $1,030
- 3-Bedroom: $1,451
- 4-Bedroom: $1,657

When compared to the rental prices listed in Table 8.38 above, these prices are all below the average rental prices but are within the reported low and high prices for each rental unit type. The only exception is four-bedroom units, which are valued at $143 lower than the lowest price reported in the table above ($1,800). This indicates that the rental prices reported in the point-in-time survey are similar to 2024 fair market rents.

Public input received on the Public Review Draft Housing Element indicates that, despite the lower rent costs in Trinity County compared to the state, rental prices in the Weaverville area are too high relative to the wages offered in the current job market.

Table 8.39 shows the distribution of rental costs across the 1,388 rental units in Trinity County in 2022. Nearly 36 percent of all renters paid between $500 to $999 in rental costs per month, followed by renters who paid $1,000 to $1,499 in rental costs, which made up approximately 31 of all renters. Notably, approximately 26 percent of all renters paid less than $500 in rental costs. The median monthly rental cost in 2021 was $928.

TABLE 8.39 OCCUPIED UNITS PAYING RENT - TRINITY COUNTY, 2022

	Total	Percentage
Occupied units paying rent	1,388	100.0%
Less than $500	360	25.9%
$500 to $999	498	35.9%
$1,000 to $1,499	432	31.1%
$1,500 to $1,999	62	4.5%
$2,000 to $2,499	30	2.2%
$2,500 to $2,999	6	0.4%
$3,000 or more	0	0.0%
Median (dollars)	$928.00	
No rent paid	212	15.3%

Source: HCD Pre-approved Data Package, ACS Five Year Estimates, 2022, Table DP04.

Input received through the community workshop series and stakeholder interviews indicate that rents shown in Table 8.38 and Table 8.39 are likely low, with several participants reporting that rents can exceed $2,000 a month in the county. Participants indicated that this increase can be attributed to the combination of low supply, increases in insurance costs, and increased demand. Participants explained that increased demand can be attributed to several factors, including:

- State requirements have increased the cost of new development such that affordable multifamily development in Trinity County is generally infeasible without significant financial or regulatory incentives, and
- Displacement due to wildfire, the cost of repair, or inability to obtain or afford insurance.

In addition to the monthly cost of rent, there are a variety of additional costs associated with rental housing. Rental property owners typically require the first month rental payment plus a security deposit prior to a tenant moving in, and some require a minimum monthly income of up to three times the monthly rent. There may also be requirements for deposits to connect to services such as water and electricity and possibly extra charges for additional people or pets. Due to these factors, the actual cost of moving into a rental unit often is a greater burden than the monthly rent.

RECENT HOUSING UNITS BUILT AND PERMITTED

County building trends for housing units has been primarily single-family homes. Multifamily housing construction has historically been sparse in the county, and no new multifamily permit applications were received during the previous planning period. The county has had trouble attracting developers of multifamily units. The rural nature, low incomes, and minimal infrastructure are some reasons cited by developers, residents, and stakeholders. Most home construction is sparked by individuals seeking single-family homes, and most subdivisions are small, consisting of four parcels or less. Table 8.40 shows that since 2019, 80 building permit applications have been approved, none of which were for multifamily units.

TABLE 8.40 RECENT HOUSING BUILDING PERMIT APPLICATIONS – TRINITY COUNTY, 2019–2023

Applications	2019	2020	2021	2022	2023	Total New Housing Permitted (2019–2023)
Single-Family	0	0	47	26	7	80
Multifamily	0	0	0	0	0	0

Source: Trinity County Planning Division 2024.

HOUSING STOCK CONDITIONS

Housing age can be an indicator of housing conditions within a community. Structures older than 30 years typically begin to show signs of deterioration and require reinvestment and, unless properly maintained, homes older than 50 years usually require major renovations (i.e., electrical rewiring, updated plumbing, foundation work) to remain in good working order.

Table 8.41 shows housing units by year constructed. As of 2022, most of the existing housing units countywide were constructed prior to 1990. Of the 8,201 housing units in the county in 2022, 3,627 units (44.2 percent) were built in the 1970s and 1980s when Trinity County experienced a major housing boom. Since 1990, only 2,105 housing units have been constructed, accounting for 25.6 percent of the total housing stock.

More than 30 percent of the total housing stock is at least 50 years old, and nearly 75 percent is at least 30 years old. This indicates that there is likely to be a large number of housing units in the county in need of major repair, renovation, or replacement.

TABLE 8.41 HOUSING UNITS BY YEAR BUILD - TRINITY COUNTY, 2022

Year	Number	Percentage	Age Range
Total:	8,201	100.0%	
Built 2020 or later	0	0.0%	0-30 years
Built 2010 to 2019	345	4.2%	0-30 years
Built 2000 to 2009	930	11.3%	0-30 years
Built 1990 to 1999	830	10.1%	0-30 years
Built 1980 to 1989	1,634	19.9%	30-50 years
Built 1970 to 1979	1,993	24.3%	30-50 years
Built 1960 to 1969	668	8.1%	50+ years
Built 1950 to 1959	940	11.5%	50+ years
Built 1940 to 1949	310	3.8%	50+ years
Built 1939 or earlier	551	6.7%	50+ years

Source: HCD Pre-Approved Data Package, US Census Bureau, ACS Five-Year, 2022, Table B25034.

Based on local knowledge provided by the County Planning Division and multiple workshop participants, home ages range throughout the county. However, most housing was built between the 1950s and 1980s. Around 30 to 40 percent of houses are believed to be in need of rehabilitation or replacement, but the exact percentage is unknown.

There are three distinct areas in the county which have a higher need for rehabilitation and/or replacement of housing units:

- The Lewiston Dam Subdivision
- Mill-era housing in Hayfork
- Any housing built around mills or dams, including in Weaverville

The full extent of rehabilitation requirements for these units is unknown, but some of these units are known to have crooked foundation or substandard utility access, raising concerns for resident safety and accessibility in these units.

2009 HOUSING SURVEY

A windshield survey was conducted by the County between January and March of 2009 in all portions of the county. A total of 1,511 homes were surveyed, including single-family, mobile, duplex, and multifamily. The survey showed a large number of homes in need of some form of rehabilitation.

Many of the residential units are very old, displaying signs of lead paint and asbestos problems, with substantial structural problems. In the surveyed area, 494 structures were found to be sound, 1,000 units needed some form of rehabilitation, and 55 needed replacement. The number of homes in need of repair or replacement increased since the previous survey conducted from 26.7 percent in 2003 to 45 percent in 2009.

TABLE 8.42 HOUSING CONDITIONS SURVEY – TRINITY COUNTY, 2009

	Sound	Minor	Moderate	Substantial	Dilapidated	Total
Single-Family	443	300	283	63	18	1,107
Mobile	41	19	102	149	34	345
Duplex	1	8	10			19
Multifamily	7	10	15	3	3	38
Total	492	337	410	215	55	1,509
Percentage	33%	22%	27%	14%	4%	100%

Source: Windshield survey conducted by Trinity County Grants and Trinity County Building Department, January–March 2009

According to the County staff, conditions for these homes have likely only worsened since 2009 as the age of the structures has increased. Program HE-17 is included to commit the County to applying for grant funding for a new housing conditions survey and to conduct the survey when funds are available.

SPECIAL HOUSING NEEDS

Certain segments of the population may have more difficulty finding decent, affordable housing due to their unique characteristics. Groups with special housing needs include the elderly, disabled persons (including those with developmental disabilities), large households, female-headed households, farmworkers, and persons experiencing homelessness. Examples of special housing needs include accessibility for the mobility impaired and other varied disabilities, emergency shelters and transitional housing for those with experiencing homelessness, and housing specifically designed for the physical and social needs of seniors.

PERSONS WITH DISABILITIES

Persons with disabilities may experience difficulty due to a lack of available housing that is specifically designed to accommodate disabilities. Inadequate bathrooms and kitchens, lack of ramps, and narrow hallways are examples of inappropriate design. In addition, persons with disabilities may also have low incomes due to work disabilities. Often, their housing needs are more costly than conventional housing.

Table 8.43 indicates the employment status of all disabled and non-disabled persons between the ages of 18 to 64. Of those with a disability within this age range, 78 percent are unemployed or not in the labor force. Those within this group may need housing assistance, especially if living on a fixed income.

TABLE 8.43 POPULATION 18 AND UNDER, BY EMPLOYMENT AND DISABILITY STATUS – TRINITY COUNTY, 2022

	Number	Percentage
Total population 18 years or older:	**8,756**	**100.0%**
In the labor force:		
Employed:	4,381	50.0%
With a disability	*213*	*2.4%*
No disability	*4,168*	*47.6%*
Unemployed:	392	4.5%
With a disability	*5*	*0.1%*
No disability	*387*	*4.4%*
Not in labor force:	3,983	45.5%
With a disability	*790*	*9.0%*
No disability	*3,193*	*36.5%*
Total working population with a disability	1,008	11.5%

Source: HCD Pre-Approved Data Package, US Census Bureau, ACS Five-Year, 2022, Table C18120.

In 2009, the County, via funds provided by the Mental Health Services Act, purchased a six- bedroom home, named the Alpine House, with the intended use as a board and care facility. This facility is operated by a licensed operator and provides for persons of 18 years of age or greater with mental

disabilities. A special district-operated convalescent hospital houses elderly disabled persons. Other individuals who are under court-mandated conservatorships may also be placed in a private apartment or other facility and be under the protection of an appointed public guardian with the assistance of an agency-sponsored case manager. Otherwise, it is assumed that disabled persons in the county are generally taken care of by family members, in their own home, or under the care of persons in an unregulated private home.

There are several types of disabilities, which can be physical and mental. Census information was collected on the number of persons with disabilities in Trinity County. Table 8.44 documents the number of persons with disabilities, by disability type. The totals exceed those shown in Table 8.43 because some people have been counted two or more times, depending on whether their disabilities put them into more than one category. Each disability suffered by an individual was tallied separately.

TABLE 8.44 PERSONS WITH DISABILITIES BY DISABILITY TYPE, TRINITY COUNTY, 2022

	Number	Percentage
Total Disabilities Tallied	**4,729**	**100.00%**
Total Disabilities for Ages 18-64	1,582	33.45%
Hearing Difficulty	*144*	*3.05%*
Vision Difficulty	*102*	*2.16%*
Cognitive Difficulty	*264*	*5.58%*
Ambulatory Difficulty	*761*	*16.09%*
Self-Care Difficulty	*41*	*0.87%*
Independent Living Difficulty	*270*	*5.71%*
Total Disabilities for Ages 65 and Over	2,850	60.27%
Hearing Difficulty	*815*	*17.23%*
Vision Difficulty	*341*	*7.21%*
Cognitive Difficulty	*251*	*5.31%*
Ambulatory Difficulty	*717*	*15.16%*
Self-Care Difficulty	*211*	*4.46%*
Independent Living Difficulty	*515*	*10.89%*

Source: HCD Pre-Approved Data Package, US Census Bureau, ACS Five-Year, 2022, Table S1810.

Persons with disabilities, or their advocates, seeking information or permits from the County to retrofit or construct handicap-accessible/friendly facilities in their residences are treated much the same as any other resident seeking to obtain a permit. No appointments are required.

Providing housing for persons with disabilities follows a similar procedure in the county as providing housing for any other special needs group. Trinity County has no special regulations, codes, or policies that would inhibit or constrain the development of housing for disabled persons other than complying with the most recently adopted edition of the Uniform Building Code.

The County has some policies, practices, or zoning laws that are not in full compliance with fair housing law. These include Density Bonus Law (Government Code Section 65915) and Senate Bill 35 (Government Code Section 65913.4). The County Code will be brought into compliance with these changes to state law as a part of the 2050 General Plan Update and Comprehensive Zoning Code Update. As new legislation is passed, the County regularly reviews its codes and ordinances to ensure compliance with the law.

Housing for persons with disabilities, including group homes that provide housing for fewer than six individuals, is allowed in any of the county's residential zoning districts. No General Plan policies regulate the location of special needs housing in relationship to one another. In the single-family residential zoning district, group homes of up to six individuals are not discriminated against, as required by State law, even though the individuals occupying the residence may not be related. Group homes housing more than six individuals require a use permit. The County has not processed many permits of this type in the past. Ensuring that such facilities are fully licensed and provide an acceptable occupancy standard for the safe and healthy use of their occupants is an essential component for future success of any new facility. Additional conditions that might arise from such a request could include ensuring adequate on-site parking and compliance with State law regarding water, sewage disposal, and building codes. When a use permit is required for development of a group home (12 or more individuals), a notice regarding the public hearing is placed in the local paper and notice is sent to surrounding landowners within 300 feet.

Trinity County has made special considerations for disabled housing in its parking requirements. The County adopted Ordinance No. 315-806 in January 2014 that amended Section 30.090(B) of the zoning code to allow up to a 50 percent parking reduction for senior housing or group care homes upon approval by the Planning Director.

PERSONS WITH DEVELOPMENTAL DISABILITIES

According to Section 4512 of the Welfare and Institutions Code, a "developmental disability" means a disability that originates before an individual attains age 18 years, continues, or can be expected to continue, indefinitely, and constitutes a substantial disability for that individual that includes intellectual disability, cerebral palsy, epilepsy, and autism. Senate Bill (SB) 812 requires Trinity County to include the needs of individuals with a developmental disability within the community in the special housing needs analysis.

Many developmentally disabled persons can live and work independently in a conventional housing environment. More severely disabled individuals require a group living environment where supervision is provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided. Because developmental disabilities exist before adulthood, the first issue in supportive housing for the developmentally disabled is the transition from the person's living situation as a child to an appropriate level of independence as an adult.

The California Department of Developmental Services currently provides community-based services to approximately 459,400 persons with developmental disabilities and their families through a statewide system of 21 regional centers. Trinity County is served by the Far North Regional Center, which provides point of entry to services to approximately 10,600 people with developmental

disabilities.[1] The center is a private, nonprofit community agency that contracts with local businesses to offer a wide range of services to individuals with developmental disabilities and their families. Table 8.45 provides information about the county's population of developmentally disabled persons based on their residence type and age group.

TABLE 8.45 PERSONS WITH DEVELOPMENTAL DISABILITIES BY TYPE OF RESIDENCY–TRINITY COUNTY, 2021

Community Care	Home with Parent or Guardian	Independent/ Supported Living	Intermediate Care Facility	Foster/ Family Home	Other	Grand Total
<237	<99	0	0	0	<11	>105
Developmental Disability by Age Group						
Under 18 years			Over 18 Years			Grand Total
<136			<204			<109

Source: HCD Pre-approved Data Packet: California Department of Developmental Services, 2021.

RESOURCES FOR PERSONS WITH DISABILITIES

A number of housing types are appropriate for people living with a development disability: rent-subsidized homes, licensed and unlicensed single-family homes, inclusionary housing, housing accepting Housing Choice (Section 8) vouchers, special programs for home purchase, and U.S. Housing and Urban Development (HUD) housing. The design of housing-accessibility modifications, proximity to services and transit, and availability of group living opportunities represent some of the types of considerations that are important in serving this special needs group. Incorporating "barrier-free" design in all new multifamily housing (as required by California and federal fair housing laws) is especially important to provide the widest range of choices for developmentally disabled residents. Special consideration should also be given to the affordability of housing, as people with disabilities may be living on a fixed income. The Section 8 (Housing Choice Voucher) Program for Trinity County is administered by the Shasta County Housing Authority (SCHA). The SCHA serves four counties (Trinity County, Shasta County, Modoc County, and Siskiyou County), and there are 769 vouchers in use across all of these counties. SCHA does not separately report on their Section 8 Program by county. As of September 2024, the waitlist has been closed since January 2024. The waitlist has remained closed due to a high waitlist beyond SCHA's capacity at over 1,900 households across all counties in January 2024. SCHA does not have an exact timeline for when the waitlist will reopen, but aims to reopen it once the waitlist is within SCHA's capacity to service (SCHA 2024).

Northern Valley Catholic Social Service (NVCSS) offers a housing opportunity program to people with developmental disabilities or mental illness, seniors, and families. The goal of the program is to promote the development of support services which contribute to the ability of residents to lead more independent lifestyles in an environment that reinforces the quality of their lives. NCVSS housing typically provides a resident manager, laundry facilities, and a community room. NCVSS offers 14 one-bedroom units located at Lewiston Apartments in Lewiston.

[1] *https://www.dds.ca.gov/rc/dashboard/overview/*

In-Home Supportive Services (IHSS) provides in-home assistance to people with disabilities and seniors to ensure that recipients can remain safely in their own home. IHSS is considered an alternative to out-of-home care, such as nursing homes or boarding and care facilities. To be eligible, you must be disabled, or over 65 years of age, or blind.

To improve access to housing for those with developmental disabilities, Program HE-10 commits the County to engaging housing providers and providing incentives to encourage development of housing appropriate for households with special housing needs, including those with a disability or development disability.

SENIORS

The special needs of many elderly households (those 65 and older) often result from fixed incomes, physical disabilities, and dependence needs. Table 8.46 provides estimates for Trinity County householders by age based on 2022 ACS data. This table shows that 46.5 percent of all households in Trinity County are headed by a person 65 years or older. Approximately 75 percent (1,916) of those elderly headed households are homeowners; while 25 percent (634) are renters.

TABLE 8.46 HOUSEHOLDERS BY TENURE BY AGE – TRINITY COUNTY, 2022

	Owner Occupied		Renter Occupied		Total	
Age Category	Number	Percentage	Number	Percentage	Number	Percentage
Householder 15–24 Years	1	0.0%	51	3.2%	52	0.9%
Householder 25–44 Years	695	17.9%	500	31.3%	1,195	21.8%
Householder 45–64 Years	1,271	32.7%	415	25.9%	1,686	30.7%
Householder 65 Years and Over	1,916	49.3%	634	39.6%	2,550	46.5%
Total	**3,883**	**100.0%**	**1,600**	**100.0%**	**5,483**	**100.0%**

Source: U.S. Census Bureau, ACS Five-Year Estimates, 2022, Table B25007.

Table 8.47 summarizes the senior households in the county by income. As shown, more than 40 percent of senior households in the county have incomes less than $35,000 and 76 percent make less than $60,000.

TABLE 8.47 SENIOR HOUSEHOLDS BY INCOME – TRINITY COUNTY, 2022

Income Bracket	Number of Households	Percentage of Households
$14,999 and Below	402	15.76%
$15,000 to $24,999	368	14.43%
$25,000 to $34,999	288	11.29%
$35,000 to $59,999	623	24.43%
$60,000 and Above	869	34.08%
Total Senior Households	**2,550**	**100.00%**

Source: U.S. Census Bureau, ACS Five-Year Estimates, 2022, Table B19037.

As they age, seniors face a number of needs related to their changing physical and financial capacity. As they become less mobile, seniors may require physical modifications to their homes to permit greater accessibility and increase their ability to live independently. Seniors need access to health care and other supportive services, as well as transportation access to these services. A common special need for a portion of the elderly population is assisted living facilities that combine meals and medical and daily living assistance in a residential environment.

Eskaton Hayfork Manor, a HUD 202 program facility, offers low-income senior housing in Hayfork. This development has a total of 30 independent living units for seniors in Trinity County. As of 2024, these units have been at full capacity for several years, with a typical wait list of around 10 people. Although this waiting list is relatively short compared to many other affordable senior housing developments in the state, the property manager of the development reported that there is still a need for additional affordable senior housing options in the county. Eskaton Hayfork Manor allows in-unit care and services for individual residents, but Eskaton does not provide these services directly. Short-term care needs and advising for tenants are occasionally provided by the social service coordinator or the property manager of the development; however, if tenants require a consistent higher level of care, Eskaton will coordinate their relocation to an assisted living facility. As of 2024, there are no assisted living facilities in Trinity County. The property manager reported that Trinity Hospital informally provides some assisted living services to residents, but many seniors who require assisted living must move out of the county to access assisted living services. It was also reported that some seniors who are unable to move out of the county and cannot access affordable housing options become homeless or live in their car (Eskaton Hayfork Manor 2024).

RESOURCES FOR SENIORS

Weaver Creek Senior Center, located at 80 Brown's Ranch Road in Weaverville, provides 38 low-income apartments available to seniors. All units are provided under Section 42, Low Income Tax Credit (LIHTC) program. Rents are based on the Area Median Income and tenant-based utility allowances. The Weaver Creek Senior Center is designed for seniors with moderate incomes, allowing below-market rents for those who qualify.

Eskaton Hayfork Manor Senior Apartments, located at 125 Hyampom Road in Hayfork, provides 30 apartments to any very low-income households comprised of at least one person who is at least 62 years old. Some units are designed to meet the needs of individuals with mobility impairments. Eskaton Hayfork Manor also accepts HUD subsidies for those who qualify, with rent based on 30 percent of adjusted gross income.

Weaver Creek Apartments, located at 50 Bartlett Lane in Weaverville, provides 26 low-income apartments available to seniors. All units are also provided under Section 42, Low Income Tax Credit (LIHTC) program. Rents are based on the Area Median Income and tenant-based utility allowances.

Lewiston Apartments, located at 21 1st Ave. in Lewiston, provides 14 one-bedroom apartments available to seniors, families, and population with developmental disabilities or mental illness through North Valley catholic Social Services (NVCSS).

In-Home Supportive Services (IHSS) provides in-home assistance to seniors and people with disabilities to ensure that recipients can remain safely in their own home. IHSS is considered an alternative to out-of-home care, such as nursing homes or boarding and care facilities. To be eligible, you must be over 65 years of age, or disabled, or blind.

LARGE HOUSEHOLDS

Large households are defined as households with five or more persons. Large households can have difficulty securing adequate housing with enough bedrooms to meet their needs. It becomes even more difficult when large families try to find adequate rentals within their budget, because rentals typically have fewer bedrooms than ownership housing. Low-income large families regularly need financial assistance to secure affordable housing that meets their space needs.

Table 8.48 identifies data on household size by tenure, which shows that, in 2022, there were 212 owner occupied large households and 127 renter-occupied large households. Total large households comprise just six percent of total households countywide.

TABLE 8.48 HOUSEHOLD SIZE BY TENURE – TRINITY COUNTY, 2022

Tenure	Households	Percent of Total
Total:	**5,483**	**100%**
Owner occupied:	3,883	71%
1-person household	*1,582*	*29%*
2-person household	*1,672*	*30%*
3-person household	*167*	*3%*
4-person household	*251*	*5%*
5-person household	*45*	*1%*
6-person household	*123*	*2%*
7-or-more person household	*43*	*1%*
Renter occupied:	1,600	29%
1-person household	*664*	*12%*
2-person household	*542*	*10%*
3-person household	*149*	*3%*
4-person household	*118*	*2%*
5-person household	*95*	*2%*
6-person household	*32*	*1%*
7-or-more person household	*0*	*0%*

Source: HCD Pre-Approved Data Package, U.S. Census, ACS Five-Year Estimates, 2022, Table B25009.

RESOURCES FOR LARGE HOUSEHOLDS

The primary resource for large households is housing of sufficient size. As noted previously in Table 8.48, there were a total of 338 large households countywide in 2022. Table 8.49 shows data on housing units by size countywide for the same year. As shown, there are 520 housing units with four or more bedrooms in Trinity County with the potential to serve large households. Although some of these units may be vacant for seasonal or recreational use, there is not a significant resource gap for large households in the county.

TABLE 8.49 HOUSING UNIT SIZE – TRINITY COUNTY, 2022

Type of Unit	Number of Units	Percent of Total
Studio	46	0.8%
1 Bedroom	754	13.8%
2 or 3 Bedrooms	4163	75.9%
4 or More Bedrooms	520	9.5%

Source: U.S. Census, ACS 5-Year Estimates, 2022, Table S2504.

FARMWORKERS

Table 8.50 shows the number of farms by the number of workers in Trinity County based on the most recent USDA Census of Agriculture (2017). At that time, the census counted a total of 27 farms, over half of which (14) only had one to two workers. Six farms had 10 workers or more, representing 22 percent of all farms with hired farm labor.

TABLE 8.50 FARMS BY NUMBER OF WORKERS 2017

	Attribute	Total	Percent
Hired farm labor	**farms**	**27**	**100%**
1 worker	farms	8	30%
2 workers	farms	6	22%
3 or 4 workers	farms	2	7%
5 to 9 workers	farms	5	19%
10 workers or more	farms	6	22%

Source: USDA Census of Agriculture 2017.

Table 8.51 shows the number of hired farmworkers by farm size based on the 2017 Census of Agriculture. A majority of farmworkers (over 70 percent) counted by the census worked for a farm that hired 10 workers or more. Thirty workers, or 18 percent of counted farmworkers were employed on farms with five to nine workers. The remaining 12 percent were employed by small farms with just one or two hired workers.

TABLE 8.51 FARMWORKERS BY FARM SIZE, 2017

	Attribute	Total	Percent
Hired farm labor	**workers**	**166**	**100%**
1 worker	workers	8	5%
2 workers	workers	12	7%
3 or 4 workers	workers	-	0%
5 to 9 workers	workers	30	18%
10 workers or more	workers	116	70%

Source: USDA Census of Agriculture 2017.

The characteristics of migrant and seasonal farmworkers make it difficult to collect data. They often do not have a fixed address and work intermittently in various agricultural and nonagricultural occupations during a single year, with only casual employer-employee links. Many live in rural, often remote areas. Many have limited English-speaking abilities and relatively low educational levels and are unfamiliar with and even distrustful of government agencies and agents, including those who work for the Census Bureau. Inaccurate data makes it difficult to determine the seriousness of housing and other needs and the types of services required by this population. Despite these difficulties with collecting accurate data, it is well known that wages for farmworkers tend to be some of the lowest, which indicates that affordable housing for farmworkers is an identified need and a priority of the State.

FARMWORKER HOUSING CHARACTERISTICS AND CONDITIONS (STATEWIDE)

According to the UC Merced Farmworker Health Study (FWHS), published in 2023, farmworkers in California were most likely to be renters (92 percent) than owners, to live in single-family homes (55 percent), and very few renters relied on employers to pay any or all of their rent (2 percent). The research suggests that farmworkers generally experience substandard housing (e.g., older homes, apartments, mobile homes, motels, garages, or other similar spaces), often requiring repairs such as new roofs, plumbing, heating and cooling systems, and termite clean-up. Poor ventilation and crowded spaces put farmworkers at increased risk for respiratory illnesses such as asthma and infectious diseases like tuberculosis and COVID-19.

The FWHS also found that farmworkers statewide faced issues related to the built environment of their homes. More than one-third (37 percent) reported a "taste of water at home" that was either very bad (24 percent) or bad (13 percent) — an indicator of poor water quality and possibly health risks. More than one in three also experienced problems keeping a house cool (39 percent) or warm (36 percent), issues that will only increase in time as climate change exacerbates the temperature extremes. Farmworkers also encountered problems related to water and moisture—such as rotting wood (16 percent), mold (14 percent), water damage (13 percent), and water leaks (12 percent).

Regarding households characteristics, FWHS respondents lived in large, overcrowded households with low incomes and several household problems, arrangements associated with decreased mental health. Farmworkers households were larger than the California average (3.0 persons per household), with a median household size of four persons. Over one-fourth (29 percent) of farmworkers' households had six or more persons. More than half (55 percent) of farmworkers reported that two persons (including

themselves) slept in their room—a figure somewhat less than the percent married (67 percent)—but more than one-fourth (25 percent) slept in a room with three or more persons indicating overcrowding.

Of statewide respondents to the FWHS, more than two-thirds (70 percent) of farmworkers lived in households with one or more children under the age of 18. The median number of children per household was two, and more than two in five (42 percent) households had three or more children. Only two percent of farmworkers lived in households with children who worked.

RESOURCES FOR FARMWORKERS

Farmworkers in Trinity County may not fit with other general farmworker trends discussed above. Many agricultural jobs in Trinity County are in the forest industry, including tree planting and logging operations. Additional agricultural jobs in the county include cannabis, grapes, and hay crops, as well as livestock operations. These types of operations do not require workers to be on the job site around the clock like some farming industries; as a result, many of their housing needs are addressed off the job site. As such, the primary resource for farmworkers is affordable housing generally. Through the General Plan Update the County recently increased the number and type of residential uses allowed in low density residential and agricultural zones. Additionally, Program HE-6 works to encourage and incentivize affordable housing generally, and Program HE-10 addresses the needs of farmworkers and others with special needs in Trinity County.

FEMALE-HEADED HOUSEHOLDS

The US Census provides data on the total number of households headed by a female, the number of those with children, and the number with incomes below the poverty level. The data is not provided separately by tenure. The data includes all female heads of households; those without children may be supporting parents, or a single parent may be supporting an adult child or relative. Female heads of household are often the households most in need of affordable housing, childcare, job training, and rehabilitation funds.

The 2022 ACS indicated that there were 402 female-headed households in Trinity County. Of the female-headed households, 241 households, about nine percent of all households, had children under the age of 18 and 190 were under the poverty level, representing about seven percent of all households.

TABLE 8.52 FEMALE-HEADED HOUSEHOLDS – TRINITY COUNTY, 2022

Householder Type	Number	Percentage of Total Householders
Female-Headed Householders	402	14.6%
Female Heads with Own Children	241	8.8%
Female Heads without Children	161	5.9%
Total Householders	2,751	100.0%
	Number	Percentage of Total Families Under the Poverty Level
Female-Headed Householders Under the Poverty Level	232	6.9%
Total Families Under the Poverty Level	365	10.9%

Source: HCD Pre-approved Data Package, U.S. Census, ACS Five-Year Estimates, 2022, Table B17012.

Most female-headed households are either single elderly women or single mothers. Traditionally, these two groups have been considered special needs groups because their incomes tend to be lower, making it difficult for them to obtain affordable housing, or because they have specific needs related to housing (such as childcare or assisted living support). Single-mother households have a greater need for housing with convenient access to childcare facilities, public transportation, and other public facilities and services.

Female-headed households with children and no spousal support frequently depend on public assistance and/or work in jobs that pay low wages. As a result, their housing choices are very limited, and most are probably paying more than 30 percent of their total incomes for housing. The County should encourage the development of affordable multifamily housing (see Program HE-6) and affordable day care facilities to help female-headed households meet their housing needs (see Program HE-20).

RESOURCES FOR FEMALE-HEADED HOUSEHOLDS

Human Response Network (HRN) provides housing resources through its Empowerment Services to domestic violence victims, sexual assault victims, and other crisis victims in Trinity County. Housing resources include emergency housing services and programs that aim to increase access to long-term housing. HRN provides a 24-hour crisis line and has a main office located at 111 Mountain View Street in Weaverville.

Housing Choice Voucher Program, operated by Shasta County, provides housing vouchers to low-income families who meet the Trinity County annual income limits.

EXTREMELY LOW-INCOME HOUSEHOLDS

Extremely low-income households are defined as households that make less than 30 percent of AMI. Most, if not all, extremely low-income households require rental housing. Extremely low-income households likely face housing problems such as overpaying, overcrowding, and/or accessibility issues as a result of their limited incomes. Extremely low-income households are more likely to experience

substandard housing conditions, and extremely-low income homeowners often cannot afford necessary repairs and improvements. Extremely low-income households can fall within a special needs category (disabled, seniors, large households, or female-headed households) and require supportive housing services, which are limited in Trinity County. Most families and individuals receiving public assistance, such as social security insurance or disability insurance, are considered extremely low-income households. Many minimum wage workers would also be considered extremely low-income households.

In 2022, the AMI was $47,317, which equates to just $14,195 for extremely low-income households. As reported in Table 8.29, there were 753 households with income less than $15,000, which account for nearly 14 percent of the 5,418 households in the county. As discussed above, there are currently just 769 Housing Choice Vouchers available to households across the four county region. Assuming these vouchers are distributed evenly by county, the County estimates a resource gap of more than 550 units affordable for extremely low-income households in Trinity County.

Extremely low-income households are more likely to face some form of housing problems. Housing problems include a lack of complete kitchen facilities, lack of complete plumbing facilities, an overcrowded household, or a cost burdened household. Data provided by the Comprehensive Housing Affordability Strategy (CHAS) identifies housing problems by income category and tenure. According to this data, in Trinity County, 69 percent of extremely low-income households experience housing problems, 68 percent are cost burdened, and 57 percent are extremely cost burdened (Table 8.53).

TABLE 8.53 COST BURDEN BY INCOME LEVEL AND TENURE

	Owners	Renters	Total Households	% of Total Households By Income Category
0-30% AMI	525	650	1,175	100%
Any housing problem	315	490	805	69%
Cost burden > 30%	305	490	795	68%
Cost burden > 50 %	275	400	675	57%
31-50% AMI	635	325	960	100%
Any housing problem	230	255	485	51%
Cost burden > 30%	195	250	445	46%
Cost burden > 50 %	100	65	165	17%
51-80% AMI	815	475	1,290	100%
Any housing problem	250	225	475	37%
Cost burden > 30%	255	160	415	32%
Cost burden > 50 %	70	0	70	5%

Source: HUD, CHAS Query Tool, 2016-2020, https://www.huduser.gov/portal/datasets/cp.html

Many of the extremely low-income households also likely fall within another special needs category (e.g., persons with a disability, seniors, female-headed households) and require supportive housing services. According to 2023 ACS data, there are 310 individuals with a disability, 381 seniors (65+), and 79 female-headed households living below the poverty line in the county, all of which are considered

extremely-low income.[2] These individuals and households are typically constrained by fixed-incomes or physical disability, as well as the need to balance childcare on a single-income. Due to these constraints, extremely-low income households benefit from specific housing solutions such as:

- Deeper income targeting for subsidies for programs such as housing choice vouchers and deed-restricted housing.
- Housing with supportive services.
- Single-room occupancy, tiny homes, studio units, accessory dwelling units, and/or shared housing.
- Rent subsidies (housing vouchers).
- Emergency and transitional housing for households at-risk of experiencing homelessness.

In response to this need, Program HE-12 encourages the development of extremely low-income housing through assistance and incentives for development. Additionally, Program HE-9 and Program HE-10address households with special housing needs (including extremely low-income households), and Program HE-14addresses the need for emergency housing. Finally, Program HE-24and Program HE-25encourage the development of tiny homes, which are among the most affordable housing type statewide and could provide opportunities for safe and secure rental housing for extremely low-income households.

RESOURCES FOR EXTREMELY LOW-INCOME HOUSEHOLDS

Housing Choice Voucher Program, operated by Shasta County, provides housing vouchers to low-income families who meet the Trinity County annual income limits.

Lewiston Apartments, located at 21 1st Ave. in Lewiston, provides 14 one-bedroom apartments available to seniors, families, and population with developmental disabilities or mental illness through Northern Valley Catholic Social Services (NVCSS).

Human Response Network (HRN), located at 111 Mountain View Street in Weaverville provides emergency and transitional housing for those needing emergency assistance. The HRN manages two duplexes for emergency or transitional housing, as well as one unit and three tiny homes for AB 109 early prison release. The HRN also provides some rental cost assistance to County residents (HRN 2024).

Trinity County Health and Human Services, located at 51 Industrial Parkway Drive in Weaverville provides multiple service offerings for families and individuals experiencing homelessness or at-risk of homelessness. Trinity County HHS provides emergency housing assistance, Rapid Re-Housing (deposits and rental assistance) as well as eviction prevention assistance.

PERSONS EXPERIENCING HOMELESSNESS

Homelessness remains an urgent challenge in many communities across the state, reflecting a range of social, economic, and psychological factors. Rising housing costs result in increased risks of community members experiencing homelessness. Far too many residents who have found

[2] *Census, ACS Estimates 2023 5-year Estimates, Table B23024; B17001; and Table S1701.*

themselves housing insecure have ended up unhoused or homeless in recent years, either temporarily or longer term. In January of 2023, the Dos Rios Continuum of Care (CoC) consisting of Glenn, Colusa and Trinity counties conducted an annual Point In Time Count (PIT) as required by HUD. The surveys counted 243 households experiencing homelessness, including a total of 274 adults and 86 children.

RESOURCES FOR PEOPLE EXPERIENCING HOMELESSNESS

Emergency and transitional shelters can help address the needs of those experiencing homelessness. Emergency shelters provide a short-term solution and involve limited supplemental services. In contrast, transitional shelters are designed to remove the basis for homelessness. Shelter is provided for an extended period of time, and is combined with other social services and counseling, to assist in the transition to self- sufficiency.

Information provided by HUD for the Dos Rios CoC (CA-523) serving Trinity County indicates that in 2023 there were a total of 180 year-round shelter beds in the CoC, which includes the counties of Colusa, Glenn, and Trinity (see Table 8.54). The Housing Inventory Count (HIC) records data regarding persons living in supervised publicly or privately operated shelters designated to provide temporary living arrangements including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state or local government programs for low-income individuals. Part of the HIC in Trinity County included two duplexes for emergency or transitional housing (16 beds), as well as one unit and three tiny homes for AB 109 early prison release operated by HRN. All of the units operated by HRN are located in Weaverville. There are no emergency shelters in Trinity County (HRN 2024).

TABLE 8.54 SHELTERED INDIVIDUALS COUNTED BY HOUSEHOLD TYPE – COLUSA, GLENN, TRINITY COUNTIES COC, 2023

Facility Type	Persons in Households Without Children[1]	Persons in Households With at Least One Adult and One Child[2]	Persons in Households With Only Children[3]	Total Year-Round Beds
Emergency Shelter	35	101	0	136
Transitional Housing	15	29	0	44
Total Sheltered	50	130	0	180

(1) This category includes single adults, adult couples with no children, and groups of adults
(2) This category includes households with one adult and at least one child under age 18.
(3) This category includes persons under age 18, including children in one-child households, adolescent parents and their children, adolescent siblings, or other household configurations composed only of children.
Source: HUD 2023, Continuum of Care Homeless Assistance Programs Homeless Populations and Subpopulations.

For mentally disabled persons who are ambulatory, one of the six beds at the Alpine House is dedicated as a "respite" bed, meaning the individual who is admitted can stay without payment for two-week increments while other housing is being located. This "respite" bed program is only offered in coordination with Trinity County Health and Human Services Adult Protective Services (Alpine House 2024).

The County also provides rental and financial assistance through the CalWORKs program. The CalWORKs program provides financial assistance for low-income families with children and this program can include housing assistance that can pay for housing related deposits, rental assistance, etc. Childcare is another type of assistance along with ancillary and supportive services for Welfare-to-Work (WTW) eligible CalWORKs adults. The WTW program can assist with items needed for vocational education, employment and job readiness activities. Once a family has stabilized to the point of reducing dependency on public assistance programs, other assistance programs can continue to help the family maintain stability. For example, CalFresh benefits along with ancillary and supportive services automatically continue for most families for up to five months after no longer receiving CalWORKs due to becoming income ineligible to CalWORKs.

The County allows emergency shelter, supportive housing, and transitional housing in every zoning district permitting a single-family dwelling. There are thousands of vacant acres in these zones, including locations near services in the various communities throughout Trinity County. The County's Code of Ordinances will be updated as a part of the General Plan and Zoning Code Updates to allow emergency shelters in medium- and high-density zones, consistent with the 2050 General Plan Update.

AT-RISK HOUSING UNITS

State legislation (Chapter 1451, Statutes of 1989) requires that all housing elements include an analysis of at-risk housing within the jurisdiction and, if necessary, the development of programs to preserve or replace those assisted housing units. Many subsidized units are multifamily rental units that provide rental housing at below market rates. If these units cease to be assisted, the owners of the properties may increase unit rents to market rates. Should this occur, low-income housing might be lost, making it difficult for the County to meet its goals for providing adequate affordable housing. The multifamily units to be considered are any units that were constructed using various federal assistance programs, State or local mortgage revenue bonds, redevelopment tax increments, in-lieu fees or an inclusionary housing ordinance, or density bonuses. Low-income multifamily housing is considered to be at-risk if it is eligible to convert to market-rate housing due to (1) the termination of a rental subsidy contract, (2) mortgage prepayment, or (3) the expiration of affordability restrictions. The time period that is to be considered in making this determination is the ten-year period following the beginning of the Housing Element planning period (from June 30, 2024, to June 30, 2034).

ASSISTED UNITS IN TRINITY COUNTY

Table 8.55 lists the units in Trinity County that are assisted and potentially at risk of conversion to market rate.

TABLE 8.55 ASSISTED HOUSING INVENTORY – TRINITY COUNTY, 2023

Project Name	Tenant Type	Total Assisted Units	Total Units	Funding Sources	Expiration Date	Notes
Weaver Creek Apartments	Large Family	25	26	LIHTC, USDA	8/18/2017	Owner can apply to prepay at any time; USDA Estimated Property Exit date 08/06/2038
Weaver Creek Senior Apartments	Senior	37	38	LIHTC, USDA	5/19/2018	Owner can apply to prepay at any time; USDA Estimated Property Exit date 04/07/2039
Eskaton Hayfork Manor I	Senior	10	10	HUD Section 202	9/30/2044	
Eskaton Hayfork Manor II	Senior	10	10	HUD Section 202	7/31/2046	
Eskaton Hayfork Manor III	Senior	10	10	HUD Section 202	2/28/2037	
Totals		92	94			

Source: HCD Pre-approved Data Package: California Housing Partnership Corporation, 2023.

LOSS OF ASSISTED HOUSING

From time to time, restricted units lose their affordability controls or subsidies and revert to market rates. As shown in Table 8.55, in Trinity County two assisted projects are at risk of conversion before August 31, 2029, with a total of 62 assisted units. Upon contact, the property owner for both developments, CBM Group, confirmed that they still adhere to the affordability restrictions and have no intention of converting in the future. Without binding State or federal affordability restrictions, however, the status of these units is unstable (CBM 2024).

PRESERVATION AND REPLACEMENT

Generally, the cost of preserving assisted housing units is estimated to be significantly less than replacing units through new construction. Preserving units entails covering the difference between market rates and assisted rental rates. New construction tends to be less cost efficient because of the cost of land and labor, which is often a limiting factor in the development of affordable housing. To maintain the existing affordable housing stock, the County may either work to preserve the existing assisted units or replenish the affordable housing inventory with new units.

PRESERVATION

Rental subsidies using non-federal (State, local, or other) funding sources can be used to maintain affordability of the 62 at-risk affordable units. These rent subsidies can be structured to mirror the federal Housing Choice Voucher (Section 8) program. Under Section 8, HUD pays the difference

between what tenants can pay (defined as 30 percent of household income) and what HUD estimates as the fair market rent on the unit. In Trinity County, the 2024 fair market rent is determined to be $784 for a one-bedroom unit, $1,030 for a two-bedroom unit, and $1,451 for a three-bedroom unit.

The feasibility of this alternative is highly dependent on the availability of unit type and other funding sources necessary to make rent subsidies available and the willingness of property owners to accept rental vouchers if they can be provided. However, with the passage of SB 329, it is no longer legal for landlords to discriminate based on the applicants' source of income, including vouchers. As indicated in Table 8.56, the total cost of subsidizing the rents for all 62 at-risk units is estimated at $8,910 per month or $106,920 annually.

TABLE 8.56 ESTIMATED COSTS OF PRESERVING AT-RISK UNITS

Unit Size	Total Units	Fair Market Rent	Very Low Income (50% AMI)	Affordable Monthly Rent	Monthly per Unit Subsidy	Total Monthly Subsidy
One Bedroom	44	$784	$28,900	$723	$61	$2,684
Two Bedrooms	10	$1,030	$33,000	$825	$205	$2,050
Three Bedrooms	8	$1,451	$37,150	$929	$522	$4,176
Totals	62					$8,910

Source: Shasta County Housing Choice Voucher Program 2023, HUD Fair Market Rent, 2024, HCD 2023; http://www.zillow.com/mortgage-calculator/house-affordability/

REPLACEMENT

The construction of new low-income housing units is a means of replacing the 62 at-risk units. The cost of developing housing depends on a variety of factors, including density, size of the units (i.e., number of bedrooms), location, land costs, and type of construction. Based on cost estimates gathered from Danco Builders, a developer of multifamily structures throughout Northern California, a typical single-story multifamily building of approximately 15,000 square feet and with 900-square-foot apartments has a cost of $333 per square foot cost for construction with prevailing wage (Johnson 2020). Multiple developers serving the region confirmed that this estimate is still accurate as of 2024. This cost per square foot would result in a cost per unit for 900- square-foot units of $299,700.

Public comment received during the Housing Element Update workshop series indicated that construction or redevelopment costs of $300 per square foot or more are common for typical construction in 2024. This input confirms the estimate provided by Danco Builders from 2020, continues to be appropriate in 2024.

Using this general estimate, it would cost approximately $18.6 million to develop 62 new units to replace the at-risk units. Given the County's limited financial resources, development of replacement housing must rely on partnerships with nonprofit or for-profit housing developers or other public entities. Appendix C identifies programs and organizations interested in preserving at- risk housing.

ACQUISITION

Another option would be for a nonprofit organization to purchase an existing multifamily complex, rather than build a new one, lowering the per unit cost significantly. A survey of prices on Zillow.com and Realtor.com done in February 2024 showed that only two multifamily projects in Trinity County were selling for between $1.1 million (4-unit project) and $1.75 million (18-unit project). These sales prices break down to a per unit cost range of $97,222 to $275,000 per unit. Based on this range, acquisition of the 62 at-risk units would likely cost between $6,027,764 and $17,050,000.

COST COMPARISONS

The preceding analysis estimates the cost of preserving at-risk units in the county under various scenarios, including the construction of new units and the acquisition of existing units. The option of constructing 62 replacement units has the highest cost of all scenarios, with an approximate cost of $18.6 million. The cost of acquiring the two at-risk projects and transferring ownership to nonprofit organizations is approximately $6 million, based on the lowest market price for recently sold multifamily housing in the county. Finally, the annual costs required to continue providing rental subsidies and preserve the 62 assisted units are relatively low at $184,776. Based on this estimation, providing rental subsidies is the most cost-effective option to preserve the 62 at-risk units.

CHAPTER 3: RESOURCES AND CONSTRAINTS

REGIONAL HOUSING NEED

A requirement of State law (Sections 65583(a) and 65584 of the California Government Code) is that each city and county must accommodate its share of the region's future housing construction needs. State law also establishes the method for determining regional housing construction needs. The California Department of Housing and Community Development (HCD), working with the California Department of Finance (DOF), prepares regional population projections and from these projections, estimates housing construction needs for each region of the state. Regions are based on metropolitan and non-metropolitan housing market areas. Then a share of the regional housing need is allocated to each city and county. The allocation specifies the housing needs for each of four income categories (very low, low, moderate, and above moderate). This need is referred to as the Regional Housing Need Allocation (RHNA). The RHNA is seen as an estimate of the minimum new construction need for the county.

Table 8.57 summarizes Trinity County's RHNA for the period from June 30, 2024, to June 30, 2029, as provided by HCD. Per HCD, Trinity County must provide zoning to accommodate two dwelling units affordable to extremely low-income/very low-income and low-income households.

TABLE 8.57 REGIONAL HOUSING NEEDS (2024 TO 2029) – TRINITY COUNTY

Regional Housing Needs Allocation	
Income Category	**New Construction Need**
Extremely Low (0%–30% of Area Median Income (AMI)* and Very Low (31%–50% of AMI)	1
Low (51%–80% of AMI)	1
Moderate (81%–120% of AMI)	0
Above Moderate (over 120% of AMI)	0
Total Units	2

** The Extremely Low AMI category is included within the Very Low AMI and accounts for 50% of the total RHNA allocation based on HCD-accepted methodology.*

ANALYSIS OF ZONING THAT FACILITATES DEVELOPMENT FOR LOWER INCOME HOUSEHOLDS

Although State law requires the Housing Element to address the housing needs of all income groups, the County must focus special attention on meeting the needs of extremely low-, very low , low-, and moderate-income households. These households face the greatest challenges in obtaining affordable housing. The County can satisfy its responsibility for providing adequate sites for housing, by ensuring

there is an adequate supply of sites for attached housing, multifamily rental housing, mobile homes, accessory dwelling units, and other forms of housing with the potential to provide affordable shelter.

Government Code section 65583.2, subdivision (c)(3)(B), allows local governments to utilize "default" density standards that are "deemed appropriate to accommodate housing for lower income households." The default density option is not a mandated density. The default density standard provides a streamlined option for local governments to meet the density requirement. No analysis to establish the appropriateness of the default density is required, and the California Department of Housing and Community Development (HCD) must accept that density as appropriate in its review.

For Trinity County, the default density is 10 dwelling units per acre (du/ac). The Zoning Code currently (2024) allows up to 21.78 units per acre in the R-3 zone and up to 14.52 units per acre in the R-2 zone. Both of these zones meet the default density threshold and can be identified as capacity to meet lower-income housing goals. All sites identified to meet the RHNA are zoned R-2 or R-3.

Further, the Draft 2050 General Plan Land Use Element includes multiple land use designations with a range of densities at or above the default density threshold. These include Medium and High Density Residential, Commercial, and Mixed Use. For a summary of how these changes will expand residential capacity in the county, please see the information under the heading Residential Capacity Beyond the RHNA.

AVAILABILITY OF INFRASTRUCTURE TO IDENTIFIED SITES

AVAILABLE DRY UTILITIES

Dry utilities, including electricity, and internet service, are available to all parcels in the sites inventory. The extension of power and gas to service new residential development has not been identified as a constraint. Electrical service is provided by the Trinity Public Utilities District. Internet service is provided by Velocity Communications, Frontier Communication Services, EarthLink, and StarLink.

AVAILABLE WATER AND SEWER SERVICES

The following is a discussion of the major water and sewer service providers serving major population areas. This information provides details of the individual districts' service capacities, issues, and challenges.

LEWISTON

Water and sewer services in the Lewiston Plan Area are provided by the Lewiston Community Service District (LCSD), which has 210 active service connections for both water and sewer with capacity for an additional 140 connections. LCSD acquired the Lewiston Park Mutual Water Company and the Lewiston Valley Water Company in 2015 and 2012, respectively, to consolidate local services. LCSD receives its water from three groundwater wells and an intake in the Trinity River. The system includes two storage tanks and a distribution system. Surface water from the Trinity River is treated at a direct

filtration treatment plant off Riley Mine Road then goes into a storage tank before entering the distribution system. According to the LCSD staff, the water and sewer system have capacity and water to serve both existing and future need.

LCSD is currently undergoing a $17 million upgrade to the sewer system, replacing existing connections, pipelines, and the sewer treatment plant. This will include the replacement of approximately 10,275 feet of water main and other associated infrastructure in the distribution system. This upgrade is designed to replace an aging asbestos cement (AC) pipe distribution system, which has safety concerns beyond the pipe's expected service life expectancy of 40 to 60 years. Replacing the distribution system should increase pressure and flows available for fire suppression, which will enable better firefighting capabilities as well as reduce the amount of excess water taken from the Trinity River, increasing river flow for users downstream. The improvements will also increase the resiliency of the water system.

Several other small water facilities are in operation serving small areas such as trailer parks.

WEAVERVILLE

The Weaverville Community Services District currently serves a population of 3,600 with 1,640 service accounts (25 commercial, four industrial, eight landscaping, and 1,376 single- family dwellings). From 1981 to 2011, the district's population had a growth rate of 1.2 percent; however, the rate has only been 0.6 percent in the last 10-year period. The district comments that based on a 1 percent annual growth rate, there is sufficient supply until 2050. Currently there is a need for increased fire flow capacity in one location in the Timber Ridge service zone. The 2011 Master Water Plan and district staff indicate that current water sources, with some future improvements, provide firm capacity to serve all the needs of current and future water users within the district.

The Weaverville Sanitation District currently serves 1,250 service accounts with a maximum potential of 2,600 service connections. The facility has an average daily flow of about 0.3 million gallons per day (mgd) in summer up to 2.5 mgd for a peak wet weather flow. The district comments that currently the facility overall operates at 60 percent of its design capacity, and further that the treatment plant was designed for potential expansion with a service design capacity of up to two times the existing capacity. Upgrades to the collection and conveyance systems are the most significant infrastructure needs, and the district is implementing rehabilitation projects to retain and increase capacity. There are areas on the outskirts of the community that could be incorporated into the district, if desired by property owners.

HAYFORK

The Trinity County Waterworks District #1 is the water and sewer system provider for the community of Hayfork. There have been recent improvements to both systems that would increase the capacity to serve customers. The district recently completed infrastructure for non-potable water for irrigation projects, which has lowered demand on the potable water treatment plant. According to staff, with recent improvements, the district anticipates that current water sources are sufficient for Hayfork in the near term.

The water treatment plant is regulated by the State to have a capacity of 1.2 mgd. Separately, the district has an irrigation water capacity of 2.0 mgd. In August 2011, the district produced a high of 30.1 million gallons during the entire month. Since that time, the district has separated its potable water from its irrigation supply water for the two biggest consumers of water (the fairgrounds and the schools). Previously, all water utilized by these facilities was from the potable water system. It is now estimated that a minimum reduction of 20 percent to the potable water system will result.

The sewer system is permitted to process an average wet weather flow of 0.250 mgd. Currently, the average flow is approximately ±30 percent of capacity. The district recently approved the spraying of treated water on an agricultural field, which provides an alternative method to process treated wastewater. This would further increase the system's overall capacities.

The remainder of the county has various very small state and locally regulated water districts, with the vast majority of the area in the county only served by individual, on-site water systems. Similarly, there are a few regulated septic systems, mostly small systems serving mobile home parks. The remainder of the county is served by individual, private, on-site septic systems.

CONSTRAINTS ON CAPACITY

There are several local constraints on capacity and certain instances when a parcel is deemed unbuildable. Trinity County's floodplain ordinance allows development within 100-year floodplains as long as the development meets the regulations of the ordinance. Slopes may be built upon by licensed contractors, although a grading permit and engineering plans may be required for certain foundations. If an entire parcel is encumbered by an active slide, exceeds a 25 percent slope, will not percolate for sewage disposal, or there is no water source, then it may be determined that the parcel is unbuildable. Other constraints to development in Trinity County include challenges due to the remote location of many parcels; the high percentage of land under Federal and State ownership; topographical constraints; inadequate sanitary setbacks; local water, sewer, and fire protection district constraints; high ground water; poor soil conditions; parcel size limitations; limited water availability; road standards for fire equipment access and other applicable State and local fire standards; snow load requirements; cost in obtaining access; cost to truck building materials to the site; and general cost of site development.

For an in-depth discussion of constraints that can be a determining factor on realistic capacity, see the subsection titled Environmental Constraints in the Analysis of Non-Governmental Constraints.

LAND INVENTORY AND CAPACITY BY ZONING DISTRICT

RHNA SITES INVENTORY

Nearly 76 percent of all land in Trinity County is government owned. Another 14 percent is in the Timberland Production Zones (TPZ) or Agriculture Preserve Zones (APZ), leaving just 10 percent open

to development. Development in these remaining areas is further constrained by the fact that Trinity County lies within two mountain ranges; there is very little "flat" land in the county. Of the private land open to development (or some 208,899 acres), there are rivers, streams, mountainsides, unstable slopes, wetlands, and sensitive habitats with which to contend. Trinity County has a limited land base due to a very large percentage of Federal and State ownership, already developed lands, steep mountainous topography, and floodplains.

The attached Appendix B provides an inventory of vacant parcels that are available to meet Trinity County's RHNA requirement. The inventory provides the potential development capacity based on existing general plan designations and zoning, and identifies other relevant constraints to development. Capacity is based on a theoretical 50 percent buildout of vacant parcels, (i.e., only 50 percent of the total development potential was factored as reasonable considering other constraints to development such as setbacks, parking, access needs, and development of other necessary infrastructure). Only parcels that are located within a water and sewer district with sufficient capacity and available connections to provide services for residential development are included in the inventory for this Housing Element. All parcels included in the inventory are in Lewiston or Weaverville.

Realistic Capacity Factors

- A 10 percent adjustment was applied to account for 20 foot front and rear setback requirements and six foot minimum side setbacks, as well as access for transportation and utilities.
- An additional 40 percent adjustment was applied to account for lot coverage restrictions and parking requirements (one space per unit in R-2 and 2 spaces per unit in R-3). While maximum densities can be achieved within the existing lot coverage and parking requirements, the County assumes that a substantial adjustment should be applied due to historically low-density development trends in the county.

There is sufficient land appropriately zoned to meet the County's RHNA of two units. The sites inventory includes vacant parcels and does not include the following other types of parcels as capacity to meet the lower-income RHNA in this Housing Element:

1. Parcels located outside of any water or sewer district. There are many rural parcels with appropriate zoning for residential development that could rely on private wells and septic systems.[3]
2. Parcels smaller than half an acre or larger than 10 acres.[4]
3. Parcels constrained by flood zones[5]

[3] Parcels outside existing water and sewer districts were not included due to the high cost to provide water and sewer service systems and infrastructure; the feasibility of affordable multifamily development under these circumstances in the planning period is extremely low.
[4] Parcels less than 0.5 acres or more than 10 acres are not appropriate for lower-income capacity but can be counted as moderate- or above moderate-income capacity, as defined by state law; one R3 site included in the inventory was counted as moderate income capacity due to lot size less than 0.5 acres.
[5] Parcels located within a 100-year flood plain are more expensive to develop due to the cost of mitigating potential flood hazards; the feasibility of affordable development on these sites is assumed to be very low.

4. Parcels with average slope of 25 percent or more[6]

Table 8.58 summarizes the number of parcels in the vacant land inventory by income category and zoning district.

TABLE 8.58 DEVELOPABLE HOUSING POTENTIAL BY ZONING AND INCOME GROUP

Income Category	Zoning District	Number of Parcels	Acres	Maximum Units	Realistic Units
Lower	R2	1	0.82	11	5
	R3	8	13.92	302	150
	Lower Subtotal	**9**	**14.74**	**313**	**155**
Moderate	R3	1	0.39	8	4
	Moderate Subtotal	**1**	**0.39**	**8**	**4**
Above Moderate	N/A[1]	0	0	0	0
	Above Moderate Subtotal	0	0	0	0
Total		**10**	**15.13**	**321**	**159**

[1]The County's RHNA does not include a goal related to above moderate-income housing. For a list of additional housing sites beyond those needed to meet the RHNA, please see Table 8.79 in Appendix B .
Source: Trinity County, 2024.

SUMMARY OF CAPACITY TO MEET THE RHNA

Table 8.59 shows the RHNA compared with the available land inventory.

TABLE 8.59 PROGRESS IN MEETING REGIONAL HOUSING NEED ALLOCATION

	Extremely Low Income	Very Low Income	Low Income	Moderate Income	Above Moderate Income	Totals
2024–2029 RHNA		1	1	0	0	2
2024 Constructed and Approved	0	0	0	0	0	0
Remaining Unaccommodated RHNA		1	1	0	0	2
Sites Inventory			155	4	0	159
Surplus Units to Address RHNA			**153**	**4**	**0**	**157**

Notes:
Per HCD guidance, the RHNA for extremely low, very low, and low income can be combined and addressed by sites allowing a jurisdiction's default density. Trinity County's default density is 10 units per acre.
Source: HCD, 2024; Trinity County, 2024.

[6] Parcels with steep slopes have been excluded due to the high cost of grading and foundation work required to mitigate sloping constraints; the feasibility of affordable development on these sites in the planning period is extremely low.

RESIDENTIAL CAPACITY BEYOND THE RHNA

Through the ongoing 2050 General Plan Update, the County is working to expand residential capacity and affordability in areas serviced by water and sewer districts. Appendix B (Table 8.79) includes a list of sites that are not included in the sites inventory, but have potential for residential development. Through the Draft 2050 General Plan Update, many of these sites have been proposed for redesignation to accommodate additional residential capacity and promote affordability. Additionally, the Draft 2050 General Plan Land Use Element proposes to allow residential uses in commercial zones, expanding capacity further by opening new sites for residential and mixed use development. Table 8.60 summarizes vacant and underutilized sites and potential residential capacity based on the Draft 2050 General Plan Land Use diagram. As shown, the Draft 2050 General Plan identifies an additional capacity for 379 units, including potential capacity for 358 additional lower-income units beyond those sites listed in the sites inventory.



Among the sites appropriate for multifamily uses, Site #31, APN 024-510-030-000, located at 1941 Main Street in Weaverville, has extremely high potential for multifamily development. The vacant 3.45-acre site is located along an existing transportation corridor in a highest resource area and has access to utilities. The site is currently zoned Highway Commercial (HC) and has potential for residential development if higher density residential uses are allowed in commercial zones (as proposed in the Draft 2050 General Plan), or the site is redesignated to Mixed Use or High Density Residential. Assuming high density residential uses are allowed on site, the site has a maximum capacity for 82 units and a realistic capacity assumption of 41 units.

SUMMARY OF RESIDENTIAL CAPACITY BEYOND THE RHNA

TABLE 8.60 POTENTIAL RESIDENTIAL CAPACITY BEYOND THE RHNA

Income Category	2050 General Plan Land Use Designation	Number of Parcels	Acres	Maximum Units	Realistic Units
Lower	C	6	33.30	653	250
	HDR	2	2.17	51	25
	MDR	8	8.48	109	49
	MU	3	2.43	57	27
	Lower Subtotal	**19**	**46.38**	**870**	**351**
Moderate	LDR	2	2.21	8	4
	MDR	1	1.58	21	10
	MU	1	0.81	18	9
	Moderate Subtotal	4	4.60	47	23
Above Moderate	RR	10	21.78	10	10
	RR-L	6	16.92	6	6
	Above Moderate Subtotal	16	38.70	16	16
Total		**39**	**89.69**	**933**	**390**

Source: Trinity County, 2024.

ANALYSIS OF GOVERNMENTAL CONSTRAINTS

LAND USE CONTROLS

The County administers minimal land use controls. The County does not have growth controls, open space requirements, or any other land use controls outside of zoning on residential development.

GENERAL PLAN

Trinity County's General Plan establishes policies that guide new development, including residential development. These policies, along with zoning regulations, control the amount and distribution of land allocated for different land uses in the county. The County's existing land use designations are grouped into three major categories: Community Development, Village, and Natural Resources. All other subcategories are grouped in these three categories. Table 8.61 identifies the existing land use designations that allow single-family and multifamily residential development.

TABLE 8.61 EXISTING TRINITY COUNTY GENERAL PLAN RESIDENTIAL LAND USE

Designation	Description
Community Development, General	These are areas of the county with viable communities incorporating all densities of dwelling units, including single- and multifamily dwellings and mobile homes. Other designations below are applicable within Community Development areas unless a Specific Plan has been adopted.
Community Residential	Offers various locations within the general sphere of the major communities in Trinity County where residential development both is desirable and is to be encouraged. The residential development allowed here should generally be higher density than rural and is intended to be more efficient for the supplying of community services. These services may include roads, lighting, water, sewer, and the like.
Village, General	This designation is for small groups of residences and/or commercial enterprises.
Village	This designation is for a variety of land uses including single-family and multi- family residences and various commercial service facilities. Heavy industrial uses are not allowed in the Village designation.
Resource, General	This designation allows resorts, sparse residential development, and recreational development with minimal impacts to the natural environment.
Agriculture	This designation is preserved for agricultural production. It allows single- family, rural housing, and associated structures to adequately run an agricultural operation.
Rural Residential	This designation allows low-density housing units, consistent with minimal

Source: Trinity County 1988 General Plan

Table 8.62 provides a summary of allowed residential densities for General Plan land use categories that allow residential development.

TABLE 8.62 TRINITY COUNTY ALLOWABLE RESIDENTIAL DENSITY BY LAND USE CATEGORY

Land Use Category	Minimum Residential Density (du/ac)	Maximum Residential Density (du/ac)
Community Development		
Community Residential	1	12
Village General		
Village	No minimum	12
Resource		
Agriculture	No minimum	1 unit/10 acres
Rural Residential	1 unit/10 acres	1[1]

Source: Trinity County 1988 General Plan

2050 GENERAL PLAN LAND USE UPDATE

During the preparation of the 2024-2029 Housing Element Update, Trinity County is concurrently in the process of conducting a comprehensive 2050 General Plan Update. As a part of this update, the General Plan land use designations have been drafted and released for public review (Table 8.63). The

Draft 2050 General Plan proposes to eliminate several designations including the Community Development General, Community Residential, Village General, and Village land use designations and proposes to replace these designations with three new residential designations (LDR, MDR, and HDR), a new Mixed-Use (MU) designation, and a Commercial (C) designation. The new land use designations propose to increase the allowable densities throughout the county, including in the remaining Agriculture (A) and Rural Residential (RR) designations.

TABLE 8.63 TRINITY COUNTY GENERAL PLAN RESIDENTIAL LAND USE

Designation	Description
Agriculture (A)	This designation is preserved for agricultural production. It allows limited single-family housing, agricultural employee housing, ADUs, and other structures needed to adequately run an agricultural operation.
Rural Residential – Low Density (RR-L)	This designation allows single-family dwelling units, ADUs, small home businesses, agriculture, and light industrial operations on minimum 10-acre parcels.
Rural Residential (RR)	This designation allows single-family dwelling units, ADUs, employee housing, small home businesses, and agriculture on minimum one-acre parcels.
Low Density Residential (LDR)	This designation identifies areas intended for single-family residential neighborhoods. It allows single family homes, duplexes, residential care facilities, transitional and supportive housing, ADUs, and low intensity agriculture on minimum 10,000 square feet parcels.
Medium Density Residential (MDR)	This designation identifies areas intended for community centers where residential development is near transportation and other services and where public water and sewer infrastructure is available. It allows apartments, multiplexes with at least four units, condominiums, courtyard buildings, cottage courts, tiny home communities, micro-unit and single room occupancy developments (SROs), congregate housing, group homes, emergency shelters, residential care facilities, transitional and supportive housing, ADUs, and agriculture on minimum 10,000 square feet parcels.
High Density Residential (HDR)	This designation identifies areas intended for areas of the county that are suitable for multifamily residential development and where public water and sewer infrastructure is available. It allows apartments, multiplexes with at least four units, condominiums, courtyard buildings, cottage courts, cooperative housing, tiny home communities, micro-unit and single room occupancy developments (SROs), congregate housing, group homes, emergency shelters, residential care facilities, and transitional and supportive housing, and ADUs on minimum 10,000 square feet parcels.
Mixed Use (MU)	This designation identifies areas that are suitable for combined residential and commercial development. It allows for diverse uses, including residential, commercial, office, and personal services on minimum 10,000 square feet parcels.
Commercial (C)	This designation identifies areas suitable for the development of various commercial uses. It allows general retail, offices, tourist-oriented businesses, hotels and motels, camping and resorts, wholesale storage, and lumber yards, apartments, condominiums, and micro-unit and single room occupancy developments (SROs) on minimum 10,000 square feet parcels.

Source: Trinity County Draft 2050 General Plan.

Table 8.64 provides a summary of allowed residential densities for the Draft 2050 General Plan land use categories that allow residential development.

TABLE 8.64 TRINITY COUNTY ALLOWABLE RESIDENTIAL DENSITY BY LAND USE CATEGORY

Land Use Category	Minimum Residential Density (du/ac)	Maximum Residential Density (du/ac)
Agriculture (A)	No minimum	1.0
Rural Residential – Low Density (RR-L)	No minimum	1 unit/10 acres
Rural Residential (RR)	No minimum	1.0
Low Density Residential (LDR)	1.0	4.0
Medium Density Residential (MDR)	5.0	14.52
High Density Residential (HDR)	12.0	24.0
Mixed Use (MU)	12.0	24.0
Commercial (C)	No minimum	24.0

Source: Trinity County Draft 2050 General Plan.

ZONING CODE

In coordination with the 2050 General Plan Update, the County is undertaking a Comprehensive Zoning Code Update. However, because the General Plan Update is a two-year process, this section only reports on the existing zoning districts. The Zoning Code will be revised in 2026 to reflect the changes made to the General Plan land use designations addressed in Table 8.63 and Table 8.64.

The County's zoning and development standards, such as height, lot coverage, setbacks, and parking, are minimal and do not impede the ability to achieve the maximum density in any given zoning district, as shown in Table 8.65. For example, in the R-3 district, even with the most conservative estimates, a multifamily development could easily achieve the maximum density with 1,200-square-foot unit sizes. The County administers a courtyard requirement for multifamily development that controls spacing between buildings; however, this standard is negligible and does not constrain multifamily development. Further, the County does not require minimum unit sizes beyond state health and safety standards, and minimum lot or parcel sizes are required to uphold sewage disposal standards.

Please note: Although not imposed by the zoning code, CalFire requires lots larger than one acre to include 30' setbacks from all property lines. These setbacks are required for fire protection and suppression. The sites inventory accounted for these large setbacks by applying conservative realistic capacity assumptions equating to 50 percent of the maximum capacity.

Until 2024, the R-3 zone had a height limit of 25-feet. This maximum height restriction was identified as a potential constraint to the development of higher density (20-30 du/ac) multifamily housing in the 2019 Housing Element. In 2024, the County responded to this constraint by adopting Ordinance No. 315-855, which allows for multifamily development in the R-3 zone up to 45 feet in height. However, this change to height restrictions was only applied to parcels within the Weaverville Fire Protection District due to constraints related to fire protection and response. Through public hearings

on the matter, local fire protection districts outside of Weaverville indicated that their districts do not have sufficient apparatus and equipment to effectively suppress fires in large buildings with heights over 25 feet. Due to high fire risk in the County, the Board of Supervisors did not feel it appropriate to allow development in excess of 25 feet where fire suppression equipment is insufficient.

TABLE 8.65 EXISTING DEVELOPMENT STANDARDS BY ZONING DISTRICT

	A[1]	AP[1]	MH[2]	R-O	RR	R-1	R-2	R-3
Maximum Density	2 units/ acre	1 unit/ 100 acres	9.68 units/acre	1 unit/parcel	2.18 units/acre	7.26 units/acre	14.52 units/acre	21.78 units/acre
Minimum Side Setbacks	20 feet	20 feet	6 feet	Interior: 5 ft. Exterior: 10 ft.	6 feet	5 feet	6 feet	10 feet
Minimum Front Setback	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Minimum Rear Setback	20 feet	20 feet	15 feet	20 feet	20 feet	20 feet	20 feet	15 feet
Minimum Lot Width	100 feet	-		60 feet	-	60 feet	60 feet	75 feet
Maximum Allowable Lot Coverage	100%	100%	100%	35%	35%	35%	40%	40%
Minimum Lot Size	0.5 acre	100 acres	3 acres[3]	7,000 sq.ft.	20,000 sq.ft.	6,000 sq.ft.	6,000 sq.ft.	16,000 sq.ft.[4]
Parking per Unit	1	1	2	1	1	1	1	2
Height Maximum	40 feet	40 feet	25 feet	25 feet	40 feet	40 feet	40 feet	25 feet

Source: Trinity County zoning code, 2024.

[1] Farm labor housing and a single-family housing unit is allowed in an agricultural operating area in Agriculture zones. Single-family dwellings and temporary labor camps, less than one year in duration, as accessory to harvesting or planting are allowed in Agricultural Preserve Zones.

[2] Mobile Home zoning provides suitable sites for the placement of mobile homes as permanent residences both in mobile home parks and on individual lots. It also may be applied as an overlay zone.

[3] The minimum lot area per mobile home shall be four thousand five hundred square feet. Minimum lot areas for recreational vehicles or trailers shall be as specified in the use permit.

[4] The minimum lot area per dwelling unit shall be two thousand square feet.

Table 8.66 summarizes how housing types are allowed in each zone that allows residential development in the county.

TABLE 8.66 HOUSING TYPES PERMITTED BY EXISTING ZONING DISTRICT

Housing Types Permitted	A/AP	C-1	C-2	C-3	HC	I	MHP	PF	R-O	RR	R-1	R-2	R-3	R-D-1	SUD[2]	U
Single-Family Attached		UP	UP	UP	UP						UP	UP	UP	P	UP	P
Single-Family Detached	P								P	P	P	UP	UP	P	UP	P
Duplex												P	P		UP	UP
Triplex												UP	P		UP	UP
Multifamily (5+ Units per Structure)													P		UP	UP
Manufactured Homes/Mobile Homes	P						P[1]		P	P	P	P	P		UP	P
Accessory Dwelling Units[3]	P						P		P	P	P	P	P	P	UP	P
Emergency Shelters	P	UP	UP	UP	UP		P		P	P	P	P	P	P	UP	P
Single Room Occupancy															UP	UP
Transitional Housing	P						P		P	P	P	P	P		UP	P
Supportive Housing	P						P		P	P	P	P	P		UP	P
Employee/Farmworker Housing	UP														UP	UP
Temporary Employee Housing	UP									UP					UP	UP
Residential Caretaker Unit		UP	UP	UP	UP	UP		UP							UP	UP

Source: Trinity County zoning code, 2024.

[1] A Planning Commission-issued use permit is required for the development of mobile home parks and special occupancy parks. However, mobile homes and manufactured homes are allowed by-right in established mobile home parks and in Mobile Home Overlay Zones.

[2] Any use or combination of uses which are arranged and designed in such a manner as to result in development which is internally compatible and compatible with surrounding uses is permitted as long as a planning commission use permit is obtained (17.24.030).

[3] The County does not have an ADU ordinance and defaults to the requirements of State law when approving ADUs.

Notes: P = Permitted Use, UP = Use Permit

PARKING REQUIREMENTS

As shown in Table 8.65, parking requirements are one space per unit in most residential districts, with the exception of the mobile home and R-3 zones, which require two spaces per unit. Section XX of the zoning code identifies off-street parking requirements for specific uses. Requirements for residential uses are as follows:

Single-family homes	1 garage, carport or parking space per unit. 1 additional parking space per guest house.
Duplexes	1 garage, carport or parking space per unit.
Three or more dwelling units per parcel	Two parking spaces per unit with a maximum credit of .75 per dwelling unit for enclosed garages. Parking for senior housing or group care homes may be reduced by up to 50 percent upon approval of the planning director.
Hotels, motels	1 parking space per unit, 2 parking spaces per manager's office.

Regarding ADUs the County does not impose a parking requirement beyond the minimum requirements of State law.

Emergency shelters are currently required to provide a minimum parking area of one space for every two beds, which is not in compliance with State law.

The zoning code does not impose additional parking requirements on group homes, transitional or supportive housing, and low barrier navigation centers.

Trinity County has made special considerations for disabled housing in its parking requirements. The County adopted Ordinance No. 315-806 in January 2014 that amended Section 30.090(B) of the zoning code to allow up to a 50 percent parking reduction for senior housing or group care homes upon approval by the Planning Director.

Due to the rural nature of the county and limited public transportation options, county residents need cars to travel within and between communities and to provide for their basic needs. Additionally, parcels in the County are typically large and opportunities for on-street parking in proximity to the living spaces are rare, further emphasizing the needs for off-street parking opportunities. The County's parking requirements are minimal and are designed to provide sufficient parking for households that must rely on cars and trucks for transportation. Parking requirements are not a constraint to the development of single-family and multifamily uses.

To address constraints to emergency shelters, low barrier navigation centers, and similar uses, however, Program HE-3 commits the County to update the zoning code to:

- require no more parking of emergency shelters than what is needed for all staff within the facility, and
- expand the definition of "emergency shelters" to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care, in compliance with State law.

PROVISIONS FOR A VARIETY OF HOUSING TYPES

MULTIFAMILY HOUSING

Multifamily residential developments are permitted by right in the R-2 and R-3 zoning districts. The R-2 district allows for a maximum density of 14.52 units per acre, which is calculated . The R-3 district allows for a maximum density of 21.78 units per acre. As of 2024, multifamily residential developments with five or more units are only permitted on parcels zoned R-3.

The Draft 2050 General Plan (set to be adopted in 2026) proposes an increase in maximum residential density in the R-3 zone from 21.78 units per acre to 24 units per acre and expanded allowed uses to include courtyard buildings, cottage courts, tiny home communities, cooperative housing, and micro-unit and single room occupancy developments. Through these updates, apartments, multiplexes with at least four units, condominiums, courtyard buildings, cottage courts, tiny home communities, cooperative housing, and micro-unit and single room occupancy developments will also become allowed uses in the areas designated Medium Density Residential. Additionally, the Draft proposes to include multifamily residential developments as an allowed use in the Commercial designation and a new Mixed Use designation, each with a maximum density of 24 units per acre. These changes are intended to expand residential capacity in areas that are serviced by water and sewer providers. Appropriate zoning will be established through the concurrently ongoing Comprehensive Zoning Code Update, also expected for adoption in 2026.

ACCESSORY DWELLING UNITS (ADUS)

ADUs provide complete, independent living facilities for one or more persons, located on the same lot as the existing dwelling. They include permanent provisions for living, sleeping, eating, cooking, sanitation, and other such utilities.

An accessory dwelling unit (ADU), formerly and still commonly referred to as a second dwelling unit, is an additional self-contained living unit, either attached to or detached from the primary residential unit on a single lot. It has cooking, eating, sleeping, and full sanitation facilities. These units can be an important source of affordable housing since they can be constructed relatively inexpensively and have no associated land costs. ADUs can also provide supplemental income to the homeowner, allowing the elderly to remain in their homes or moderate-income families to afford houses.

To encourage establishment of ADUs on existing developed lots, State law requires jurisdictions to either adopt an ordinance based on standards set out in State law authorizing creation of ADUs in residentially-zoned areas, or where no ordinance has been adopted, to allow ADUs on lots zoned for single-family or multifamily use that contain an existing single-family unit subject to ministerial approval ("by right") if they meet standards set out by State law.

In recent years, the State has passed several laws to further encourage ADU development. The 2016 and 2017 updates to State law included changes pertaining to the allowed size of ADUs, permitting ADUs by-right in at least some areas of a jurisdiction, and reduced parking requirements related to ADUs. More recent bills reduce the time to review and approve ADU applications to 60 days and remove lot size and replacement parking space requirements. AB 68 (2019) allows an ADU and a junior ADU (JADU) to be built on a single-family lot, if certain conditions are met. The State has also removed owner-occupancy requirements for ADUs, created a tiered permit fee structure for ADUs based on their size and location, and prohibits fees on units of less than 750 square feet. In addition, AB 671 (2019) requires the Housing Element to include plans to incentivize and encourage affordable ADU rentals.

In 2022, two laws were passed that affect ADU law and came into effect in 2023. SB 897 (2022) increases the existing height limit for attached and detached ADUs that meet certain conditions. AB 2221 (2022) clarifies existing ADU law to close procedural and permitting loopholes for approving ADUs, including the requirement for approving or denying applications within 60 days of application submittal and providing a full set of comments and remedies to applicants with denied applications. Additionally, AB 2221 adds front setbacks to the list of local development standards that local governments cannot impose if they would preclude construction of an attached or detached ADU of at least 800 square feet, which is at least 16 feet in height and that has at least four-foot side and rear yard setbacks.

To ensure consistency with State law and allow greater opportunities for development of ADUs, the County voided it's non-compliant ADU Ordinance and has defaulted to the less restrictive requirements of State law. Under current practices, ADU permits can be obtained in the same manner as any other building permit for a dwelling as long as the placement meets criteria for ADUs. However, under State law, ADUs must be approved ministerially within 60 days and ADUs have been exempted from zoning density calculations. Further, because the County does not currently have an Accessory Dwelling Unit ordinance in place, ADUs are currently limited to 1,200 square feet in size and JADUs are limited to 500 square feet. Program HE-7 is included to commit the County to amending the zoning code to comply with all State law pertaining to ADUs. In amending the zoning code, the County will evaluate and apply, as appropriate, development standards (such as maximum size) that are less restrictive than State requirements.

MOBILE AND MANUFACTURED HOMES

Manufactured and factory-built housing can be integral parts of the solution for addressing housing needs. Pursuant to Government Code Section 65852.3, the siting and permit process for manufactured housing should be regulated in the same manner as a conventional or stick-built structure. Specifically, Government Code Section 65852.3(a) requires that with the exception of architectural requirements, a local government, including charter cities, shall only subject manufactured homes (mobile homes) to the same development standards to which a conventional single-family residential dwelling on the same lot would be subject, including but not limited to building setback standards, side and rear yard requirements, standards for enclosures, access, and vehicle parking, aesthetic requirements, and minimum square footage requirements.

Manufactured homes (mobile homes) are allowed without discretionary review in all districts in the county that allow residential development. Certain areas have a Mobile Home Standards Overlay. This overlay contains yard, architectural, and snow load standards. Local suppliers of new manufactured homes have no difficulty in meeting these standards; however, the current County Ordinance does not permit Ramadas or similar roof structures. This makes it much more expensive to own a mobile home in the county, as residents either have to purchase a new mobile home that conforms to all applicable standards, or find a used mobile home that meets snow load standards.

FARM LABOR HOUSING

Per State law, farm worker or employee housing for six or fewer workers is deemed to be a single-family structure with a residential land use and is treated the same as a single-family dwelling of the same type in the same zone (see Health and Safety Code Section 17021.5). The permitted occupancy in employee housing in a zone allowing agricultural uses includes agricultural employees who do not work on the property where the employee housing is located. The farm labor housing allowed by right under Health and Safety Code Section 17021.6 may consist of up to 36 beds in group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses. Such employee housing is considered to be an activity that in no way differs from an agricultural use.

The County currently allows single-family residential development by right in the Agricultural and Rural Residential districts. These single-family homes could house farmworkers, however farmworker or employee housing called out as an allowed use. These zones allow temporary labor camps with a use permit. The Agricultural Preserve District allows both farm labor quarters and temporary tent/labor camps only with a use permit. The small amount of seasonal farmworker housing that is needed is provided by the farmers. Program HE-13 commits the County to amend the zoning code to fully comply with Health and Safety Code Sections 17021.5 and 17021.6 by:

- allowing farm worker or employee housing for six or fewer workers as a single-family use subject only to the requirements of single-family uses in the same zone, and
- up to 36 beds in group quarters or 12 units or spaces designed for use by a single family or household on land zoned for agricultural uses.

TRANSITIONAL AND SUPPORTIVE HOUSING

Transitional housing is defined in Government Code Section 65582(h) as buildings configured as rental housing developments but operated under program requirements that require the termination of assistance and re-circulating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of the assistance.

Supportive housing is defined by Government Code Section 56682(f) as housing with no limit on length of stay, that is occupied by the target population, and that is linked to an on- or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community. Target population is defined in Government Code Section 56682(g) as persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition,

or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

Pursuant to Senate Bill (SB) 2, the County adopted ordinance No. 315-806 in January 2014, which defined emergency shelters and transitional and supportive housing. It also allowed alternative housing, which included emergency shelters, supportive housing, and transitional housing for six or fewer persons in all zoning districts allowing single-family dwellings.

Included as a category of group care, the zoning code allows supportive housing, transitional housing, or other facilities authorized, certified, or licensed by the State to provide board, room, and personal care for seven or more persons but not to exceed 25 persons, or large family day care as defined by the California Health and Safety Code subject to a Use Permit. Residential care facilities for six or fewer persons are included in the term “alternative care” and are permitted as a single-family use. Residential care facilities for seven or more persons are included in the term “group care.”

The emergency and transitional housing in the county consists of single-family dwellings or duplexes. Existing structures are usually utilized. Permit requirements for transitional housing are the same as for single-family use.

EMERGENCY SHELTERS

The zoning code currently defines "Emergency shelter" as “a shelter or home run by a recognized public or non-profit entity for the purpose of emergency housing, i.e., less than six months maximum occupancy, under a declared public emergency. Such units may be established within any residential zoning district and may provide housing for up to twelve occupants. Under the terms of the operations program, no individual or household may be denied emergency shelter because of an inability to pay.”

Emergency shelters are required to conform to the following development standards:

1. No more than twelve beds, not including facilities for on-site staff.
2. A minimum parking area of one space for every two beds, in addition to two spaces reserved for on-site staff.
3. There shall be on-site staff at all times.
4. Such facilities shall be separated from other such facilities by a minimum of three hundred feet.
5. A written security plan shall be provided to the county sheriff prior to operation.

Assembly Bill (AB) 2339, which amended Government Code section 65583 and took effect in 2023, established new requirements related to zoning for emergency shelters. State law now requires jurisdictions to provide capacity for emergency shelters in a zone(s) that allows residential uses and to provide an inventory of available sites in proximity transportation and services. Further, jurisdictions must expand the definition of emergency shelters to include other interim interventions, including but

not limited to, navigation centers, bridge housing, and respite or recuperative care. The County currently allows emergency shelters in all zoning districts that permit a single-family dwelling per County ordinance No. 315-806 (January 2014). According to the 2023 PIT, 340 people were identified during the survey as experiencing homelessness in the county. As shown in Table 8.67 the County has identified six vacant parcels in high density residential zones appropriate for development of an emergency shelter, totaling about six acres. Using an assumption of one bed per 400 square feet (a more conservative estimate than required by AB 2339), these sites have capacity for 623 beds, which is sufficient capacity to accommodate the County's homeless individuals.

TABLE 8.67 EMERGENCY SHELTER CAPACITY

APN	Location	Acres	Capacity (Beds)	Zoning	In Proximity to Transit Corridors	Environmental or Infrastructure Constraints
014-350-047-000	Hayfork	0.52	56	R1M	Yes	None
014-020-005-000	Hayfork	1.45	157	R1M	Yes	None
002-090-042-000	Weaverville	0.50	54	R3	Yes	None
001-100-052-000	Weaverville	0.39	42	R3	Yes	None
001-080-004-000	Weaverville	2.37	258	R3	Yes	None
025-350-060-000	Lewiston	0.50	54	R3	Yes	None

EXTREMELY LOW-INCOME HOUSEHOLDS

Extremely low-income households have special housing needs because they are unlikely to find market-rate housing that is affordable at any price. Also, many of the extremely low-income households will fall within a special needs category (disabled, seniors, large families, or female- headed households) and require supportive housing services. AB 2634 (Lieber, 2006) requires the quantification and analysis of existing and projected housing needs of extremely low-income households. Housing elements must also identify zoning to encourage and facilitate supportive housing and single-room occupancy (SRO) units.

SROs are not currently addressed in the zoning code. The County therefore has developed Program HE-12, which states that the County will update the zoning code to allow SRO units in the R-3 zone. SRO units are most commonly found in multi-unit structures in a multifamily setting. SROs can also occur as stand-alone units, for example when a former motel is converted to an SRO development. SRO developments are generally relatively high density and therefore are an appropriate use for the R-3 zoning district.

A point-in-time survey conducted of online rental listing sites indicates limited availability of rental units in the county. Only four one-bedroom units were listed with an average monthly rental cost of $843 (see Table 8.38 in Chapter Two). Only 12 residential units were available for rent at the time of

this survey, two of which were RV unit rentals and one of which was a tiny house (Apartments.com, Trinity Journal Classifieds, and Craigslist, 2024). The low availability may be a constraint to very low- and low-income households in finding affordable housing. Mobile homes and second units, discussed above, can provide affordable rental alternatives. Additionally, ongoing rental assistance, such as Housing Choice Vouchers (HUD Section 8), may be necessary, as well as additional incentives for rental apartment construction, to maintain affordability for very low- income households. Currently, 769 Housing Choice Vouchers are available in the four-county region served by the Shasta County Housing Authority.

SUMMARY OF COMPLIANCE WITH STATE LAW

The County is not in compliance with all aspects of recent changes to State law imposed by SB 2, SB 35, AB 101, AB 2162, and AB 2339. Program HE-3 is included to bring the County's zoning code into compliance with Government Code section 65583(a)(4) and (5), as well as Government Codes 65915 and 1195 et seq., including:

- to require no more parking of emergency shelters than what is needed for all staff within the facility;
- to allow transitional and supporting housing in all zones that allow residential uses in the same way other residential uses are allowed and not subject to any restrictions (e.g., occupancy limits) not applied to similar dwellings in the zone;
- to allow supportive housing without discretionary review in all zones that allow multifamily housing or mixed-use development, including nonresidential zones, as applicable, with corresponding development standards as detailed in AB 2162;
- to expand the definition "emergency shelters" to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care;
- To create a density bonus ordinance that allows up to a 50 percent increase in project density depending on the proportion of units that are dedicated as affordable, and up to 80.0 percent for projects that are completely affordable, in compliance with Density Bonus Law;
- To establish a written policy or procedure, as well as other guidance as appropriate, to streamline the approval process and standards for eligible projects, in compliance with SB 35; and
- To offer translation services for all public meetings when requested and offer accessibility accommodations to ensure equal access to all programs and activities operated, administered, or funded with financial assistance from the state, regardless of membership or perceived membership in a protected class, as discussed in the Appendix A: Affirmatively Furthering Fair Housing.

CODES AND ENFORCEMENT

Trinity County has adopted the California Building Code of the California Code of Regulations Title 24, Part 2, Volumes 1 and 2. All more recent editions and amendments of that code are adopted by reference automatically under the County's Municipal Code Section 15.04.010.A. The County has not adopted any additional regulations or amendments that would hinder or add cost to development. In

this way, dwellings can be constructed by meeting the minimum state building code without any added County-originated regulations and costs.

The County encourages voluntary compliance with the code. However, in those instances where it becomes known that construction is being done without a permit, the County makes an effort to bring the structure into compliance with the code to ensure the health and safety of present and future occupants. In addition, the County may investigate violations of the building code on a complaint basis.

ON/OFF-SITE IMPROVEMENT STANDARDS

Existing vacant residential parcels require sewage disposal, water, and access. Homebuilders are not required to widen streets or to put in sidewalks and gutters. Encroachment permits are required for access onto state and county roads. Work and costs involved can range from zero for an acceptable existing encroachment to several thousand dollars after widening the driveway, installing culverts, and paving the entrance of the encroachment. Street improvements are generally not required for home construction.

The development of new parcels to serve potential development is subject to approval of a land division. The land division process typically includes the requirement to improve land to address access, ensure an adequate building site, and provide for improvements that will reduce other public costs to development. In Trinity County, access improvements can range from minimal in subdivisions with generally flat terrain to major in areas of steeper terrain. Improvements must comply with State fire safe guidelines found in Public Resources Code Section 4290 et seq. and with Trinity County Subdivision Ordinance requirements for roads as listed in section 16.48.126. The Subdivision Ordinance has flatter grade requirements than the fire safe ordinance. According to a Trinity County Senior Engineer, the flatter grades have been difficult to obtain in many locations. For some situations the subdivision requirements are also wider than required by Fire Safe. This is largely dependent on the potential number and size of parcels. For example, a category 1 road is for “areas where future land use is expected to consist of lots equal to or greater than 5 acres,” but a category 3 road is for “areas where... the predominate lot size is one acre or less, and/or where private street functions as a collector.” The category 3 road has much stricter standards than PRC 4290 and has 10-foot shoulders for on-street parking. (Pence, 2020) Typical right-of-way widths for streets are 40 to 60 feet depending on terrain, sufficient to accommodate two 10-foot travel lanes, with 2- to 10-foot shoulders and gutters on both sides, as well as a 10- foot swath for utilities outside of the travel way. In areas with steep terrain, additional width is needed to accommodate cuts and fills. Public roads specify a 60-foot width but allow reductions if everything can fit in a smaller area. The code does not specify a right-of-way width for private roads, so flatter roads could presumably be narrower than 40-foot width. In more rural areas, costs can vary widely depending on the location and the existing access. (Pence, 2020)

The minimum cost is $150 for an encroachment permit, and the minimum cost is $200 for utility/trenching. A typical residential driveway cost can easily be $5,000–$8,000 assuming a standard residential lot similar to the ones in the more urban communities where earthwork has already been done on the lot to rough in the driveway. Potable water is required for domestic purposes. Three communities (Lewiston, Weaverville, and Hayfork) provide water through special districts. Other areas

may have small private water companies, or developers must rely on surface water, springs, or wells. The costs involved in developing water sources are as varied as the methods of supplying it.

Sewage disposal is similar to water requirements. Both Weaverville and Hayfork have sewer districts, which require properties lying within the districts to connect to the system for health reasons. Lewiston has two private sewer companies that serve the smaller subdivision parcels that would not have adequate sewage disposal capabilities served by an individual onsite wastewater treatment system. All of the remaining communities and outlying areas require individual sewage disposal systems. A regular septic tank and leach lines are the only approved methods of sewage disposal in the county. With materials and installation labor costs, these individual systems generally cost between $5,000 and $7,000.

FEES AND EXACTIONS

Trinity County permit fees are established to recover all or part of the cost of processing permits. Fees administered by the County are minimal, administered in compliance with the Mitigation Fee Act (Government Code Section 66000) and are not considered to significantly affect the cost of residential development in the county. However, some fees, such as California Department of Fish and Wildlife fees, are outside of the County's control and can increase the cost of housing.

BUILDING PERMIT FEES

Building permit fees can vary widely depending on the type and quality of construction, project size, occupancies, and a variety of supplemental fees that can be imposed, depending on the agency. For the purpose of this analysis, the following is a general comparison of fees charged by local agencies for building permits for two sample cases and is based on available online information. One is a 1,800-square-foot single-family dwelling (SFD) with a 480-square-foot garage. The other is a multifamily dwelling (MFD) with four 1,200-square-foot units, with a 1,920-square-foot garage. The fee total in Table 8.68 for this structure is based on a per-unit cost. Among the identified fees, school impact fees are not calculated, as they too are location/district specific. Most of the school districts charge a standard fee of $2.97 per square foot for residential development, $0.47 per square foot for commercial development, and $.06 per square foot for mini storage; however, alternate rates are charged in several areas and vary from $0.00 to $3.20 per square foot. Estimated building fees for single- and multifamily units are shown in Table 8.68.

TABLE 8.68 TRINITY COUNTY BUILDING FEES, 2024

Fee Category	SFD	MFD/unit
Electrical Main Service	$77.00	$77.00
Electrical Residential Fee	$234.00	$624.00
Mechanical Issuance Fee 4	$58.00	$58.00
Fire Sprinklers Residential Plumbing Fee	$180.00	$480.00
Building Plan Check	$1,546.34	$3,351.78
Building Permit	$2,378.99	$5,156.59
Electrical	$431.40	$1,008.60
Plumbing	$238.00	$538.00
Mechanical	$238.00	$538
Certificate of Occupancy	$20.00	$20.00
Mechanical Insulation	$180.00	$480.00
Electrical Garage/Shop/Etc. Fee	$62.40	$624.00
Fire Sprinklers Review Fee	$100.00	$100.00
CASP Fee	$4.00	$4.00
Energy Plan Review Fee	$52.00	$52.00
Residential Zoning Fee	$84.00	$84.00
Permit Issuance Fee	$58.00	$58.00
Strong Motion Fee	$39.34	$103.85
General Plan Update Fee	$1513.20	$3,281.52
Plumbing Issuance Fee 2	$58.00	$58.00
Permit Copies Fee	$13.00	$13.00
Plumbing Traps Fee	$180.00	$480.00
Address Fee	$39.00	$39.00
Electrical Issuance 2	$58.00	$58.00
Building Standards Fee	$12.00	$32.00
Total	$6,947.27	$15,234.74

(1) These estimates are based on an 1,800-square-foot single-family dwelling (SFD) with a 480-square-foot garage.
(2) These estimates are based on a multifamily dwelling (MFD) with four 1,200-square-foot units, and a 1,920-square-foot garage.
Source: Trinity County, 2024.

PLANNING FEES

Trinity County's range of planning fees is shown in Table 8.69. These fees are highly variable, depending on the type and size of project.

TABLE 8.69 TRINITY COUNTY PLANNING FEES

Fee Category	Low	High
General Plan Amendment	$2,150	$2,150
Rezone	$1,995	$1,995
Use Permit	$550	$3,575
Variance	$1,760	$1,760
Land Division < 4 parcels	$2,209 + $100/lot	$2,209 + $100/lot
Land Division > 4 parcels	$2,609 + $154/lot	$4,000+ $50/lot
Environmental Review (CEQA)	Categorical Exemption: $220 Initial Study/Negative Declaration – no other entitlement: $2,850 or Actual Consultant cost. Estimated deposit required +15% for Admin.	Environmental Impact Report: Site-specific: Actual Consultant cost. Estimated deposit required +15% for Admin.

Source: Trinity County Planning Division Fee Schedule, effective 2013, accessed September 2024.

Fees are generally based on the cost of services. Services in both building and planning permit types can require extensive travel time to project sites that are extremely isolated. Building fees are adjusted periodically based on valuation tables established by the California Building Code. Planning fees are established on a fee for service basis, with the fees set as "averages." This is typical for rural areas where permit volume and entitlement policies are not as complicated as more urban settings. Considering that permit monitoring is becoming required and expected more frequently, current fees are likely underestimates of the current cost of service.

Permit, school impact, and utility connection fees add approximately $6,000 to $8,000 per unit. Access improvements and well and septic systems can add $15,000 to $25,000 to the cost of developing a parcel without access to water or sewer service. Total fees for typical development (including building fees (Table 8.68) and permit, school impact, and utility connection fees) is estimated to be $35,000 for a single-family unit and $28,000 for a multifamily unit. Based on the construction costs identified in the Analysis of Non-Governmental Constraints below, fees are estimated at less than 10 percent of the total cost of construction for a typical single-family or multifamily unit.

Trinity County has undergone a dramatic reduction in staff in all land development agencies, including building, planning, and environmental health. Each of these departments had a professional staff of one in 2020 and three to four in 2024. There is little room for fee reductions or other economic incentives to assist in providing housing.

ZONING AND FEES TRANSPARENCY

The County has posted all zoning, development standards, and fees for each parcel to the County website, as required by Government Code Section 65940.1(a)(1)(A) and (B).

PROCESSING AND PERMIT PROCEDURES

The permit process can have a significant impact on housing production and costs. Lengthy review periods can increase costs because material prices can rise and interest payments must be made. Lengthy review times can also frustrate builders, and the County can lose job and housing opportunities. For these reasons, Trinity County seeks to avoid unnecessarily lengthy review periods and adheres to the time limits of the Permit Streamlining Act. According to the Planning Division, the typical approval requirements for single- and multifamily developments in residential zones takes between two and four weeks and requires no design review unless the development is located in a historic district, as shown in Table 8.70.

The timeframe between issuance of final approval and a building permit depends on many factors, including applicants' readiness to begin construction. Generally, it takes two to four weeks from an application for a building permit to its issuance.

Projects that require more steps than a site plan and design review can take longer. Use Permits and zone changes, which require State-mandated environmental review, can take one to three years to review and approve. While site plan/building permit processing times are reasonable, County processing times related to use permits, zone changes, general plan amendments, tract maps, parcel maps, and environmental impact significantly hamper residential development in the County.

TABLE 8.70 TIMELINES FOR PERMIT PROCEDURES

Type of Approval or Permit	Typical Processing Time
Use Permit, Director issued	6 months +
Use Permit, Commission issued, no environmental review	1 -3 years +
Use Permit, Commission issued, with environmental review	1 -3 years +
Zone Change	1 -3 years +
General Plan Amendment	1 -3 years +
Site Plan Review (building permit review)	2–4 weeks
Architectural Review (required only in historic districts)	4 - 8 weeks
Tract Maps (environmental review required)	1 -3 years +
Parcel Maps (environmental review required)	1 -3 years +
Environmental Impact Report	1 -3 years +
Lot Line Adjustment	6 months – 3 years

Source: Trinity County Planning Division, 2024.

Most of the development in Trinity County consists of individuals building a single-family home. These homes are constructed by an owner/builder or by a licensed general contractor. Occasionally, an individual will build a house for speculation. Large private tract developments, with the lots already built upon, have never occurred in the county.

A building permit that is checked for zoning compliance is all that is needed from the County to develop residential structures when placed on residentially zoned parcels. There are no other committees or panels that review building permits except in the historic districts. In the historic districts, the exterior design of the dwelling is required to meet standards contained in the zoning code and have approval from the Architectural Review Committee. This review is informal and can be accomplished in less than seven days.

Several small multifamily developments have been built in the county, but zero have been developed since 2014. The permit process typically takes several weeks, mainly due to necessary revisions for compliance, or financing or design changes that occur on the developer's end. The County's plan review process can be accomplished, and a building permit issued in two to four weeks if the building plans are complete.

Most subdivisions in Trinity County are by parcel map, creating no more than four parcels. These subdivisions require approval of a tentative map before the parcel map can be submitted for recording. Compliance with the California Environmental Quality Act (CEQA) is required for each application, and the typical processing time for a parcel map is one to three years. Minimal requirements are placed on the subdivision developer to provide proof of sewage disposal, water, and access for each parcel being created. The access road standards create the largest monetary burden on the developer, although even this is minimal, as most roads require little more than widening and the application of base rock. Paving, curbs, and sidewalks are not required for parcel maps.

Very few subdivisions of five or more parcels are submitted for approval in Trinity County. The requirements for these larger subdivisions are basically the same as for parcel maps. The major difference is a report required by the California Bureau of Real Estate.

PERMIT STREAMLINING ACT AND CEQA TIMING REQUIREMENTS

The County has not adopted a policy to ensure compliance with the Permit Streamlining Act (Government Code § 65920 et seq.) and the California Environmental Quality Act (CEQA) (Public Resources Code (PRC) § 21000 et seq.). Program HE-26 in this Housing Element commits the County to adopting an ordinance ensuring compliance with the Permit Streamlining Act and CEQA timing requirements. The ordinance shall specify:

- Who is responsible for making CEQA determinations of PRC 21080.1
- That the determination will be made within the timeframe permitted by PRC 21080.2, and
- That when the County determines a project is exempt from CEQA, the determination triggers the Permit Streamlining Act 60-day deadline under Gov. Code 65950(a)(5)

CONSTRAINTS ON PERSONS WITH DISABILITIES

Persons with disabilities have a number of housing needs related to accessibility of dwelling units, access to transportation, employment, and commercial services, and alternative living arrangements that include on-site or nearby supportive services.

Trinity County requires compliance with the Americans with Disabilities Act (ADA) in all commercial buildings. Other than requiring compliance with the ADA, the County has no policies or regulations that

would discriminate, hamper, or make housing for persons with disabilities difficult. There are no concentration restrictions for residential care homes, group homes, or other housing for persons with disabilities. State and federal law do not permit the County to regulate group homes of six or fewer residents, and group homes of seven or more residents can be permitted, with approval of a Use Permit, in accordance with County Ordinance 315-16. A use permit, however, can take up to three years for approval and requires additional fees, which constrain the development of housing for those with a disability. To address these constraints, Program HE-3 commits the County to allow residential care facilities of seven or more in all zones allowing residential uses, based on objective criteria to facilitate approval certainty, and subject only to the requirement of residential uses of similar form in the same zone.

REASONABLE ACCOMMODATION

The County adopted Ordinance No. 315-807 in January 2014 to establish procedures for providing reasonable accommodation for those with disabilities (codified as 17.30.160 - Reasonable accommodations).

A request for reasonable accommodation may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy, or practice acts as a barrier to fair housing opportunities. A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having such impairment, or anyone who has a record of such impairment.

A request for reasonable accommodation may include a modification or exception to the rules, standards and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

Requests for reasonable accommodation shall be reviewed by the Director of Planning (Director), or his designee, if no approval is sought other than the request for reasonable accommodation. The written decision to grant or deny a request for reasonable accommodation must be based on consideration of the following factors:

a. Whether the housing, which is the subject of the request, will be used by an individual disabled under the Acts.
b. Whether the request for reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
c. Whether the requested reasonable accommodation would impose an undue financial or administrative burden on the County.
d. Whether the requested reasonable accommodation would require a fundamental alteration in the nature of a County program or law, including but not limited to, land use and zoning.
e. Potential impact on surrounding uses.
f. Physical attributes of the property and structures.
g. Alternative reasonable accommodations which may provide an equivalent level of benefit.

Due to the subjective nature of findings e and f, the County's Reasonable Accommodation Ordinance could potentially constrain housing assess for persons with a disability. Program HE-3 commits the County to update the zoning code to remove findings e and f from Section 17.30.160(E)(1) - Reasonable accommodations, Findings and Decision.

DEFINITION OF FAMILY

The County's zoning code defines a family as follows:

Family: *One or more persons occupying a premises and living as a single nonprofit housekeeping unit as distinguished from a group occupying a hotel, club, fraternity, or sorority house. A family shall be deemed to include necessary servants.*

This definition is not a constraint to housing for persons with disabilities.

ANALYSIS OF NON-GOVERNMENTAL CONSTRAINTS

Not all constraints to development are under governmental control. Land costs, construction costs, environmental constraints, and financing all play a role in determining the feasibility of building.

ENVIRONMENTAL CONSTRAINTS

Some land in Trinity County is unavailable for development because of environmental features. These features either pose a hazard to those who may choose to build in the area or may diminish valuable resources. As a result, builders avoid these areas because they understand the danger involved or do not wish to incur the added cost of building in these areas. These features include geologic hazards, soils with low permeability, and excessive slopes.

These constraints affect land use categories that can accommodate single-family residences. In most cases, the presence of these constraints will not preclude development of a single- family home on a minimum 5-acre parcel but may limit the placement of a home on a parcel of an acre or less. Environmentally constrained lands may also limit the subdivision potential of some parcels. Areas that permit multifamily units are not affected, as environmentally constrained lands are not designated for such use.

- **Geologic hazard** – A common geologic hazard in Trinity County is the potential for wet season landslides and rockfalls where humans have altered natural conditions. Soils on slopes of up to 50 percent have the combination of factors that could pose landslide problems when human activities are superimposed on natural conditions. Trinity County is not listed as being affected by potentially active faults and therefore has low potential for ground rupture, according to the chief of the California Geological Survey.
- **Soils with low permeability rates** – Most parts of the county are not served by public sewer systems and therefore must rely on septic systems. In some parts of the county, septic systems cannot be used because the soils have low permeability rates that prevent effective operation

of such systems. Areas where groundwater is high or the soils leach too quickly may also not support a septic system.

- **Excessive slopes** – In areas with a slope of 20 percent or more, improvements for accessibility, site preparation, and sewage disposal are very difficult. As a result, these areas are generally avoided or more costly systems are required. Parcels with slopes in excess of 30 percent are generally undevelopable for residential purposes (current Environmental Health standards preclude development of septic systems on slopes greater than 25 percent). Sizeable portions of these lands are within Resource-designated lands that do not have significant residential development potential.
- **Water supply and quality** – Some areas in the county lack sufficient water for development (either surface water or groundwater). In addition, some areas appear to have sufficient water but the potability is affected by heavy metals or minerals such as arsenic, mercury, sodium, chloride, and boron.
- **Flood hazard** – Development in flood hazard areas can result in property damage and loss of life. Flooding events occur in Trinity County in flood hazard areas near major rivers, including the Trinity River. The risk of the worst flooding would occur with the overflow or failure of one of the five dams located in the county: Lewiston, Trinity, Buckhorn, Ewing, and Matthews. Flooding has occurred, both in the 100-year floodplain and in other localized areas. If the County allows unpermitted or noncompliant development in flood hazard areas, it runs the risk of losing its eligibility in the National Flood Insurance Program. A floodplain ordinance is included in the County's zoning code as Section 29.4 that guides development in relation to floodplains.
- **Fire hazard** – Trinity County consists primarily of a mosaic of mixed conifer, hardwood, and chaparral woodlands located on moderate to steep mountain slopes. With wet winters providing the moisture to stimulate vegetation growth, and hot, dry summers that bring the vegetation to tinder status, both natural and human-caused fires are common features in this landscape. The California Department of Forestry and Fire Protection (Cal Fire) indicates that all areas are at risk of wildland fires, with much of the county classified as having high to extreme fire hazard severity. Consideration of fire safety and strict adherence to Trinity County's Fire Safe Ordinance standards should be required, especially when building outside the established communities (See Policy HE 2.8 and Program HE-15).

LAND COSTS

Land costs in Trinity County, like most counties, are highly dependent on location, existing structures and services, and other features of the property. A point-in-time survey of land with residential building capacity in the county conducted between September 2023 and September 2024 using the Zillow.com online property listing website indicates that the average cost per acre for vacant land in the county is approximately $3,556 per acre for lots of 10 acres or more and $24,621 per acre for lots less than 10 acres in size. A majority of the vacant parcels sold during this period were located within or adjacent to Hayfork and Salyer, with all other communities having relatively few sales of vacant land during this period. The distance from infrastructure, services, retail establishments, and jobs may account for the lower price per acre in the more rural parts of the County, such as Cottonwood, Zenia, Junction City, Mad River, and Ruth. Table 8.71 summarizes listings from September 2023 to September 2024.

TABLE 8.71 TRINITY COUNTY LAND SOLD

Location	Number of Parcels for Sale	Average Parcel Size (Acres)	Average Price	Average Price Per Acre
Burnt Ranch	2	23.7	$171,000.00	$16,470.65
Cottonwood	1	2,822.0	$1,900,000.00	$673.28
Douglas City	2	19.6	$ 93,500.00	$7,709.11
Hayfork	9	3.3	$99,688.89	$26,799.08
Junction City	2	13.2	$34,079.50	$2,195.43
Lewiston	1	13.0	$200,000.00	$15,408.32
Mad River	1	8.6	$64,000.00	$7,433.22
Ruth	1	7.0	$55,000.00	$7,812.50
Salyer	5	3.6	$174,600.00	$45,768.01
Trinity Center	1	0.2	$10,000.00	$43,478.26
Weaverville	2	52.6	$249,500.00	$8,491.11
Zenia	1	320.0	$220,000.00	$687.50

Source: www.zillow.com, September 2023 to September 2024

Another point-in-time survey of vacant land currently for sale as of September 2024 in the county was conducted using the Zillow.com online property listing website. This survey indicated that the average asking cost per acre for vacant land in the county is approximately $4,142 per acre for lots of 10 acres or more and $32,000 per acre for lots less than 10 acres in size. The average asking cost per acre for vacant parcels of all sizes was higher than the average cost per acre for all vacant parcels sold in the county between September 2023 and September 2024.

A majority of the vacant parcels for sale in September 2024 were located within or adjacent to Hayfork and Post Mountain, although the communities of Douglas City, Junction City, Lewiston, Trinity Center, and Weaverville also had many parcels for sale at this time. Similarly to the discussion on parcels sold in the last year, it should be noted that the distance from infrastructure, services, retail establishments, and jobs may account for the lower price per acre in the more rural parts of the County, such as Zenia, Douglas City, Helena, Platina, and Junction City. It should also be noted that there are a total of 94 vacant parcels for sale as of September 2024, which is much higher than the total number of vacant parcels sold between September 2023 and September 2024 at 29 sales. Table 8.72 summarizes for sale listings for vacant parcels in September 2024.

TABLE 8.72 TRINITY COUNTY LAND FOR SALE

Location	Number of Parcels for Sale	Average Parcel Size (Acres)	Average Price	Average Price Per Acre
Burnt Ranch	4	13.9	$151,250	$22,716
Douglas City	7	29.6	$138,971	$17,246
Hayfork	22	17.5	$89,633	$29,342
Helena	1	20.0	$275,000	$13,750
Junction City	7	20.6	$219,500	$18,878
Lewiston	8	10.6	$150,625	$24,036
Mad River	4	75.2	$209,475	$21,715
Platina	1	5.0	$95,000	$18,962
Post Mountain	13	2.3	$71,384	$30,160
Salyer	2	1.7	$160,000	$99,681
Trinity Center	8	28.6	$115,125	$28,879
Weaverville	8	12.0	$74,850	$48,311
Wildwood	3	6.8	$158,000	$22,836
Zenia	6	223.4	$317,333	$2,587

Source: www.zillow.com, September 2024

CONSTRUCTION COSTS

Factors that affect the cost of building a house include the type of construction, materials, site conditions, finishing details, amenities, and structural configuration. Public comment received during the Housing Element Update workshop series indicated that construction or redevelopment costs of $300 per square foot or more are common for typical construction in 2024. Very few single-family residences have been developed and sold in recent years; as a result, there are few trends to consider that may or may not support this claim. However, a single house built in 2022 was listed for sale in September 2024 in Trinity Center for $320,000, at approximately $267 per square foot (Zillow.com 2024). While there is no additional data on home sales for residences built since 2020, this estimate generally supports the construction estimate of $300 per square foot heard during the Housing Element Update workshop series. Using this estimate, a 1,600 square foot house in Trinity County is estimated to cost approximately $480,000. At $267 per square foot, consistent with the recent sale data, the same home would cost approximately $427,000.

Based on estimates provided by Danco Builders, a developer of multifamily structures throughout Northern California, a typical single-story multifamily building of approximately 15,000 square feet and with 900-square-foot apartments has a cost of $333 per square foot cost for construction with prevailing wage (Johnson 2020). Multiple developers serving the region confirmed that this general

estimate is still accurate as of 2024. This cost per square foot would result in a cost per unit for 900-square-foot units of $299,700.

Since 2020, labor and material costs have increased and the cost of construction has increased in Trinity County and throughout the state. Construction costs are considered to be a constraint to affordable housing construction and rehabilitation of existing housing.

SERVICES

WATER SUPPLY

The lack of reliable water supply is a significant constraint in meeting local housing needs. The situation is severe in many areas of the county. Many surface water sources dry up during the latter part of the summer and fall, leaving users of these systems hauling water for basic domestic purposes. Other areas, in addition to having unreliable surface water, have no underground aquifers, with no guarantee that water will be found each time a well is dug. A hydrologic study conducted by the California Department of Water Resources (Water Resources and Future Water Requirements: North Coastal Hydrographic Area, 1965), which provides information on the water- bearing ability of the Hayfork area, reveals the following information, with similar conditions being found throughout the county:

The bedrock is non-water-bearing and consists of a granitic intrusive near the western edge of the valley and metamorphic rocks beneath the remainder of the valley. Water levels in the valley have not been measured over a period of time and the amount of fluctuation is not known, but the level probably declines considerably during the dry season. Domestic wells are subject to rather rapid de-watering at that time.

Several communities have special districts or private companies that provide water:

- The community of Weaverville is provided water by the Weaverville Community Services District (CSD). The 2020 Weaverville CSD Municipal Services Report indicates that the current water system capacity adequately services active and stand-by connections; however, some future improvements to the system are needed to continue to serve the needs of future water users within their district. The district currently has the capacity to serve approximately 1,640 water service connections; additional water service connections are evaluated on a case-by-case basis. According to the 2020 Weaverville CSD Municipal Services Report, the community can expect a 0.3 percent growth rate per year, but constraints such as floodplains and steep terrain are barriers to expansion of both the community and its water service infrastructure (Trinity LAFCO 2020).
- The community of Hayfork is provided water by the Trinity County Waterworks District (TCWD). The district covers the majority of the downtown area of the community but does not cover the outskirts. The district completed infrastructure for non-potable water for irrigation projects, which has lowered demand on the potable water treatment plant by an estimated 20 percent. In recent years, TCWD has improved its water and sewer systems to accommodate increased service capacity; as such, the district anticipates that current water sources are sufficient for Hayfork in the near term. At this time, there are no limits or restrictions on applications for water or wastewater service (Hair 2020).

- The community of Lewiston is served by the Lewiston Community Services District. In recent years, the district has undergone major upgrades to the sewer system to increase the system's capacity by approximately 30 percent additional connections. The remainder of Lewiston uses surface water or wells, or, if in a subdivision, is served by a small community water system (Deardorff 2020; Lewiston CSD, 2022).

The rest of the small communities and outlying properties rely on surface water, individual wells, or small privately operated community water systems.

SEWAGE DISPOSAL

The majority of the property in Trinity County is not served by sewer. Individual sewage disposal systems are required, and their placement can be limited by soil type, slope, and proximity to rivers, streams, springs, and wetlands. Weaverville, Lewiston, and Hayfork have public sewer systems with adequate expansion capabilities.

AVAILABILITY OF FINANCING

The primary factor related to home finance affecting housing affordability and availability is the cost of borrowing money (interest rates). Historically, substantial changes in interest rates have correlated with swings in home sales. When interest rates decline, sales increase. The reverse has been true when interest rates increase. Fluctuating interest rates can eliminate many potential homebuyers from the housing market or render a housing project that could have been developed at lower interest rates infeasible. Over the past two decades, there has been dramatic growth in alternative mortgage products, such as graduated mortgages and variable rate mortgages. These types of loans allow homeowners to take advantage of lower initial interest rates and qualify for larger home loans. Even during periods of high interest rates, these alternative products allow more buyers to qualify for homeownership, thus dampening the swings in home sales that accompany changes in interest rates.

Nevertheless, the fixed interest rate mortgage remains the preferred type of loan, especially during periods of low, stable interest rates. Table 8.73 illustrates interest rates as of February 2024. The table presents both the interest rate and the annual percentage rate (APR) for different types of home loans. The interest rate is the percentage of an amount of money that is paid for its use for a specified time, and the APR is the yearly percentage rate that expresses the total finance charge on a loan over its entire term. The APR includes the interest rate, fees, points, and mortgage insurance and is therefore a more complete measure of a loan's cost than the interest rate alone. However, the loan's interest rate, not its APR, is used to calculate the monthly principal and interest payment.

TABLE 8.73 CONFORMING LOAN INTEREST RATES

Term	Interest	APR
15-Year Fixed Rate	6.000%	6.296%
30-Year Fixed-Rate VA	6.500%	6.833%
30-Year Fixed Rate	6.625%	6.822%

Source: www.wellsfargo.com, February 2024.

ENERGY CONSERVATION

State law (Government Code Section 65583[a][7]) requires housing elements to contain an analysis of opportunities for residential energy conservation. The energy conservation section of a housing element must inventory and analyze the opportunities to encourage the incorporation of energy-saving features, energy-saving materials, and energy-efficient systems and design for residential development. Housing element policies and programs should address the environmental significance and operational benefits of employing energy conservation in the building and retrofitting of housing.

Opportunities for residential energy conservation exist at all levels: individual dwelling units, residential projects, neighborhoods, communities, and regions. Conservation can be achieved through a variety of approaches, including reducing the use of energy-consuming appliances and features in a home, physically modifying existing structures or land uses, and reducing the reliance on automobiles by encouraging more mixed-use and infill development and providing pedestrian access to commercial and recreational facilities.

Trinity County has adopted a Regional Transportation Plan (RTP) that incorporates numerous energy conservation concepts into the future planning, design, and development of its transportation network. This plan parallels the California Transportation Plan in that it provides a vision of goals and strategies for improving transportation services, design, goals, and policies by focusing on the promotion of environmental quality, economic vitality, and social equity. Consideration of land use impacts and the relationship of transportation needs, alternatives, and improvements are brought together in future decision-making. Numerous policies are provided in the RTP that link land use development, energy impacts, greenhouse gas issues, efficiencies, and alternatives in transportation modes.

The trend in the RTP and other County planning efforts is towards a more infill- centric/transit-oriented approach in an effort to reduce vehicle miles traveled. The County actively seeks funding related to housing and transit facilities/services in the more urbanized areas of the county closer to transit opportunities as a way to reduce energy use.

The development of the previous 2019-2024 Housing Element and the RTP has been with the intent to ensure that policies in these documents are interlinked to benefit future decision-making, including incorporating the principles of the “Consider Health in All Policies” program.

A number of hydropower plants provide power with first preference to Trinity County. Those plants include Trinity Power Plant, Judge Francis Carr Power Plant, and Spring Creek Power Plant. The Trinity Public Utility District (TPUD) manages local power (hydroelectric) and serves many areas of the community at a much-reduced rate. The County and TPUD are considering options to expand service areas not currently served by TPUD (Southern Trinity and the Down River area) by forming a community choice aggregation (CCA) program. As currently envisioned, the County would establish itself as an “aggregator” for the CCA. The Pacific Gas and Electric Company (PG&E) would still provide all services, but the source of the electricity would be the Western Area Power Administration (WAPA), which is hydroelectric. The benefit is lower electric costs applied to the entire county from a source with lower greenhouse gas emissions.

Natural gas is not available in Trinity County. Many households rely on propane for utilities and heat. Wood stoves and HVAC systems are also a main source of heat for a large portion of the households in the county.

Constructing new homes with energy-conserving features, in addition to retrofitting existing structures, will result in a reduction in monthly utility costs. There are many ways to determine how energy efficient an existing building is and, if needed, what improvements can be made.

Examples of energy conservation opportunities include installation of insulation and/or storm windows and doors, installation or retrofitting of more efficient appliances and mechanical or solar energy systems and building design and orientation that incorporates energy conservation considerations. Compliance with Title 24, including Title 24 Energy Calculations, is required of all development and works to reduce energy consumption in new residential developments, including additions, ADUs, and new residences.

The Colusa-Glenn-Trinity Community Action Partnership of the Glenn County Human Resources Department has a weatherization and utility assistance program for income-qualified individuals.

CHAPTER 4: REVIEW AND REVISE

REGIONAL HOUSING NEED

State law (Government Code Section 65588) requires each local government preparing a housing element to review and analyze the appropriateness of its housing goals, objectives, and policies; the effectiveness of the housing element; and the progress of the county in implementation of its housing element. The 2019-2024 Housing Element contained 31 specific programs designed to carry out the overall goal of providing an adequate supply of sound, affordable housing units in a safe and satisfying environment for both current and future county residents, regardless of race, age, religion, sex, marital status, ethnic background, or personal disabilities.

Table 8.74 shows the County assigned housing goal for the 2019-2024 planning period.

TABLE 8.74 REGIONAL HOUSING NEEDS ALLOCATION (RHNA), 2019 TO 2024 – TRINITY COUNTY

Regional Housing Needs Allocation	
Income Category	**New Construction Need**
Extremely Low (0%–30% of Area Median Income (AMI))* and Very Low (31%–50% of AMI)	1
Low (51%–80% of AMI)	1
Moderate (81%–120% of AMI)	0
Above Moderate (over 120% of AMI)	0
Total Units	2

** The Extremely Low AMI category is included within the Very Low AMI and accounts for 11.4% of the total RHNA allocation based on HCD-accepted methodology.*

EVALUATION OF PROGRESS AND EFFECTIVENESS

There has been very limited new development outside of single-family development and a very small number of minor land divisions processed in recent years. Between 2019 and 2023, the County permitted more than 80 above moderate units and no moderate- or lower-income units.

Table 8.75 identifies the 2019 Housing Element implementation programs and evaluates the progress and effectiveness of each.

SUMMARY OF THE EFFECTIVENESS OF THE 2019 HOUSING ELEMENT

Due to staffing and funding constraints, the County was not able to implement most of the programs identified in the 2019 Housing Element. These programs have been carried forward and expanded to ensure compliance with State law. Additionally, no lower-income housing was permitted or constructed during the previous planning period. The County did permit 80 new units; however, all were market rate.

SUMMARY OF THE EFFECTIVENESS OF PROGRAMS IN MEETING SPECIAL HOUSING NEEDS

During the previous planning period, the County formally supported the efforts of the Rural Communities Housing Development Corporation to bring a 30-unit affordable housing complex to Weaverville. The project would have been developed and funded through support from the No Place Like Home (NPLH) and Low-Income Housing Tax Credits (LIHTC) programs. NPLH withdrew from this project, but the County continues to support the development of housing affordable to lower income households, including seniors, female-headed households, residents with a disability, farmworkers, and extremely low-income households.

Due to staffing constraints, the County did not complete zoning code updates meant to ensure compliance with State law related to SROs, transitional and supportive housing, or low barrier navigation centers. These incomplete programs must be incorporated into the 2024-2029 Housing Element. Additionally, the County was not able to secure additional funding in partnership with local organizations or non-profit agencies in support of housing for those with special housing needs.

TABLE 8.75 REVIEW OF PREVIOUS HOUSING ELEMENT PROGRAMS

#	Program	Objective	Status in Implementation	Action
1.1	The Planning Department shall annually review and amend land use regulations, development standards, processing procedures and fees, as needed, and where feasible remove impediments to and reduce the cost of affordable residential development. The County will establish a written policy or procedure and other guidance as appropriate to specify the SB 35 streamlining approval process and standards for eligible projects, as set forth under GC Section 65913.4. As part of this program, the County will review and amend its development standards if the 25-foot height limit in the R-3 zone and lack of permitted "by right" uses in the R-2 zone are constraints to the development of multifamily housing.	Review annually Adopt streamlined approval process for SB 35 qualified projects Update Zoning to remove constraints	The County annually reviews permit procedures. No changes were made during this planning period.	All three objectives should be carried forward.
2.1	The County will continue to encourage, support, and assist agencies and developers in applying for funding from available State and federal programs to provide housing for low- and moderate-income households. In an effort to do so, the County will provide the following support services: • Apply for State and federal funds on behalf of housing providers when funding sources require public agency involvement. • Support funding applications by housing providers. • Offer regulatory incentives, such as density bonuses, for projects that include housing units affordable to very low- and/or low-income households, provided that enforceable commitments are secured to ensure that units continue as affordable housing for target groups. • Provide information to developers of the funds available from State and federal programs. • Provide information brochures available at County offices, libraries, and other public agencies, and post on the County's website.	At least bi-annually	The County actively collaborates with housing developers to support in their application for funding for programs to provide low- to moderate-income housing. The County formally supported the efforts of the Rural Communities Housing Development Corporation to bring a bring a new, 30-unit affordable housing complex to Weaverville. The project would have been developed and funded through support from the No Place Like Home (NPLH) and Low-Income Housing Tax Credits (LIHTC) programs. NPLH withdrew from this project, but the County still actively supports low-to-moderate-income housing projects.	Continue. Add details, milestones, and metrics to provide specificity.

#	Program	Objective	Status in Implementation	Action
2.2	On a project-by-project basis, the County will offer fast-track/priority processing, density bonuses, flexibility in development standards, and fee subsidies (when feasible) to developers proposing new housing, mixed-use, or infill projects affordable to lower-income households, farmworkers, seniors, and other special needs groups. The County will also consider reduced parking standards for such projects. In addition, the County will review its zoning code to ensure compliance with State Density Bonus Law.	On a project-by-projects basis throughout the planning period Amend the zoning code by 2021	The County adopted Ordinance No. 315-806 in commitments are secured to ensure that units continue as affordable housing for target groups." This program has been addressed but not implemented to fully satisfy HCD requirements. This program will be modified to further amend the County zoning code to include additional details about how an applicant can apply for a density bonus under State law.	Continue. Add State law reference and reference to ongoing general plan and zoning code updates.
2.3	The County will amend its zoning code to comply with all State law pertaining to Accessory Dwelling Units (ADUs). In addition, to encourage the production of ADUs, the County will offer incentives such as the reduction of parking requirements, reduction of permit processing time, increase in floor areas, and reduction of setbacks.	Amend the zoning code by 2021	The County continues to allow Accessory Dwelling Units in conjunction with single-family residences in various zones in the County. No changes were made during this planning period.	Continue. Consider geographic targeting related to AFFH; add reference to ongoing general plan and zoning code updates.
2.4	The County will continue to monitor the status of all affordable housing projects and, as their funding sources near expiration, will work with the qualified entities and with the property owners to consider options to preserve such units as affordable. The County will also provide technical support to property owners and tenants regarding proper procedures relating to noticing and options for preservation.	Annually monitor units at risk of converting and implement preservation steps, as needed	The County has not had the resources to implement this program.	Continue. Add details, milestones, and metrics to provide specificity
2.5	The County will meet with nonprofit developers and other stakeholders biannually to establish and implement a strategy to assist in the development of housing affordable to extremely low-income households.	Amend the zoning code by January 2021	The County has not had the resources to implement this program.	Continue. Add details, milestones, and

#	Program	Objective	Status in Implementation	Action
	As part of this effort, the County will consider prioritizing local financial resources and at least biannually seek and apply for State and federal funding specifically targeted for the development of housing affordable to extremely low-income households, such as CDBG, HOME, and USDA funds. The County will provide concessions and incentives to assist the development of housing for extremely low-income households such as increased densities, modifications to development standards, and priority processing. Also, per AB 2634, to further meet the needs of extremely low-income households, the County will amend the zoning code to define and allow single-room occupancy units in the R-3 zone. The County will also identify other potential zoning districts where single-room occupancy units would be appropriate uses.	Biannually meet with developers and work to assist five (5) extremely low-income households		metrics to provide specificity; add reference to ongoing general plan and zoning code updates.
3.1	The County will continue to monitor vacant residential land to assess the residential development potential and ensure the County is able to continue to meet its Regional Housing Need Allocation (RHNA). As a part of this monitoring the County will complete the following: As updates are made to the zoning code, General Plan, or Community Plans, the County will consider the need to provide additional land for various types of residential development. As community plans are prepared or updated, identify vacant land that is residentially zoned or has residential potential. The Planning Department will use this information to identify lands that could support higher residential densities. The County will work with the landowners to rezone an adequate supply of these lands to higher-density residential uses.	Annually	The County did not update the zoning code, General Plan, or community plans related to housing during the previous planning period. However, the level of development in the county is very low. Trinity County has sufficient lands for new residential development. The County is currently undertaking a comprehensive general plan and zoning code updates.	Continue. Add details, milestones, and metrics to provide specificity; add reference to ongoing general plan and zoning code updates.
3.2	The County will work with water and wastewater providers to ensure capacity for a diversity of new housing types. The County shall provide	Annually throughout the planning period	The Planning Division has not conducted land use surveys to	Continue. Add milestones

#	Program	Objective	Status in Implementation	Action
	technical assistance to the water and wastewater providers for the development of long-range infrastructure plans. The County shall also work cooperatively with the water and wastewater providers to identify additional funding to support priority projects. In addition, to ensure the provision of water and sewer facilities for affordable housing, the County will continue to obtain the written policies and procedures from each agency providing water and/or sewer service in the county describing how each agency does or will grant priority for the provision of water and sewer facilities for affordable housing projects pursuant to Government Code Section 65589.7. Alternatively, agencies may provide written verification indicating that sufficient water and sewer capacity and infrastructure exist to serve all parcels which have been identified in the Housing Element sites inventory. The County shall request that water and sewer providers notify the County of changes in the status of water and sewer capacity or infrastructure that could affect the development of sites in the available sites inventory. The County shall also submit the Housing Element to local water and sewer providers within one month of its adoption in accordance with State law.		identify vacant land as community plans are prepared or updated.	related to engagement with service providers
4.1	The County will apply for State and federal assistance for housing rehabilitation to finance the rehabilitation of substandard homes in the county and will support the efforts of other agencies in pursuit of this same effort. If funded, the County will continue its existing housing rehabilitation program. In addition, the County will support the efforts of other agencies that offer home weatherization programs by providing information to the public and referrals on the weatherization programs. The County will also look for grant funding to complete a Housing Conditions Survey to help determine the rehabilitation need within the County.	Annually, and as Notice of Funding Available (NOFA) are released. If funding is available, conduct a housing conditions survey by January 2023.	The County did not apply for grant funding to conduct a new housing conditions survey in the previous planning period.	Continue. Add details, milestones, and metrics to provide specificity Add place-based strategies for revitalization of lower resourced areas

#	Program	Objective	Status in Implementation	Action
4.2	The County will continue to encourage voluntary code compliance by providing guidance and technical assistance to residents who wish to make their own repairs. Local educational and home repair clinics will be supported in their efforts. Fliers for clinics and seminars will continue to be made available to the public. The County will explore the topic of limited density, owner-built rural housing/Class K Housing.	Annually conduct code compliance workshops or provide brochures. Explore the topic of limited density, owner-built rural housing/Class K Housing during the planning period.	The County continues to provide fliers as programs are available. The County adopted an ordinance allowing for limited density, owner-built rural housing/Class K Housing.	Educational/technical assistance program efforts should be carried forward. Add details and milestones as necessary. Add place-based strategies for revitalization of lower resourced areas
5.1	The County will work with housing providers to ensure that special housing needs are addressed for seniors, large families, female-headed households, single-parent households with children, farmworkers, persons with disabilities and developmental disabilities, and homeless individuals and families. The County will seek to meet these special housing needs through a combination of regulatory incentives, zoning standards, new housing construction programs, and supportive services programs. Incentives and programs the County offers include density bonuses, parking reductions for senior and group care homes, and a reasonable accommodation procedure. The County will also continue to work with lower-income housing providers and funders to construct or acquire a variety of types of lower-income housing opportunities for individuals and groups with special needs and extremely low- income households if any applicants come forward. Specific housing types include: • Smaller units, including single-room occupancy units.	Annually meet with housing providers, annually apply for funding as NOFAs are released	No new or rehabilitated multiple-family projects of 4 or more units were approved using federal or State funding sources. No units for households with special housing needs have been approved or constructed since adoption of the previous Housing Element. The County is actively collaborating with housing developers to support in their application for funding for programs to provide low to moderate income housing. For example, the County formally supported the efforts of the Rural Communities Housing Development Corporation to bring a new, 30-unit affordable housing	Continue. Add metrics and milestones related to funding pursuits.

#	Program	Objective	Status in Implementation	Action
	• Senior housing, including assisted living facilities. • Units with special adaptations for people with disabilities, per California Title 24 standards. In addition, if staffing resources allow, the County may seek funding under CDBG, HOME Investment Partnerships, federal HOPWA, California Child Care Facilities Finance Program, and other State and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk for homelessness.		complex to Weaverville. The project would have been developed and funded through support from the No Place Like Home (NPLH) and Low-Income Housing Tax Credits (LIHTC) programs. NPLH withdrew from this project, but the County still actively supports low-to-moderate-income housing projects. Of the 30 units, approximately half would have been reserved for homeless or at risk of homeless persons with mental illness in the extremely low-income category. Case managers were planned on site and referrals and transportation to supportive services made available as needed. The remaining units were planned to be available to lower income households.	
5.2	To comply with the State Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6), the County will review the zoning code and amend it as necessary. Section 17021.5 requires the zoning code to treat employee/farm worker housing that serves six or fewer persons as a single-family structure and permitted in the same manner as other single-family structures of the same type in the same zone in all zones allowing single-family residential uses. Section 17021.6 requires that employee/farm worker housing consisting of no more than 12 units or 36 beds be treated as an agricultural use and permitted in the same manner as other agricultural uses in the same zone.	Amend the zoning code by January 2021	No changes were made during this planning period. The County is currently undertaking a comprehensive general plan and zoning code updates.	Continue; add reference to ongoing general plan and zoning code updates.

#	Program	Objective	Status in Implementation	Action
6.1	The County will work with non-profit and other social service organizations to maintain funding assistance, as well as continue to encourage private contributions to local homeless assistance programs and shelters.	Meet annually with social service providers	The County supports the development of emergency housing through the Behavioral Health Services Cedar Home Respite project, The Behavioral Health Bridge Housing (BHBH) program along with California Department of Social Services (CDSS) provide allocations specifically to serve the needs of Trinity County's homeless and at-risk of homeless populations. In addition, the County provides Emergency Shelter Grant (ESG) Programs in coordination with the Community Action Partnership of Colusa, Glenn, and Trinity Counties including rental assistance.	Continue. Expand with metrics related to funding pursuits and connect objectives to most recent point-in-time count
6.2	The County will amend the definition of Alternative Housing in the zoning code to comply with Senate Bill 2 requirements for transitional and supportive housing to allow those uses in all zones that allow residential uses in the same way other residential uses are allowed and not subject to any restrictions (e.g., occupancy limits) not applied to similar dwellings in the zone. Additionally, the County will revise the zoning code to allow supportive housing without discretionary review in all zones that allow multifamily housing or mixed-use development, including nonresidential zones as applicable. the allowed uses along with corresponding development standards as detailed in AB 2162.	Amend the zoning code by January 2021	No changes were made during this planning period. The County is currently undertaking a comprehensive general plan and zoning code updates.	Continue. Expand to include new requirements for emergency shelters due to AB 2339; add reference to ongoing general plan and zoning code updates.
6.3	Per AB 101 (2019), the County will review the zoning code and make revisions, if necessary, to allow low barrier navigation centers for the homeless per Government Code 65660-65668. The County will consider	Review the zoning code by January	No changes were made during this planning period.	Continue. Add reference to ongoing general

#	Program	Objective	Status in Implementation	Action
	the potential to accommodate low barrier navigation centers for the homeless by examining existing government constraints and barriers.	2021, make revisions by June 2022	The County is currently undertaking a comprehensive general plan and zoning code updates.	plan and zoning code updates.
6.4	The County will work with the Far Northern Regional Center to implement an outreach program that informs families in the county about housing and services available for persons with developmental disabilities. The program could include developing an informational brochure and directing people to service information on the County's website.	Develop an outreach program within two years of adopting the Housing Element to assist persons with developmental disabilities.	The County has not had the resources to implement this program.	Continue. Expand with detailed actions, metrics, and milestones, as appropriate.
7.1	The County will direct persons with complaints of housing discrimination to the appropriate state and federal agencies that handle such complaints. Information regarding housing discrimination will be made available at Trinity County libraries, senior centers, Human Response Network, Planning Department, and Health and Human Services. The County will only support housing programs that are in compliance with the state Rumford Fair Housing Act and the Unruh Civil Rights Act, which prohibit arbitrary discrimination in housing.	Daily, review effectiveness annually	When requested, the County directs persons with housing discrimination complaints to the appropriate State and federal agencies that handle such complaints. The County makes information regarding housing discrimination available at Trinity County libraries, senior centers, Human Response Network, Planning Division, and Health and Human Services. The County supports housing programs that are in compliance with the state Rumford Fair Housing Act and the Unruh Civil Rights Act.	Continue. Expand with fair housing actions related to enforcement and outreach, should issues be identified in the fair housing analysis
7.2	The County will continue implementing its plan to Affirmatively Further Fair Housing. The AFFH Plan commits to take actions to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of	Take meaningful actions, to combat discrimination, overcome patterns of segregation, and	Ongoing	Continue. Expand with specific actions, metrics, and milestones that

#	Program	Objective	Status in Implementation	Action
	poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other state and federal fair housing and planning law.	faster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics		respond to the fair housing analysis; expand to include place-based strategies for community revitalization and to address displacement.
8.1	Each application for a residential building permit and new residential developments will be required to comply with Trinity County's Fire Safe Ordinance to reduce fire hazard risks. Homeowners, contractors, and developers will be encouraged to follow additional recommendations on fire safety from the California Department of Forestry and Fire Protection (Cal Fire), the Trinity County Fire Safe Council, and their local fire department.	Ongoing, as residential building permit are applied for	The County continues to require a residential building permit to comply with Trinity County's Fire Safe Ordinance. In addition, the County encourages homeowners, contractors, and developers to follow additional fire safety recommendations.	Continue. New objective should be to ensure compliance in all new development.
8.2	The County will incorporate Title 24 and Leadership in Energy and Environmental Design (LEED) requirements into the zoning code, specific plans, and development agreements as appropriate, and enforce State requirements, including Title 24 of the California Code of Regulations, for energy conservation in new residential projects. The County will encourage residential developers to employ additional energy conservation measures for the siting of buildings, landscaping, and solar access through development standards contained in the zoning code, Building Code, and other plans as appropriate.	Ongoing, as projects are processed through the Building and Planning Departments.	The County continues to review proposals and other land development projects to implement this program. The County has adopted the California Energy Code (Title 24) by reference.	LEED is likely not feasible for most construction in the county. Complete: remove this program.
9.1	The County will continue to review the policies of its General Plan to ensure consistency. The County will update its General Plan by 2023 and ensure consistency with the Housing Element. Updates may be made on an incremental basis with updates to some elements starting as early as 2021.	Annually and 2022 (Updated General Plan)	The County has continued to review the policies in different General Plan elements for internal consistency. The County is in the process of updating the General Plan, with adoption	Continue; add reference to ongoing general plan and zoning code updates.

#	Program	Objective	Status in Implementation	Action
			expected in 2024. Following adoption of the General Plan, the County will begin a comprehensive update of the Zoning Code. Through these updates, the County will ensure consistency across all general plan elements and zoning requirements.	
10.1	Each time a housing project is proposed that may have an effect on a particular group or neighborhood, the County will make efforts to distribute information on the project to ensure that the group or neighborhood is made aware of the project and the process and has the opportunity to respond. The County will explore options for improving communication with Tribes and other stakeholders for all development projects involving ground disturbance. The County will consider whether a Memorandum of Understanding or another method would be appropriate for ensuring that Tribal monitors are present, when needed. The County will implement selected communication improvement approaches, if feasible.	Options for strengthening communication will be explored and implemented, if feasible, during the planning period. Information will be distributed whenever projects are proposed	There has not been a need to implement this program. There has been very limited new development outside of single-family development and a very small number of minor land divisions processed in recent years.	Continue.

CHAPTER 5: HOUSING PROGRAM

STATUTORY REQUIREMENTS

Local governments have the responsibility to adopt a program that implements the policies, goals, and objectives of the housing element through their vested powers, particularly over land use and development controls, regulatory concessions and incentives, and the use of financial resources.

Programs are the specific action steps the locality will take to implement its policies and achieve its goals and objectives. Programs must include a specific time frame for implementation and identify the agencies or officials responsible for implementation. Effective program descriptions also include:

- Action steps with specific timing
- Proposed measurable outcomes
- Actions targeted to individual communities, neighborhoods, or census tracts, as appropriate (also referred to as placed-based strategies).
- Potential funding sources

GOALS AND POLICIES

Goal HE 1: Ensure the provision of adequate public facilities and services to support existing and future residential development.

Policy HE 1.1 **Constraints.** Remove constraints to housing development imposed by County requirements. *(Program HE-2, Program HE-3, Program HE-12, Program HE-13, Program HE-22)*

Policy HE 1.2 **Adequate Sites and Services.** Provide adequate sites and services for development of housing units to meet the needs of county residents and visitors. *(Program HE-4)*

Policy HE 1.3 **Consistency in Planning.** Ensure consistency between the general plan, housing element, and zoning code. *(Program HE-5)*

Policy HE 1.4 **Permit Processing.** Ensure that staff levels, and funding for positions, are sufficient to meet the work demand to process permits within the timing requirements of the Permit Streamlining Act.

Goal HE 2: Proactively promote the development of secure, safe, sanitary, healthy, and affordable housing for all members of the community.

Policy HE 2.1 **Variety of Housing Types.** Encourage the production of a variety of housing types to serve all income levels. *(Program HE-6, Program HE-7, Program HE-9, Program HE-10, Program HE-12, Program HE-13, Program HE-14, Program HE-24, Program HE-25)*

Policy HE 2.2 **Affordable Housing.** Support the development of affordable housing and affordable homeownership opportunities. *(Program HE-6, Program HE-8, Program HE-9, Program HE-10, Program HE-12, Program HE-13)*

Policy HE 2.3 **Special Needs Housing.** Encourage the construction or placement of sufficient housing units necessary to meet the needs of households with special housing requirements. *(Program HE-9, Program HE-10, Program HE-11, Program HE-12, Program HE-13)*

Policy HE 2.4 **Day Care.** Support the development of day care facilities. *Program HE-20)*

Policy HE 2.5 **Emergency Housing Development.** Support the development of emergency housing. *(Program HE-12, Program HE-14)*

Policy HE 2.6 **Short-term Emergency Housing.** Support community efforts and citizens in need of short-term emergency housing. *(Program HE-12, Program HE-14)*

Policy HE 2.7 **Engagement.** Prioritize community engagement in all housing related matters and land use planning efforts. *(Program HE-11, Program HE-12, Program HE-14, Program HE-15, Program HE-16, Program HE-18, Program HE-21, Program HE-22, Program HE-23)*

Policy HE 2.8 **Fire Safe Ordinance.** Require residential building permits and new residential developments to comply with Trinity County's Fire Safe Ordinance.

Policy HE 2.9 **Additional Fire Safety Measures.** Encourage homeowners, contractors, and developers to follow additional recommendations on fire safety from the California Department of Forestry and Fire Protection (Cal Fire), the Trinity County Fire Safe Council, and their local fire department. *(Program HE-15)*

Policy HE 2.10 **Mobile Home and RV Parks**. Encourage and support the development of mobile home and RV parks to expand both long-term and emergency housing options in the county.

Goal HE 3: Encourage the preservation, maintenance, improvement, and rehabilitation of existing housing stock and residential neighborhoods, particularly in lower income rural areas.

Policy HE 3.1 **Preservation.** Encourage and support the preservation of all existing affordable housing units in the county. *(Program HE-16)*

Policy HE 3.2 **Rehabilitation.** Assist in the rehabilitation of substandard dwelling units and the abatement of dangerous residential structures through code enforcement. *(Program HE-17, Program HE-18)*

Goal HE 4: Maximize opportunity and housing choice throughout the county and proactively work to overcome patterns of economic segregation and discrimination based upon age, sex, race, sexual orientation, religion, familial status, ethnic background, or disability.

Policy HE 4.1 **Equal Opportunity Housing.** Continue to support efforts to promote equal opportunity in housing. *(Program HE-19, Program HE-20, Program HE-21, Program HE-22, Program HE-23)*

Policy HE 4.2 **Service Providers.** Support local, regional, and State agencies in the provision of fair housing services in Trinity County. *(Program HE-19, Program HE-20, Program HE-23)*

Policy HE 4.3 **Collaborative Efforts.** Support collaborations with the State of California, regional jurisdictions, and local agencies that work to overcome historic patterns of segregation and discrimination through education and outreach, regional planning studies and research, or coordinated programs. *(Program HE-19, Program HE-20, Program HE-21, Program HE-23)*

Policy HE 4.4 **AFFH Consideration.** Consider affirmatively furthering fair housing goals in all housing-related policy decisions. *(Program HE-20, Program HE-23)*

Goal HE 5: Encourage residential energy efficiency and reduce residential energy use.

Policy HE 5.1 **Energy Efficiency.** Encourage planning and design techniques that work to reduce residential energy consumption.

IMPLEMENTATION PROGRAMS

Program HE-1 Housing Element Implementation

Funding is the County's largest constraint to implementing the State's myriad of housing goals and requirements. While the County works diligently to implement all programs within each Housing Element Update, the General Fund is limited and implementation of every program is not possible without additional grant funding. Currently-available grant funding, however, is also insufficient to implement all the programs required by the State. In recognition of the contrast between State requirements and funding availability:

a) Engage state representatives and the State Department of Housing and Community Development (HCD) to discuss the issues, potential solutions, and available funding for housing element implementation.

b) Engage HCD to seek technical assistance and direct support with completing implementation measures.

c) Create an annual action plan for implementation that prioritizes key actions and programs, evaluates available funding, and identifies funding gaps that limit implementation.

d) Engage local agencies, the Continuum of Care, non-profit groups, and other community stakeholders to pursue partnerships in pursuit of funding or to assist in implementation based on shared goals.

e) Annually evaluate and report on progress in implementation.

f) Review progress in implementation in 2029 and revise programs, as necessary, to respond to new opportunities and remove ineffective or infeasible actions.

g) Consider adopting a real estate transfer fee to fund housing needs and implementation of the Housing Element programs.

Related Policies:	*Policy HE 1.2*
Responsibility:	*Community Development Department, Health and Human Services Agency, Administration Office and Board of Supervisors*
Time Frame:	*Annually*
Funding:	*General Fund, State grant funding and technical assistance*
Priority:	*Highest*

Program HE-2 Development Constraints

Through the 2050 General Plan Update and associated Comprehensive Zoning Code Update, review and amend land use regulations, development standards, processing procedures and fees, as feasible, to remove impediments to and reduce the cost of affordable residential development. As part of this program:

- Update commercial zones to allow residential uses and establish a new mixed-use zone.
- Allow duplexes in R-1 zones, consistent with the Low Density Residential (LDR) land use designation in the 2050 General Plan.
- Address the lack of permitted "by right" uses in the R-2 zone as a constraint to the development of multifamily housing.
- Include a page(s) within the County website outlining development application requirements, permitting procedures, and all necessary steps to receive a building permit, including links and resources as appropriate to complete each application type and a checklist for by right uses. Notify local and regional developers to publicize the availability of this information.
- Include a page within the County website that documents how and when a density bonus can be used, as well as any concessions provided by the County as incentives to encourage affordable development.

Through these actions, work to increase capacity by 300 units in higher resource areas (Hayfork and Weaverville).

Related Policies:	*Policy HE 1.1*
Responsibility:	*Community Development Department, Building Division, Planning Commission, Board of Supervisors*
Time Frame:	*Comprehensive Zoning Code Update: 2026*
Funding:	*General Fund*
Priority:	*Highest*

Program HE-3 State Law Compliance

Through the Comprehensive Zoning Code Update:

- Establish a written policy or procedure and other guidance as appropriate to specify the SB 35 streamlining approval process and standards for eligible projects, as set forth under Government Code Section 65913.4.
- Revise zoning requirements for emergency shelters to require no more parking than what is needed for all staff within the facility, and to expand the definition of "emergency shelters" to include other interim interventions, including but not limited to, navigation centers, bridge housing, and respite or recuperative care.
- Amend the definition of Alternative Housing in the zoning code to comply with Senate Bill 2 requirements for transitional and supportive housing to allow those uses in all zones that allow residential uses in the same way other residential uses are allowed and not subject to any restrictions (e.g., occupancy limits) not applied to similar dwellings in the zone.

- Allow supportive housing without discretionary review in all zones that allow multifamily housing or mixed-use development, including nonresidential zones, as applicable, with corresponding development standards as detailed in AB 2162.
- Allow low barrier navigation centers in compliance with Government Code 65660-65668.
- Update density bonus provisions in compliance with State Density Bonus Law (Government Code Sections 65915 through 65918).
- Comply with the requirements for farmworker and employee housing in Health and Safety Code 17021.5 through 17021.8.
- Allow residential use by right for housing developments in which at least 20 percent of the units are affordable to lower income households on lower-income RHNA sites that were listed in the previous housing element (as identified in Appendix B), in compliance with Government Code Section 65583.2(c).
- Remove approval findings (e) and (f) from *Section 17.30.160(E)(1) - Reasonable Accommodations, Findings and Decision,* to address constraints to housing access for persons with a disability.
- Allow group homes/residential care facilities of seven or more in all zones allowing residential uses, based on objective criteria to facilitate approval certainty, and subject only to the requirements of residential uses of similar form in the same zone.

Related Policies:	*Policy HE 1.1*
Responsibility:	*Community Development Department, Health and Human Services Agency, Planning Commission, Board of Supervisors*
Time Frame:	*Comprehensive Zoning Code Update: 2026*
Funding:	*General Fund*
Priority:	*Highest*

Program HE-4 Water and Sewer Service Capacity

Work with water and wastewater providers to ensure capacity for a diversity of new housing types. Under this program:

- Request providers to provide up-to-date service area maps and documents identifying currently constrained parcels within the service area in 2025 and as changes occur.
- Annually engage water and wastewater providers to identify and pursue additional grant funding to support priority improvement, maintenance, or expansion projects, with a goal of securing $60,000 in the planning period, if funding becomes available.
- Request that water and sewer providers notify the County of changes in the status of water and sewer capacity or infrastructure that could affect the development of sites in the available sites inventory.
- Submit the Housing Element to local water and sewer providers within one month of its adoption in accordance with State law.
- In addition, obtain the written policies and procedures from each agency providing water and/or sewer service in the county describing how each agency does or will grant priority for the provision of water and sewer facilities for affordable housing projects pursuant to Government

Code Section 65589.7. Alternatively, agencies may provide written verification indicating that sufficient water and sewer capacity and infrastructure exist to serve all parcels identified in the Housing Element sites inventory.

Related Policies: *Policy HE 1.2*
Responsibility: *Community Development Department, Health and Human Services Agency, Environmental Health Division*
Time Frame: *Annually throughout the planning period*
Funding: *General Fund, Grant funding*
Priority: *Highest*

Program HE-5 Zoning Code Consistency

Continue to review the standards and requirements of the zoning code to ensure consistency with this Housing Element Update and 2050 General Plan. The County will complete the Comprehensive Zoning Code Update in 2026. Additionally, if the General Plan or Zoning Code is amended during the planning period, the County will review the Housing Element for internal consistency, and make any necessary revisions to ensure consistency between the documents within six months of identification.

Related Policies: *Policy HE 1.3*
Responsibility: *Community Development Department*
Time Frame: *Annually; Comprehensive Zoning Code Update: 2026*
Funding: *General Fund*
Priority: *Highest*

Program HE-6 Low- and Moderate-Income Rental Housing

Continue to encourage, support, and assist agencies and developers in applying for funding from available State and federal programs to provide housing for low- and moderate-income households. In an effort to do so, provide the following support services:

- Annually identify state and federal funding programs in support of affordable housing and publicize the information for developers on the County website.
- Annually identify and engage housing developers, affordable housing providers, and non-profit agencies (housing providers) to discuss and explore funding opportunities in support of low- and moderate-income housing.
- Create partnerships with local or regional housing providers to pursue funding opportunities with a goal of supporting the development of 15 moderate- and 30 lower-income units with a goal of 75 percent in high resource areas; serve as the lead agency in applying for funding when required by the funding source.
- Offer regulatory incentives, such as density bonuses and expedited review, for projects that include housing units affordable to lower-income households, provided that enforceable

commitments are secured to ensure that units continue as affordable housing for target groups, in compliance with State law.

Related Policies:	*Policy HE 2.1, Policy HE 2.2*
Responsibility:	*Health and Human Services Agency, Community Development Department, Administration Office and Board of Supervisors*
Time Frame:	*Annually*
Funding:	*State and federal grant programs (CDBG, HOME, USDA Rural Housing Services)*
Priority:	*High*

Program HE-7 Accessory Dwelling Units

Amend the Zoning Code to comply with all State laws pertaining to Accessory Dwelling Units (ADUs). In addition, to encourage the production of ADUs, adopt incentives that work to reduce the cost or increase the feasibility of development, particularly in higher resource low density areas. Incentives may include, but are not limited to, expedited permit processing, an increase in allowable lot coverage (for smaller lots), an increase in the total number of detached ADUs allowed on site (for larger lots), or a process for allowing pre-approved ADU plans.

Through these actions, encourage the development of 30 ADUs in higher resource areas in the planning period.

Related Policies:	*Policy HE 2.1*
Responsibility:	*Community Development, Building Division, Planning Commission, Board of Supervisors*
Time Frame:	*Comprehensive Zoning Code Update: 2026*
Funding:	*General Fund*
Priority:	*Highest*

Program HE-8 Homeownership

Seek funding to provide assistance to low- and moderate-income households though a homebuyer assistance program and investigate additional funding sources annually. Within this program:

- Annually evaluate funding opportunities to begin a homebuyer assistance program.
- Contact the Housing Authority of Shasta County, and neighboring jurisdictions to evaluate opportunities for regional partnerships in support of lower- and moderate-income homebuyers.
- Adopt a program supporting homebuyers through financial assistance.

Through these actions, assist two low- and five moderate-income households to purchase homes with a goal of 75 percent in higher resource areas.

Related Policies: *Policy HE 2.2*
Responsibility: *Health and Human Services, Administration Office and Board of Supervisors*
Time Frame: *Annually*
Funding: *General Fund*
Priority: *Moderate*

Program HE-9 Incentives for Affordable and Special Needs Housing

Through the 2050 General Plan Update and associated Comprehensive Zoning Code Update, adopt incentives to encourage the development of new housing, mixed-use, or infill projects affordable to lower-income households, farm workers, seniors, and other special needs groups, with a goal of encouraging the development of ten units for special needs households in the planning period. Incentives may include, but are not limited to, fast-track/priority processing, additional density bonuses, flexibility in development and parking standards, and fee waivers, reductions, or deferments (when feasible). Incentives and programs the County offers include density bonuses and parking reductions for senior and group care homes, and reasonable accommodation. Through this program, encourage the development of 20 affordable housing units during the planning period with a goal of 75 percent in higher resource areas.

Related Policies: *Policy HE 2.1, Policy HE 2.2, Policy HE 2.3*
Responsibility: *Community Development Department, Building Division, Planning Commission, Board of Supervisors, Health and Human Services Agency*
Time Frame: *Comprehensive Zoning Code Update: 2026*
Funding: *General Fund*
Priority: *High*

Program HE-10 Special Housing Needs

Work with housing providers to ensure that special housing needs are addressed for seniors, large families, female-headed households, single-parent households with children, farm workers, persons with disabilities and developmental disabilities, extremely low-income households, and households experiencing homelessness. Seek to meet these special housing needs through a combination of regulatory incentives (see Program HE-9), zoning standards, new housing construction programs, and supportive services programs.

Continue to work with lower-income housing providers and funders to construct or acquire a variety of types of lower-income housing opportunities for individuals and groups with special needs and extremely low-income households, if any applicants come forward. Specific housing types include:

- Smaller units, including single-room occupancy units.
- Senior housing, including assisted living facilities.

- Units with special adaptations for people with disabilities, per California Title 24 standards, such as floorplan designs that have handicap-width doorways and hallways and open designs with few walls.

To support housing for special needs households and caretakers, amend the Zoning Code to allow caretakers to reside in an RV or mobile home on the property of the resident being cared for.

In addition, consider funding under CDBG, HOME Investment Partnerships, federal HOPWA, California Child Care Facilities Finance Program, and other State and federal programs designated specifically for special needs groups such as seniors, persons with disabilities, and persons at risk for homelessness, with a goal of supporting the development or rehabilitation of 20 units appropriate for households with special housing needs in lower resource areas in the planning period.

Related Policies:	*Policy HE 2.1, Policy HE 2.2, Policy HE 2.3, Policy HE 2.7*
Responsibility:	*Health and Human Services Agency, Community Development Department*
Time Frame:	*Annually meet with housing providers, amend Zoning Code in 2026, apply for funding as NOFAs are released*
Funding:	*Federal HOPWA, CDBG, HOME Investment Partnerships, California Child Care Facilities Finance Program, and other State and federal programs designated specifically for special needs groups*
Priority:	*High*

Program HE-11 Housing Services Outreach

Work with the Far Northern Regional Center to implement an outreach program that informs families in the county about housing and services available for persons with developmental disabilities, with a goal of engaging 100 households in the planning period. As part of this program, develop an informational brochure and information on services and resources in 2026; annually update and publicize this material on the County's website and at libraries and post offices. Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

Related Policies:	*Policy HE 2.3, Policy HE 2.7*
Responsibility:	*Community Development Department, Health and Human Services Agency*
Time Frame:	*2026*
Funding:	*General Fund*
Priority:	*Moderate*

Program HE-12 Extremely Low-Income Affordable Housing

Meet with nonprofit developers and other stakeholders biannually to establish and implement a strategy to assist in the development of housing opportunities for extremely low-income households, with a goal of assisting ten extremely low-income households in the planning period. As part of this effort:

- Hold a public meeting with the Board of Supervisors to discuss prioritizing local financial resources in support of housing for extremely low-income households.
- At least biannually seek and apply for State and Federal funding specifically targeted for the development of affordable housing to extremely low-income households, such as CDBG, HOME, and USDA funds.
- Provide concessions and incentives to assist the development of housing for extremely low-income households potentially including, but not limited to, increased density, modifications to development standards, fee waivers, reductions, or deferments, and priority processing.
- Through the Comprehensive Zoning Code Update define and allow single-room occupancy units in the R-2, R-3, and commercial zones, consistent with the 2050 General Plan.

Related Policies:	*Policy HE 1.1, Policy HE 2.1, Policy HE 2.2, Policy HE 2.3, Policy HE 2.5, Policy HE 2.6, Policy HE 2.7*
Responsibility:	*Community Development Department, Planning Commission, Board of Supervisors, Health and Human Services Agency*
Time Frame:	*Biannually; Comprehensive Zoning Code Update: 2026*
Funding:	*General Fund; CDBG, HOME, and other state and federal funding*
Priority:	*High*

Program HE-13 Employee and Farmworker Housing

Through the Comprehensive Zoning Code Update, review and amend the zoning code to ensure compliance with the State Employee Housing Act (Health and Safety Code Sections 17021.5 and 17021.6). Section 17021.5 requires the zoning code to treat employee/farm worker housing that serves six or fewer persons as a single-family structure permitted in the same manner as other single-family structures of the same type in the same zone in all zones allowing single-family residential uses. Section 17021.6 requires that employee/farm worker housing consisting of no more than 12 units or 36 beds be treated as an agricultural use and permitted in the same manner as other agricultural uses in the same zone.

Related Policies:	*Policy HE 1.1, Policy HE 2.1, Policy HE 2.2, Policy HE 2.3*
Responsibility	*Community Development Department, Planning Commission, Board of Supervisors*
Time Frame:	*Comprehensive Zoning Code Update: 2026*
Funding:	*General Fund*
Priority:	*Moderate*

Program HE-14 Emergency Housing

In support of emergency housing:

- Continue to pursue emergency shelter grants through the Dos Rios Continuum of Care for Colusa, Glenn, and Trinity Counties; annually engage the Partnership to maintain and expand funding assistance for emergency housing with a goal of providing 100 grants to Trinity County residents in the planning period.
- Continue to support the development of emergency housing through the Behavioral Health Services Cedar Home Respite Project or similar projects, with a goal of expanding capacity in the County by 10 percent during the planning period.
- Encourage private contributions to local homeless assistance programs and shelters by publicizing calls for donations and providing links to active programs on the County website and through online media outlets.
- Work with regional partners, service providers, and non-profit agencies, to complete a point-in-time count of persons experiencing homelessness in the summer months to better understand the extent of the local need.

Related Policies:	*Policy HE 2.1, Policy HE 2.5, Policy HE 2.6, Policy HE 2.7*
Responsibility:	*Behavioral Health Services Department, Health and Human Services Agency, Board of Supervisors*
Time Frame:	*Annually*
Funding:	*General Fund, Grant funding*
Priority:	*High*

Program HE-15 Fire Safety Recommendations

To encourage fire safety beyond requirements of the Fire Safe Ordinance:

- Compile a database of additional fire safety recommendations from Cal Fire, the Trinity County Fire Safe Council, local fire departments, and other sources in 2026.
- Update the database of additional recommendations annually and as new information is released.
- Publicize the Fire Safe ordinance and database of additional recommendations digitally on the County website.
- Create and distribute informational flyers promoting the Fire Safe Ordinance and database of additional recommendations, including a link to the full information on the County website. Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

Related Policies: *Policy HE 2.7, Policy HE 2.9*
Responsibility: *Community Development Department, Building Division, Board of Supervisors*
Time Frame: *2025; updated annually*
Funding: *General Fund*
Priority: *High*

Program HE-16 Preservation of Existing Affordable Housing

Continue to annually monitor the status of all affordable housing projects and, as their funding sources near expiration, work with the qualified entities and with property owners to consider options to preserve such units as affordable. For units at risk of conversion to market rate within the next ten years,

- Engage the property-owners to find solutions to extend affordability.
- Request that the property owner provide evidence of compliance with State and Federal regulations regarding notice to tenants and other procedural matters related to conversion, and contact HUD, if necessary, to verify compliance with notice requirements.
- Engage qualified entities to discuss potential solutions through acquisition, assistance, or other means, with a goal of preserving all existing affordable housing units (92) in the county; assist with funding, as available.
- Provide information, outreach, and assistance to tenants.

Related Policies: *Policy HE 2.7, Policy HE 3.1*
Responsibility: *Community Development Department, Health and Human Services Department, Board of Supervisors*
Time Frame: *Annually*
Funding: *General Fund*
Priority: *High*

Program HE-17 Housing Rehabilitation

In support of housing rehabilitation:

a. Make every effort by the end of 2026 to identify and secure County or grant funding to complete a countywide Housing Conditions Survey to determine the extent of rehabilitation need in the County and identify areas with concentrations of substandard homes.

b. Annually investigate and apply for State and Federal grant funding to restart the housing rehabilitation program with a goal of assisting 20 lower-income homeowners in the planning period, targeting 75 percent in lower resource areas with concentrated rehabilitation needs, as identified in action a.

c. Annually engage the Colusa-Glenn-Trinity Community Action Partnership home weatherization program staff to discuss opportunities to support and expand the home weatherization program, with a goal of providing 100 grants targeted to seniors, persons with a disability, and households on a fixed income.

d. Provide multilingual information to the public on programs applicable to homeowners in the county on the County website, and at libraries, senior centers, Human Response Network, Community Development Department, and Health and Human Services Department.

e. Publish, promote, and annually update an accessible database of local and regional contractors, plumbers, electricians, builders, and other services that support housing repair and rehabilitation.

f. Annually update and publicize multilingual information regarding tenants' rights and reporting of code violations and substandard living conditions.

Related Policies: *Policy HE 3.2*
Responsibility: *Colusa-Glenn-Trinity Community Action Partnership, Community Development Department, Environmental Health Division, Building Division and Health and Human Services Agency, Administration Office, Board of Supervisors*
Time Frame: *Annually, and as Notice of Funding Available (NOFA) are released; make efforts to conduct a housing conditions survey by the end of 2026.*
Funding: *CDBG, HOME, USDA Rural Housing Services, General Fund*
Priority: *Highest*

Program HE-18 Voluntary Code Compliance

Continue to encourage voluntary code compliance by providing guidance and technical assistance to residents who wish to make their own repairs and offer this assistance to homeowners when providing notice of code violation(s). Additionally, engage local businesses, craftspersons, residents, and organizations to seek partnerships in organizing free skills classes for residents and homeowners. Working with local partners, organize a volunteer network of skilled local individuals willing to instruct homeowners on matters of home repair, as well as a network of supporting organizations willing to host events or publicize event notices, with a goal of holding three events each year to the benefit of 250 households in the planning period. Events should be held throughout the community, with 75 percent in lower income areas with concentrated rehabilitation needs, with a goal of encouraging the preservation of at least 20 affordable units in the planning period.

Related Policies: *Policy HE 2.7, Policy HE 3.2*
Responsibility: *Community Development Department, Building Division, Environmental Health Department, Board of Supervisors*
Time Frame: *Annually; offer assistance as violations are identified; hold three instructional workshops each year.*
Funding: *General Fund*

Priority: *Moderate*

Program HE-19 Fair Housing Information

To address housing discrimination, continue to:

- Direct persons with complaints of housing discrimination to the appropriate State and Federal agencies that handle such complaints.
- Provide information and referrals to legal assistance organizations to persons with complaints of housing discrimination.
- Annually update and publicize information regarding housing discrimination at Trinity County libraries, senior centers, Human Response Network, Community Development Department, and Health and Human Services Department. Include information for property owners explaining their rights and responsibilities and addressing community concerns related to the potential for property damage and requirements for evictions.
- Engage regional and local fair housing agencies annually beginning in 2025 to explore partnership opportunities in support of fair housing outreach and enforcement with a goal of completing two co-facilitated engagement events or marketing campaigns targeted to households with special housing needs in lower resource areas during the planning period.
- Provide information and outreach targeted to lower resource areas through annual workshops, marketing campaigns, or pop-up booths, with a goal of engaging 25 households annually.
- Draft and distribute educational materials related to tenants' rights and property owner responsibility with a goal of engaging 25 households/property owners each year.
- Provide links to educational materials, the HUD fair housing complaint form, and nonprofit agencies on the County website in 2024 and updated annually thereafter with a goal of assisting/informing 20 households annually.
- Develop partnerships with fair housing agencies in support of fair housing testing with a goal of testing five rental properties annually.
- Only support housing programs in compliance with the State Rumford Fair Housing Act and the Unruh Civil Rights Act, which prohibit arbitrary discrimination in housing.
- Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

Related Policies: *Policy HE 4.1, Policy HE 4.2, Policy HE 4.3*
Responsibility: *Community Development Department, Health and Human Services Agency*
Time Frame: *Annually, provide information such as brochures, and refer persons to the appropriate agencies as complaints are received*
Funding: *General Fund*
Priority: *High*

Program HE-20 Affirmatively Further Fair Housing (AFFH)

Continue implementing its plan to Affirmatively Further Fair Housing (AFFH). The AFFH Plan commits to take actions to address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws for all persons regardless of race, religion, sex, marital status, ancestry, national origin, color, familial status, or disability, and other characteristics protected by the California Fair Employment and Housing Act (Part 2.8 (commencing with Section 12900) of Division 3 of Title 2), Section 65008, and any other State and Federal fair housing and planning law. In response to community input and the fair housing analysis, the Program will include the following:

- Annually provide information to multifamily property owners promoting the acceptance of Housing Choice Vouchers and outlining related State and Federal requirements.
- Annually engage Shasta County Housing Authority to discuss funding pursuits, community engagement and public education efforts, and opportunities to expand the number of housing choice vouchers available, with a goal of expanding use in the county to 300 vouchers annually by the end of the planning period.
- Work with community partners and the local real estate community to establish a centralized rental listing service or bulletin board indicating available rental units or rooms in the community and to encourage able homeowners to rent unused rooms, either temporarily to contractors, laborers, or firefighters, or as a long-term rental.
- Provide technical assistance to individuals applying for a development application, use permit, or business license in support of establishing a new day care facility.
- Annually identify and seek funding to complete capital improvement projects in lower resource areas with a goal of securing $1 million in grant funding.
- As part of Program CIR-14: Pedestrian Accessibility Needs Assessment, annually seek State and Federal transportation and infrastructure grant funding to complete priority sidewalk repair, replacement, and installation projects in lower resource areas, as well as along State Hwy 299 and State Hwy 3, and near multifamily uses in Weaverville, with a goal of securing $100,000 in grant funding.
- Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.
- In implementing Program CH-16, incorporate multilingual language access into the Comprehensive Community Engagement Strategy.
- Provide translation services (when requested) and offer accessibility accommodations to ensure equal access to all programs and activities operated, administered, or funded with financial assistance from the State, regardless of membership or perceived membership in a protected class; create a process for the public to request translation services and accessibility accommodations and include this information in notices of public meetings and events.

Related Policies: *Policy HE 2.4, Policy HE 4.1, Policy HE 4.2, Policy HE 4.3, Policy HE 4.4*
Responsibility: *Community Development Department, Health and Human Services Agency*
Time Frame: *Annually*
Funding Source: *General Fund, CDBG, CALTRANS Sustainable Transportation Planning Grants, other State and Federal transportation and infrastructure grants*
Priority: *High*

Program HE-21 Outreach to Impacted Areas

Each time a housing project is proposed that may have an impact on a particular group or neighborhood, distribute information on the project to ensure that the group or neighborhood is made aware of the project and the process and has the opportunity to respond. As part of this program, engage local tribes annually to discuss opportunities to improve communication with tribes and other stakeholders regarding development projects involving ground disturbance, and consider whether a Memorandum of Understanding or another method would be appropriate for ensuring that Tribal monitors are present, when needed. Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

Related Policies: *Policy HE 2.7, Policy HE 4.1, Policy HE 4.3*
Responsibility: *Community Development Department, Building Division and Planning Division*
Time Frame: *Annually; distribute information as projects are proposed*
Funding: *General Fund*
Priority: *Moderate*

Program HE-22 Housing Information Transparency

In compliance with AB 1483 (2019), obtain, maintain, update, and make publicly available information related to zoning ordinances, development standards, fees, exactions, affordability requirements, and fair housing laws from the Department of Housing and Community Development, State Fair Employment, and Housing Commission's enforcement program, as well as programs and funding sources for homeowners at risk of foreclosure, the State Historic Building Code, and information on energy conservation opportunities. Create and share a digital information database in compliance with AB 1483 by 2026. Update the database annually and within 30 days of changes.

Related Policies: *Policy HE 1.1, Policy HE 2.7, Policy HE 4.1*
Responsibility: *Community Development Department*
Time Frame: *2026; updated annually and as changes occur*
Funding: *General Fund*
Priority: *Moderate*

Program HE-23 Anti-displacement Program

In combination with programs included in this Housing Element, adopt a multi-pronged anti-displacement strategy to work to relieve displacement pressures caused by the increasing income gap and increasing housing and insurance costs in the county. The strategy shall include measures that encourage affordable housing production, work to preserve existing affordable housing, and protect current residents from displacement in rapidly changing portions of the county, particularly in rural areas with fewer resources. The anti-displacement strategy may include, but is not limited to, the following potential efforts:

- **Production:** increase multifamily residential and mixed-use opportunities beyond capacity to meet the RHNA; allow for a variety of housing types in low and medium density areas; provide incentives for affordable and special needs housing development, allow for additional ADUs when appropriate, allow tiny homes and tiny home villages.
- **Preservation:** create partnerships with the qualified entities to support the acquisition of affordable units at-risk of conversion to market rate; identify a code enforcement specialist on staff that can provide technical assistance and information to property owners of lower income units to address code enforcement issues; seek funding to support rehabilitation of substandard multifamily units; restrict conversion of existing units to short term rentals; require replacement of all lower income units lost due to redevelopment.
- **Protection for Current Tenants:** ensure first right of return to existing residents; establish a just cause eviction policy; develop an engagement strategy to disseminate information on tenant protections and available resources.
- **Preparation:** complete targeted fuel management projects, implement and promote a defensible space program; support catastrophe modeling efforts and consider conclusions in mitigation planning, identify and address communities with disproportional impacts, provide funding to assist with home hardening targeted to households with special housing needs; support and facilitate the development of emergency housing for households impacted by disasters.

In developing the Strategy, discuss issues, opportunities, and potential anti-displacement measures with the public through a minimum of three events targeting rural communities, seniors, farmworkers, and residents with a disability with a goal of engaging 150 lower- and moderate-income households in the planning period. Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

Related Policies:	*Policy HE 2.7, Policy HE 4.1, Policy HE 4.2, Policy HE 4.3, Policy HE 4.4*
Responsibility:	*Community Development Department, Health and Human Services Agency*
Time Frame:	*By 2027*
Funding Source:	*General Fund*
Priority:	*Highest*

Program HE-24 Ordinance for Moveable Tiny Houses

Amend the Zoning Code to allow mobile tiny homes as permanent single-family dwellings in all zones that permit single-family dwellings by right. Under the updated Ordinance, tiny homes shall only be subject to restrictions that apply to other residential dwellings of the same type in the same zone when connected to utilities, including objective health, safety and/or design standards.

Related Policies: *Policy HE 2.1*
Responsibility: *Community Development Department, Building Division, Planning Division, Board of Supervisors*
Time Frame: *Comprehensive Zoning Code Update: 2026*
Funding: *General Fund*
Priority: *Moderate*

Program HE-25 Ordinance for Tiny Houses Villages

Amend the Zoning Code to allow groupings of three or more mobile tiny homes as permanent multifamily dwellings in all zones that permit multifamily dwellings by right. A grouping of three or more detached rooms with communal bathroom, laundry, cooking, and dining facilities shall also be considered a tiny house village under the Ordinance. Under the updated Ordinance, tiny homes shall only be subject to restrictions that apply to other residential dwellings of the same type in the same zone when connected to utilities, including objective health, safety and/or design standards.

Related Policies: *Policy HE 2.1*
Responsibility: *Community Development Department, Building Division, Planning Division, Board of Supervisors*
Time Frame: *Comprehensive Zoning Code Update: 2026*
Funding: *General Fund*
Priority: *Moderate*

Program HE-26 Permit Streamlining Act

Update the zoning code to ensure compliance with the Permit Streamlining Act (Government Code § 65920 et seq.) and timing requirements of the California Environmental Quality Act (CEQA) (Public Resources Code (PRC) § 21000 et seq.). The adopted ordinance shall specify:

- Who is responsible for making CEQA determinations of PRC 21080.1
- That the determination will be made within the timeframe permitted by PRC 21080.2, and
- That when the County determines a project is exempt from CEQA, the determination triggers the Permit Streamlining Act 60-day deadline under Gov. Code 65950(a)(5).

Related Policies: *Policy HE 1.1, Policy HE 1.4*
Responsibility: *Community Development Department, Administrative Office, Board of Supervisors*

Time Frame: *Comprehensive Zoning Code Update: 2026*
Funding: *General Fund*
Priority: *Highest*

Program HE-27 Equitable Broadband Access

In coordination with Program ED-5: Broadband Assessment, work to identify gaps in broadband access and to identify targeted actions to close broadband gaps. To promote equitable access:

a. Annually engage broadband service providers, business leaders, and other agency partners to identify deficiencies and pursue opportunities to expand service;

b. Complete an engagement program targeting rural communities and historically underserved areas within two years of adoption; seek public input on issues with access to internet and cellular services, affordability, and potential solutions;

c. Identify actions that can be taken by private and public sectors to close broadband gaps and ensure equitable access countywide, targeting lower resource areas and historically underserved areas;

d. Identify and earmark funding or staff time to complete two projects that work to expand broadband access targeting rural lower resource areas. Potential actions may include, but are not limited to, the expansion of transmission lines, facilitating the installation of broadband infrastructure; and reducing or subsidizing the cost of access for lower-income households; and

e. Annually engage relevant agencies and service providers to seek partnerships to implement the action plan.

Related Policies: *Policy HE 1.2, Policy HE 2.7, Policy HE 4.1*
Responsibility: *Community Development Department, Administrative Office, Board of Supervisors*
Time Frame: *a: annually, b: within two years of adoption, c: 2027; d: 2027, e: annually*
Funding: *General Fund*
Priority: *Moderate*

Program HE-28 Address Fire Risk

In coordination with programs in the Public Facilities and Services Element, the Circulation Element, Community Health Element, and the Hazards and Safety Element, establish a comprehensive action plan to reduce fire risk. As part of this process:

a. Adopt an urgency ordinance to go into effect when an emergency is declared that allows for temporary occupancy in RVs on site, as well as reduced building permit review and fees that facilitate disaster relief and recover efforts.

b. Through program PFSI-13, establish and maintain a working group to discuss, evaluate, and provide guidance on concerns related to the accessibility of emergency services and special needs of residents in the community, including those with a disability, limited mobility, language barrier, electricity dependency, or limited telecommunications;

c. Through program PFSI-14, work with the Fire Safe Council, Fire Wise Communities, fire protection districts; local, State, and Federal agencies, and local organizations to prepare and distribute educational materials and programing on risk reduction, readiness, and emergency response protocols and procedures targeting at-risk communities, seniors, and persons with a disability;

d. Through Program: PFSI-16, create a County Fire Marshall capability to enforce the fire code and review development for compliance with all fire safety regulations;

e. Through Program CIR-12, identify and prioritize potential improvements to county-managed airports to better support wildfire suppression efforts of local, regional, State, and Federal agencies (related Program: CIR-12);

f. Through Program SAF-1, collaborate with the Trinity County Fire Safe Council, local fire districts, CAL FIRE, Trinity County Resource Conservation District, Trinity County Fire Chiefs' Association, insurance providers, and other partners to support and improve the Wildland Fire Assessment Program, including:

    - Funding procurement, development, and administration of fuel management projects;
    - Summary reports of assessments for property owner(s)/resident(s) that include specific and cost-effective mitigation recommendations and that identify (but do not result in penalties for) non-compliance with applicable regulatory requirements; and
    - Development and implementation of community outreach and education programs, including guidance documents and other public information on available resources, programs, and incentives for wildfire mitigation.

g. Through Program CH-17, engage residents, community organizations, and social support groups such as AA, E Clampus Vitus Trinitarianus, the Lions Club, Rotary Clubs, the Trinity Pride Coalition, and the Weaverville Garden Club, to explore and pursue opportunities to support and improve social networks, decrease social isolation, and improve local

preparedness to respond to and recover from disasters, economic volatility, and the impacts of climate change;
    - In implementing this program, complete engagement targeted to seniors, persons with a disability, and other groups with disproportionate impacts related to fire risks.

h. In implementing Program SAF-10, incorporate within the Hazard Mitigation Plan consideration for seniors, persons with a disability, and other groups with disproportionate impacts.

i. In coordination with Program SAF-11: *Hazard and Safety Public Education and Outreach,* complete educational events or informational campaigns targeted to seniors, persons with a disability, and other groups with disproportionate impacts.

j. In coordination with Program SAF-13, consider the unique needs of seniors and persons with a disability when planning and coordinating local emergency evacuation shelters.

Related Policies:
Responsibility: *Community Development Department, Administration Office, Board of Supervisors*
Time Frame: *a: by 2027, b: annually, c: within two years of adoption, d: 2027; e: 2027, f: annually*
Funding: *General Fund*
Priority: *High*

Program HE-29 Address the High Cost of Insurance

In coordination with programs in the Public Facilities, Services, and Infrastructure Element and the Hazards and Safety Element, implement a variety of actions that work to increase insurance access and affordability by promoting preparedness, defensible space, and fuel management. As part of this process:

a. Support efforts such as Safer from Wildfires, Wildfire Prepared Homes, Firewise USA, and others that work to educate homeowners on defensible space and home hardening. Promote the availability of such resources in English, Spanish, and Hmong through County mailing lists, social media, platforms, and in hardcopy at public offices and community gathering places, with a goal of completing one multilingual informational campaign each year.

b. Coordinate with property owners, non-profits organizations, and local, State, and Federal agencies to identify funding opportunities to assist lower-income households with home hardening, defensible space, and fuel management projects, with a goal of assisting 20 lower-income homeowners in the planning period.

c. Through Program PFSI-15, coordinate with non-profits organizations, local, State, and Federal agencies to identify funding opportunities for the planning and implementation of fuels reduction projects throughout the county.

d. Through Program SAF-1, provide services through the Wildland Fire Assessment Program, such as:

- In-person, walk-through assessments conducted with the property owner(s) and/or resident(s) to evaluate unique property and structure conditions;
- Assessments that include a comprehensive evaluation of site access and identification, structure hardness, defensible space, emergency water supply, evacuation planning, natural resources, and other items for wildfire mitigation and preparedness;
- Summary reports of assessments for property owner(s)/resident(s) that include specific and cost-effective mitigation recommendations and that identify (but do not result in penalties for) non-compliance with applicable regulatory requirements;
- Development of a Wildfire Mitigation Certification process that can potentially be used for insurance purposes or eligibility for other incentives when, upon re-assessment, the property and structures thereon are in full compliance with applicable requirements;

e. In coordination with Program SAF-3, work with local fire districts, CAL FIRE, Trinity County Fire Safe Council, Trinity County Chiefs' Association, Trinity County Resource Conservation District, and other partners to prepare a County-wide Fuel Management Strategy that is updated every five years to implement priority fuel reduction projects identified in the Trinity County CWPP and similar plans; implement the program annually with an objective of obtaining status as a Fire Risk Reduction Community.

Related Policies: *Policy HE 2.7, Policy HE 2.9*
Responsibility: *Community Development Department, Administration Office, Board of Supervisors*
Time Frame: *Annually*
Funding: *Grant funding*
Priority: *High*

Program HE-30 Energy Conservation

In support of residential energy conservation:

a. In coordination with Program HE-17, annually engage the Colusa-Glenn-Trinity Community Action Partnership home weatherization program staff to discuss opportunities to support and expand the home weatherization program, with a goal of providing 50 grants targeted to seniors, persons with a disability, and households on a fixed income.

b. Partner with local stakeholder and utility providers to provide information on energy conservation techniques, costs, and potential financing options for the benefit of homeowners; Provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

c. Partner with stakeholders and utility providers to hold one targeted in-person engagement event each year to promote energy conservation techniques and available resources; events should be targeted to lower resource areas.

Related Policies: *Policy HE 5.1*
Responsibility: *Community Development Department, Health and Human Services Agency, Administration Office and Board of Supervisors*
Time Frame: *Annually*
Funding: *General Fund*
Priority: *Moderate*

Program HE-31 Place-based Strategies for Community Investment

Continue to carry out a variety of place-based measures toward community revitalization to ensure equitable quality of life throughout all communities with a focus in moderate and low resource areas and other areas with higher concentrations of affordable housing or lower income households, as applicable. These measures will generally consist of Outreach, Planning, and Investment.

- **Outreach.** Rely upon outreach to inform the County's place-based efforts and prioritize planning and investment; use a variety of methods to ensure transparency, access, and meaningful input from all segments of the communities; provide language access in a variety of languages, as applicable, including English, Spanish, Hmong, and others.

- **Planning:** Through the General Plan and Community Plan updates, pursue and adopt, where appropriate, planning activities targeted to lower resource areas and areas with deficiencies in services, or areas with concentrations of lower-income housing. Planning will be comprehensive and address a variety of elements, potentially including, but not limited to:

    - Program PFSI-9: Facility Maintenance Volunteer Network; target efforts to recreation areas, facilities, and parks in lower resource areas.

    - Program PFSI-11: Recreational Needs Assessment; apply an equity lens to the assessment and target engagement and objectives to lower resource areas.

    - Program CIR-9: Roadway Safety and Maintenance; target improvements to lower resource areas.

    - Program CH-3: Partnerships in Support for Community-based Services; promote expansion of health services and facilities to underserved rural areas.

    - Program CH-8: Childcare Needs Assessment; targets areas with deficiencies in access.

    - Program ED-4: Home Based Businesses: evaluate and revise zoning to support and encourage home based businesses; create a streamlined ministerial process for approving permits for home based businesses.

    - Program HE-27: Equitable Broadband Access; planning and engagement targeted to lower resource areas and historically underserved areas.

- **Investment.** Continue to annually prioritize funding and projects as part of the annual budgeting process and seek additional funding and other resources toward community revitalization in targeted areas; activities will involve a variety of neighborhood improvements and community development based on outreach including but not limited to infrastructure (e.g., water, sewer, storm drainage), evacuation routes, circulation, community facilities and recreation opportunities, parks, public art, community programs, streetscapes, accessibility, safe routes to school and active transportation. Additionally, implement targeted investment though:
    - Program HE-17: Housing Rehabilitation; target lower resource areas.
    - Program HE-20: AFFH; target funding for capital improvements to lower resource areas.
    - Program HE-20: AFFH; target funding for sidewalk repair replacement, and installation in lower resource areas and near multifamily uses in Weaverville.

Related Policies:	*Policy HE 4.4*
Responsibility:	*Community Development Department, Board of Supervisors*
Time Frame:	*Annually*
Funding:	*General Fund, CDBG, CALTRANS Sustainable Transportation Planning Grants, other State and Federal transportation and infrastructure grants*
Priority:	*High*

Program HE-32 Redevelopment

With private land available for development or redevelopment limited to less than 20 percent of Trinity County, it is imperative that the County focus on planning for the redevelopment of underutilized or non-vacant sites. Under this program:

- Annually, engage HCD to seek:
    - technical assistance with the identification of redevelopment sites with the potential for housing capacity, and
    - funding to support redevelopment projects.
- By 2027, identify and publish an inventory of sites with the potential for redevelopment or reuse, potentially including, but not limited to, the following APNs, which were suggested for inclusion by public comment:
    - 001-031-018,
    - 001-031-042,
    - 001-182-013 and adjacent parcels
    - 002-090-042 and adjacent parcels
    - 002-100-063,
    - 002-100-062,

  - 002-100-042,
  - 007-420-022
  - 007-440-040
  - 007-560-022
  - 024-400-010,
  - 024-440-009,
  - 024-440-007,
  - 024-670-014,
  - 024-220-046, and
  - 024-430-110

- Annually engage property-owners, prospective developers, and other stakeholders to identify and pursue grant funding for redevelopment or reuse of underutilized sites to hotel and motel uses, condominiums, duplexes and triplexes, mobile home parks, or multifamily housing, with a goal of encouraging the development of 100 units by 2035 targeting 75 percent in lower resource rural communities outside of Hayfork, Lewiston, and Weaverville.

Related Policies:	*Policy HE 2.1, Policy HE 3.2*
Responsibility:	*Community Development Department, Health and Human Services Agency, Building Division, Administration Office*
Time Frame:	*Annually; publish list of redevelopment sites by 2027*
Funding:	*General Fund, State grant funding and technical assistance*
Priority:	*Moderate*

QUANTIFIED OBJECTIVES

State law requires the Housing Element programs to include quantified objectives by income level that, at a minimum, address development (new construction), conservation (housing rehabilitation), and preservation (of at-risk rental units). The table below lists all programs with quantifiable objectives, and identifies metrics related to new construction, rehabilitation and preservation, funding, and engagement goals. The table also notes the special needs household types and targeted geography.

TABLE 8.76 QUANTIFIED OBJECTIVES

Program	New Construction Goals			Rehabilitation Goals	Preservation Goals	Quantified Funding Goals	Quantified Engagement Goals	Special Needs Population	Targeted Geography
	ELI, VLI, or Low-Income[1]	Moderate	Above Moderate						
HE-4						$60,000 for priority projects			Hayfork, Lewiston, Weaverville
HE-6	30	15							Higher resource areas
HE-7	15	15							Higher resource areas
HE-8	2	5							Higher resource areas
HE-9	10	10							Higher resource areas
HE-10				20				ALL	Lower resource areas
HE-11							100 households		Countywide
HE-12	10							Extremely-low; homelessness	Higher resource areas
HE-14						100 grants		Extremely-low; homelessness	Countywide
HE-16					92				Countywide
HE-17				40					Lower resource areas
HE-17				100 grants				Seniors, persons with a disability, households on a fixed income	
HE-18					20		250 households		Lower resource areas
HE-19							Engagement: 70 households/year; testing: 5 households/year		Countywide
HE-20						300 vouchers			Countywide
HE-20						$1M			Lower resource areas
HE-20						$100,000			Multifamily areas in Weaverville
HE-23							150 lower- and moderate-income households	ALL	Countywide
Total	**67**	**45**	**0**	**160**	**112**				

[1] *This category includes extremely low- (0-30% AMI), very low- (30-50% AMI), and low-income (50-80% AMI) households.*

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APPENDIX A: AFFIRMATIVELY FURTHERING FAIR HOUSING

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Affirmatively Furthering Fair Housing Analysis, 7th Cycle Housing Element

TRINITY COUNTY

Certified, August 27, 2025

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Assessment of Fair Housing – Trinity County

INTRODUCTION

Assembly Bill (AB) 686 requires that all housing elements due on or after January 1, 2021, contain an Assessment of Fair Housing (AFH) consistent with the core elements of the analysis required by the federal Affirmatively Furthering Fair Housing (AFFH) Final Rule of July 16, 2015. Under California law, AFFH means "taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics." California Government Code Section 65583 (10)(A)(ii) requires local jurisdictions to analyze racially or ethnically concentrated areas of poverty, disparities in access to opportunity, and disproportionate housing needs, including displacement risk.

This section is organized by fair housing topics. For each topic, the regional and local assessments are addressed. Through discussions with housing service providers, fair housing advocates, and this assessment of fair housing issues, Trinity County identified factors that contribute to fair housing issues. These contributing factors are in Table 14, Factors that Contribute to Fair Housing Issues, with associated actions to meaningfully affirmatively further fair housing related to these factors. Additional programs to affirmatively further fair housing are in Chapter 5: Housing Program.

This section also includes an analysis of the Housing Element's sites inventory as compared with fair housing factors. The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. AB 686 added a new requirement for housing elements to analyze the distribution of projected units by income category and access to high resource areas and other fair housing indicators compared to countywide patterns to understand how the projected locations of units will affirmatively further fair housing.

SEGREGATION AND INTEGRATION

This section analyzes integration and segregation, including patterns and trends, related to people with protected characteristics with an emphasis on race, disability, familial status, and income.

Race

The population of Trinity County is less demographically diverse than the statewide average. As shown in Figure 1, Trinity County's predominant population is White, Non-Hispanic or Latino. However, Trinity County and the surrounding region has become more diverse in recent years. As shown in Table 1, Trinity County has seen an overall increase in proportion of residents of color (residents who do not identify as White, Non-Hispanic or Latino) during the 10-year period between 2011 and 2021. This shift is

also pronounced in other communities in the region; over this period, Tehama County has seen a greater increase (6.0 percentage points) than in Trinity County (3.9 percentage points), though both are generally consistent with the state average during this time (4.9 percentage points). Overall, the region is less demographically diverse than the state average, particularly regarding the proportion of Black/African American and Asian residents, which form a substantially smaller proportion of the region's population than the state average.

Trinity County saw a relatively small increase in the proportion of residents identifying as Hispanic and Latino (0.8 percent), with a pronounced decrease (7.3 percent) in the Weaverville census-designated place (CDP). In Trinity County, increased demographic diversity is instead primarily the result of an increase in the proportion of residents identifying as Other (Non-Hispanic or Latino) and Native American or Alaska Native (Non-Hispanic or Latino). Countywide, the proportion of the population reporting these identities increased by 3.5 percentage points and 1.5 percentage points, respectively. These shifts are more pronounced in Weaverville CDP; between 2011 and 2021, the proportion of residents who identified as Other (Non-Hispanic or Latino) increased by 13.2 percentage points, while residents identifying as Native American or Alaska Native (Non-Hispanic or Latino) increased by 4.9 percentage points. The pronounced shift in demographic reporting in Weaverville CDP may indicate more of a shift in self-perception than demographic composition; while 522 additional residents identified as members of this group in 2021 as compared with 2011 (when 0 residents identified as members of this group), the entire community's population only grew by 259 residents over the 10-year period.

Local Context

Based on local knowledge provided by the Trinity County Planning Division, there is a concentrated Hmong community in Post Mountain (also known as Trinity Pines). Conversely, Trinity Center, Lewiston, Weaverville, and Ruth Lake all have low concentrations of minority residents. There are several factors which reinforce or are believed to reinforce these patterns. The Hmong community generally migrated to Trinity County from the Midwest as experienced cultivators of cannabis. As a result, areas with a more predominant Hmong population are not in cannabis opt-out zones as these areas allow the cultivation of cannabis.

Areas that generally have a more predominant affluent and/or white populations include Trinity Center and Ruth Lake which have many vacation homes. Trinity Center and Ruth Lake are also generally retirement communities. Lewiston has a higher proportion of white residents, which may be a result of descendants of 1950s dam workers continuing to live in the area. Additionally, the county as a whole has a much higher proportion of white residents than other parts of the state.

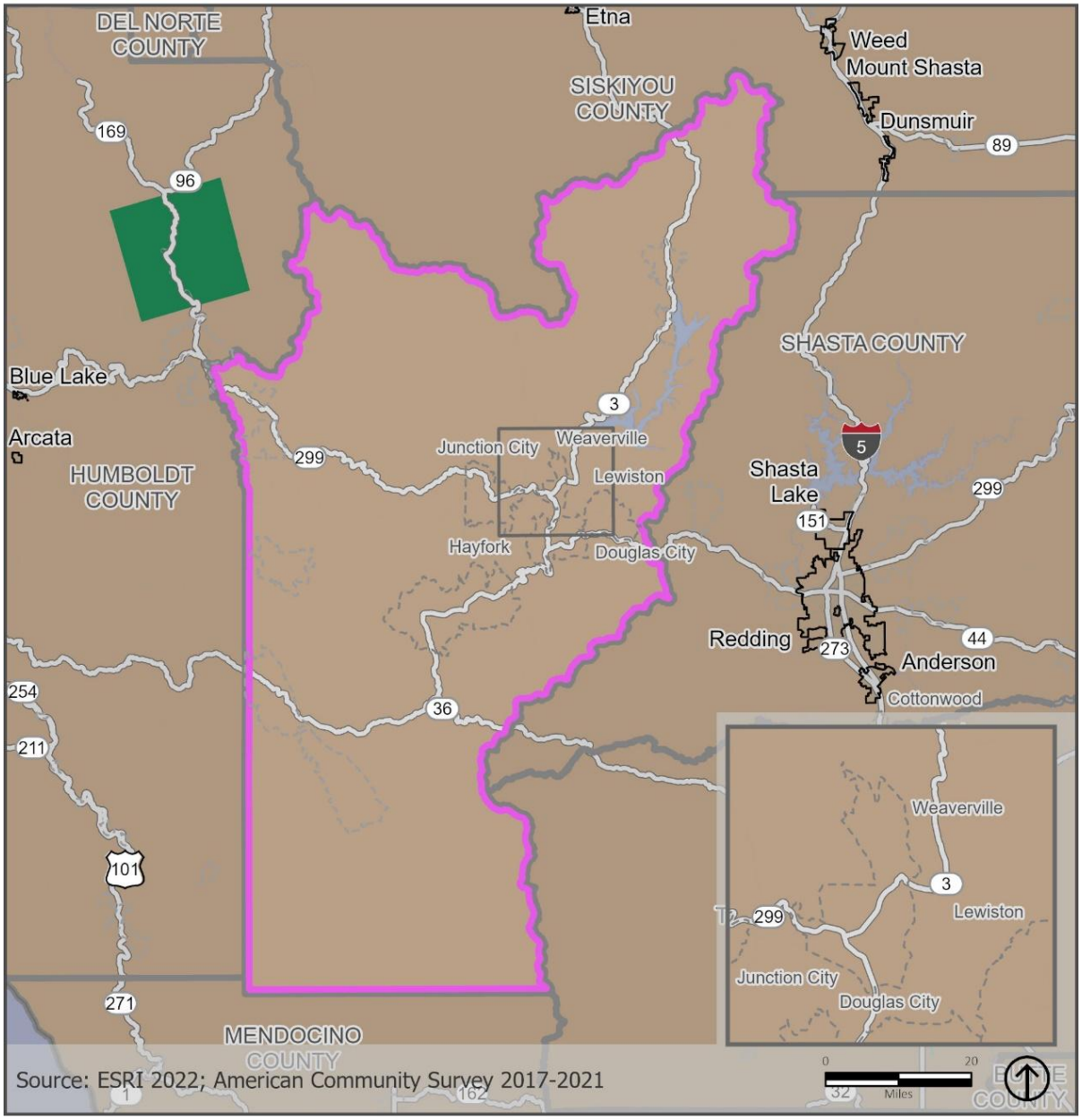
TABLE 1: POPULATION BY RACE/ETHNICITY

Race/ Ethnicity	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
White (Non-Hispanic or Latino)	81.2%	73.8%	83.5%	79.6%	80.7%	67.1%	73.4%	66.9%	54.6%	42.2%	75.3%	70.9%	72.4%	66.4%	40.7%	35.8%
Hispanic/Latino of Any Race	11.4%	4.1%	6.7%	7.5%	13.3%	21.7%	21.2%	22.8%	42.0%	50.6%	17.8%	22.8%	21.4%	26.3%	37.2%	39.5%
Black or African American (Non-Hispanic or Latino)	0.5%	0.0%	0.4%	0.6%	0.0%	0.0%	0.4%	2.7%	0.0%	0.0%	0.9%	0.3%	0.7%	0.8%	5.8%	5.4%
Native American or Alaska Native (Non-Hispanic or Latino)	1.0%	5.9%	1.6%	3.1%	0.0%	3.7%	1.8%	1.3%	1.1%	0.9%	1.9%	1.1%	1.8%	1.1%	0.4%	0.3%
Asian (Non-Hispanic or Latino)	0.0%	1.3%	1.1%	2.1%	0.0%	1.2%	0.9%	2.1%	0.8%	4.0%	1.2%	1.2%	1.1%	1.8%	12.9%	14.7%
Other (Non-Hispanic or Latino)	0.0%	13.2%	0.2%	3.7%	0.0%	0.0%	0.0%	0.3%	0.0%	0.0%	0.1%	0.1%	0.0%	0.1%	0.3%	0.4%

Race/ Ethnicity	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
Two or More Races (Non-Hispanic or Latino)	5.9%	1.6%	6.2%	3.2%	6.0%	6.2%	2.4%	3.8%	1.3%	2.3%	2.8%	3.5%	2.5%	3.4%	2.4%	3.6%

Source: ACS 2011 and 2021, 5-Year Estimates.

FIGURE 1: PREDOMINANT POPULATION, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Predominant Population

- White alone, not Hispanic or Latino
- Hispanic or Latino
- Black or African American alone, not Hispanic or Latino
- Asian alone, not Hispanic or Latino
- American Indian and Alaska Native alone, not Hispanic or Latino
- Two or more races, not Hispanic or Latino
- Native Hawaiian and other Pacific Islander alone, not Hispanic or Latino
- Some other race alone, not Hispanic or Latino

Disability

In Trinity County, the rate of residents living with at least one disability is higher than the state average; as shown in Table 2, the rate is about 8 percentage points higher than the state average (18.5 percent in the county compared to 10.6 percent statewide). However, the rate in the county has decreased from 2012 to 2021 by 3.3 percentage points between 2012 and 2021, while the statewide average has seen a marginal increase during the same period (of 0.6 percentage points). Weaverville has also experienced a slight decrease in the rate of residents with a disability over this period, decreasing from 19.3 percent in 2012 to 16.4 percent in 2021. In comparison, the highest rates of disability by jurisdiction are found in Tehama City (24.8 percent) and in unincorporated Tehama County (20.1 percent), while the lowest rate is found in Corning (11.4 percent), which is most comparable to the statewide average (10.6 percent). As shown in Figure 2, there is a higher rate of residents with disabilities in the county's southern census tracts, including the communities of Hayfork, Mad River, and Zenia, where between 20 and 30 percent of residents have one or more disabilities.

In Trinity County, the most common disabilities are ambulatory difficulties (11.3 percent), hearing difficulties (7.0 percent), and independent living difficulties (5.1 percent). Ambulatory disabilities are also the most common in Weaverville (13.7 percent). No residents in Weaverville report experiencing cognitive difficulties, and fewer than one percent of residents experience self-care difficulties (0.9 percent) or vision difficulties (0.9 percent).

Local Context

Based on local knowledge provided by the Trinity County Planning Division, there is a perception that Lewiston, Weaverville, and Hayfork likely have higher concentrations of persons with disabilities due to the presence of services and commercial opportunities in these communities. There is one adult residential care facility in Weaverville named Alpine House that has a capacity of up to six adults for their residential program.

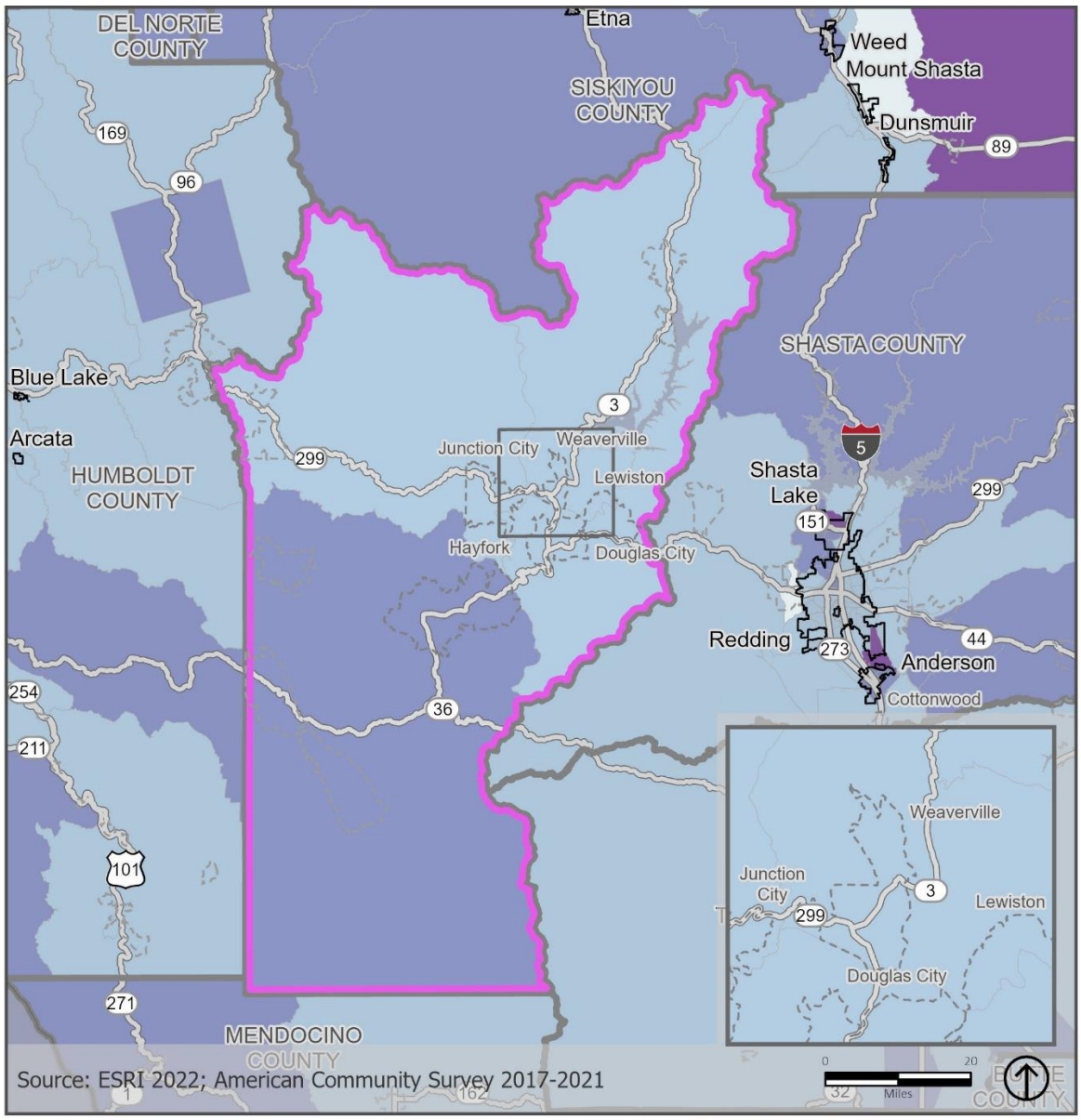
According to local knowledge provided by the Trinity County Building Division and Administrative Office, there have been no permits issued for construction of ramp or other accessibility modifications to homes in the last five years. The only requests for ADA modifications in the last five years were for commercial buildings. No requests for reasonable accommodations were made during the last planning period. The County's most up-to-date Reasonable Accommodation Ordinance can be found in Chapter 17.30.160 of the Zoning Code. Although not included under "reasonable accommodation," some residents have requested to allow their caretakers to live in RVs on the same site as their personal home. The County does allow residents to live in an RV or mobile home on the same property of their caretaker, so long as the caretaker resides in the main residence. However, the Zoning Code does not permit caretakers to live in an RV or mobile home on the same property as their client, if the client being cared for lives in the main residence. There is a current need to adopt a mechanism to more easily allow for caretaker RVs on residential parcels. Sidewalks do exist in parts of more developed areas (i.e. Weaverville, Hayfork, and parts of Trinity Center), but are generally not accessible. Existing sidewalks all have a need for improvements due to barriers, including overgrown bushes, poles in middle of sidewalk and cracks. Many roads do not have sidewalks and are not accessible to pedestrians and those with disabilities.

TABLE 2: POPULATION BY DISABILITY TYPE

Disability	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2012	2021	2012	2021	2012	2021	2012	2021	2012	2021	2012	2021	2012	2021	2012	2021
Total with a Disability	19.3%	16.4%	21.8%	18.5%	17.2%	24.8%	21.6%	18.4%	16.4%	11.4%	18.6%	20.1%	19.0%	18.7%	10.0%	10.6%
Hearing Difficulty	5.5%	4.1%	6.6%	7.0%	7.6%	9.3%	3.4%	5.4%	4.1%	1.0%	6.1%	11.4%	5.3%	8.7%	2.8%	2.9%
Vision Difficulty	5.5%	0.9%	2.3%	3.0%	3.8%	9.3%	4.5%	7.7%	2.8%	3.9%	3.1%	6.8%	3.4%	6.6%	1.9%	2.0%
Cognitive Difficulty	0.7%	0.0%	6.7%	4.0%	3.8%	15.3%	8.3%	12.4%	8.1%	7.8%	6.8%	12.1%	7.3%	11.6%	3.8%	4.4%
Ambulatory Difficulty	14.9%	13.7%	14.1%	11.3%	10.3%	15.7%	11.6%	15.9%	7.9%	7.6%	10.5%	16.7%	10.4%	15.3%	5.3%	5.7%
Self-care Difficulty	5.4%	0.9%	3.7%	1.9%	3.8%	2.2%	3.5%	4.9%	4.2%	3.7%	3.9%	6.5%	3.9%	5.7%	2.3%	2.6%
Independent Living	5.1%	3.0%	7.3%	5.1%	14.1%	9.0%	9.5%	11.8%	8.3%	7.1%	6.8%	13.9%	7.6%	12.5%	4.1%	5.5%

Source: ACS 2012 and 2021, 5-Year Estimates

FIGURE 2: POPULATION WITH A DISABILITY, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Percent of Population with a Disability

- < 10%
- 10% - 20%
- 20% - 30%
- 30% - 40%
- > 40%

Familial Status

The proportion of family households in Trinity County is 51.5 percent, compared to 70.0 percent in neighboring Tehama County and 68.6 percent statewide (see Table 3). Rates of family households are notably lower in the community of Weaverville CDP than in Tehama County's incorporated cities; in Weaverville, only 50.6 percent of households are family households, whereas Corning (72.7 percent), Red Bluff (58.9 percent), and Tehama City (55.0 percent) each have higher percentages of family households.

Due to their reliance on one income, and compounded by gender-based pay disparity, female-headed single-parent households tend to face disproportionately greater housing insecurity in comparison with other household types. Rates of this household type in Trinity County (2.8 percent) are lower than those of neighboring Tehama County (6.0 percent) and the statewide average (6.0 percent). Weaverville has a higher concentration of households of this type (9.6 percent, up from 1.4 percent in 2011) compared to the county; this rate is comparable to that of Corning (9.5 percent).

As in other counties in the region, rates of single-parent and single-parent female-headed households are higher in more densely populated urban areas and in low-resource areas. Rates outside of the region's population centers are consistent with other low-density rural and semi-rural areas in neighboring counties. See Figure 3 for a depiction of percentages of children in Trinity County in single-parent, female-headed households.

Local Context

Based on local knowledge provided by the County Planning Division, there are not large concentrations of families or non-families in any particular parts of the county. However, there are slightly higher concentrations of families in Weaverville, Hayfork, and Lewiston due to availability of services in these communities. All housing in the county is generally appropriate and affordable for families with two incomes. However, households who are dependent on a single income may struggle financially. Given the aging housing stock in the county, households may need to spend additional money to repair and maintain their home, which may be a financial burden for lower-income families with children.

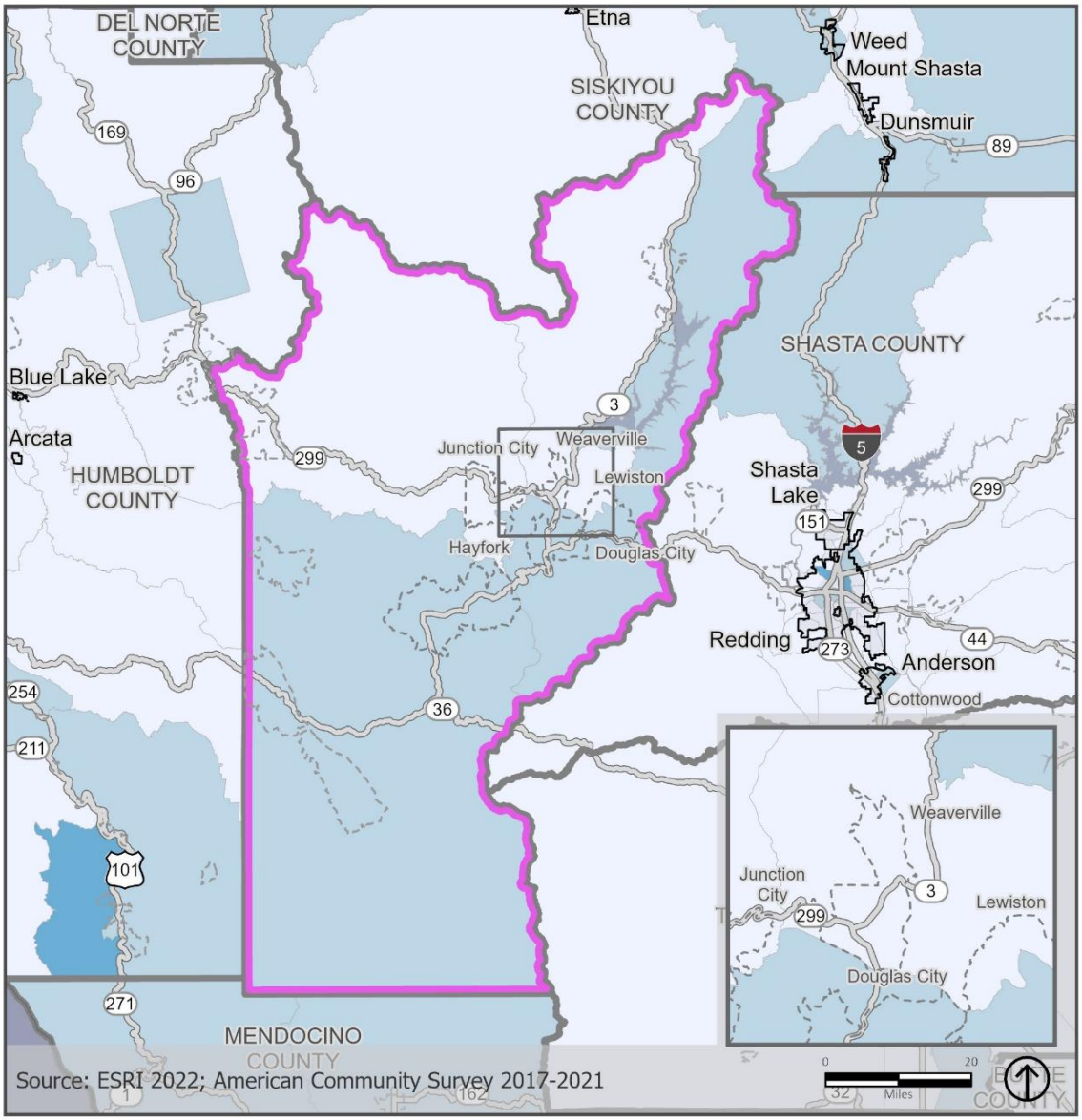
Based on additional local knowledge provided by the nonprofit Shasta Head Start, all registered childcare facilities are located in Weaverville. These include the Weaverville All Summer Program and Alps View Child Care Center, both through the Human Response Network, Shasta Head Start – Weaverville and Kinder Kids Montessori. As of 2024, the Weaverville Head Start program is currently merging with other programs run out of Human Response Network facilities in Weaverville. Head Start provides morning services and Human Response Network programs provides afternoon services. This merge of programs ensures that enrolled children can be present at the facility all day. Programs for at risk youth are primarily located in Weaverville, with some satellite services occasionally occurring in Hayfork. The Trinity Pride Coalition offers community services for queer youth in Weaverville, but functions in Hayfork as resources allow. Trinity County Transitional Services for Youth include a variety of services available for youth who are in foster care aged 16 and up to gain skills for independence and to help them with college (including grants), job readiness and living on their own.

TABLE 3: POPULATION BY FAMILIAL STATUS

Familial Status	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
Family Households	62.8%	50.6%	61.2%	51.5%	73.4%	55.0%	56.1%	58.9%	75.8%	72.7%	69.3%	73.8%	66.9%	70.0%	68.6%	68.6%
Non-family Households	37.2%	49.4%	38.8%	48.5%	26.6%	45.0%	43.9%	41.1%	24.2%	27.3%	30.7%	26.2%	33.1%	30.0%	31.4%	31.4%
Percentage Female-headed Single-Parent Households	1.4%	9.6%	2.2%	2.8%	9.1%	1.0%	13.4%	13.8%	16.9%	9.5%	4.3%	2.6%	7.7%	6.0%	7.2%	6.0%

Source: ACS 2011 and 2021, 5-Year Estimates

FIGURE 3: CHILDREN IN FEMALE-HEADED HOUSEHOLDS, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Percent of Children in Female Householder, No Spouse/Partner Present Households

- Less than 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- 80% - 100%

Income

As is shown in Table 4, the median household income in Trinity County ($42,206) is substantially lower than the state average household income ($84,097). This is typical for the region; for example, in Tehama County, the median household income is $52,901. Over the 10-year period between 2011 and 2021, the median household income in Trinity County grew by 12 percent, while statewide, the median household income grew by 36.5 percent. Regionally, in Tehama County, wages also increased by 36.5 percent. This growth is not evenly distributed; in Weaverville, median household income decreased by 0.7 percent during the same period. However, as shown in Figure 4, median incomes at the census level are below $55,000 across the county.

As shown in Table 5, the rates of households experiencing poverty (households with incomes below the poverty level in the previous year) are higher in Trinity County (16.8 percent) than the rate statewide (11.8 percent). Regionally, this is also true of Tehama County, which has an 18.7 percent poverty rate. Poverty rates increased by 1.9 percentage points in Trinity County between 2011 and 2021, while in the Weaverville community, they increased by 11.8 percent over the same period to 22.8 percent. Figure 4 shows median income in Trinity County and Figure 5 shows the percentage of Trinity County residents with incomes below the poverty level.

Local Context

Based on local knowledge provided by the County Planning Division, there are certain areas that are considered to be lower-income, high-poverty areas:

- Areas adjacent to the mill in Hayfork
- Lewiston Dam Subdivision in Lewiston
- Several apartment complexes in Weaverville
- Lower Mill Street in Weaverville
- Generally, entire communities along the Humboldt border of the county, including Salyer and Burnt Ranch

Additionally, based on local knowledge provided by the County Planning Division and through public input (multiple online survey responses), there are certain areas that are considered to be higher-income areas:

- Trinity Center
- Ruth Lake
- Hawkins Bar
- Coffee Creek
- Generally, river front parcels with developed communities and housing tend to be higher-income areas, including downriver properties with river frontage and properties in Lewiston with river frontage.
- Timber Ridge, Weaverville
- Reservoir Road, Hayfork
- Weaverville, particularly along East Weaver Creek Road to the north of the community
    - Please note however, that sites along East Weaver Creek Road are not served by water or sewer districts and may be constrained by additional costs required for utility access.

TABLE 4: MEDIAN HOUSEHOLD INCOME

Geography	Median Income	
	2011	2021
Weaverville CDP	$42,337	$42,023
Trinity County	$37,672	$42,206
Tehama City	$36,786	$50,104
Red Bluff	$31,690	$41,004
Corning	$38,225	$48,313
Tehama County	$38,753	$52,901
State	$61,632	$84,097

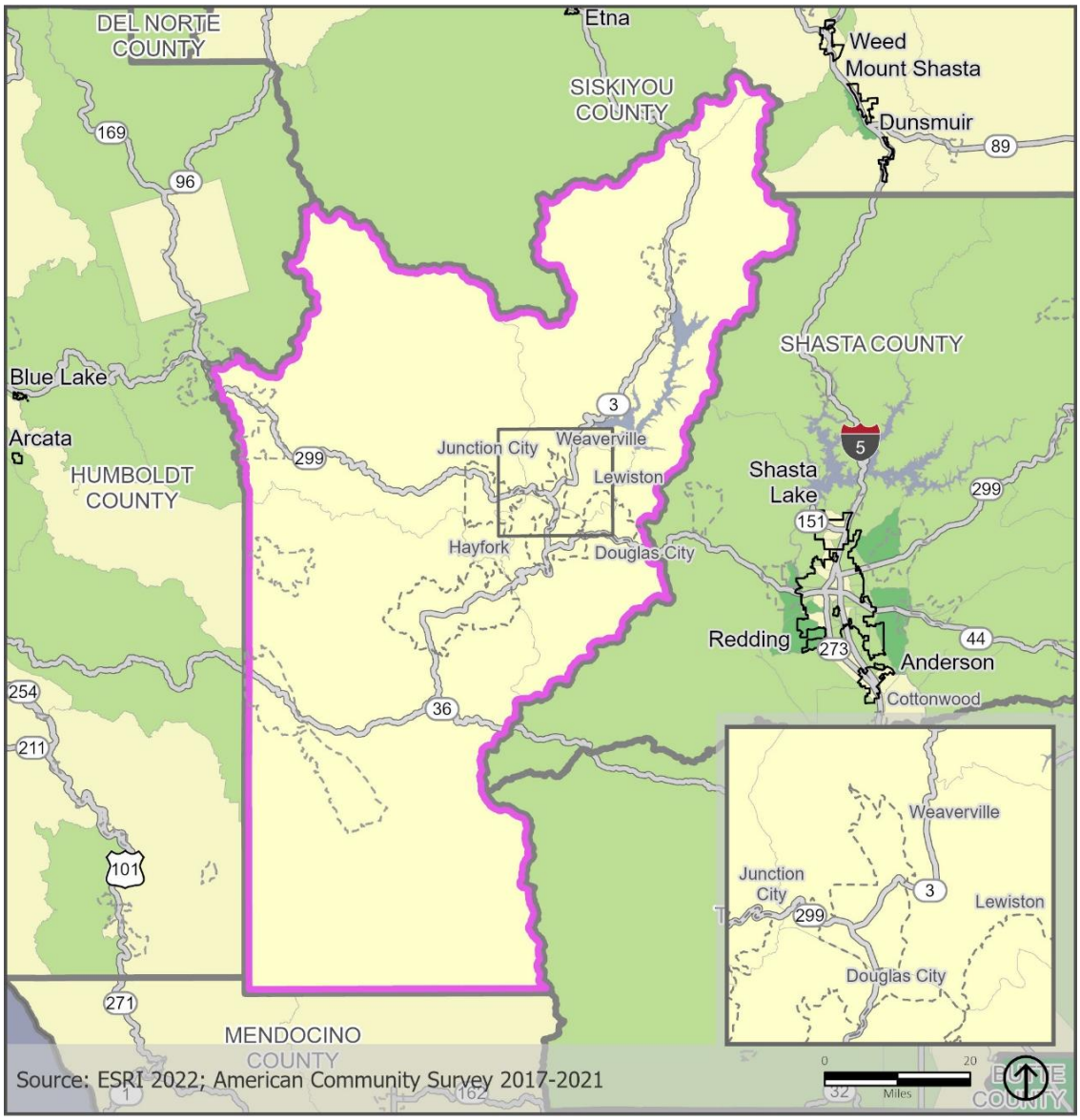
Source: ACS 2011 and 2021, 5-Year Estimates

TABLE 5: POVERTY RATE

Geography	Poverty Rate	
	2011	2021
Weaverville CDP	11.0%	22.8%
Trinity County	14.9%	16.8%
Tehama City	8.4%	16.3%
Red Bluff	24.3%	25.1%
Corning	19.6%	14.1%
Tehama County (Unincorporated)	15.7%	17.2%
Tehama County	18.1%	18.7%
State	12.7%	11.8%

Source: ACS 2011 and 2021, 5-Year Estimates

FIGURE 4: MEDIAN INCOME, TRINITY COUNTY



County Boundary

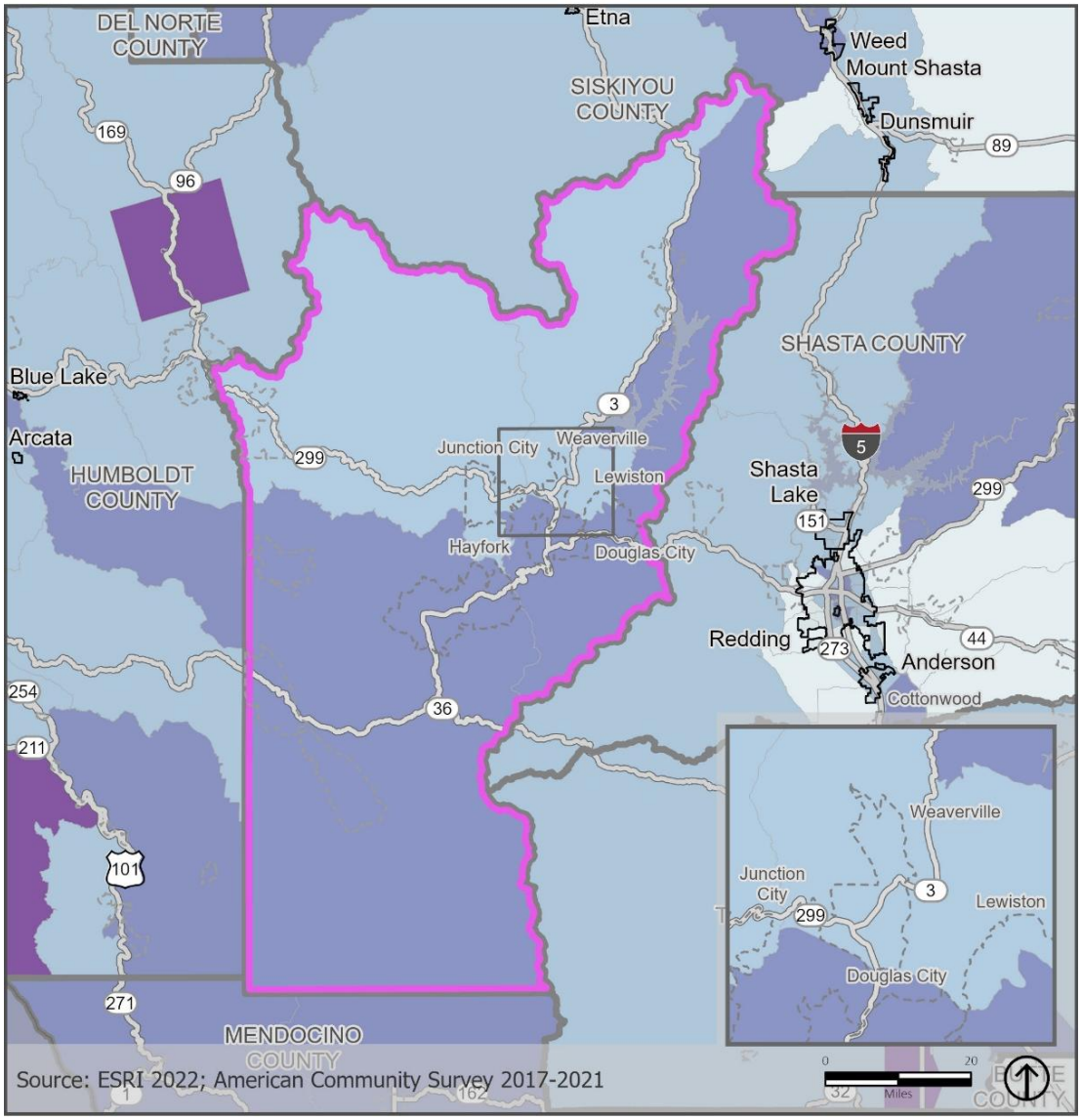
City Boundary

Census Designated Place Boundary

Median Household Income in past 12 months (inflation-adjusted dollars to last year of 5-year range)

- Less than $55,000
- $55,000 - $90,100
- $90,100 - $120,000
- $120,000 - $175,000
- Greater than $175,000

FIGURE 5: PERCENTAGE OF RESIDENTS WITH INCOMES BELOW POVERTY LEVEL, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Percent of Population whose income in the past 12 months is below poverty level

- < 10%
- 10% - 20%
- 20% - 30%
- 30% - 40%
- > 40%

CONCENTRATED AREAS OF POVERTY AND AFFLUENCE

Racially or Ethnically Concentrated Areas of Poverty

Racially or Ethnically Concentrated Areas of Poverty (R/ECAP) or areas of High Segregation and Poverty are areas that exhibit both high racial/ethnic concentrations and high poverty rates. HUD defines R/ECAPs as census tracts with a majority non-White population (50 percent or more) and a poverty rate that exceeds 40 percent or is three times the average poverty rate for the county, whichever is lower. HCD defines areas of High Segregation and Poverty as census tracts that have an overrepresentation of people of color compared to the county as a whole, and at least 30.0 percent of the population in these areas is below the federal poverty line ($30,000 annually for a family of four in 2023). R/ECAPs or areas of High Segregation and Poverty may indicate the presence of disadvantaged households facing housing insecurity and need. They identify areas whose residents may have faced historical discrimination and who continue to experience economic hardship, furthering entrenched inequities in these communities.

There are no R/ECAP or areas of High Segregation and Poverty in Trinity County, including all communities in the county.

Racially of Ethnically Concentrated Areas of Affluence

Racially or Ethnically Concentrated Areas of Affluence (RCAAs) are neighborhoods in which there are both high concentrations of Non-Hispanic White households and high household income rates. Based on research from the University of Minnesota Humphrey School of Public Affairs, RCAAs are defined as census tracts where 80 percent or more of the population is White, and the median household income is $125,000 or greater (which is slightly more than double the national median household income for 2016). HCD further adjusted the RCAA methodology to track more closely with California's higher levels of diversity by setting the White population threshold to 50 percent.

There are no RCAAs in Trinity County, including all communities in the county.

DISPARITIES IN ACCESS TO OPPORTUNITY

Since 2017, the Tax Credit Allocation Committee (TCAC) and HCD have developed annual maps of access to resources such as high-paying job opportunities; proficient schools; safe and clean neighborhoods; and other healthy economic, social, and environmental indicators to provide evidence-based research for policy recommendations. This effort has been dubbed "opportunity mapping" and is available to all jurisdictions to assess access to opportunities in their community.

The TCAC/HCD Opportunity Maps can help to identify areas in the community that provide strong access to opportunity for residents or, conversely, provide low access to opportunity. The information from the opportunity mapping can help to highlight the need for housing element policies and programs that would help to remediate conditions in low-resource areas and areas of high segregation and poverty and to encourage better access for lower-income households and communities of color to housing in high-resource areas. TCAC/HCD categorized census tracts into high-, moderate-, or low-resource areas based on a composite score of economic, educational, and environmental factors that can perpetuate poverty and segregation, such as school proficiency, median income, and median housing prices. The 2023 TCAC/HCD Opportunity Maps compares each tract to those within the council of governments (COG) region.

Areas designated as "highest resource" are the top 20.0 percent highest-scoring census tracts in the region. It is expected that residents in these census tracts have access to the best outcomes in terms of health, economic opportunities, and educational attainment. Census tracts designated "high resource" score in the 21st to 40th percentile compared to the region. Residents of these census tracts have access to highly positive outcomes for health, economic, and education attainment.

"Moderate resource" areas are in the top 30.0 percent of the remaining census tracts in the region, and those designated as "moderate resource (rapidly changing)" have experienced rapid increases in key indicators of opportunity, such as increasing median income, home values, and an increase in job opportunities. Residents in these census tracts have access to either somewhat positive outcomes in terms of health, economic attainment, and education, or positive outcomes in a certain area (e.g., score high for health, education) but not all areas (e.g., may score poorly for economic attainment).

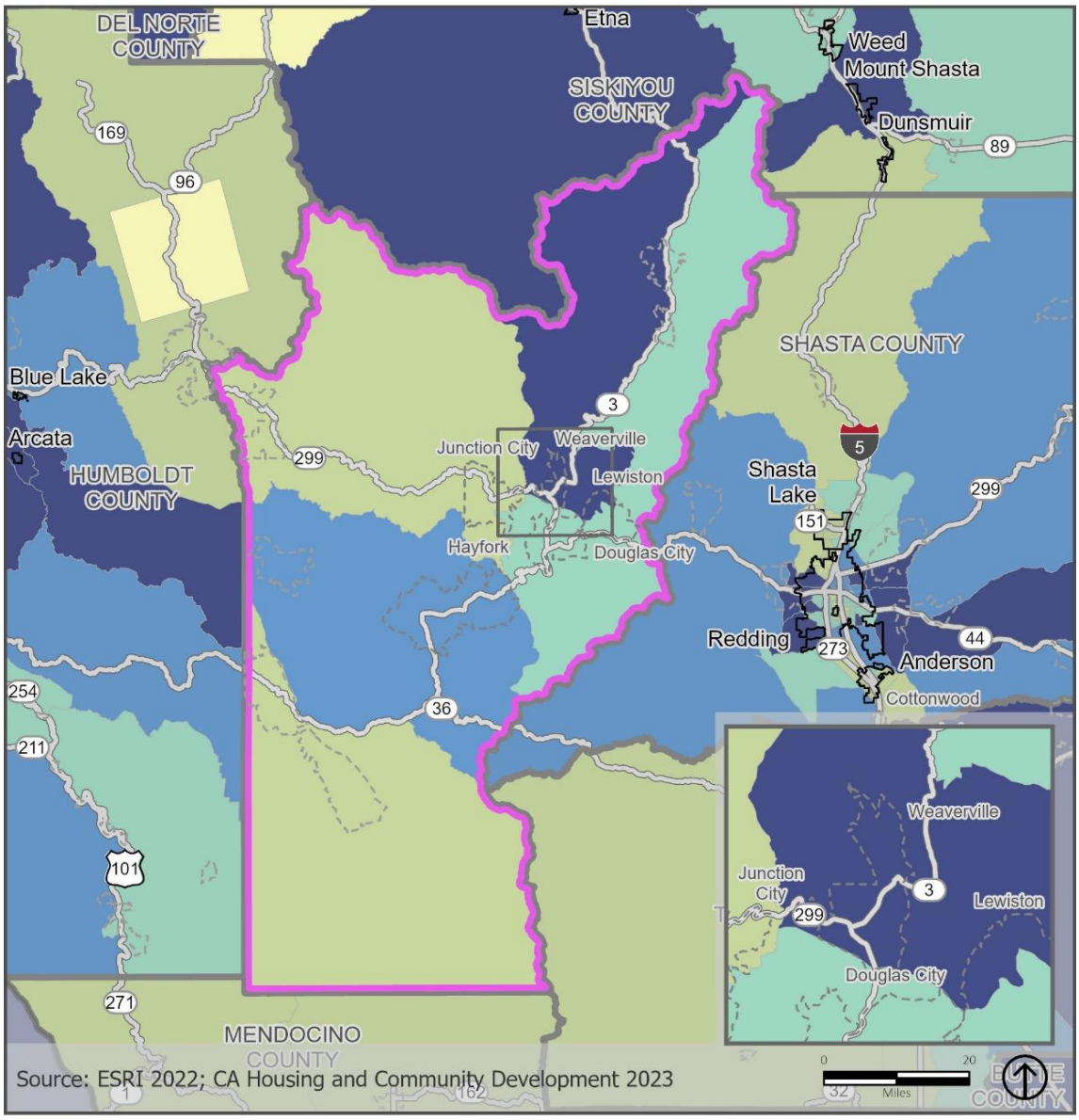
"Low resource" areas score in the bottom 30.0 percent of census tracts and indicate a lack of access to positive outcomes and opportunities. The final designation are those areas identified as having "high segregation and poverty;" these are census tracts that have an overrepresentation of people of color compared to the region as a whole, and at least 30.0 percent of the population in these areas is below the federal poverty line ($19,720 for a two-person household and $30,000 annually for a family of four in 2023).

Local Context

Based on local knowledge provided by the County Planning Division and Behavioral Health Services, known areas where many HCV and/or Section 8 renters live include various apartment complexes and some single-family homes in Weaverville, as this is where most apartment complexes and services are in the county, as well as the Eskaton Hayfork Manor in Hayfork and the Northern Valley Catholic Social Service (NVCSS) Lewiston Apartments in Lewiston.

As seen in Figure 6, in Trinity County, low-resource areas are found in the region's more rural census tracts and wilderness areas, including those on the county's southwest and northwest sides, including the community of Mad River. Moderate and high-resource tracts are found in central Trinity County, encompassing Hayfork. The region's highest-resource areas are found in northern Trinity County, including Weaverville.

FIGURE 6: TCAC OPPORTUNITY AREAS, 2023, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

TCAC Opportunity Areas

- Highest Resource
- High Resource
- Moderate Resource
- Low Resource
- High Segregation & Poverty
- No Data

Education

TCAC/HCD census tract designations of high-, moderate-, or low-resource are based on a composite score of economic, educational, and environmental factors. In addition to the overall composite score that indexes all of these factors, analyses are available that provide a focus on the group of metrics associated with each of these scoring categories, or domains, independently. The Education Domain is an index of the following metrics: math proficiency, reading proficiency, high school graduation rates, and student poverty rates.

In Trinity County, correlations between Education Domain scores and overall TCAC/HCD composite scores are not consistent. For example, the County contains two census tracts designated as lowest-resource by TCAC/HCD. One of these tracts, at the county's northwestern boundary, has the County's lowest Education Domain score, demonstrating a strong correlation between educational, economic, and environmental outcomes in the immediate area. However, the County's other lowest-resource tract, found at its southwestern boundary, coincides with its highest Education Domain score, suggesting that, while education outcomes are relatively strong in this area, this area may see adverse economic and/or environmental conditions that outweigh its positive education outcome in the composite score. Other tracts in the county demonstrate similarly inconsistent scoring, demonstrating that access to economic opportunities and environmental outcomes, and access to positive education outcomes, have an inconsistent relationship for Trinity County residents.

Table 6 shows performance on standardized testing along with other education outcome indicators in public and charter schools in Trinity County. As shown in the table, several elementary schools in the county have standardized test scores above the state standard, including those in Burnt Ranch, Douglas City, Junction City, and Hayfork. Hayfork High also reports scores above the state standard in English language arts, but below standard in mathematics. Where reported, schools in Weaverville, Mad River, and Lewiston reported below-standard test scores in both English language arts and mathematics. Schools that have fewer than 11 students or have fewer than 11 students in a standardized testing score group, have limited data reported publicly for student privacy reasons. This includes Coffee Creek Elementary, Southern Trinity High, the R.I.S.E Academy charter school, Trinity Center Elementary, and Hoaglin-Zenia Elementary, as well as the county's three continuation schools. Continuation programs provide credit recovery learning opportunities for older students looking to complete their high school diplomas. These schools tend to have higher-than-average rates of students who are considered socioeconomically disadvantaged, and, where scores are publicly reported, tend to have lower-than-average standardized test scores.

Chronic absence is only reported for schools serving students in kindergarten through grade 8. Students who are chronically absent are not present for at least 10 percent of the days for which they are enrolled. Lewiston Elementary has a particularly high rate of chronic absence, with 53.8 percent of students chronically absent. The next-highest rate of chronic absenteeism is at Van Duzen Elementary in Mad River (34.5 percent), followed by Weaverville Elementary (30.5 percent). In most schools in the county, more than half of students are considered socioeconomically disadvantaged, with the exception of Douglas City Elementary and Southern Trinity High. However, fewer than 1 percent of students in most Trinity County schools are English Language Learners, with the exception of schools in Douglas City and Hayfork.

Local Context

School Performance

Based on local knowledge provided by the Trinity County Planning Division, through public input (multiple online survey responses), and through stakeholders interviews, schools in Junction City, Burnt Ranch, and Douglas City are perceived by parents as being higher performing schools. This perception may be a result of class sizes, availability of youth sports teams, or other factors. Southern Trinity in particular tends to lose students to other schools due to the improved availability of sporting events in other communities in the county. However, there is no evidence that these schools are higher performing or receive more funding or resources for their students and faculty members. In some cases, the county loses students to Shasta County for their school options, such as the Redding School of the Arts, which has many students living in Trinity County.

County public schools are generally assigned by geography; however, parents may pick which school their student attends, depending on availability and class size in the desired school. The schools in Weaverville and Douglas City in particular have higher rates of students transferring from other communities for the perceived improvement in educational and athletic opportunities.

Bussing Opportunities

There are some known bussing opportunities to improve access to different schools and school sports events. These are offered in various capacities in Southern Trinity, Trinity Alps Unified School District, Mountain Valley Unified School District, Burnt Ranch Elementary School District, and Klamath-Trinity Joint Unified School District. Some other schools in the county have vans, but do not provide bussing. Financial incentive programs to adopt EV bus systems are not feasible throughout the county due to topographical, weather, and infrastructure challenges.

Higher Education Opportunities

There is a single higher education opportunity in the county: Shasta College Trinity Campus in Weaverville. This campus is an extension of the College's campus located in Redding and offers free tutoring, free Wi-Fi, three in-person classrooms, and support for accessing online courses. The campus in Weaverville offers free online and in-person tutoring to its students for a broad range of math, business, science, and writing courses. Although other campuses in the Shasta College system offer a variety of in-person and hybrid degrees, the Weaverville satellite campus mainly facilitates the College's online courses. Students who are required to take in-person classes to complete their degree may need to travel to a campus in either Redding or Red Bluff to access those courses.

Factors That Influence Graduation Rates

Current rates of high school graduation have been impacted by ongoing effects of the COVID-19 pandemic and the cost of commutes. Similarly, the cost of commutes is an issue for college students who continue to live within the county but travel out of the county to attend college. Many lower income students cannot afford the time or costs of these commutes, leading to many dropping out of higher education entirely.

Locational Differences in Education

According to the County Planning Division, there have been some new subdivisions in the last 4 years. However, countywide, there was very little residential development during this same period. Recent subdivisions which have been or are in the process of being entitled and planned are not concentrated in any particular area of the county and have no differences in school access compared to existing, older communities.

TABLE 6: SCHOOL PERFORMANCE

District Name	Location	English Language Arts (Points Above or Below Standard)	Math (Points Above or Below Standard)	Chronic Absence	Suspension Rate	Socio-Economic Disadvantage	Foster Youth	English Learners
Burnt Ranch Elementary	Burnt Ranch	15.3	3.1	6.4%	2.1%	58.2%	0.0%	0.0%
Coffee Creek Elementary	Coffee Creek	*Fewer than 11 students in dataset, data not provided for privacy reasons.*				77.8%	0.0%	0.0%
Douglas City Elementary	Douglas City	29.7	23.3	9.6%	0.0%	48.8%	0.0%	6.2%
Hayfork Elementary	Hayfork	17.7	16.7	18.1%	0.0%	81.1%	0.0%	11.3%
Hayfork High	Hayfork	6.3	-51.6	*N/A*	0.0%	87.2%	0.0%	10.5%
Valley High (Continuation)	Hayfork	*Fewer than 11 students in dataset, data not provided for privacy reasons.*				100.0%	0.0%	0.0%
Junction City Elementary	Junction City	21.6	16.1	10.4%	0.0%	58.7%	0.0%	0.0%
Lewiston Elementary	Lewiston	-85.8	-100	53.8%	1.2%	68.0%	0.0%	0.0%
Van Duzen Elementary	Mad River	-7.2	-42.4	34.5%	0.0%	60.8%	2.0%	0.0%
Southern Trinity High	Mad River	*Fewer than 11 students in dataset, data not provided for privacy reasons.*		*N/A*	0.0%	41.7%	0.0%	0.0%
Mt. Lassic High (Continuation)	Mad River	*Fewer than 11 students in dataset, data not provided for privacy reasons.*				100.0%	0.0%	0.0%

District Name	Location	English Language Arts (Points Above or Below Standard)	Math (Points Above or Below Standard)	Chronic Absence	Suspension Rate	Socio-Economic Disadvantage	Foster Youth	English Learners
Trinity Center Elementary	Trinity Center	*Fewer than 11 students in dataset, data not provided for privacy reasons.*		20.0%	6.7	84.6%	0.0%	0.0%
R.I.S.E. Academy	Weaverville	*Fewer than 11 students in dataset, data not provided for privacy reasons.*			26.3%	78.6%	0.0%	0.0%
Weaverville Elementary	Weaverville	-15.1	-46.5	30.5%	7.3%	69.4%	1.2%	0.6%
Alps View High (Continuation)	Weaverville	-333	-348	*N/A*	2.6%	95.7%	4.3%	0.0%
Hoaglin-Zenia Elementary	Zenia	*Fewer than 11 students in dataset, data not provided for privacy reasons.*				57.1%	0.0%	0.0%

Source: California School Dashboard, 2023

Economic

The TCAC Opportunity Analysis identifies geographic disparities in access to opportunities based on Economic Domain Scores, which incorporate various indicators like poverty, adult education, employment, job proximity, and median home value. Scores below 0.2 signify less favorable economic conditions, while scores exceeding 0.8 indicate more favorable economic conditions. The factors that are incorporated into the Economic Domain Score are median home values, poverty levels, employment levels, and the proximity of residents to job opportunities.

Economic Domain Scores in Trinity County are consistent with general spatial patterns in access to opportunities in the region. The county's northwestern census tracts, including and encompassing Weaverville, score more positively, while the remainder of the county sees moderate to adverse outcomes, particularly in the southernmost tract, which scores the lowest in the county. The rural nature of this region, low median household incomes, and distance from many employment centers are likely major factors in this analysis, and scores are consistent with comparable counties in the region. These findings generally align with overall TCAC/HCD Opportunity Analysis composite scores elsewhere in the region; tracts where the composite score diverges from the Economic Domain Score suggest that educational and/or environmental outcomes in these areas differ substantially enough to outweigh economic outcomes in the calculation of the composite score.

Local Context

Major Employers

Based on local knowledge provided by the County Planning Division, most major employers are located in Weaverville and Hayfork, as this is where there is the most infrastructure that supports these jobs. Major employers include:

- Trinity County (Weaverville)
- Trinity River Lumber (Weaverville)
- Trinity County Resource Conservation District (Weaverville)
- Trinity County Office of Education (Weaverville)
- Trinity Public Utilities District (Weaverville)
- Trinity Hospital (Weaverville)
- Redding Rancheria Trinity Health Center (Weaverville)
- Trinity River Restoration Program (Weaverville)
- Hayfork Watershed Research and Training Center (Hayfork)
- U.S. Forest Service (countywide)

Distance Between Major Industries and Place of Residence

Based on local knowledge provided by the Cannabis Division, residents who work for cannabis cultivation farms within the county typically live close to their place of work, as wages are not high enough to validate a community. Additionally, based on local knowledge provided by the County Planning Division, some residents commute to Redding for work. It is unknown which types of jobs these residents commute for, but they are presumed to be higher paying jobs for residents to be able to afford the commute. There have historically been many remote workers, which has increased as a result of the COVID-19 pandemic. This last trend in particular has negatively affected the county's housing stock, as high-income earners have caused house prices to increase for lower density single-family housing, making housing less affordable. In general, these trends have been relatively consistent.

Local Context

High-Speed Internet and Cell Signal Access

Based on local knowledge provided by the County Planning Division, the Trinity County Resource Conservation District, and one stakeholder interview, there are known challenges with both internet and cell signal access in the county. Many parts of the county lack reliable access to internet and emergency cell services, with some communities lacking one or both of these services entirely:

- Hawkins Bar/Trinity Village residents have no cell reception but do have internet access.
- Coffee Creek residents have patchy cell reception, although the Coffee Creek Volunteer Fire Department is currently working on a mobile system to cover cell service in times of emergency.
- Hyampom residents have very little cell and internet services.
- Post Mountain residents have very little cell and internet services.
- The entire community of Del Loma has been running on generators for several months due to a loss of power services. As a result, internet services have been greatly reduced.

Cell and radio services are generally worse in the winter due to not being able to access sites in times of repairs. As a result, many residents rely on landline services for emergency calling. AT&T is the last landline provider in the county. Although AT&T requested to abandon service in the area, the company's request was denied by the California Public Utilities Commission in June 2024, as there is no other option for landline services in the area. One stakeholder stated during an interview that roadside call boxes are needed along SR 36 and SR 299 in areas with little services. As of 2024, the County is currently working on a middle mile project to underground fiber infrastructure.

Economic Development Programs

Based on local knowledge provided by the County Planning Division, there are no known current economic development programs or initiatives currently being facilitated by the County.

However, there are some local, non-governmental groups that are actively working on economic development programs and other opportunities within the county. The Chamber of Commerce is an all-volunteer board that aims to enhance quality of life and improve the business climate in Trinity County through the promotion and growth of local businesses. Additionally, the Trinity County Community Corporation, a newly created nonprofit in the county, has begun discussing economic, workforce, and tourism developments with community members with the goal of becoming an additional resource for economic development in the county.

In recent years, there have been no new major employers within the county.

Transportation

Local Context

Public Transportation Availability

Based on local knowledge provided by the County Planning Division and Department of Transportation, there are bus transit services between some communities. These routes include:

- Weaverville to Redding (round trip)
- Weaverville to Willow Creek (round trip)
- Weaverville to Hayfork (round trip)
- Weaverville to Lewiston (round trip)

There have previously been efforts to establish a countywide electric bus program, to benefit from financial incentive programs for EV buses; however, the county does not currently meet the infrastructure requirements to qualify. The Trinity County Human Resource Network provides transportation vouchers for people getting to and from medical appointments.

Active Transportation

Based on local knowledge provided by the County Planning Division, County Department of Transportation, and one stakeholder interview, there are a variety of efforts throughout the county to improve access through different transportation modes. The County's 2022 Regional Transportation Plan outlines specific infrastructure needs in the county, and commits to these policies, including:

- Support safe bicycle and pedestrian access improvements to State and National Parks, trails, and other recreational facilities.
- Seek funding for bicycle and pedestrian facilities to expand and complete the existing regional bicycle network to local facilities.
- Develop a multimodal transportation network between and among transit stops and communities that would provide for better connectivity to community services within and outside of the county
- Ensure that transit needs are consistent with ADA and meet the needs of special needs communities

Additional efforts include those made by the Trinity Trail Alliance, a non-profit group in Trinity County whose goal is to help build, maintain, and promote non-motorized trail use. This group has been particularly important in improving biking trail system connections.

Local Context

Vehicle Access

Based on local knowledge provided by the County Planning Division and the Golden Age Center in Weaverville, residents without access to a car would likely need to get a ride from family or friends. The Golden Age Center offers an on-demand transit service between and within Weaverville, Junction City, and Lewiston for seniors and disabled individuals; however, other residents may also use this service as needed. As of January 2025, a round trip through this service will cost $10. Trips may be booked in advance or the day of and are available Tuesday through Thursday from 9 a.m. to 3 p.m. This is the only service of its kind in the county.

In other communities that do have bus transit lines that travel through them, there are few transit stop times throughout the day, which limits when these residents would be able to travel for work, medical care, or other appointments. This is particularly a concern for elderly residents who live in remote areas with no transit options.

Infrastructure

Based on local knowledge provided by the County Planning Division, arterials and collector streets are generally in better condition than local roads. Additionally, County-maintained roads are often better maintained than private roads, with remote roads being the least maintained. Inclement weather (such as snow) tends to tear up roads; residents in remote areas therefore have generally worse road conditions than those who live closer to more developed areas.

High-Collision Corridors and Traffic

Based on local knowledge provided by the County Department of Transportation, the majority of collisions occur along SR-299 in Weaverville and Salyer, some segments of SR-3, and the junction of SR-3 and SR-36. There is little traffic throughout the county.

Local Context

Capital Improvement Assessments

Based on local knowledge provided by the County Department of Transportation, prominent capital improvement projects involve ongoing storm damage repairs in southern Trinity. In general, southern Trinity is the area of the county that needs the most work regarding capital improvements. The 2022 Regional Transportation Plan also outlines specific infrastructure needs in the county, including the need to improve road condition and safety problems along SR-299, SR-3 and SR-36; and adopting an action plan for storm repair projects, which are set to be complete by 2027. Rehabilitating roads, repairing storm damage and maintaining safe, interregional connectivity are the most important projects for the region. Public comment on the Draft Housing Element also indicates that paved pullouts are needed on Hwy 3 between Douglas City and Hayfork as there are not adequate passing lanes and it can be dangerous to pull out onto gravel.

Safe Routes to Schools

Based on local knowledge provided by the County Department of Transportation and Planning Division, the 2022 Regional Transportation Plan plans for a Safe Routes to School project along Lewiston Road from Lewiston Elementary School into town which would improve bicycle and pedestrian facilities. Both the Trinity County Active Transportation Plan and Trinity County Bikeways Master Plan aim to partner with schools to develop safe routes to school in the county. Sidewalks do exist in parts of more developed areas (i.e. Weaverville, Hayfork, and parts of Trinity Center), but are generally not accessible. Existing sidewalks all have a need for improvements due to barriers, including overgrown bushes, poles in middle of sidewalk and cracks.

Community Facilities

Based on local knowledge provided by the County Planning Division, Weaverville, Hayfork, and Lewiston have the most community facilities in the county. However, it should be noted that Trinity Center, Hyampom, Junction City, and Douglas City all have active community centers. Most community facilities in the County are old and in need of repair, apart from the Vet's hall in Weaverville will be renovated soon using donation funds from California State Senator Mike McGuire.

Pedestrian and Bicyclist Transportation Options

Based on local knowledge provided by the County Department of Transportation and Planning Division, sidewalks do exist in parts of more developed areas (i.e. Weaverville, Hayfork, and parts of Trinity Center), but are generally not accessible. There are few dedicated bike paths throughout the county along roadways; however, the Trinity Trail Alliance manages the around 95 miles of bike trails within open spaces and along lakefronts adjacent to Weaverville, Trinity Lake, and Hayfork.

Recent Infrastructure Investments

Based on local knowledge provided by the County Department of Transportation, most infrastructure investments go towards maintaining existing infrastructure or completing ongoing storm damage repairs in southern Trinity.

All Transit

AllTransit is a transit and connectivity analytic tool developed by the Center for Neighborhood Technology for the advancement of equitable communities and urban sustainability. The tool analyzes the transit frequency, routes, and access to determine an overall transit score at the city, county, and regional levels. AllTransit scores geographic regions (e.g., cities, counties, Metropolitan Statistical Areas) on a scale of 0 to 10, with a score of 10 indicating complete transit connectivity.

AllTransit scores in Trinity County are generally low. As shown in Table 7, a small proportion (1.0 percent) of residents in Trinity County commute by public transportation, a finding consistent with AllTransit scoring. This is also true in neighboring Tehama County, where no workers commute by public transportation. A higher percentage of residents in Weaverville use transit to commute, which is likely closely related to their proximity to a variety of transit routes. Trinity Transit is operated by the Trinity County Department of Transportation and provides intercity fixed routes on the Willow Creek Line, Redding Line, Hayfork Line, and Lewiston Line on Monday through Friday with Weaverville as the hub. Routes operate two trips daily on all lines other than the Lewiston Line, which operates two trips only on Wednesdays, and one trip per day the rest of the week. Trinity County's 2024 Regional Transportation Improvement Program (RTIP) recommends substantial funding of over $3.5 million for regional transportation improvements.

TABLE 7: REGIONAL ALLTRANSIT SCORES

Jurisdiction	AllTransit Score	Percentage of workers commuting by public transportation	
		2012	2022
Weaverville CDP	1.2	3.9%	2.2%
Trinity County	0.9	2.3%	1.0%
Tehama City	0.8	0.0%	0.0%
Red Bluff	2.5	2.3%	0.0%
Corning	1.5	0.0%	0.1%
Tehama County	1.0	0.0%	0.0%

Source: Center for Neighborhood Technologies, Accessed April 2024; ACS 2012 and 2022, 5-Year Estimate

Environment

The CalEnviroScreen environmental health evaluation system indexes social and environmental factors to evaluate potential effects of environmental conditions on health outcomes. In Trinity County, outcomes as reported through CalEnviroScreen are consistent with other comparable counties in the region (see Figure 7). Regionally, higher scores, which indicate more negative factors, are found in the region's more densely developed areas. This is true in neighboring Tehama County, including in and around the City of Corning and City of Red Bluff. In more sparsely populated rural areas, scores indicate generally moderate to positive environmental conditions, with the lowest (most positive) scores found in Trinity County, particularly in tracts other than the tract containing Weaverville, where conditions are more moderate. Relative to the broader region, Trinity County sees among the most positive outcomes as compared with other regions and counties in the state. Within the CalEnviroScreen analysis, the environmental factors that were the greatest areas of concern were solid waste and groundwater threats, which had high (negative) scores even in areas with the most positive CalEnviroScreen scores. Trinity County does not contain any tracts scoring above the 70th percentile in the CalEnviroScreen analysis (and therefore no Disadvantaged Communities under Senate Bill 535), indicating relatively positive conditions in comparison with many other counties in the state.

Local Context

Sources of Pollution and Environmental Conditions

Based on local knowledge provided by multiple workshop participants, pollution concerns in the county include water pollution from agriculture, pollution from former mine locations, wildfire smoke, and the mill in Weaverville.

Based on local knowledge provided by the County Planning Division, there are three major constraints to residential development related to environmental conditions. First, there is no access to water and sewer outside of Weaverville, Hayfork, and Lewiston. Second, all new medium and high density residential development needs to be located in a fire protection district. Third, major sloping makes many developments costly due to the additional earthwork and grading plans and permitting required for these types of developments.

Differences in Access to Parks, Outdoor Spaces, and Amenities

Based on local knowledge provided by the County Planning Division, there is no lack of outdoor spaces in the county, as natural wilderness is abundant within and immediately adjacent to all communities. However, access to these spaces remains an issue, as they are primarily accessible via car and not via foot or bicycle. Conventional playgrounds or urbanized parks are not common in most of Trinity County; however, there is a playground in Weaverville.

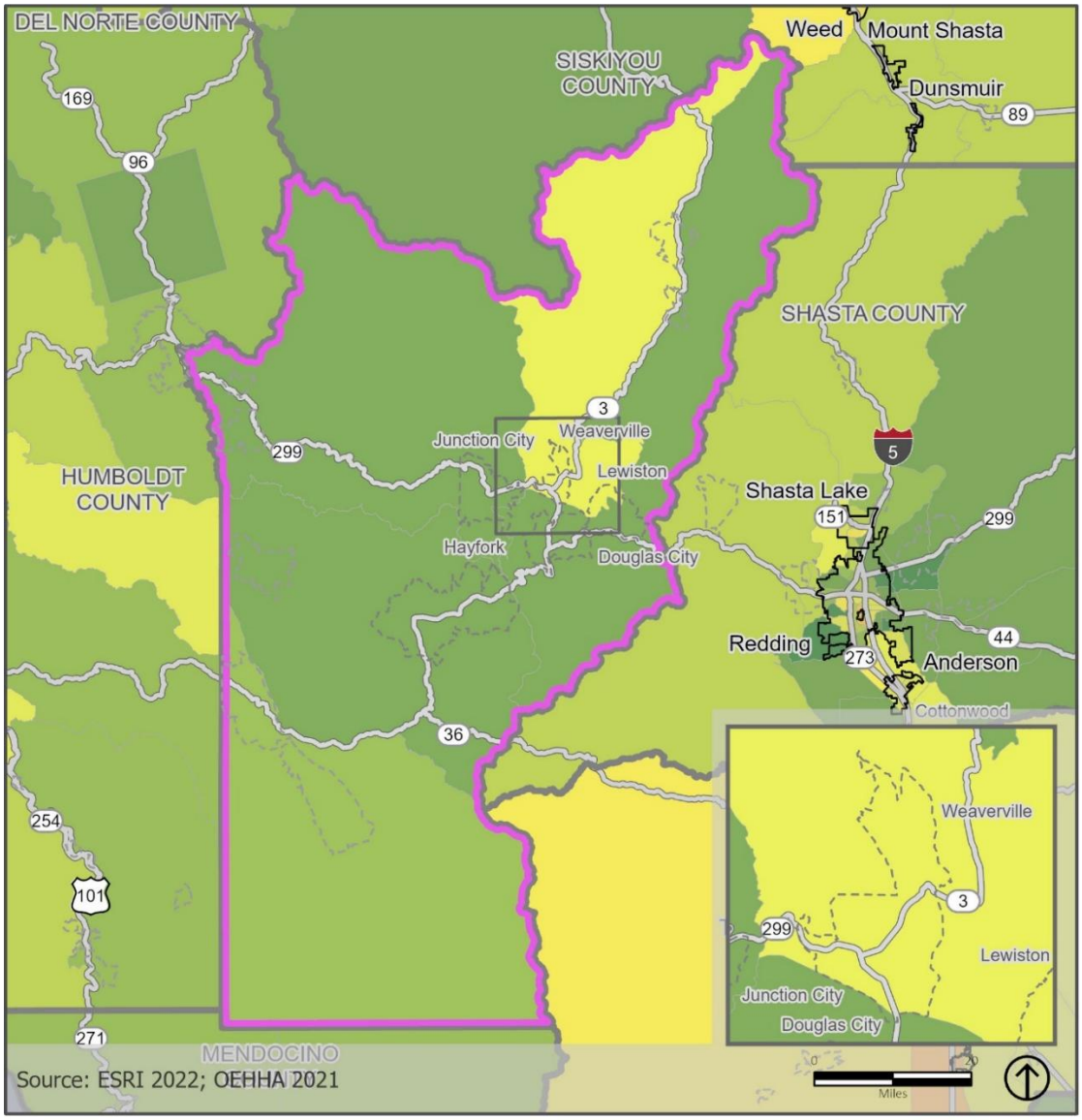
Based on local knowledge provided by the County Planning Division, there have been some new subdivisions in the last 4 years. However, countywide, there was very little residential development during this same period. Recent subdivisions which have been or are in the process of being entitled and planned are not concentrated in any particular area of the county. Additionally, there are no trends of major differences in parks or other amenities between new residential developments and existing neighborhoods.

Local Context

Differences in Access to Healthy Foods and Shopping

Based on local knowledge provided by the County Planning Division, there are major differences between communities with respect to access to shopping. The vast majority of retail opportunities are in Weaverville due to its dense population and availability of infrastructure needed to support local businesses. Hayfork has some retail as well. All other communities have very little retail, if any. However, it should be noted that residents who have access to a car will often drive to Redding for cheaper groceries, clothing, and other goods not available in Weaverville or elsewhere in the county.

FIGURE 7: CALENVIROSCREEN SCORE, TRINITY COUNTY



County Boundary

Census Designated Place Boundary

City Boundary

CalEnviroScreen 4.0 - Percentile Score

- 1 - 10% (Lowest Scores)
- 11 - 20%
- 21 - 30%
- 31 - 40%
- 41 - 50%
- 51 - 60%
- 61 - 70%
- 71 - 80%
- 81 - 90%
- 91 - 100% (Highest Scores)

DISPROPORTIONATE HOUSING NEEDS, INCLUDING DISPLACEMENT

A combination of factors can result in increased displacement risk, particularly for lower-income households, including some factors previously discussed. These factors include environmental hazards, overcrowding, housing cost burden, low vacancy rates, availability of a variety of housing options, and increasing housing prices compared to wage increases.

Overpayment

Renters

Housing represents a significant percentage of the total cost of living for many households in California. Households that spend more than 30 percent of their gross income on housing costs are considered to be overpaying, or "cost burdened." Overpayment is disproportionately experienced by renters in low-income households and low-resource areas. As is the case across the region and the state, households in Trinity County face elevated rates of overpayment. As shown in Figure 8, the areas with the highest rates of renter overpayment in the county are found in the tract that encompasses Weaverville, where 44.6 percent of renters overpay for housing. Outside of this tract, no census tracts in Trinity County see rates above 35 percent, with the tract immediately west of Weaverville seeing a particularly low rate of 13.5 percent. Countywide, 48.5 percent of renter households experience overpayment (Table 8). However, it should be noted that a total of 1,620 renter households were counted across the county in the 2021 ACS five-year estimate, which is among the smallest population of renter households by county in the state. Regionally, rates of renter overpayment are slightly lower in the unincorporated areas of Tehama County (46.3 percent) or are slightly higher when considering Tehama County and its incorporated cities (48.9 percent). Within Trinity County, Weaverville has a significantly higher high concentration of renters overpaying for housing (63.7 percent) compared to the county.

Local Context

Based on local knowledge provided by the County Planning Division and multiple workshop participants, both monthly rental costs and home sales prices have increased throughout the county. Additionally, local wages have not increased proportionally to this increase in home costs. This is applicable countywide.

Owners

Like renters, many low- to moderate-income homeowners across California spend more than 30 percent of their gross household income on housing costs and so are "cost burdened," putting families at elevated risk of foreclosure, preventing owners from making needed repairs, and impacting local economies by diverting money to housing expenses that might otherwise be spent at local businesses.

In Trinity County, according to the 2016-2020 Comprehensive Housing Affordability Strategy (CHAS), homeowners experienced rates of overpayment of 26.0 percent (Table 8). However, at the census tract level, the 2017-2021 ACS shows owner overpayment rates of 43.6 percent to 69.8 percent, indicating that homeowner cost burden is a prevalent issue in the county and may be more

prevalent than is represented in the CHAS summary (Figure 9). Two census tracts in Trinity County are among the highest rates in the region: the northeastern tract encompassing Weaverville (69.8 percent) and the southwestern tract (61.8 percent.) These tracts are also the county's more-populated tracts. As shown in Table 8, rates of homeowner overpayment have increased both in Trinity County as a whole and in the Weaverville CDP between 2010 and 2020. This is in contrast to statewide trends in the same period.

Local Context

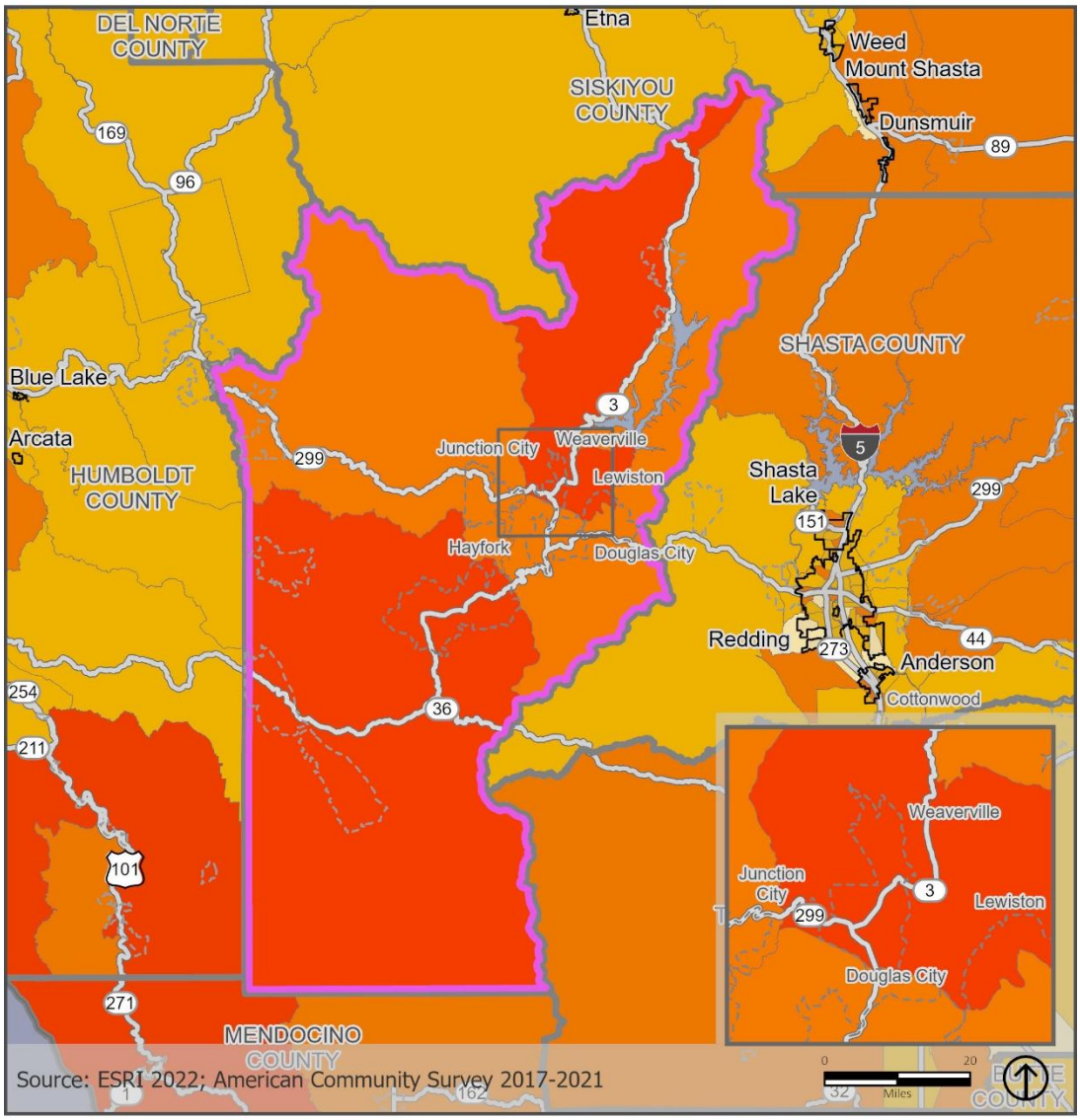
Based on local knowledge provided by the County Planning Division and multiple workshop participants, displacement pressures related to evictions and foreclosures are felt similarly throughout the county and are not concentrated to a particular neighborhood or unincorporated community. However, a noticeable pattern of evictions or foreclosures has occurred in areas with a history of wildfire hazards. The presence of these hazards impacts the accessibility of fire insurance and homeowners insurance, both of which tend to significantly increase in cost or be discontinued following instances of wildfires.

TABLE 8: HOUSEHOLDS BY OVERPAYMENT

Households Paying >30% of Income for Housing Costs	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2010	2020	2010	2020	2010	2020	2010	2020	2010	2020	2010	2020	2010	2020	2010	2020
Owner Households	14.3%	30.0%	23.8%	26.0%	35.5%	17.8%	32.2%	16.7%	38.3%	34.8%	33.6%	27.6%	33.9%	26.6%	41.2%	29.3%
Renter Households	30.1%	63.7%	42.0%	48.5%	30.0%	36.0%	51.5%	56.9%	44.9%	34.6%	41.9%	46.3%	45.8%	48.9%	50.4%	49.5%
Total Households	20.0%	43.2%	28.6%	33.1%	32.6%	23.7%	43.1%	40.3%	41.3%	34.6%	35.7%	32.0%	38.0%	34.1%	45.1%	38.3%

Source: CHAS 2006 – 2010, 2016 – 2020

FIGURE 8: HOMEOWNERS OVERPAYING FOR HOUSING, TRINITY COUNTY



County Boundary

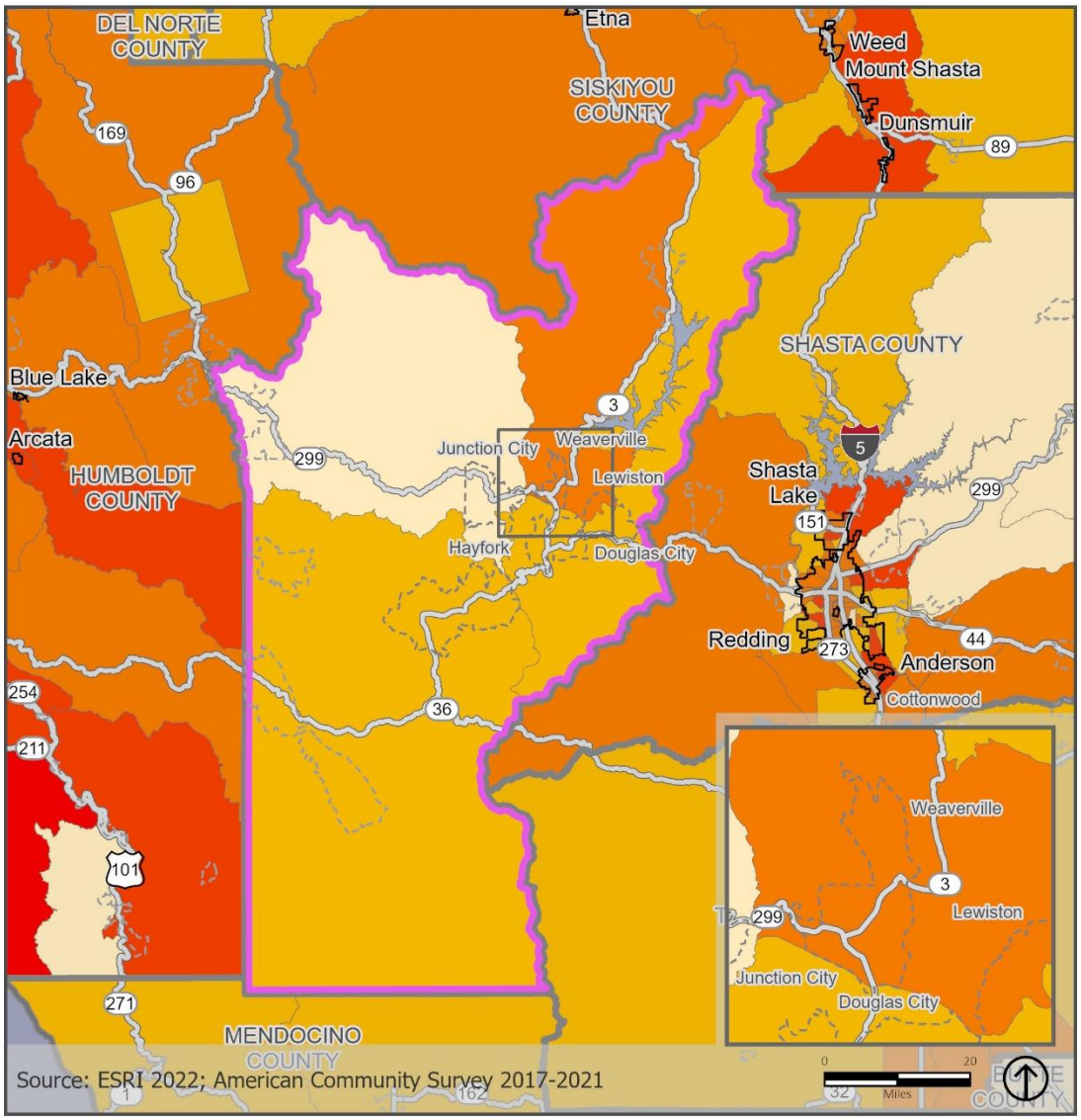
City Boundary

Census Designated Place Boundary

Percent of Owner Households with Mortgages whose Monthly Owner Costs are 30.0 Percent or More of Household Income

- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- > 80%

FIGURE 9: RENTERS OVERPAYING FOR HOUSING, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Percent of Renter Households for whom Gross Rent (Contract Rent Plus Tenant-Paid Utilities) is 30.0 Percent or More of Household Income

- < 20%
- 20% - 40%
- 40% - 60%
- 60% - 80%
- > 80%

Overcrowding

Overcrowded units, as defined by the US Census Bureau, have 1.01 to 1.5 persons per room, while units considered to be severely overcrowded have more than 1.5 persons per room. Residents living in overcrowded conditions may experience a reduced quality of life, added difficulties in accessing public services, and structural conditions that contribute to housing deterioration. Rates of overcrowding in Trinity County are generally low, less than 10 percent, though renters tend to have higher rates of overcrowding than homeowners (see Table 10). As shown in Table 9, Trinity County has seen an increase in renter overcrowding between 2011 and 2021. Overcrowding among homeowners has remained relatively stable during this time. In Weaverville, neither renters nor owners experience overcrowding. This represents a decrease in overcrowding from 2011 to 2021.

The spatial distribution of severely overcrowded units is consistent with the pattern of overcrowded units. No census tract in Trinity County has a rate above 10 percent. However, the census tract that includes the communities of Hayfork and Mad River has a rate of overcrowding of 5.91 percent. In the other census tracts in the county, rates of overcrowding are below 5 percent (see Figure 10).

Local Context:

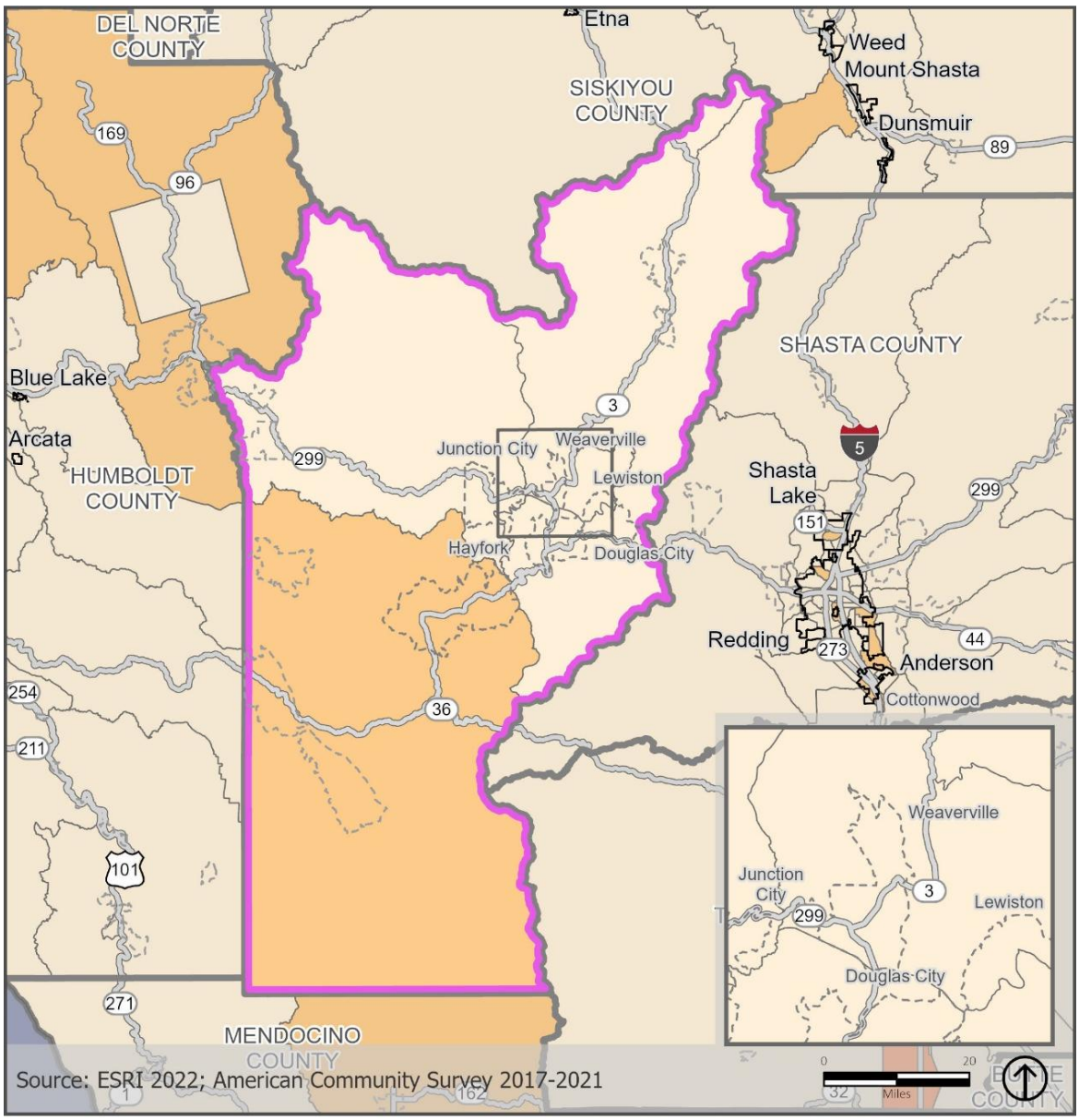
Based on local knowledge provided by the County Planning Division, there are no known areas of overcrowding within the county.

TABLE 9: HOUSEHOLDS BY OVERCROWDING

Households Experiencing Overcrowding	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
Percentage of Owner Households Experiencing Overcrowding (1.01 - 1.5 Persons Per Room)	3.3%	0.0%	2.0%	2.5%	0.0%	1.4%	3.5%	4.6%	4.7%	0.9%	2.4%	2.3%	3.1%	3.1%
Percentage of Owner Households Experiencing Severe Overcrowding (> 1.5 Persons Per Room)	0.0%	0.0%	0.3%	0.5%	0.0%	0.0%	0.6%	0.0%	0.0%	6.4%	0.1%	1.5%	0.7%	0.8%
Percentage of Renter Households Experiencing Overcrowding (1.01 - 1.5 Persons Per Room)	3.6%	0.0%	4.0%	7.2%	0.0%	0.0%	6.9%	4.4%	12.8%	3.7%	9.0%	3.0%	8.0%	7.7%
Percentage of Renter Households Experiencing Severe Overcrowding (> 1.5 Persons Per Room)	0.0%	0.0%	3.7%	0.0%	0.0%	0.0%	2.6%	0.2%	3.3%	2.4%	3.0%	1.1%	5.2%	5.5%
Percentage of All Households Overcrowded	3.4%	0.0%	3.9%	4.2%	0.0%	1.0%	7.4%	4.6%	10.4%	6.7%	5.9%	4.0%	8.1%	8.2%

Source: ACS 2011 and 2021, 5-Year Estimates

FIGURE 10: RATES OF OVERCROWDING, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Percent of Overcrowded Units

- Less than 5%
- 5% - 10%
- 10% - 15%
- 15% - 20%
- More than 20%

Housing Conditions

Local Context

Housing Units by Age

Based on local knowledge provided by the County Planning Division and multiple workshop participants, home ages range throughout the county. However, most housing was built between the 1950s and 1980s. Around 30 to 40 percent of houses are believed to be in need of rehabilitation or replacement, but the exact percentage is unknown.

Units in Need of Rehabilitation and Replacement

Based on local knowledge provided by the County Planning Division, there are three distinct areas in the county which have a higher need for rehabilitation and/or replacement of housing units:

- The Lewiston Dam Subdivision
- Mill-era housing in Hayfork
- Any workforce housing built around mills or dams, including in Weaverville

The full extent of rehabilitation requirements for these units is unknown, but some of these units are known to have crooked foundations or substandard utility access, raising concerns for resident safety and accessibility in these units.

Differences in Housing Condition

Based on local knowledge provided by the County Planning Division, apartments are more likely to require rehabilitation. Rent costs throughout the county may be cheaper than in other parts of California, but utility costs can be expensive due to the prevalence of old appliances, old utility systems, and poor insulation. Retrofits are needed in many units (both apartments and single-family housing) to update appliances, electrical systems, and roofs.

Differences Between New and Existing Housing Developments

Based on local knowledge provided by the County Planning Division, there have been some new subdivisions planned in the last four years. However, countywide, there was very little residential development during this same period. Recent subdivisions that have been or are in the process of being entitled and planned are of similar lot sizes compared to existing residential developments. Infrastructure expansions for these residential developments is limited to existing utility infrastructure capacity, such as water and sewer systems, as applicable. Additionally, new residential developments are not concentrated in any particular area of the county. Rental costs are high countywide, including in new residential developments.

Housing Availability

Based on local knowledge provided by the County Planning Division, all housing types have very low vacancy rates currently, including both rental and for sale properties. This is applicable countywide.

Local Context

Code Enforcement Rates

Based on local knowledge provided by the Environmental Health Department, there are higher rates of code enforcement complaints in Hayfork and Post Mountain. In Hayfork, this is due to illegal camping, trash dumping, illegal sewage, and drug issues. In Post Mountain, this is due to illegal cannabis cultivation, substandard housing, trash dumping, burning trash, illegal sewage disposal, and water quality issues. These code enforcement issues occur throughout these communities. The County's code enforcement system is complaint based and each department handles their own complaints. The Sheriff's Office assists with all Environmental Health complaints and can assist with most other department's complaints if requested/needed. However, the Sheriff's Office no longer assists with Cannabis complaints, which are handled by the Cannabis Division.

Persons Experiencing Homelessness

Local Context

Number of Persons Experiencing Homelessness

Based on local knowledge provided by the County Health and Human Services Department and the County's Point-In-Time Count, approximately 90 people experienced homelessness in the county in 2024. Almost 45 percent of persons experiencing homelessness in the county are between the ages of 35 and 54. Additionally, approximately 13 percent of persons experiencing homelessness in the county are under the age of 18. Over half of persons experiencing homelessness in the county identify as male (approximately 62 percent). A majority of those experiencing homelessness in the county are white.

Common Areas to Congregate and Access to Services

Based on local knowledge provided by the County Planning Division and local stakeholders, most of the persons experiencing homelessness in the county are concentrated in Weaverville and Hayfork. Due to the rural nature of the county, those experiencing homelessness are only able to access services, transportation, and other opportunities in more developed communities (i.e. Weaverville and Hayfork). Weaverville specifically offers more services than any other community in the county, including a grocery store, hospitals and other medical offices, retail, social services, a food bank, and transportation. No communities in the county have a homeless shelter. Both Weaverville and Hayfork have highways and public transportation options that run through these communities. Hayfork has a higher concentration of illegal camping compared to other areas of the county; many of those experiencing homelessness in Hayfork live in these areas. Additionally, there is a concentration of individuals experiencing homelessness that live in hotels in the county, which are primarily located in Weaverville. Trinity County Human Health Services supports on average 20 to 25 individuals and families with motel assistance for emergency and interim housing, but would prefer to provide transitional or permanent supportive housing options for people experiencing homelessness due to the high costs associated with housing people in hotels. The number of individuals experiencing homelessness in the county has generally increased in past years, although the total population is relatively small due to the cold weather in the winter and the limited services and opportunities in rural parts of the county.

Local Context

County Programs

Based on local knowledge provided by the County Health and Human Services Department and local stakeholders, there are no County-run emergency shelters; emergency shelter is instead provided through a Trinity County Health and Human Services (HHS) program that supports an average of 25 individuals and families each month. The County HHS department also offers rental assistance for residents of Trinity County who are eligible for income driven public assistance programs. Additionally, the Human Response Network (HRN) provides emergency and transitional housing for those needing emergency assistance. The HRN manages two duplexes for emergency or transitional housing, as well as one unit and three tiny homes for AB 109 early prison release. The HRN also provides some rental cost assistance.

The County's 2050 General Plan includes a number of policies and programs that aim to improve services to those who are experiencing homeless. Policy CH 2.10 in the Community Health Element commits the County to continue to work with community partners to address homelessness in the county. Policies CH 1.1, 1.2, 1.3, 2.11, and 2.12 collectively aim to support the expansion of a range of health care systems in the county. Program CH-2 commits the County to support existing healthcare facilities and support the development of new health care facilities and systems through establishing a healthcare funding working group to identify and secure sources of funding; partner with community groups, coalitions, collaboratives, and advisory groups to expand physical and behavioral health care services to remote areas of the county; and prepare an annual report that describes the state of and identifies successes and improvements for community health in the county, and makes recommendations on ways to address newly emerging health concerns.

Displacement

The Urban Displacement Project (UDP), a joint research and action initiative of the University of California (UC) Berkeley and the University of Toronto, analyzes income patterns and housing availability to determine the gentrification displacement risk at the census tract level. The UDP analysis identifies the following categories of displacement risk:

- Lower Displacement Risk: the model estimates that the loss of low-income households is less than the gain in low-income households. However, some of these areas may have small pockets of displacement in their boundaries.
- At Risk of Displacement: the model estimates there is potential displacement or risk of displacement of the given population in these tracts.
- Elevated Displacement: the model estimates there is a small amount of displacement (e.g., 10 percent) of the given population.
- High Displacement: the model estimates there is a relatively high amount of displacement (e.g., 20 percent) of the given population.
- Extreme Displacement: the model estimates there is an extreme level of displacement (e.g., greater than 20 percent) of the given population.
- Low Data Quality: the tract has less than 500 total households and/or the census margins of error were greater than 15 percent of the estimate.

As shown in Figure 11, the risk of displacement is not a widespread issue in Trinity County. Most census tracts are categorized as "Lower Displacement Risk" according to the UDP analysis. This is consistent with other comparable counties of a similar character in the region and state. The southernmost census tract was considered to have low data quality, and so was not included in the UDP analysis.

Figure 12 shows the region's fire hazard severity zones and demonstrates the widespread distribution of very high fire hazard severity zones a section of eastern Trinity County, including the Weaverville and Hayfork areas. This is typical for much of rural northern California. A small area of the southwest corner of the county also has a section of high fire hazard severity zones. Figure 13 shows the region's Federal Emergency Management Agency (FEMA) flood areas. There are very few 1 percent or 0.2 percent flood hazard areas in Trinity County, all located in the immediate vicinity of rivers, as shown on Figure 13.

Local Context

Displacement Events

Based on local knowledge provided by the County Planning Division, annual wildfires cause displacement through the destruction of homes and destruction of utility infrastructure. Recent major wildfires in the county include the August Complex (2020), Red Salmon Complex (2020), Helena Fire (2017), and the Onion and Happy Fires (2015), which predominantly impacted the communities of Weaverville, Junction City, Hawkins Bar, Salyer, Denny, and other areas throughout the southern and western portions of the county. The Helena Fire alone destroyed 72 homes in the county and burned 21,962 acres. Due to the difficulties in attaining fire insurance throughout the county, many homes destroyed by wildfires in the last decade were under-insured or had no insurance. This can force households to live in mobile homes or other temporary housing, or move out of the county entirely due to its already low housing stock.

Generally, disaster-driven displacement has a disproportionate impact on lower-income and special needs households due to the fact that they have fewer resources and are less likely to have the savings needed to recover from a disaster. According to the American Community Survey, in 2022, the countywide median income was $47,317, with communities in central, southern, and western portions of the county having generally lower median incomes than other parts of the county.

Occasionally, flooding damages homes; however, this is infrequent and happens sporadically throughout the county.

Local Context

Susceptibility to Environmental Damage

Based on local knowledge provided by the Trinity County Resource Conservation District, there is a generally high fire risk throughout the county. Junction City and south county are known to have particularly high fire risk due to lighting fire and local environmental conditions, causing recent fires such as the Helena Fire and Monument Fire. However, there is an ongoing need for fuel reduction and dead tree removal throughout the county. Fire risk is location based and not necessarily building material/age based.

Between December 2021 and January 2022, residents in western Trinity County (including Burnt Ranch, Salyer, and Trinity Village) suffered home damages due to a winter storm. A state of emergency was called during the height of the storm. These areas lost power and cell service, and some homes lost water services. This incident has caused some ongoing building and infrastructure repair needs in western Trinity County, but it should be noted that these storms are not necessarily a common occurrence.

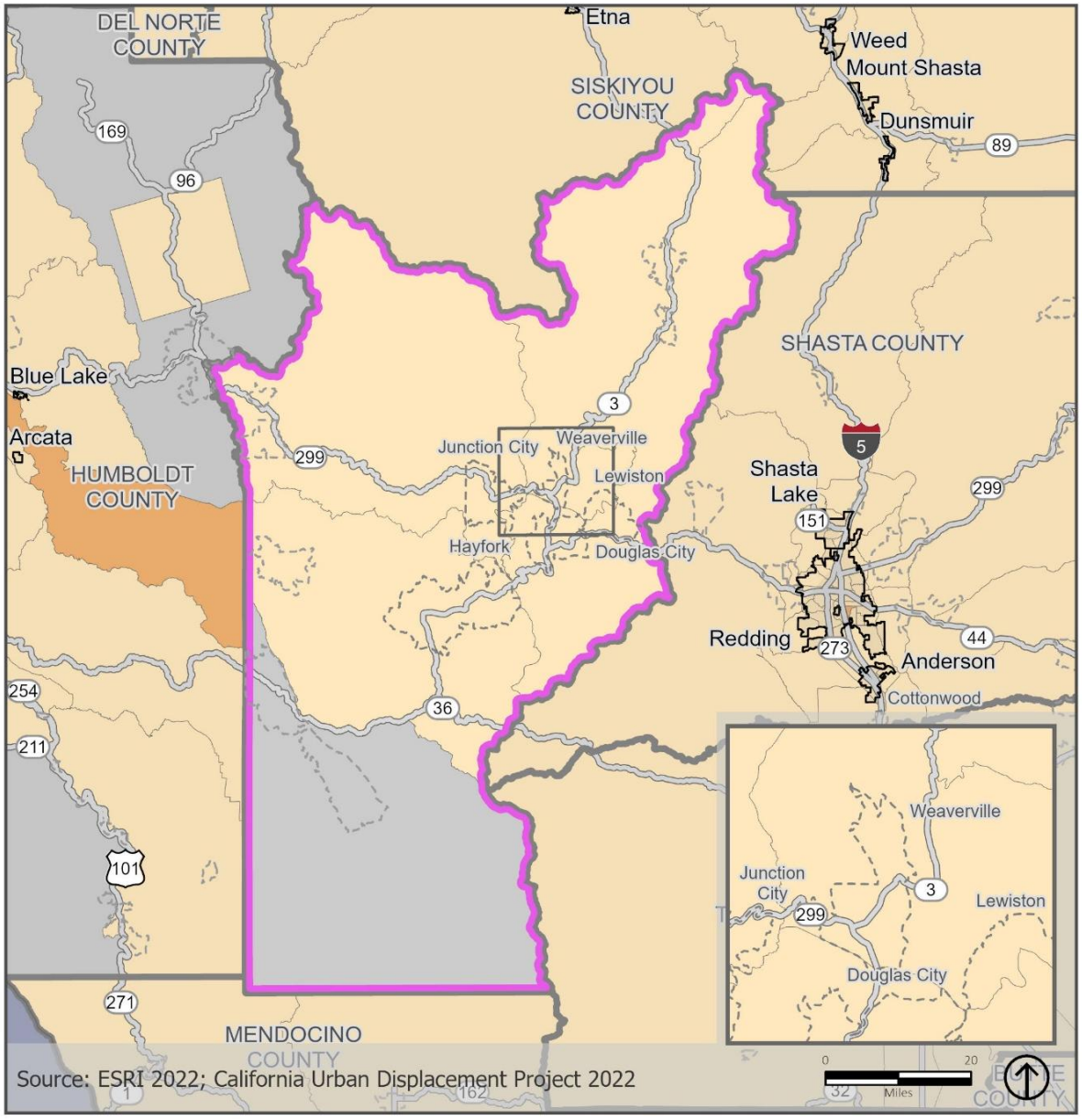
Environmental Hazard Mitigation Programs

Based on local knowledge provided by the Trinity County Resource Conservation District, both CAL FIRE and the Fire Safe Council (FSC) have defensible space programs in the county, with FSC providing more accessible residential defensible space inspections. The FSC runs a wildland home fire assessment program and they partner with local volunteer fire departments to do home assessments. This service is free for residents and covers factors inside and outside of the home (including defensible space around the perimeter of the home and property line, the slope of the property, exterior home materials used, etc.), as well as different mitigation measures at various price points that homeowners can take to better defend their home from wildfires.

Flooding

Based on local knowledge provided by the County Natural Resources Department, there are no areas outside of existing FEMA flood zones have a tendency to experience flash floods during storms due to a lack of stormwater infrastructure or ground permeability.

FIGURE 11: RISK OF DISPLACEMENT, TRINITY COUNTY



County Boundary

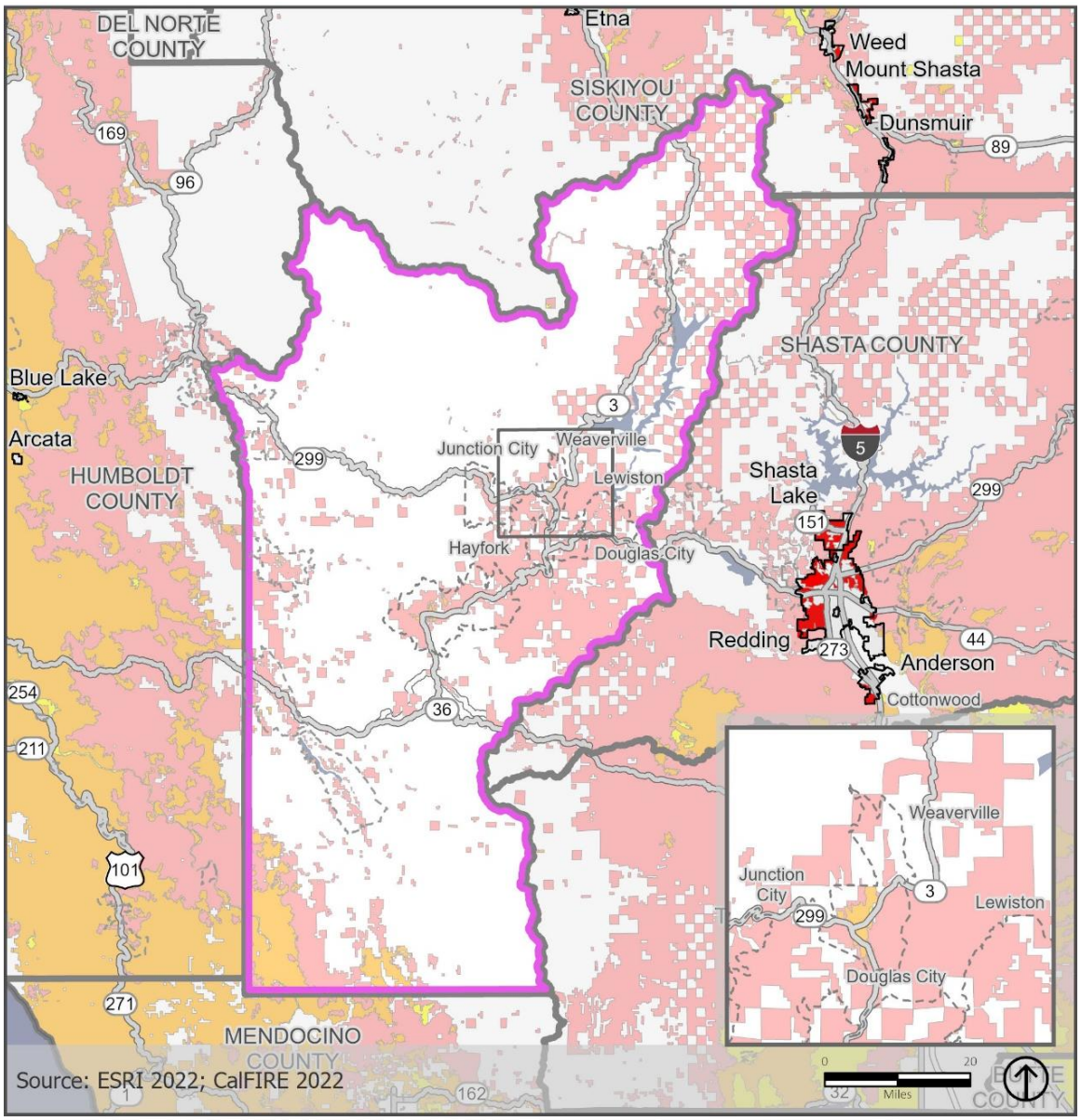
City Boundary

Census Designated Place Boundary

Overall Displacement Risk

- Low Data Quality
- Lower Displacement Risk
- At Risk of Displacement
- 1 Income Group Displacement
- 2 Income Groups Displacement

FIGURE 12: FIRE HAZARD SEVERITY ZONES, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

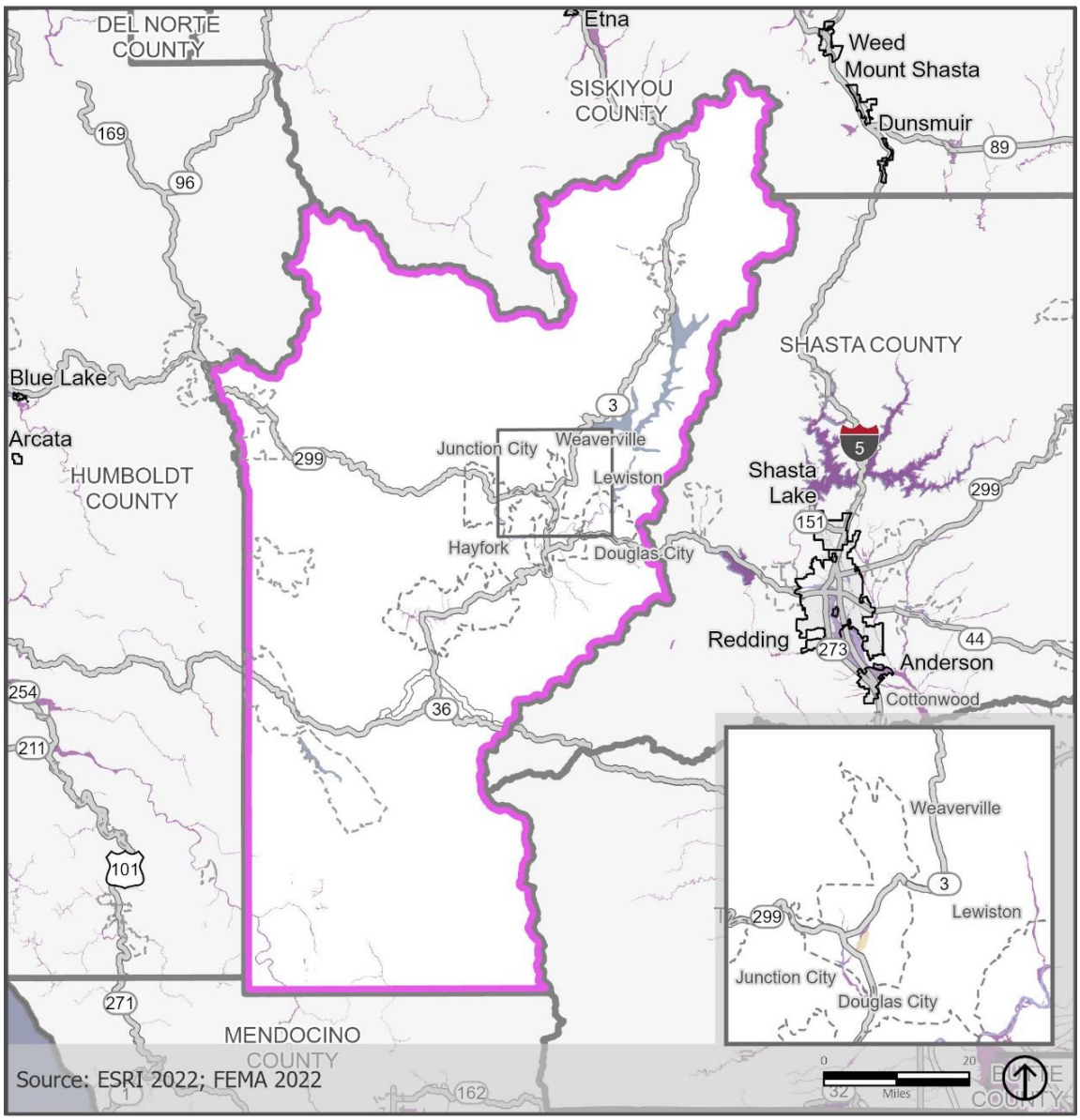
Fire Hazard Severity Zones

State Responsibility Areas

- Moderate
- High
- Very High

Local Responsibility Areas

FIGURE 13: FLOOD HAZARD AREAS, TRINITY COUNTY



County Boundary

City Boundary

Census Designated Place Boundary

Special Flood Hazard Areas (FEMA)

- 1% Annual Chance Flood Hazard
- 0.2% Annual Chance Flood Hazard
- Regulatory Floodway
- Special Floodway
- Future Conditions 1% Annual Chance Flood Hazard
- Area with Reduced Risk Due to Levee

ENFORCEMENT AND OUTREACH CAPACITY

In addition to assessing demographic characteristics as indicators of fair housing, jurisdictions must identify how they currently comply with fair housing laws or identify programs to become in compliance. Trinity County enforces fair housing and complies with fair housing laws and regulations through a two-fold process: review of local policies and codes for compliance with State law, and referral of fair housing complaints to appropriate agencies. The following identifies how the County complies with fair housing laws:

Local Outreach and Fair Housing Issues

Local Context

Outreach that specifically focused on the Housing Element update was conducted at key points throughout the update process. Outreach consisted of two in-person workshops, one live virtual workshop, and a series of online surveys. All of these outreach methods sought to learn more about local housing conditions from participants and covered housing needs, housing opportunities (types and location), and affirmatively furthering fair housing. This included asking participants about difficulties in accessing housing, differences in affordability by location, differences in income level by location, differences in education quality and access, availability and quality of internet and cell services, known sources of pollution, differences in access to outdoor spaces, information on those experiencing homelessness, and areas with high need of rehabilitation of residential units. Fair housing exercises and discussions asked participants to consider how these issues differed across the county and their impact on the county's housing stock. Participant responses and comments were incorporated into the programs sections. For more information, please see Chapter 1: Introduction.

Fair Housing Outreach Capacity

Local Context

Based on local knowledge provided by the County Health and Human Services Department, the Shasta County Housing Authority serves as Trinity County's housing authority, including managing its Housing Choice Voucher Program. All information on available housing programs, including waitlist applications, landlord resources, tenant based rental assistance, housing rehabilitation programs, and down payment assistance programs, is available on the County of Shasta Housing and Community Action Programs website (https://www.shastacounty.gov/housing-community-action-programs). While the Shasta County Housing Authority generally adequately serves Trinity County residents' housing needs, there is a gap that needs to be addressed regarding housing assistance for veterans in Trinity County. As of 2024, in order for veterans living in Trinity County to receive Veterans Affairs Supportive Housing (VASH) vouchers, a representative of the Shasta County Housing Authority must complete an in-person inspection of the prospective rental property. However, the Housing Authority is currently unable to complete these in-person inspections, and as a result, no veterans in Trinty County are able to access VASH vouchers through the Housing Authority.

Fair Housing Enforcement

Local Context

Fair Housing and Enforcement Cases

According to the County Health and Human Services Department, there have been no recent fair housing inquiries or cases in the County.

Managing Fair Housing Complaints

Based on local knowledge provided by the County Planning Division, Trinity County has a has an online housing complaint form which redirects to the County's general code violation form. Complainant's Information is kept confidential.

Programs Regarding Tenant and Landlord Rights and Responsibilities

Program HE-19 Fair Housing Information
To address housing discrimination, continue to:

- Direct persons with complaints of housing discrimination to the appropriate state and federal agencies that handle such complaints.
- Provide information and referrals to legal assistance organizations to persons with complaints of housing discrimination.
- Annually update and publicize information regarding housing discrimination at Trinity County libraries, senior centers, Human Response Network, Planning Department, and Health and Human Services. Include information for property owners explaining their rights and responsibilities and addressing community concerns related to the potential for property damage and requirements for evictions.
- Engage regional and local fair housing agencies annually beginning in 2025 to explore partnership opportunities in support of fair housing outreach and enforcement with a goal of completing two co-facilitated engagement events or marketing campaigns targeted to households with special housing needs in lower resource areas during the planning period.
- Provide information and outreach targeted to lower resource areas through annual workshops, marketing campaigns, or pop-up booths, with a goal of engaging 25 households annually.
- Draft and distribute educational materials related to tenants' rights and property owner responsibility with a goal of engaging 25 households/property owners each year.
- Provide links to educational materials, the HUD fair housing complaint form, and nonprofit agencies on the County website in 2024 and updated annually thereafter with a goal of assisting/informing 20 households annually.
- Develop partnerships with fair housing agencies in support of fair housing testing with a goal of testing five rental properties annually.
- Only support housing programs in compliance with the state Rumford Fair Housing Act and the Unruh Civil Rights Act, which prohibit arbitrary discrimination in housing.

Compliance with Fair Housing Laws

Local Context:

Based on local knowledge provided by the County Building Division and the Health and Human Services Department, there have not been any recent lawsuits, settlements, consent degrees, or other related legal matters in the county regarding fair housing. Although there are some known fair housing issues, such as issues with substandard rental housing throughout the county that is not up to code, there have been no recent lawsuits or other related legal matters that evaluate this problem.

TABLE 10: COMPLIANCE WITH FAIR HOUSING LAWS

Title	Statute	Description	Compliance Efforts
Density Bonus Law	Government Code Section 65915	The density bonus ordinance allows up to a 50.0 percent increase in project density depending on the proportion of units that are dedicated as affordable, and up to 80.0 percent for projects that are completely affordable, in compliance with State law.	See Program HE-2: State Law Compliance
No Net Loss Law	Government Code Section 65863	The County has identified a surplus of sites available to meet the Regional Housing Needs Allocation.	The County is in compliance.
Housing Accountability Act	Government Code Section 65589.5	The County does not condition the approval of housing development projects for very low-, low-, or moderate-income households, or emergency shelters unless specific written findings are made. Further, the County currently allows emergency shelters by-right, without limitations, in at least one zone that allows residential uses.	Emergency shelters are allowed by-right anywhere that residences are allowed.
Senate Bill 35	Government Code Section 65913.4	The County has established a written policy or procedure, as well as other guidance as appropriate, to streamline the approval process and standards for eligible projects.	See Program HE-2
Senate Bill 330	Government Code Section 65589.5	The County relies on regulations set forth in the law for processing preliminary applications for housing development projects, conducting no more than five hearings for housing projects that comply	The County complies.

Title	Statute	Description	Compliance Efforts
		with objective general plan and development standards, and making a decision on a residential project within 90 days after certification of an environmental impact report or 60 days after adoption of a mitigated negative declaration or an environmental report for an affordable housing project.	
California Fair Employment and Housing Act and Federal Fair Housing Act	Government Code Sections 12900 - 12996 Title VIII of the Federal Civil Rights Act	The County provides protections to residents through referrals to legal assistance organizations,	The County is in compliance. See also Program HE-20.
Anti-Discrimination in Zoning and Land Use	Government Code Section 65008	The County reviews affordable development projects in the same manner as market-rate developments, except in cases where affordable housing projects are eligible for preferential treatment, including, but not limited to, on residential sites subject to AB 1397.	In the last planning period, the County did not received any applications for affordable development projects, so there are no trends/evidence to consider. The County is very supportive of potential affordable housing developments and would review applications for these projects appropriately, per Government Code Section 65008.
Assembly Bill 686	Government Code Section 8899.50	The County has completed this AFH analysis and has identified programs to address identified fair housing issues.	This analysis satisfies this requirement.
Equal Access	Government Code Section 1195 et seq.	The County offers translation services for all public meetings and offers accessibility accommodations to ensure equal access to	The County is not in compliance. Translation services are

Title	Statute	Description	Compliance Efforts
		all programs and activities operated, administered, or funded with financial assistance from the state, regardless of membership or perceived membership in a protected class.	encouraged and have been present at County meetings; however, the County does not facilitate or pay for these services. See Program HE-21.

IDENTIFIED SITES AND AFFIRMATIVELY FURTHERING FAIR HOUSING

The location of housing in relation to resources and opportunities is integral to addressing disparities in housing needs and opportunity and to fostering inclusive communities where all residents have access to opportunity. This is particularly important for lower-income households. AB 686 added a new requirement for housing elements to analyze the location of lower-income sites in relation to areas of high opportunity. Table 11 presents the RHNA capacity by community, and the existing conditions of each community as they relate to indicators of fair housing.

Local Context

Socio-economic Characteristics. Although the socio-economic characteristics of the County vary slightly by community, the county can be generally described as predominantly white (all census tracts countywide), with lower incomes, and low levels of housing overpayment (cost burden) and overcrowding. There are slight differences in the socio-economic characteristics of the three communities with infrastructure sufficient to support multifamily housing development including:

- Weaverville: higher median income comparatively to Hayfork; higher levels of renters overpaying (40-60 percent of renters), but lower levels of overcrowding (less than five percent).
- Hayfork: lower median income comparatively to Weaverville and Lewiston; lower levels of renters overpaying (20-40 percent) but higher levels of overcrowding (5-10 percent)
- Lewiston: higher median income comparative to Hayfork; low levels of renters overpaying (20-40 percent) and overcrowding (less than five percent).

RHNA Sites. The sites inventory includes vacant parcels and does not include the following other types of parcels as capacity to meet the lower-income RHNA in this Housing Element:

1. Parcels located outside of any water or sewer district. There are many rural parcels with appropriate zoning for residential development that could rely on private wells and septic systems.
2. Parcels smaller than half an acre or larger than 10 acres.
3. Parcels constrained by flood zones
4. Parcels with average slope of 25 percent or more

Because multifamily sites need to be serviced by local water and sewer districts, as outlined above, the sites inventory only considered sites in the communities of Hayfork, Lewiston, and Weaverville. These are the only areas of the county with the infrastructure to support high density housing. The sites inventory distributes lower income capacity between the two of these communities and focuses lower income capacity near transportation routes and local services and retail businesses.

- Weaverville (highest resource): 136 units (132 lower-income)
- Lewiston (moderate resource): 25 in Lewiston (23 lower-income)

Please note that several sites were identified in Hayfork, however, these sites were not included as capacity to meet the RHNA because they do not meet the requirements for lower income capacity under existing zoning.

Income. Countywide, there no concentrated areas of poverty or affluence. Although lower-income households are not concentrated in any area, Hayfork and many rural areas have lower median incomes and higher percentages of lower income households than higher resource areas, such as Weaverville and Lewiston. The sites inventory ensured that lower-income capacity was not concentrated in these areas. All sites identified as lower-income capacity to meet the RHNA are located in Weaverville and Lewiston, communities with higher median incomes.

Impact of the RHNA. Communities with low population but high RHNA capacity assumptions are considered to be highly impacted by the sites inventory. Although compared to recent development trends, the capacity reflected in the sites inventory is high, the County's methodology was to expand residential capacity to increase feasibility of development and promote affordability. Due to low feasibility of development in the county in the planning period, the sites inventory is assumed to have a low impact of local households.

Conclusion. The sites inventory promotes the development of inclusive communities in areas with sufficient infrastructure, and prioritizes lower income capacity in Weaverville, a highest resource area. By comparison, 85 percent of lower income sites capacity to meet the RHNA is located in Weaverville, while just 15 percent is identified in Lewiston, a moderate resource area.

TABLE 11: SITE CAPACITY BY INCOME BY COMMUNITY

Area	House-holds	Socio-Economic Characteristics	Capacity to Meet the RHNA			
			Lower Income	Moderate Income	Above Moderate Income	Total
1 Weaverville	1,418	Highest resource area, higher median income ($42,971), higher cost burden but lower overcrowding	78	4	54	136
2 Hayfork	947	High resource area, lower median income ($35,379), lower levels of cost burden but higher levels of overcrowding	0	0	0	0
3 Lewiston	484	Moderate resource area, with higher median income ($47,893), lower levels of cost burden and overcrowding	23	0	0	23
TOTAL			**155**	**4**	**0**	**159**

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Site Number	APN	Acres	Community	Realistic Capacity	RHNA Income Level	Resource Area	Renters Overpaying	Overcrowding	Median Income	Census Tract
1	001-080-004-000	2.37	Weaverville	26	Lower	Highest	40%-60%	>5%	42,971	1.02
2	001-100-041-000	0.82	Weaverville	5	Lower	Highest	40%-60%	>5%	42,971	1.02
3	001-100-052-000	0.39	Weaverville	4	Moderate	Highest	40%-60%	>5%	42,971	1.02
4	024-510-002-000	4.98	Weaverville	54	Above Moderate	Highest	40%-60%	>5%	42,971	1.02
5	024-610-004-000	0.52	Weaverville	5	Lower	Highest	40%-60%	>5%	42,971	1.02
6	024-610-030-000	3.85	Weaverville	42	Lower	Highest	40%-60%	>5%	42,971	1.02
7	025-350-060-000	0.50	Lewiston	5	Lower	Moderate	20%-40%	>5%	47,893	1.01
8	025-350-066-000	0.56	Lewiston	6	Lower	Moderate	20%-40%	>5%	47,893	1.01
9	025-350-067-000	0.55	Lewiston	6	Lower	Moderate	20%-40%	>5%	47,893	1.01
10	025-350-068-000	0.59	Lewiston	6	Lower	Moderate	20%-40%	>5%	47,893	1.01

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Other Relevant Factors

Local Context

Impact of Historic Events on Socio-Economic Patterns

Based on local knowledge provided by the County Planning Division, there are a number of past events and conditions which have influenced socio-economic patterns in the county. Wildfires and smoke from wildfires have historically had the largest impact on socio-economic patterns. Other events which have impacted these conditions include:

- The closing of mills in the county (in part due to updates to environmental regulations that caused a decrease of logging jobs)
- The rise of the cannabis industry due to cannabis legalization (also known as the "green rush"), and subsequent market saturation
- The COVID-19 pandemic
- Tourism
- Droughts that impact lakes, local water supply, and residents living adjacent to lakes
- Impacts of the Central Valley Water Project due to water from within the county being partially controlled by the State and subsequently diverted to the Central Valley. This water diversion causes decreased water levels in local lakes, which would otherwise be full. Additionally, jobs created during the construction of local dams for the Central Valley Water Project were lost once construction was completed.
- State regulations that are designed for urban communities, but inadvertently negatively impact rural communities. One such example includes solar system mandates that do not account for typical weather patterns in the county. These regulations can increase the cost of homes in the county. Additionally, various CEQA exemptions, including infill exemptions, cannot be used in Trinity County to streamline residential developments as the county does not fit State law's definition of "urban," even though these exemptions would benefit residents and developers in the county. Site-specific CEQA requirements can also be a constraint on residential developments.

Impact of Zoning or Land Use Decisions on Socio-Economic Patterns

Based on local knowledge provided by the County Planning Division, a predominant zoning and land use decision which has impacted residents are local cannabis ordinances and cannabis opt-out areas, which dictate where new cannabis grows may be located. There is a concentrated Hmong community in Post Mountain due to this community's history of being experienced cultivators of cannabis, first in the Midwest, and then in northern California. As a result, areas with a more predominant Hmong population are not in cannabis opt-out zones, as these areas allow the cultivation of cannabis.

Additionally, as of 2024, the County's Zoning Code is restrictive and limited; as a result, many activities and land uses fall outside of allowed uses, requiring inefficient review times with the Planning Director and Planning Commission. As of 2024, the Planning Division is under-resourced, causing long processing times on permits, creating financial and timeline constraints for potential housing developers in the county.

Impact of Physical Features on Socio-Economic Patterns

Based on local knowledge from stakeholders, a majority of development in the county is located along or adjacent to highways and major roadways, including Weaverville, Douglas City, Hayfork, and Trinity Center. Topographical conditions can create challenges in accessing rural communities. This can create conditions where infrastructure improvements (such as roadway maintenance) are more difficult to complete for rural communities.

Relevant Demographic Information

Housing Units by Type

The overwhelming majority of housing in Trinity County are single-family detached units. These rates are consistent with other comparable counties in the state where rural and semi-rural housing predominates, including neighboring Tehama County. In Trinity County, 74.1 percent of homes are single-family detached homes, while in the unincorporated areas of Tehama County, 71.8 percent of homes are this housing type. Weaverville has a higher share of single-family homes than the county as a whole, at 76.0 percent. Between 2011 and 2021, the county experienced an increase in the share of homes that were in buildings with five or more units, from 2.3 to 2.7 percent. The county has also experienced a slight increase in the percentage of homes that are mobile homes during this period, from 18.0 to 18.3 percent. While the distribution of housing units by type in Trinity County is comparable to other rural and semi-rural counties in the region, including unincorporated areas of Tehama County, it diverges from the statewide distribution. Across California, the rate of multifamily residences with five or more units is 23.7 percent, far greater than anywhere in the region aside from Red Bluff (23.1 percent).

TABLE 12: HOUSING UNITS BY TYPE

Housing Unit Type	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
Single-Family Detached	75.9%	76.0%	73.5%	74.1%	76.9%	93.7%	59.8%	56.8%	63.1%	66.7%	66.0%	71.8%	64.4%	68.1%	58.2%	57.6%
Single-Family Attached	0.5%	0.5%	0.8%	0.5%	6.7%	0.0%	3.8%	3.2%	1.2%	1.6%	1.6%	1.7%	2.1%	2.0%	7.1%	7.2%
2-4 Units	2.0%	1.9%	3.7%	3.0%	3.6%	0.9%	12.2%	13.3%	8.6%	9.8%	1.4%	1.6%	4.6%	5.0%	8.1%	7.8%
5+ Units	1.4%	1.3%	2.3%	2.7%	9.2%	0.0%	17.3%	23.1%	20.6%	10.3%	1.4%	0.2%	7.0%	6.3%	22.7%	23.7%
Mobile Homes	18.7%	18.8%	18.0%	18.3%	3.6%	5.4%	6.6%	3.6%	6.4%	11.7%	28.6%	23.8%	21.2%	18.0%	3.9%	3.6%
Other	1.4%	1.4%	1.7%	1.4%	0.0%	0.0%	0.2%	0.0%	0.0%	0.0%	1.0%	0.8%	0.7%	0.6%	0.1%	0.1%

Source: ACS 2011 and 2021, 5-Year Estimates

Households by Tenure

As seen in Table 13, the proportion of residents who own their homes in Trinity County (70.3 percent) is higher than that of Tehama County (67.2 percent) and higher than the statewide average (55.5 percent). Regionally, renter households tend to be concentrated in and around incorporated communities and higher-density areas, including the Cities of Red Bluff (57.1 percent renters) and Corning (49.5 percent renters), distinguishing these communities as being closer to the statewide average of 44.5 percent of households renting their homes. In contrast, renter households are not concentrated in Trinity County's largest CDP, Weaverville, where only a slightly higher percentage of households are renters (31.0 percent, compared to 29.7 percent countywide). Trinity County has seen an increase in the percentage of households that are renters since 2011, from 17.3 percent in 2011 to 29.7 percent in 2021.

TABLE 13: HOUSEHOLDS BY TENURE

Tenure	Weaverville CDP		Trinity County		Tehama City		Red Bluff		Corning		Tehama County (Unincorporated)		Tehama County		State	
	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021	2011	2021
Percentage of Households, Homeowners	60.3%	69.0%	82.7%	70.3%	65.6%	67.9%	39.4%	42.9%	51.7%	50.5%	75.2%	78.8%	64.4%	67.2%	56.7%	55.5%
Percentage of Households, Renters	39.7%	31.0%	17.3%	29.7%	34.4%	32.1%	60.6%	57.1%	48.3%	49.5%	24.8%	21.2%	35.6%	32.8%	43.3%	44.5%
Total Number of Households	1,472	1,472	4,893	5,492	154	209	5,537	5,806	2,469	2,644	15,650	15,892	23,810	24,551	12,433,172	13,217,586

Source: ACS 2011 and 2021, 5-Year Estimates

CONTRIBUTING FACTORS TO FAIR HOUSING ISSUES

Through discussions with stakeholders, fair housing advocates, and this assessment of fair housing issues, the County identified factors that contribute to fair housing issues, as shown in Table 14. While there are several strategies identified to address the fair housing issues, the most pressing issues are displacement risk due to substandard conditions and rising housing costs as well as barriers to homeownership.

TABLE 14: FACTORS THAT CONTRIBUTE TO FAIR HOUSING ISSUES

Fair Housing Issue	Contributing Factors	Priority	Meaningful Actions
Displacement Risk	Wildfires, cost of insurance, substandard conditions, rising housing costs, limited stock, lack of recent development	High	Program HE-23: The program works to combat displacement through adoption of an Anti-displacement Program. The program should be multi-pronged and should include efforts to increase production, preserve existing housing, and protect residents.
Barriers to Homeownership	Cost of insurance, cost of construction and development, limited stock, substandard conditions (can't get a loan), lower incomes countywide, and limited job opportunities.	Medium	Program HE-8: Pursue funding to start homeownership assistance program, engage the Housing Authority of Shasta county to discuss opportunities to expand assistance for homeowners through regional partnerships. Program HE-18: organize a volunteer network of skilled local individuals willing to instruct homeowners on matters of home repair, as well as a network of supporting organizations willing to host events or publicize event notices.
Substandard Housing Conditions	Units originally constructed as mill or dam workforce housing were not meant for long-term use, low incomes countywide challenge homeowners ability to complete repairs, lack of skilled workers and professionals to complete repairs.	High	Program HE-17: Identify funding to complete housing conditions survey; pursue funding to rehabilitation program, support and expand the home weatherization program, provide information on available programs to residents. Program HE-18: organize a volunteer network of skilled local individuals willing

			to instruct homeowners on matters of home repair
Limited Affordable Stock	Inflation and the rising cost of rent, lack of recent construction, high cost of construction and development, limited County-assistance, limited number of non-profit agencies and affordable homebuilders.	High	Program HE-2: removes constraints to multifamily housing types in the R-2, R-3, and commercial zones. Program HE-6: encourages, incentivizes, and assists in the development of low- and moderate-income rental housing Program HE-7: allows for and incentivizes ADUs (a more affordable housing type). Program HE-9: encourages and incentivizes new affordable and special needs developments. Program HE-12: seek funding in support of housing for extremely low-income households Program HE-16: engage property owners of at-risk units to ensure preservation of affordability Program HE-20: Support expansion of Housing Choice Vouchers,
Limited Water and Sewer Capacity	Aging infrastructure, rural nature of the county constrains development, high cost for development of new systems, limited population dispersed over large areas	Medium	Program HE-4: commits the County to engaging, coordinating with, and assisting local service providers. Sites Inventory: The inventory planned for multifamily residential capacity in areas served by water and sewer capacity.
County Engagement with residents, service providers, and other agencies	County funding and staffing constraints, lack of transparency on permitting requirements and approval processes, lack of engagement with local agencies, non-profits, tribes, and service providers.	High	Program HE-2: commits the County to providing development application requirements and permitting procedures on the County website, as well as information on how to use a density bonus. Program HE-10: includes engagement with housing providers and funders in support of special needs housing development. Program HE-11: includes engagement with Far Northern Regional Center to

			implement an outreach program for residents with a developmental disability. Program HE-12: includes engagement with nonprofit developers and stakeholders to identify extremely low-income housing needs and potential funding. Program HE-14: includes engagement with regional partners, service providers, and non-profit agencies in pursuit of emergency housing. Program HE-18: includes engagement with local businesses, craftspersons, residents, and organizations to seek partnerships in organizing free skills classes for residents and homeowners. Program HE-19: includes engagement with regional and local fair housing agencies annually to explore partnership opportunities in support of fair housing outreach and enforcement; and to provide information and outreach targeted to lower resource areas through annual workshops. Program HE-20: work with community partners and the local real estate community to establish a centralized rental listing service or bulletin board. Program HE-21: commits the County to engaging tribes and other impacted communities when projects involving ground disturbance are proposed. Program HE-23: includes an engagement strategy for disseminating information on tenant protections and available resources.

Goals, Actions, Milestones, and Metrics

Programs to affirmatively further fair housing that are included in Chapter 5: Housing Program are summarized in Table 15, organized by the action area that the program addresses.

TABLE 15: SUMMARY OF GOALS, ACTIONS, MILESTONES, AND METRICS TO MEET FAIR HOUSING

Action Area	Programs	Specific Commitment	Timeline	Geographic Targeting	Metrics
Housing Mobility	HE-2	Expand allowable uses and housing types in low density zones	2026	Higher resource areas (Hayfork [high] and Weaverville [highest]).	Create additional capacity for 300+ units
	HE-8	Pursue funding to provide homebuyer assistance	Annually	Higher resource areas	5 low and 10 moderate
	HE-7	Adopt incentives for the development of ADUs	2026	Low density zones in higher resource areas	30 ADUs
New Opportunities in Higher Opportunity Areas	HE-2	Expand allowable uses and housing types in low density zones	2026	Higher resource areas	Create additional capacity for 500 units
	HE-6	Create partnerships in support of low- and moderate-income housing,	Annually	75 percent in higher resource areas	15 moderate- and 30 lower-income

Action Area	Programs	Specific Commitment	Timeline	Geographic Targeting	Metrics
	HE-10	Pursue partnerships and funding in support of new construction of housing for residents with special housing needs	2026	Higher resource areas	20 units for lower-income households with special housing needs
Place-based Strategies for Community Revitalization	HE-17	Pursue funding to support rehabilitation	Annually	Lower resource areas	20 lower-income, with 75 percent prioritized for target areas
	HE-18	Organize a volunteer training network to instruct homeowners on matters of home repair	Annually	Lower resource areas, areas with vacated units due to substandard conditions	250 households
	HE-20	Seek funding to complete infrastructure improvements	Annually	Lower resource areas	$1,000,000 in grant funding
	HE-20	Seek funding to complete sidewalk improvements	Annually	Near multifamily uses in Weaverville	$100,000 in grant funding
Displacement	HE-23	Create a multi-pronged anti-displacement strategy through the combination of incentives for new production, support for preservation of existing units, and engagement with current residents	2026	Lower-resource rural communities; seniors, farmworkers, and residents with a disability	150 lower- and moderate-income households

Action Area	Programs	Specific Commitment	Timeline	Geographic Targeting	Metrics
	HE-19	Provide information and outreach on housing discrimination and tenant rights	Annually	Lower resource areas	25 households annually
	HE-18	Organize a volunteer skills network to provide classes on home repair for homeowners	Annually	75 percent in lower income areas with concentrated rehabilitation needs (areas adjacent to the mill in Hayfork, the Lewiston Dam Subdivision in Lewiston, existing apartment complexes in Weaverville, Lower Mill Street in Weaverville, and generally, entire communities along the Humboldt border of the county, including Salyer and Burnt Ranch)	Hold three instructional workshops each year

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APPENDIX B: SITES INVENTORY

VACANT SITES INVENTORY

The following table identifies vacant parcels with residential capacity to meet the RHNA. Capacity calculations are based on existing general plan land use designations and existing zoning, rather than future changes proposed through the 2050 General Plan Update and Comprehensive Zoning Code Update. This section includes:

- Vacant Sites Inventory to Meet the RHNA
- Summary by Community and Income Category
- Maps

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TABLE 8.77 VACANT SITES INVENTORY TO MEET THE RHNA

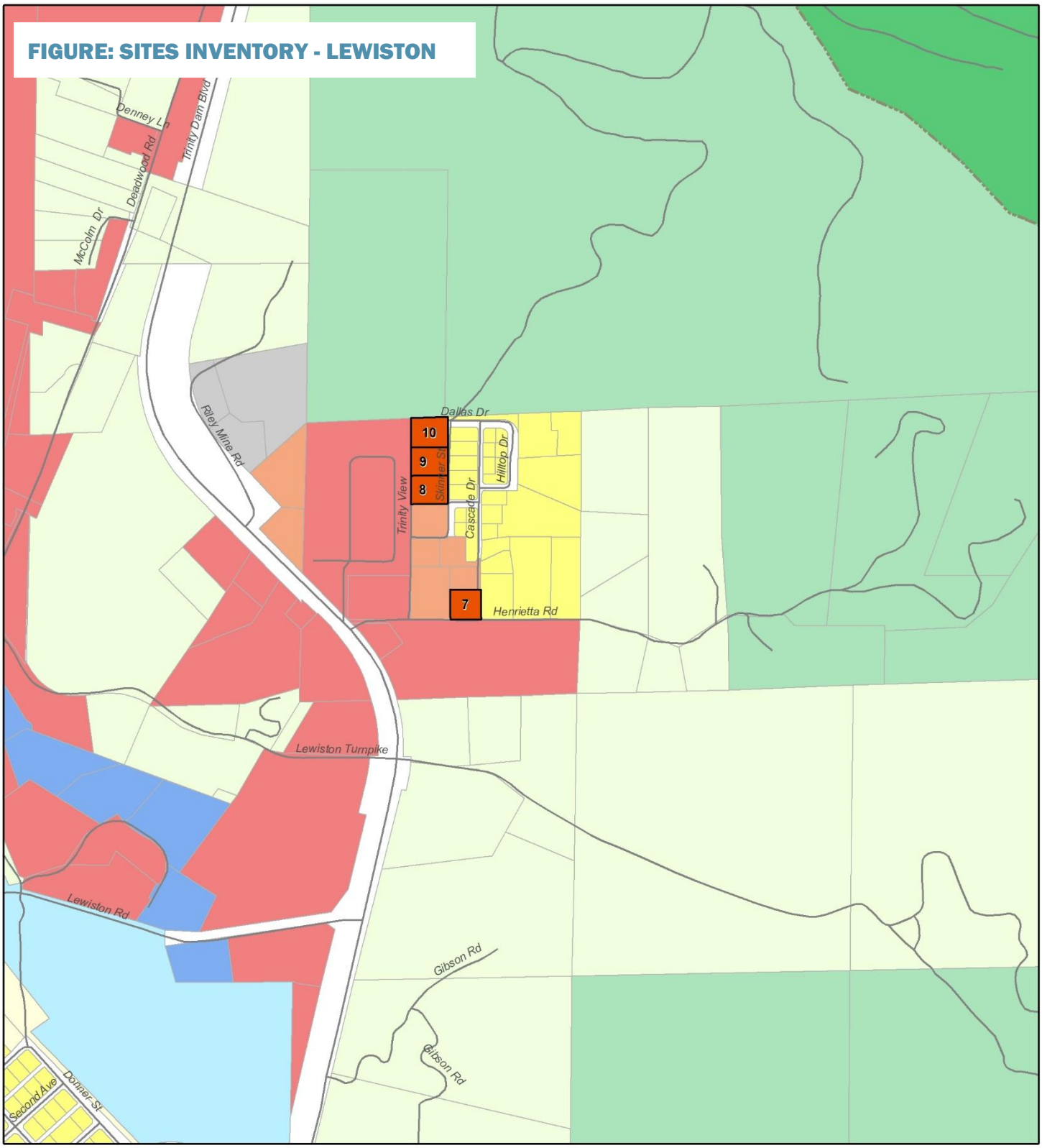
Site #	APN	Acres	Existing GPLU	Zone	Maximum Density	Maximum Capacity	Realistic Capacity Multiplier	Realistic Capacity	Income Category	Community	Fire Protection	Water Services	Sewer Services	Electricity	Dry Utilities Available?	Flood Zone	Slope Constraint	Used in Previous Element
1	001-080-004-000	2.37	MF-H	R3	22	52	0.5	26	Lower	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	Sloped: Avg. 15%	Yes
2	001-100-041-000	0.82	MF-M	R2	14	11	0.5	5	Lower	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	Sloped: Avg. 10% Steep slopes limit developable area by 15%	Yes
3	001-100-052-000	0.39	MF-H	R3	22	8	0.5	4	Moderate	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	No	No
4	024-510-002-000	4.98	MF-H	R3	22	109	0.5	54	Above Moderate	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	Steep slopes limit developable area by 25% Limited roadway width; no sidewalks	No
5	024-610-004-000	0.52	MF-H	R3	22	11	0.5	5	Lower	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	No	Yes
6	024-610-030-000	3.85	MF-H	R3	22	84	0.5	42	Lower	Weaverville	WFPD	WCSD	WSD	TPUD	Yes	No	No	Yes
7	025-350-060-000	0.50	MF-H	R3	22	10	0.5	5	Lower	Lewiston	LCSD	LCSD	LCSD	TPUD	Yes	No	No	Yes
8	025-350-066-000	0.56	MF-H	R3	22	12	0.5	6	Lower	Lewiston	LCSD	LCSD	LCSD	TPUD	Yes	No	No	Yes
9	025-350-067-000	0.55	MF-H	R3	22	12	0.5	6	Lower	Lewiston	LCSD	LCSD	LCSD	TPUD	Yes	No	No	Yes
10	025-350-068-000	0.59	MF-H	R3	22	12	0.5	6	Lower	Lewiston	LCSD	LCSD	LCSD	TPUD	Yes	No	No	Yes

TABLE 8.78 SUMMARY BY COMMUNITY AND INCOME CATEGORY

	Hayfork (high resource area)			Lewiston (moderate resource area)			Weaverville (highest resource area)			Total		
	Parcels	Acres	Realistic Units	Parcels	Acres	Realistic Units	Parcels	Acres	Realistic Units	Parcels	Acres	Realistic Units
Lower	0	0	0	4	2.20	23	5	12.54	78	9	14.74	101
Moderate	0	0	0	0	0	0	1	0.39	4	1	0.39	4
Above Moderate	0	0	0	0	0	0	0	0	54	0	0	**54**
Total	**0**	**0**	**0**	**4**	**2.20**	**23**	**6**	**12.93**	**136**	**10**	**15.13**	**159**

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FIGURE: SITES INVENTORY - LEWISTON



Existing General Plan Land Use

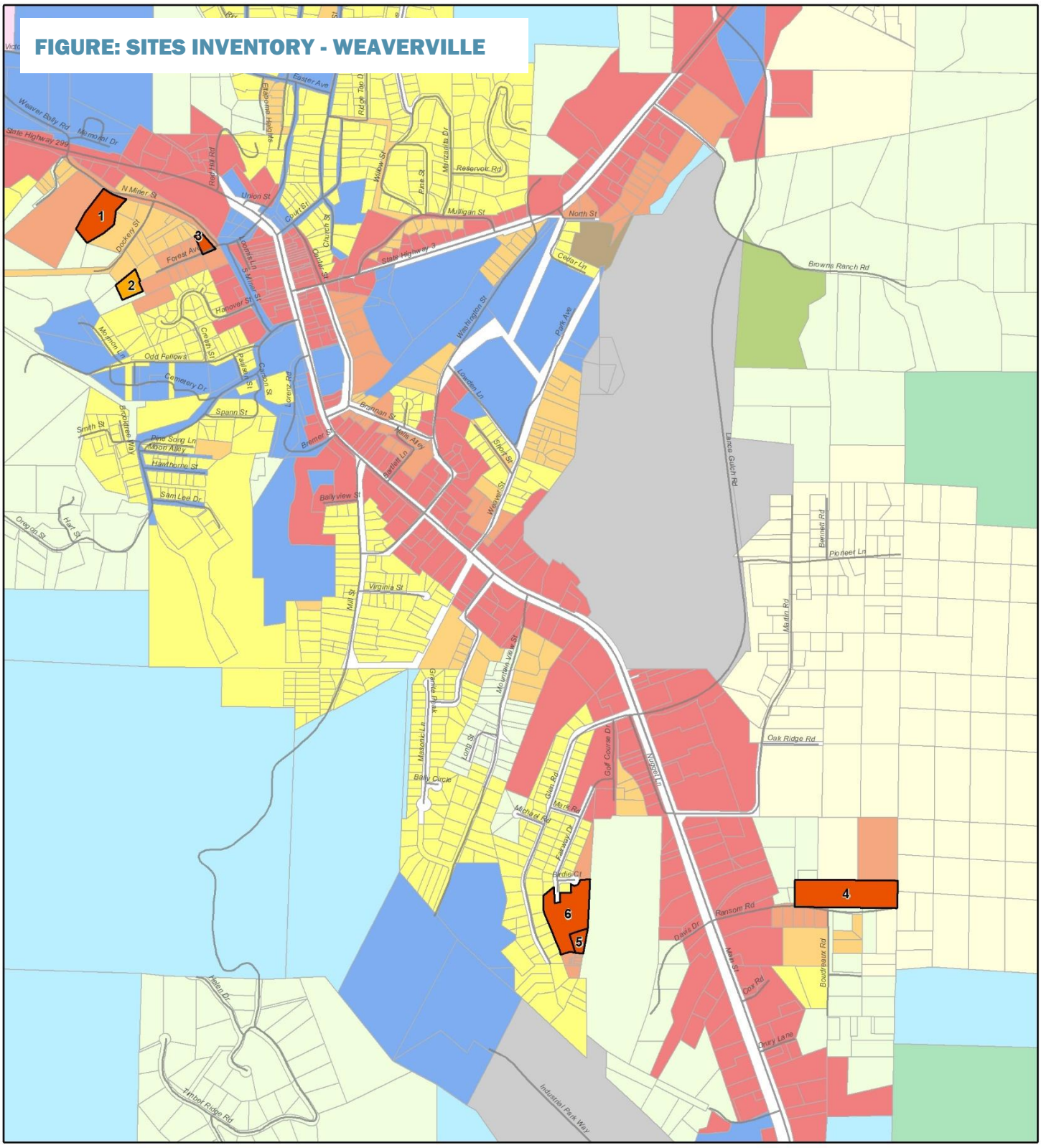
- Agriculture (A)
- Commercial (C)
- Community Expansion (CE)
- Community Residential (CR)
- Industrial (I)
- Rural Residential, Low (RR-L)
- Rural Residential (RR)
- Single-Family, Low (SF-L)
- Single-Family, Medium (SF-M)
- Single-Family, High (SF-H)
- Multi-Family, Medium (MF-M)
- Multi-Family, High (MF-H)
- Mobile Home Park
- Village (V)
- Open Space (OS)
- Public Facilities (PF)
- Resource (RE)

0 0.075 0.15 Miles

Map Date: November 13, 2024

Source: Mintier Harnish, 2024

FIGURE: SITES INVENTORY - WEAVERVILLE



Existing General Plan Land Use

- Agriculture (A)
- Commercial (C)
- Community Expansion (CE)
- Community Residential (CR)
- Industrial (I)
- Rural Residential, Low (RR-L)
- Rural Residential (RR)
- Single-Family, Low (SF-L)
- Single-Family, Medium (SF-M)
- Single-Family, High (SF-H)
- Multi-Family, Medium (MF-M)
- Multi-Family, High (MF-H)
- Mobile Home Park
- Village (V)
- Open Space (OS)
- Public Facilities (PF)
- Resource (RE)

0 0.15 0.3 Miles

Map Date: November 13, 2024

Source: Mintier Harnish, 2024

CAPACITY BEYOND THE RHNA

The sites listed in the table below are not included in the sites inventory, but have potential for residential development. Through the Draft 2050 General Plan Update, many of these sites have been proposed for redesignation to accommodate additional residential capacity and promote affordability. Additionally, the Draft 2050 General Plan Land Use Element proposes to allow residential uses in commercial zones, expanding capacity further by opening new sites for residential and mixed use development. The table below summarizes sites and potential residential capacity based on the Draft 2050 General Plan Land Use diagram.

TABLE 8.79 ADDITIONAL RESIDENTIAL CAPACITY BEYOND THE RHNA

Site #	APN	Acres	Existing GPLU	Existing Zone	Proposed GPLU	Max. Density	Max. Capacity	Realistic Capacity Multiplier	Realistic Capacity	Assumed Income Category	Community	Resource Area	Notes
Vacant Sites													
1	001-070-028-000	0.52	SF-H	R1	MDR	14	6	0.5	3	Lower	Weaverville	Highest	
2	001-070-029-000	0.70	SF-H	R1	MDR	14	9	0.5	4	Lower	Weaverville	Highest	
3	001-182-013-000	0.71	MF-M	R2	HDR	24	16	0.5	8	Lower	Weaverville	Highest	
4	014-020-005-000	1.58	SF-M	R1M	MDR	14	21	0.5	10	Moderate	Hayfork	High	Sloped site
5	014-020-006-000	1.10	SF-M	R1M	MDR	14	14	0.5	7	Lower	Hayfork	High	
6	014-050-020-000	2.20	RR	RR2.5	RR	1	1	1	1	Moderate	Hayfork	High	Sloped site
7	014-090-011-000	5.61	RR	RR2.5	RR	1	1	1	1	Moderate	Hayfork	High	Very sloped site
8	014-110-023-000	0.88	C	C1	MU	24	21	0.5	10	Lower	Hayfork	High	
9	014-130-013-000	2.56	SF-M	R1M	MDR	14	35	0.5	17	Lower	Hayfork	High	
10	014-140-007-000	0.89	C	C1	MU	24	21	0.5	10	Lower	Hayfork	High	
11	014-140-010-000	0.66	C	C1	MU	24	15	0.5	7	Lower	Hayfork	High	
12	014-200-012-000	0.99	RR	RR1	RR	1	1	1	1	Above Moderate	Hayfork	High	
13	014-200-039-000	0.82	RR	RR1	RR	1	1	1	1	Above Moderate	Hayfork	High	
14	014-330-064-000	1.04	SF-L	R1L	LDR	4	4	0.5	2	Moderate	Hayfork	High	
15	014-330-066-000	1.18	SF-L	R1L	LDR	4	4	0.5	2	Moderate	Hayfork	High	
16	014-350-047-000	0.53	SF-M	R1M	MDR	14	7	0.5	3	Lower	Hayfork	High	
17	014-360-025-000	3.54	RR	RR2.5	RR	1	1	1	1	Above Moderate	Hayfork	High	
18	014-370-018-000	5.06	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
19	014-430-040-000	5.22	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
20	014-430-061-000	2.47	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
21	014-430-077-000	7.57	C	C2	C	24	181	0.5	90	Lower	Hayfork	High	

Site #	APN	Acres	Existing GPLU	Existing Zone	Proposed GPLU	Max. Density	Max. Capacity	Realistic Capacity Multiplier	Realistic Capacity	Assumed Income Category	Community	Resource Area	Notes
22	014-440-018-000	1.65	RR	RR1	RR	1	1	1	1	Above Moderate	Hayfork	High	
23	014-440-030-000	1.22	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
24	017-350-021-000	3.54	RR	RR5	RR	1	1	1	1	Above Moderate	Hayfork	High	
25	017-350-056-000	1.30	RR	RR2.5	RR	1	1	1	1	Above Moderate	Hayfork	High	
26	017-350-057-000	1.08	RR	RR2.5	RR	1	1	1	1	Above Moderate	Hayfork	High	
27	017-370-055-000	1.06	RR	RR2.5	RR	1	1	1	1	Above Moderate	Hayfork	High	
28	017-430-039-000	0.93	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
29	017-430-040-000	2.01	RR-L	RR10	RR-L	1	1	1	1	Above Moderate	Hayfork	High	
30	024-430-010-000	1.47	SF-L	R1A	HDR	24	35	0.5	17	Lower	Weaverville	Highest	
31	024-510-030-000	3.45	C	HC	C	24	82	0.5	41	Lower	Weaverville	Highest	High potential for multifamily development
32	025-350-008-000	1.30	SF-H	R1	MDR	14	16	0.5	8	Lower	Lewiston	Moderate	
33	025-350-061-000	0.79	SF-H	R1	MDR	14	10	0.5	5	Lower	Lewiston	Moderate	
34	024-500-077-000	6.49	C	MH	C	14	90	0.5	45	Lower	Weaverville	Highest	Potential Constraint: DOT drainage, site is vacant and currently zoned for mobile homes
35	014-040-005-000	0.81	C	C2	MU	25	18	0	9	Moderate	Hayfork	High	
Non-vacant (underutilized) Sites													
35	014-130-011-000	3.88	C	C1	C	24	93	0.25	23	Lower	Hayfork	High	Vacant hotel/motel use on site - Partially within 100-year Flood Plain along frontage (<20 percent)
36	014-190-005-000	0.98	RR	RR1	MDR	14	12	0.25	2	Lower	Hayfork	High	Owner interested in adding mf units or motel
37	025-350-010-000	7.83	C	C2	C	14	109	0.25	27	Lower	Lewiston	Moderate	Vacant commercial use on site - 100% available for redevelopment
38	024-610-029-000	4.08	C	HC	C	24	98	0.25	24	Lower	Weaverville	Highest	Existing roads within parcel area limit developable acreage by approx. 40%

CAPACITY BEYOND THE RHNA, REALISTIC CAPACITY - SUMMARY BY COMMUNITY AND INCOME CATEGORY

Income	Hayfork (high resource area)	Lewiston (moderate resource area)	Weaverville (high resource area)	Grand Total
Lower	169	40	142	351
Moderate	23	0	0	23
Above Moderate	16	0	0	16
Grand Total	**208**	**40**	**142**	**390**

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APPENDIX C: LIST OF ENTITIES QUALIFIED TO PRESERVE AT-RISK UNITS

Qualified entities are tenant associations, local non-profit organizations and public agencies, regional/national non-profit organizations and regional/national public agencies, or profit-motivated housing organizations or individuals that are interested in bidding on affordable properties and have been deemed certified to own and operate assisted housing developments by HCD. A full listing, including contact information, is available online through HCD's website.

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County	Organization	Address	City	ST	Zip
ALL COUNTIES	A. F. Evans Development, Inc.	4305 University Ave. Suite 550	San Diego	CA	92105
ALL COUNTIES	Affirmed Housing	15320 Evening Creek Drive N, Suite 160	San Diego	CA	92128
ALL COUNTIES	Affordable Housing Access Inc	3920 Birch Street Ste 103	New Port Beach	CA	92660
ALL COUNTIES	Ai Development Corporation	30 Washington	Irvine	CA	92606
ALL COUNTIES	Alliant Strategic	21600 Oxnard Street, Suite 1200	Woodland Hills	CA	91367
ALL COUNTIES	Allied Pacific Development, LLC	169 Saxony Road, Suite 103	Encinitas	CA	92024
ALL COUNTIES	American Baptist Homes of the West	6120 Stoneridge Mall Road, 3rd Flr.	Pleasanton	CA	94588
ALL COUNTIES	American Community Developers, Inc.	20250 Harper Avenue	Detroit	MI	48225
ALL COUNTIES	AOF/Pacific	7755 Center Ave., Suite 575	Huntington Beach	CA	92647
ALL COUNTIES	April Housing, LLC	300 South Grand Ave., 2nd Floor	Los Angeles	CA	90017
ALL COUNTIES	Avanath Capital Management, LLC	1920 Main Street, Suite 150	Irvine	CA	92614
ALL COUNTIES	Bank of America, N.A.	555 California St., 6th Floor	San Francisco	CA	94104
ALL COUNTIES	Bayside Communities	1990 North California Blvd., Ste. 1070	Walnut Creek	CA	94596
ALL COUNTIES	Belveron Real Estate Partners, LLC	268 Bush St., #3534	San Francisco	CA	94104
ALL COUNTIES	Berkadia	823 Colby Drive	Davis	CA	95616
ALL COUNTIES	BRIDGE Housing Corporation	345 Spear Street, Suite 700	San Francisco	CA	94105
ALL COUNTIES	BUILD Leadership Development, Inc.	P.O. Box 9414	Newport Beach	CA	92658
ALL COUNTIES	Cabouchon Properties, LLC	Pier 9, Suite 114	San Francisco	CA	94111
ALL COUNTIES	Cabrillo Economic Development Corporation	702 County Square Drive, Suite 200	Ventura	CA	93003
ALL COUNTIES	California Coalition for Rural Housing	717 K Street, Suite 400	Sacramento	CA	95814
ALL COUNTIES	California Commercial Investment Group	4530 E. Thousand Oaks Blvd., Ste. 100	Westlake Village	CA	91362
ALL COUNTIES	California Community Reinvestment Corp.	100 West Broadway Ste. 1000	Glendale	CA	91210
ALL COUNTIES	California Housing Finance Agency	100 Corporate Pointe, Suite 250	Culver City	CA	90230
ALL COUNTIES	California Housing Finance Agency	500 Capitol Mall, Suite 400	Sacramento	CA	95814
ALL COUNTIES	California Housing Finance Agency	P.O. Box 4034	Sacramento	CA	95812
ALL COUNTIES	California Housing Partnership Corporation	369 Pine Street, Suite 300	San Francisco	CA	94104
ALL COUNTIES	California Human Development Corporation	3315 Airway Drive	Santa Rosa	CA	95403
ALL COUNTIES	Catalyst Housing Group, LLC	21 Ward Street, Suite 2	Larkspur	CA	94939
ALL COUNTIES	Chelsea Investment Corporation	725 South Coast Highway 101	Encinitas	CA	92024
ALL COUNTIES	Colrich Multifamily Investments, LLC	444 West Beach St.	San Diego	CA	92101
ALL COUNTIES	Community Housing Assistance Program, Inc.	3803 E. Casselle Ave	Orange	CA	92869
ALL COUNTIES	Community HousingWorks	2815 Camino Del Rio South, Ste. 350	San Diego	CA	92108
ALL COUNTIES	Community HousingWorks	3111 Camino Del Rio	San Diego	CA	92108
ALL COUNTIES	Corporation for Better Housing	15303 Ventura Blvd., Suite 1100	Sherman Oaks	CA	91403
ALL COUNTIES	Creative Housing Coalition	4612 Alta Canyada Road	La Canada	CA	91011
ALL COUNTIES	Dawson Holdings, Inc.	300 Turney Street, 2nd Floor	Sausalito	CA	94965
ALL COUNTIES	DBR Development LLC		Escondido	CA	92029
ALL COUNTIES	Department of Housing and Community Development	651 Bannon Street. Ste. 400	Sacramento	CA	95811
ALL COUNTIES	DeSola Capital Group, LLC	136 Heber Ave, Suite 308	Park City	UT	84060
ALL COUNTIES	DML & Associates Foundation	6043 Tampa Ave, Ste. 101A	Tarzana	CA	91356
ALL COUNTIES	Domus Development, LLC	594 Howard St., Ste 204	San Francisco	CA	94105
ALL COUNTIES	EAH, Inc.	22 Pelican Way	San Rafael	CA	94901
ALL COUNTIES	East Los Angeles Community Corporation	530 South Boyle Avenue	Los Angeles	CA	90033
ALL COUNTIES	Eden Housing, Inc.	22645 Grand Street	Hayward	CA	94541
ALL COUNTIES	Fairfied Residential LLC	5510 Morehouse Drive, Suite 200	San Diego	CA	92121
ALL COUNTIES	Fallbrook Capital Corporation	6700 Fallbrook Avenue, #111	West Hills	CA	91307
ALL COUNTIES	Foundation for Affordable Housing, Inc.	384 Forest Ave., Suite 14	Laguna Beach	CA	92651
ALL COUNTIES	GAL Affordable LP	250 W. Colorado Bv. Suite 210	Arcadia	CA	91007
ALL COUNTIES	Goldrich & Kest Industries, LLC	5150 Overland Avenue	Culver City	CA	90230
ALL COUNTIES	Green Development Company	153 Marion Ave #4	Pasadena	CA	91106
ALL COUNTIES	Hampstead Development Group, Inc.	3413 30th Street	San Diego	CA	92104
ALL COUNTIES	Highland Property Development, LLC	250 W. Colorado Bv. Suite 210	Arcadia	CA	91007
ALL COUNTIES	Horizon ELOM Holdings, LLC	22760 Hawthorne Blvd #220	Los Angeles	CA	90505

ALL COUNTIES	JEMCOR Development Partners	1700 El Camino Real Suite #400	San Mateo	CA	94402
ALL COUNTIES	Jonathon Rose Companies	551 Fifth Ave, 23rd Floor	New York	NY	10176
ALL COUNTIES	KDF Communities, LLC	1301 Dove St., Suite 720	Newport Beach	CA	92660
ALL COUNTIES	Linc Housing Corporation	100 Pine Avenue, # 500	Long Beach	CA	90802
ALL COUNTIES	Lincoln Avenue Capitol, LLC	680 5th Avenue, 17th Floor	New York	NY	10019
ALL COUNTIES	Maximus Properties, LLC	23586 Calabasas Road, Ste. 103	Calabasas	CA	91302
ALL COUNTIES	MBK Management Corporation	23586 Calabasas Road, Ste. 100	Calabasas	CA	91302
ALL COUNTIES	Mercy Housing California	1360 Mission St., Suite 300	San Francisco	CA	94103
ALL COUNTIES	Mercy Housing, Inc.	1999 Broadway, Suite 1000	Denver	CO	80202
ALL COUNTIES	Mesa Realty Advisors	56 Cabana Blanca	Henderson	NV	89012
ALL COUNTIES	National Affordable Housing Trust	2335 North Bank Drive	Columbus	OH	43220
ALL COUNTIES	National Community Renaissance	9421 Haven Avenue	Rancho Cucamonga	CA	91730
ALL COUNTIES	Newport Development, LLC	9 Cushing, Ste. 200	Irvine	CA	92618
ALL COUNTIES	Novin Development Corp. "NDC"	1900 N California Blvd, Suite 800	Walnut Creek	CA	94596
ALL COUNTIES	Petaluma Ecumenical Properties Inc.	1400 Caulfield Lane	Petaluma	CA	94954
ALL COUNTIES	Phoenix Realty Group		New York	NY	10005
ALL COUNTIES	Preservation Partners Development	21515 Hawthorne Blvd. Suite 125	Torrance	CA	90503
ALL COUNTIES	RAHD Group, LLC	4142 Adams Ave., #103-250	San Diego	CA	92108
ALL COUNTIES	Reiner Communities LLC	100 Spectrum Center Dr. Suite 830	Irvine	CA	92618
ALL COUNTIES	Reliant Group Management	601 California Street	San Francisco	CA	94108
ALL COUNTIES	Renaissance Housing Communities	110 Pacific Avenue, Suite 292	San Francisco	CA	94111
ALL COUNTIES	Resources for Community Development	2220 Oxford St	Berkeley	CA	94704
ALL COUNTIES	Richman Group of California, LLC.	21520 Yorba Linda Blvd, Suite G-548	Yorba Linda	CA	92887
ALL COUNTIES	Security Properties	701 5th Ave, Suite 5700	Seattle	WA	98104
ALL COUNTIES	Sinergia Housing	4142 Adams Ave 103-336	San Diego	CA	92116
ALL COUNTIES	Skyline Real Estate Development & Acquisitions, Inc.	P.O. Box 7613	Newport Beach	CA	92658
ALL COUNTIES	Solari Enterprises, Inc.	1544 W. Yale Ave	Orange	CA	92687
ALL COUNTIES	Squier Properties, LLC	1157 Lake Street	Venice	CA	90291
ALL COUNTIES	Standard Property Company, INC. (DBA Standard Communities)	1901 Avenue of the Stars, Suite 395	Los Angeles	CA	90067
ALL COUNTIES	The John Stewert Company	1388 Sutter St., 11th Floor	San Francisco	CA	94109
ALL COUNTIES	The Michaels Development Company I, L.P.	2 Cooper Street, 14th Floor	Camden	NJ	08102
ALL COUNTIES	The Trinity Housing Foundation	836 Avalon Ave	Lafayette	CA	94549
ALL COUNTIES	Thomas Safran & Associates Development, Inc.	11812 San Vicente Blvd. #600	Los Angeles	CA	90049
ALL COUNTIES	University River Village	7901 La Riviera Drive	Sacramento	CA	95826
ALL COUNTIES	USA Properties Fund	7530 Santa Monica Blvd, Suite 1	West Hollywood	CA	90046
ALL COUNTIES	USA Properties Fund	2440 Professional Drive	Roseville	CA	95661
ALL COUNTIES	Valued Housing II, LLC	1101 E. Orangewood Ave., STE 200	Anaheim	CA	92805
ALL COUNTIES	Veritas Urban Properties LLC	2050 Hancock Street, Suite B	San Diego	CA	92110
ALL COUNTIES	Wakeland Housing & Development Corporation	1230 Columbia St. Ste. 950	San Diego	CA	92101
ALL COUNTIES	West Bay Housing Corporation	1390 Market Street, Ste. 405	San Francisco	CA	94102
ALL COUNTIES	William G. Ayyad, Inc.	9252 Chesepeake Dr., Suite 100	San Diego	CA	92123
ALL COUNTIES	WIP-A, LLC	2716 Ocean Park Blvd., Suite 2025	Santa Monica	CA	90403
ALL COUNTIES	WNC Community Preservation Partners, LLC	17782 Sky Park Circle	Irvine	CA	92620

APPENDIX D: COMMENTS ON THE PUBLIC REVIEW DRAFT HOUSING ELEMENT

The County published the Public Review Draft 2024-2029 Housing Element on November 26, 2024, and took comments through January 24, 2025. This section identifies public comments received on the Draft Housing Element and the County's response to each.

Table D-1: Public Comments on the Draft Housing Element

Date	Comments	Information and Suggested Response	Topics
1/24/2025	Page 8-122 A promise to comply with TC Fire Safe Ordinance while in many other sections promise to eliminate setbacks and parking requirements—this is contradictory! Trinity County citizens want fire safe communities--#1 Priority—setbacks and parking requirements help meet this goal.	The Housing Element does not include program actions that change the current setback requirements; no setback requirements are being eliminated. Program HE-7includes an option for reduced setbacks and parking requirements for ADUs, however, these are simply options for consideration in future planning efforts related to incentivizing ADUs. Response: The Housing Element was revised to remove reduced setbacks and parking requirements from the list of potential incentives for ADUs in Program HE-6.	**ADUs and Fire Safety**
1/23/2025	Leave the whole subdivision encompassing Manzanita Dr., Pine St, Reservoir Ro and the roads nearer the creek zoned for single family homes and low density housing. Also, DO NOT waive the set backs for parking when an ADU is added to a parcel. These roads need to remain WITHOUT on street parking to allow access for emergency and fire fighting vehicles.	Program HE-7includes an option for reduced setbacks and parking requirements for ADUs, however, these are simply options for consideration in future planning efforts related to incentivizing ADUs. Response: The Housing Element was revised to remove reduced setbacks and parking requirements from the list of potential incentives for ADUs in Program HE-7.	**ADUs and Fire Safety**
1/23/2025	Page 8-130 Program HE-6 Accessory Dwelling Unit (ADU) this write-up is too open-ended and does not address existing standards, such as "no on street parking" as part of CCRs and/or issue of Fire Marshall.	The State requires each housing element to allow for and encourage the development of ADUs. Program HE-7commits the County to amending the zoning code for compliance with State law and to adopt	**ADUs and Fire Safety**

Date	Comments	Information and Suggested Response	Topics
	Object to reduction of existing parking requirement unless residents are required to walk or use public transportation. Object due to potential for view obstruction when existing lots/homes were purchased at a high price due to "million dollar" views. Object as slope is not considered in this write-up—threatens neighboring properties with run-off, landslide, etc.	incentives for ADUs that work to reduce the cost or increase the feasibility of development. The program includes a list of potential actions to encourage production that should be considered during the Zoning Code Update in 2026. Response: The County should consider this comment in adopting incentives for the development of ADUs through the Zoning Code Update.	
1/23/2025	Page A-33 Capital Improvement Assessments: need paved pullouts on Hwy 3 between Douglas City and Hayfork as there are not adequate passing lanes. Too dangerous to pullout onto gravel, particularly when followed by a tailgater.	Response: The Housing Element was revised to incorporate this data. The County should consider this comment in future revisions to the General Plan Circulation Element.	**Capital Improvements**
10/29/2024	Housing Policy county wide- The current zoning ordinance allows up to one residential unit not to exceed 1000 sq ft in a commercial zone subject to obtaining a Planning Director Use Permit. In order to better facilitate mixed use and better use of services, and to provide needed housing , it would make sense to increase the potential number of residential units to 4 within community plan areas, still subject to the Planning Director Use Permit.	Response: The Draft General Plan Land Use Element allows for multifamily uses in on land designed commercial, as follows: *"The Commercial (C) land use designation identifies areas suitable for the development of various commercial uses such as general retail, offices, tourist-oriented businesses, hotels and motels, camping and resorts, wholesale storage, and lumber yards, as well as multifamily residential uses including apartments, condominiums, and micro-unit and single room occupancy developments (SROs)"* The County should consider this comment during the upcoming Zoning Code Update.	**Commercial Zones** **Multifamily Housing**
1/23/2025	Page 8-129 HE – 4 Zoning Code Consistency: hear and address objections! Submitted during 2024 as comment on General Plan and Community Plans	Response: The General Plan and Housing Element teams are working diligently to address all comments received. This program (HE-4) commits the County to continuing to ensure consistency between major planning efforts and to completing the related Zoning Code Update in 2026.	**Consistency in Planning**
1/23/2025	Page A-59 Income: The first sentence is nonsensical—what does the writer mean to convey? Please rewrite.	Response: The sentence has been revised for clarity. *"Countywide, there no concentrated areas of poverty or affluence. Although lower-income households are not concentrated in any area,*	**Document Clarity**

Date	Comments	Information and Suggested Response	Topics
	"Countywide, there are a high number of lower income households, however, generally, Hayfork and many rural areas of the county have lower incomes."	*Hayfork and many rural areas have lower median incomes and higher percentages of lower income households than higher resource areas, such as Weaverville and Lewiston."*	
1/23/2025	Document is inconsistent in defining and then using an acronym: HCD, HCV, RHNA, AFH, HUD. Not defined = assume readers know the meaning. Please follow standard writing protocol as provided in publication manuals.	Response: The Housing Element has been revised to include a definitions section that includes a variety of acronyms and planning terms. See Appendix E.	**Document Clarity**
1/23/2025	"Density Bonus" used on 8-127, yet not defined.	Response: The Housing Element has been revised to include a definition of this term. See Appendix E.	**Document Clarity**
1/23/2025	Allowing parcel map land division with private roads = inferior access due to lack of pavement and road maintenance. A huge result to hindrance to emergency vehicles.	The Housing Element does not regulate parcel division or private roads. Response: The County should consider this comment in future revisions to the Draft General Plan Land Use Element and Hazards and Safety Element, and Zoning Code Update.	**Emergency Access**
1/23/2025	A-46 Definition of "new subdivisions" by parcel map or by the State of CA formal subdivision process—parcel map division do not include all the features like paved roadways (essential for emergency access)	This section of the Housing Element reports on whether new subdivisions are concentrated in a particular area or community in order to evaluate if services and amenities are equitably distributed. Response: This comment asks for a level of detail that is not relevant to the topic at hand. The County considers emergency access in reviewing all proposed development and redevelopment projects and should consider this comment in future revisions to the Draft Hazards and Safety Element and Circulation Element	**Emergency Access**
11/1/2024	**Future Development/Re-development** With private land available for development, or redevelopment, limited to less than 20% of Trinity County's two million acres it is imperative that the County of Trinity focus on planning for, and securing, redevelopment dollars, particularly for hotel-motel, condominiums, duplexes/triplexes, mobile home parks and multiple family housing.	Redevelopment: The Housing Element has been revised to include a program to encourage and support redevelopment projects (see Program HE-32. Perimeter roads: The County should consider this comment in future	**Future Development** **Multifamily Housing**

Date	Comments	Information and Suggested Response	Topics
	Perimeter roads are needed around Weaverville and Hayfork. Driving to and along the perimeter will dissipate center-of-town traffic thereby increasing pedestrian and vehicular safety. Perimeter roads will improve traffic flow, and more importantly to facilitate fire evacuation and fire fighting. For example, current evacuation for a fire on Oregon Mtn requires evacuation to the intersection of Oregon St and Main St. In Weaverville: Connect: (1) Airport Road, Tom Bell, Five Cent Gulch with Weaver Bally Road; (2) connect East Weaver Road with Weaver Bally Road (road exists yet needs development); (3) connect Bear Creek Road to Musser Hill and to East Weaver Road; and (3) connect Industrial Parkway to Glen Road, Mountain View St, Mill St and Oregon St (at both APN 002-060-020 and the culvert for West Weaver Creek and Oregon St). For development of private lands in north and northeast Weaverville, these perimeter roads are essential. In Hayfork: the high density development along, and off of, Morgan Hill Road with the only exit to Hwy 3 at the Fairgrounds screams for a connecting bridge between Morgan Hill Road and Mill St (and other bridges as well); connect Brady Road with roads to the east and west; connect Rattlesnake Road to Salt Creek Road (develop USFS road with safety a priority for fire protection, and also for the safety of walkers on the Bigfoot Trail. Trinity County road Committees formed in years past also have noted the need to connect roads and not leave/create dead ends-these ideas are not new. The idea of a perimeter road encircling a town has been successfully implemented in other towns where walking is highly valued and protected. The search for (a) location(s) which will qualify for public funding for low income housing would reveal there are few privately-owned parcels meeting the requirements. Certainly, the completely vacant, privately owned lots needed to be checked against the qualifying criterion prior to asking the public: "what do you think?" about highlighted parcels shown on printed maps. HUD funding precludes	revisions to the General Plan Circulation Element and Hazards and Safety Element. The County should engage CALTRANS on this matter. Sidewalks: The Housing Element includes a program action to seek and target funding for sidewalk repair, replacement, or installation in lower resource areas and near multifamily uses in Weaverville. The Housing Element has been revised to identify CALTRANS Sustainable Transportation Planning Grants as a potential funding source (see Program HE-20and Program HE-31). The County will also consider this comment in future revisions to the Draft General Plan Circulation Element and Hazards and Safety Element.	**Sidewalks** **Circulation**

Date	Comments	Information and Suggested Response	Topics
	locating low income housing near airports; however, private funding can be used for development higher density housing near airports (see Airport Land Use Compatibility Plans (ALUCP) [aka Airport Compatibility Land Use Plans (ACLUP)] for the Trinity County airports written earlier this century). The Weaverville location of our Shasta College campus was selected based on distance from the Weaverville airport, as well as the desire of the managers of the Trinity Alps Performing Arts Center to sell part of their land to Shasta College. The priority to have the Shasta College campus within walking distances of housing was ignored (i.e., requirement of sidewalk from student housing to campus) at that time, yet is still a priority for the success of this campus (as well as the Rancheria Clinic, the Trinity Alps Performing Arts Center and all other business offices. A Weaverville sidewalk the length of Hwy 299 from at the least: from Industrial Parkway to Victory Lane is long overdue. **[CONTINUED BELOW]**		
11/1/2024	Improvement of pedestrian access in Hayfork in also needed. A Hayfork sidewalk the length of Hwy 3 from at the least: Fairgrounds entrance to Oak St (the street that leads to Hayfork High School) would increase safety, walkability and transportation needs [yet, the best distance would be the Fairgrounds entrance to the shopping center that houses Rapin' Rhonda's and Hayfork Discount]. The walkability on level ground (i.e., sidewalks) is important to both Weaverville and Hayfork to keep our residents healthy, mobile, independent and less dependent on vehicles. [Note: walking on level ground is often a physical therapy prescription for those recovering from an injury or retain independence with aging.] Sidewalks need to link housing to public facilities and retail. New housing developments, particularly hotels/motels, apartments, condos, and formal subdivisions designed as a neighborhood (such as Glen Road, Easter Ave, Barbara Ave) with houses with similar floor plans constructed on	Sidewalks: As noted above, the Housing Element includes a program action to seek and target funding for sidewalk repair, replacement, or installation in lower resource areas and near multifamily uses in Weaverville. The County should also consider this comment in future revisions to the Draft General Plan Circulation Element and Hazards and Safety Element. Redevelopment: The Housing Element has been revised to include a program to encourage and support redevelopment projects (see Program HE-32).	**Future Development** **Multifamily Housing** **Sidewalks**

Date	Comments	Information and Suggested Response	Topics
	streets with sidewalks. A sidewalk is required for development and construction of hotel/motels, apartment complexes, condominiums, trailer parks and formal subdivisions (i.e. no sidewalk = no development of these types of housing)[Further, such development also requires 60 foot road right-of-way, as is Weaverville's Reservoir Road]. Considering this walkability, the County of Trinity would be wise to look at "redevelopment" funding for both hotel/motel construction and low income housing. Here are several locations for which "redevelopment" funding would have a positive impact: *The encroachment of the County of Trinity Jail, as well as the County Schools Office and the Food Bank on the Veterans' Hall makes the jail prime for redevelopment as a multiple story housing complex. The funding sought to redesign the Veterans' Hall could create a Veteran's complex/community complex with synergy among housing and public facilities. *The land at the corner of Martin Road and Hwy299/Main St (has two older buildings that could be relocated) and a two story building designed with elevators with parking garages downstairs and upstairs/downstairs living quarters (garages and insulation providing sound barriers) (a complex similar to Weaver Creek Senior Apartments). This location across the street from Holiday Market and CVS Pharmacy makes this location prime for senior living. APN 024-500-076 (2.06 ac General Commercial). *The land at the corner of Hwy 3/Lance Gulch Road could have housing added around the perimeter of the now vacant medical building and that building could be redesigned as part of the housing complex with units and/or public areas (APNs include: APN 024-390-066 (4.12 ac. Commercial Office Residential), APN 024-390-059 (1.87 ac. Public Facility), APN 024-390-014 (5 ac. Light Industrial		

Date	Comments	Information and Suggested Response	Topics
	Manufacturing).) Creating housing here is highly compatible with the nearby senior housing, mobile home park and Five Cent Gulch Mobile Home/PreFab Home neighborhoods. Extending the sidewalk on Lance Gulch Road from Browns Ranch Road to Hwy 3/Five Cent Gulch, and extending the sidewalk from Weaverville **[CONTINUED BELOW]**		
11/1/2024	Elementary School along Hwy 3 to Lance Gulch Road is necessary for this area (e.g., safety and walkability [health, independent, mobile, less dependent on vehicles]. *The location for a quality hotel with amenities is properties between the TC Library and the TC Brewing Company. The General Plan, as well as its Housing Element, needs to include language that qualifies the owner(s)/developer(s) for redevelopment dollars (i.e., public, private and foundation dollars). A quality (five star) hotel/motel within walking distance of Weaverville's historic district is key to the success of Weaverville's downtown. These parcels include APNs 001-031-018 (1.87 ac Highway Commercial, APN 001-031-042 (.18 ac Highway Commercial) and a lot line adjustment (and/or property sale) with the USFS to gain their building and highway street frontage on the north side of Hwy 299./intersection with Red Hill Road. An area for low income housing exists and is prime for redevelopment dollars: "Rocky Pines" (APNs 002- 100-063 (1.06 ac General Commercial C2), 002-100-062 (.79 ac General Commercial), 002-100-062 ('.38ac General Commercial C2) and 002-100-042 (.70ac General Commercial C2). Motel Trinity APN 0024-440-010 (.73 ac Highway Commercial) and adjoining Mobile Home Park APNs 024-440-009 and 024-440-07 (.96 ac and .98 ac High Commercial Multiple Residences). This area needs sidewalks that connect to the shopping areas to the north and south. Mintier Harnish Map: Selected Vacant Lots highlighted with a request to public for input regarding use How were vacant lots selected for	Location for a quality hotel: This suggestion should be considered in the development of the Draft General Plan Land Use Element and in any future redevelopment planning. Additional redevelopment sites: As noted above, the County has included a program to seek funding for targeted redevelopment projects and sidewalk installation, such as those listed here (see Program HE-32and Program HE-20. Housing Sites: The methodology for selecting the sites is guided by State law and outlined in the Housing Element. The County initially identified available sites zoned for residential use and took these sites to the public for input. As required by State law, the County then considered this input and revised the inventory to include the sites estimated to have the highest feasibility for development in the planning period, focusing solely on those within water and sewer districts. Please note that residential development is not limited to sites listed in the Housing Element.	**Future Development** **Multifamily Housing** **Housing Sites Inventory**

Date	Comments	Information and Suggested Response	Topics
	highlighting on the Mintier Harnish Maps? These maps are provided by the contractor when requesting public input for housing land use. Yet, not all vacant lots are highlighted and it is not evident that the landowners agreed to have their lots highlighted/included in this public survey. The contractor's decisions/document organization/presentation will impact private landowner ability to use/develop their lands as those owners wish-the result could create an adversarial relationship between the contractor/County of Trinity and private landowners. Given that caveat, the following comments and suggestions are made regarding private lands with the goal of encouraging in a general way: (1) seeking redevelopment dollars, (2} improving transportation flow for safety and walkability, and (3) creating desirable housing to attract and retain a workforce, retirees and vacationers. **[CONTINUED BELOW]**		
11/1/2024	Comments regarding vacant lots in the Weaver Basin are as follows: APN 024-670-014-000 520 Weaver Bally Road Weaverville 96093 Lot Acres 32.50 GIS Acres 32.89 Use Code Tax Rate Area 071-003 Zoning District (ZD) Rural Residential 1 Acre min (RRl) Zoning District (ZD) Code RRl General Plan Designation (GPD) Community Expansion (CE) Comment: This parcel was not included, not highlighted on the diagram that shows vacant residential sites in Weaverville. Yet, this parcels' proximity to the high school makes it a prime location for condominiums (housing units with garages} and for a mix of income levels (use HUD funding/low income housing funding for a percentage (like 25-30% of the units) so a healthy and balanced living	Response: Based on the provided information, this site is not zoned for multifamily uses. The Housing Element must identify sites currently zoned for multifamily affordable housing without requiring a rezone. The County should consider this site for multifamily uses in future revisions to the General Plan Land Use Diagram.	**Future Development** **Multifamily Housing**

Date	Comments	Information and Suggested Response	Topics
	environment is created. The proximity to the Weaver Basin trails, along with enough room to construct an indoor swimming pool/facility (perhaps co-used or public pool facility), creates the potential for an attractive, healthy environment. **[CONTINUED BELOW]**		
11/1/2024	Parcel Number 024-220-46-00 APN 024-220-046-000 150 Industrial Park Way Weaverville 96093 Lot Acres 70.25 Zoning District (ZD) Specific Unit Development (SUD) Zoning District (ZD) Code SUD Comment: A portion of this SUD parcel is on the east side of Hwy 299/Main St and south of Sharp Electric-this land is out of the airport fly zone, thus is qualified for HUD funding. The proximity of this parcel to County offices where residents could obtain both work and services, as well as to the TC Performing Arts Center and the Redding Rancheria Health Clinic all make this a prime location for multiple family housing. The north end of this parcel adjoins the Trinity Alps Golf Course and is a wonderful location to build a high-end, quality RV park (RV users find Trinity lacking and do not want to return). This off Hwy 299 RV park would have forested hillside views, access to the golf course, and other built amenities (indoor pool, spa, therapy pool, massage/qigong studio, outdoor game and sports features). On the creek side of the north end of this parcel, is appropriate for condominiums/apartments (two story if an elevator is used}. A percentage of these could be for HUD funding/low income (20-30% of the units). **[CONTINUED BELOW]**	Response: Based on the provided information, this site is not zoned for multifamily uses. The Housing Element must identify sites currently zoned for multifamily affordable housing without requiring a rezone. The County should consider this site for multifamily uses in future revisions to the General Plan Land Use Diagram.	**Future Development** **Multifamily Housing** **Housing Sites Inventory**
11/1/2024	APN 001-182-013-000 371 Washington St Weaverville 96093	Response: The County should consider working with the property owners to explore the potential for lot consolidations and other measures in support of residential development on these sites.	**Future Development**

Date	Comments	Information and Suggested Response	Topics
	Lot Acres: .75 GIS Acres: .71 Zoning District (ZD) Duplex Residential District (R2) Zoning District (ZD) Code R2 Zoning Description More info General Plan Designation (GPD) Multi Family Res. - Med. Density (MF-M) Comment: The long narrow lot has the highest potential of development if a lot line adjustment was made with the Weaverville Elementary School (WES public facility) lot, and WES sold part of its property to the owner of 001-182-013. Thus, connect these properties to the old bus barns 001-182-007 & 008 then apply for redevelopment/development monies for housing compatible with the Sharron Court mobile home park. And on the flat part of 371 Washington St a duplex might fit if a driveway from Washington St could be constructed. APN 002-090-042-000 Street 55 Weaver St Community Weaverville 96093 Lot Acres: .so GIS Acres; .52 Zoning District (ZD) Multi Family Res. - High Density (R3) Zoning District (ZD) Code R3 Zoning Description More info General Plan Designation (GPD) Multi Family Res. - High Density (MF-H) General Plan Designation (GPO) Code MF-H This land locked parcel has potential when other adjoining parcels are redeveloped. Planning housing that has play areas, storage for bikes and cars is essential as several parcels along Weaver St are slum like because of this lack. A sidewalk from Hwy 299 along Weaver Street to Park Ave/Lowden Park is needed. **[CONTINUED BELOW]**		**Multifamily Housing** **Housing Sites Inventory**

Date	Comments	Information and Suggested Response	Topics
11/1/2024	APN 024-430-010-000 581 Martin Rd (corner of Lance Gulch Road and Martin Road) Community Weaverville 96093 Lot Acres 1.40 GIS Acres 1.47 Zoning District (ZD) Single Family Res. - Low Density (R1A) Zoning District (ZD) Code R1A Zoning Description More info General Plan Designation (GPO) Single Family Res. - Low Density (SF-L) General Plan Designation (GPO) Code SF-L The size of this lot and its location (views) and proximity to sidewalks to the pharmacy and grocery store would make it a potential location for a four-plex with garages. APN 024-510-002-000 Street Number 161 Ransom Rd Community Weaverville 96093 Lot Acres 4.98 GIS Acres 4.98 Use Code BXXX Tax Rate Area 071-003 Zoning District (ZD) Multi Family Res. - High Density (R3) Zoning District (ZD) Code R3 Zoning Description More info General Plan Designation (GPD) Multi Family Res. - High Density (MF-H) Comment: This parcel lacks a county road wide enough for high density housing, and also lacks a sidewalk to Main St/Hwy 299. If a complex was built here with 60 foot road right-of-way and a sidewalk, it would need to be compatible with Rural Residential (1 ac minimum) lots adjoining-neighbors are on the public record saying they do not want a previously proposed development. Condominiums intended for seniors and working adults with garages and open space with	Response: Based on the provided information, the site in question (Martin Rd) is not zoned for multifamily uses. The Housing Element must identify sites currently zoned for multifamily affordable housing without requiring a rezone. The County should consider this site for multifamily uses in future revisions to the General Plan Land Use Diagram. Response: The Housing Element has been revised to acknowledge the constraints to the site at 161 Ransom Road (please see Table 8.76, which now assumes above moderate capacity for the site in question, due to the need for significant off-site improvements.	**Future Development** **Multifamily Housing** **Housing Sites Inventory**

Date	Comments	Information and Suggested Response	Topics
	recreation equipment, including an indoor therapy pool might be more amenable. **[CONTINUED BELOW]**		
11/1/2024	024-590-037 Street 600 Glen Rd Community Lot Acres GIS Acres Use Code Weaverville 96093 1.95 2.00 AXXX Tax Rate Area 071-003 Zoning District (ZD) Single Family Res. - High Density (Rl) Zoning District (ZD) Code Rl Zoning Description More info General Plan Designation (GPD) Single Family Res. - High Density (SF-H) Comment: This property does not have street frontage. The neighborhood is almost built-out. Use caution and approve that which compliments the surrounding properties.	Response: The County should consider the constraints to this site in future revisions of the Housing Element and General Plan Land Use Element. Due to lack of street frontage, the site is not identified as capacity to meet the RHNA.	**Future Development** **Environmental Constraints** **Housing Sites Inventory**
1/24/2025	Regarding Proposed Land Use Re-Designation Map for Weaverville: Retaining low-density land use designation is appropriate for the areas north of Ridge Road, Easter Avenue, Barbara Avenue and Taylor Street. Do not re-designate these areas to “Medium Density”. Doing so would create an area of mixed property values and conditions from a desirable, uniform single family home low density to medium density. Property values drop when an area lacks consistency. Actions by the General Plan contractor or the County Planning Commission, Planning Department or Board of Supervisors that lower property	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
	values of privately values of privately held land is careless and NOT acceptable These areas were developed as single-family parcels for custom homes to be built on them. The reclassifying to Medium Density and introduction of multiple family housing units will increase traffic, decrease safety, cause congestion and degrade these highly desirable subdivisions causing values to stagnate or decrease thus a loss of tax obligation. Do NOT reclassify these areas to Medium Density.		
1/24/2025	Hello, Please take in to consideration the following. Imay be the only one commenting on this event but I assure you that the other 75 or so households who will be affected feel the same way....We like our neighborhoods as they are and changing to Medium Density will basically trash the neighborhood with added traffic and increase crime. Retaining low-density land use designation is appropriate for the areas north of Ridge Road, Easter Avenue, Barbara Avenue and Taylor Street. Do not re-designate these areas to “Medium Density”. Doing so would create an area of mixed property values and conditions from a desirable, uniform single family home low density to medium density. Property values drop when an area lacks consistency. Actions by the General Plan contractor or the County Planning Commission, Planning Department or Board of Supervisors that lower property values of privately values of privately held land is careless and NOT acceptable These areas were developed as single-family parcels for custom homes to be built on them. The reclassifying to Medium Density and introduction of multiple family housing units will increase traffic,	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
	decrease safety, cause congestion and degrade these highly desirable subdivisions causing values to stagnate or decrease thus a loss of tax obligation. Do NOT reclassify these areas to Medium Density.		
1/24/2025	Retaining low-density land use designation is appropriate for the areas north of Ridge Road, Easter Avenue, Barbara Avenue and Taylor Street. Do not re-designate these areas to "Medium Density". Doing so would create an area of mixed property values and conditions from a desirable, uniform single family home low density to medium density. Property values drop when an area lacks consistency. Actions by the General Plan contractor or the County Planning Commission, Planning Department or Board of Supervisors that lower property values of privately values of privately held land is careless and NOT acceptable These areas were developed as single-family parcels for custom homes to be built on them. The reclassifying to Medium Density and introduction of multiple family housing units will increase traffic, decrease safety, cause congestion and degrade these highly desirable subdivisions causing values to stagnate or decrease thus a loss of tax obligation. Do NOT reclassify these areas to Medium Density.	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**
1/24/2025	Retaining low-density land use designation is appropriate for the areas north of Ridge Road, Easter Avenue, Barbara Avenue and Taylor Street. Do not re-designate these areas to "Medium Density". Doing so would create an area of mixed property values and conditions from a desirable, uniform single family home low density to medium density. Property values drop when an area lacks consistency. Actions by the General Plan contractor or the County Planning Commission, Planning Department or Board of Supervisors that lower property values of privately values of privately held land is careless and NOT acceptable	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
	These areas were developed as single-family parcels for custom homes to be built on them. The reclassifying to Medium Density and introduction of multiple family housing units will increase traffic, decrease safety, cause congestion and degrade these highly desirable subdivisions causing values to stagnate or decrease thus a loss of tax obligation. Do NOT reclassify these areas to Medium Density.		
1/24/2025	Keep Manzanita Dr., Reservoir Rd., Pine St., Willow St., and Kelso as a Single Family Home neighborhood _ LOW DENSITY. Thank you	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**
1/24/2025	Retaining low-density land use designation is appropriate for the areas north of Ridge Road, Easter Avenue, Barbara Avenue and Taylor Street. Do not re-designate these areas to "Medium Density". Doing so would create an area of mixed property values and conditions from a desirable, uniform single family home low density to medium density. Property values drop when an area lacks consistency. Actions by the General Plan contractor or the County Planning Commission, Planning Department or Board of Supervisors that lower property values of privately values of privately held land is careless and NOT acceptable. These developments are single-family parcels for custom homes to be built on them. The reclassifying to MD and introduction of multiple family housing units will increase traffic, decrease safety, cause congestion and degrade these highly desirable subdivisions causing values to stagnate or decrease thus a loss of tax obligation. Do NOT reclassify these areas to Medium Density.	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
1/23/2025	Regarding zoning changes for the Goodyear subdivision and my residence at 253 Reservoir Rd. Weaverville : In the past, I've stayed out of other issues of a lesser nature that would affect some land uses in my subdivision. This time, rezoning away from single-family I have to protest. The Goodyear subdivision of Reservoir and Manzanita roads did go through a full subdivision process and we should be allowed to remain single-family. When I compare other areas that you are not proposing zoning changes to that will remain single-family I believe we have an even stronger Right to remain single-family zoned. There are two undeveloped lots that border my lot and I would be very unfair if those were allowed to be duplexes, not to mention they could likely add an ADU unit of 1200 ft.^{2} in addition. This would reduce the enjoyment of my home and it's resale value. Please do not change the zoning in my subdivision (which has CCR's). We have a stronger case than others you have left SF.	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**
11/15/2024	Please retain low density land use designation and single family home zoning on these roads in two Weaverville neighborhoods: Easter Ave and Ridge Road (on the ridge); and Manzanita Dr, North Manzanita Dr, Reservoir Rd, Town Reservoir Road, Pine St, Willow St, and Kelso Ave.	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**
11/15/2024	For Weaverville: Do not create mixed neighborhoods from existing single family home neighborhoods—the change from a homogenous neighborhood with high property values to a mixed neighborhood will not benefit attracting workers/retirees and will decrease property values, as well as decrease taxes collected by the County of Trinity.	Background to this issue: The State of California requires jurisdictions to plan for housing that works to overcome concentrations of low-density uses and affluence by planning for a mix of uses and housing types in high resource areas (i.e., higher income, low-density areas). According to the State, keeping these communities intact as-is promotes historical segregation by income level and works to	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
		exacerbate economic segregation within a jurisdiction. Weaverville is a high resource area with access to water and sewer infrastructure appropriate to accommodate multi-unit housing. While the Housing Element does not propose any changes to any land use designations or upzoning of any properties, redesignations proposed within the Draft General Plan Land Use Diagram are in line with the State's goals to promote equitable housing access that overcomes historical patterns of segregation. Response: There is no State requirement to redesignate or upzone any parcels, however the Housing Element must show the County is working to provide additional housing opportunities in high resource areas. The County should consider this comment in future revisions to the General Plan Land Use Diagram.	
11/12/2024	Good evening, today is Wednesday and I just learned that my subdivision, 40 N Manzanita Dr, in Weaverville and the parcel or subdivision to my left (vacant) is being proposed as medium density, which I understand can be developed for apartments or duplexes. I OPPOSED THIS PROPOSAL OF reassigning this area, and the streets, manzanita, pine, willow and those north of main and west of Hwy 3 for the development of multiple units, etc...apartments, duplexes, condominiums and the such. Multiple units lower property rates of homes and creates parking, noise, and vandalism issues. I oppose creating the subdivisions from low density to medium density. If this does occur, I will be selling and moving out of this area. I did not move to this area to be near apartment complexes, town houses, or condominiums. As it is, we have issues with homeowners having multiple dogs and having ongoing noises associated with their pets. I can only imagine the increase and onslaught of other illegal crimes and problems associated with created by multiple units. Not all people I know fall under this criteria, but there is a majority of people that do. I oppose this proposal. I	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
	wonder why the land above Lanch Gulch, east of Hwy 3 which has much more vacant land isn't considered a medium density planning. I question why isn't that happening unless there are people who are in higher positions that live in that area, which is unfair, unequal, and illegal wrong.		
11/1/2024	For vacant lots in the Goodyear, Young. Waterworks and Mulligan Subdivsions Vacant lots north of Hwy 3 and Mulligan Street are in the Goodyear, Young, Waterworks and Mulligan subdivisions and are part of formal subdivisions designed to State of California standards-this residential neighborhood of custom homes fights to retain its single-family dwelling status. Only single family residential zoning is in this residential neighborhood of West Jackass Ridge/Ten Cent Gulch. When Hwy 3 was constructed a segment of the former road leading to Trinity Center became the u shaped Mulligan St-the ends of which connect to Hwy 3. Unfortunately, Mulligan Street's road width and quality has been the same since Hwy 3 was constructed over 70 years ago-unmet are promises to increase road width, prohibit on-street parking and install a sidewalk-Mulligan Street's current too narrow road condition makes only zoning for single-family dwelling appropriate for lands north of Mulligan Street. Construction of a neighborhood-community subdivision off of Lance Gulch Road in Weaverville Housing availability affects the ability of government agencies, schools, nonprofits and businesses of all kinds to attract and retain employees. Potential new employees/residents seek housing with amenities similar to where they previously lived-neighborhood housing in cities and university towns with wide paved streets, concrete sidewalks, electricity, together with city water and sewer. Golf Course Drive is the only street in Weaverville with those features.	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate any parcels. The County should consider this comment in revisions to the Draft General Plan Land Use Diagram and Draft Economic Development Element	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
	The County of Trinity invested in Lance Gulch Road and Pioneer Lane making attractive access to adjoining vacant land. The area uphill from Pioneer Lane is prime real estate for development of a neighborhood/community-focusing county goals and resources to support extending Pioneer Lane with a formal subdivision plan (e.g., development like Ravenwood Estates in Redding CA near McConnell Foundation walking trails, as well as Shastina Ranch, also in Redding CA). Parcels to the east of Lance Gulch Road can access the Weaver Basin Trails via Shasta Springs Trail. Creating a neighborhood community on vacant parcels such as APNs 024-250-012, 013 & 014; 024-250-008, 009 & 010; 024-250-006,005 & 004; 024-250-001, 002 & 003; and beyond these 2.5 ac each APNs are two large parcels 024-070-41 (194.04 ac. General Plan designation: Resource) and 024-070-40 (280.22 ac General Plan designation: Resource). Creating a neighborhood-community on these properties will attract government, education, business, and nonprofit employees to live and work in Trinity County. After high public investment in Lance Gulch Road and the first block of Pioneer Lane off of Lance Gulch Road, concomitant investment in a vibrant new home neighborhood-community is a logical and necessary next step.		
10/15/2024	Hello, as a homeowner on Manzanita dr i disagree and strongly urge you to not change the density status to medium. There should be no change to our low density status	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels;	**GP Land Use Map**

Date	Comments	Information and Suggested Response	Topics
		the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	
1/23/2025	Object to duplexes in all R-1 areas—need discretion here avoid making every neighborhood in Weaverville "spotty" irregular and less-than-desirable.	This comment pertains to the Draft General Plan Land Use Element. The Housing Element does not define which housing types are allowed in any designation or zone. While the County must work to promote a variety of housing choices and affordability, it is not required to allow duplexes in R-1 zones. Response: The County should consider this comment in future revisions to the Draft General Plan Land Use Element.	**GP Land Use Map**
1/23/2025	Object to land developed through the parcel map process (east of Lance Gulch Road) is zoned single-family residential, low density when land developed through the State of CA formal subdivision process (on Reservoir Rd, Manzanita Dr, Pine St, Willow St and Kelso have been changed in the 2024 land use designation and now in this document to single-family home, medium density (the Young, Mulligan and Waterworks subdivisions were approved through the formal process as single-family home, low density).	The Housing Element does not propose any changes to any land use designations or upzoning of any properties. The Housing Element references redesignations proposed through the Draft General Plan Land Use Element to show HCD that the County is working to provide a variety of housing types and opportunities. Response: There is no State requirement to redesignate these parcels; the County should consider this comment in revisions to the Draft General Plan Land Use Diagram.	**GP Land Use Map**
1/24/2025	Page 8-115 "Reduced parking standards for such projects" NO, not at the risk of decreasing ability to evacuate in an emergency or receive emergency help because roadways are clogged with vehicles.	This comment references a program from the previous Housing Element. The Draft Housing Element Update promotes flexibility in parking requirements for senior facilities, group care homes, and reasonable accommodation; uses that typically have lower parking needs. (Program HE-9) Response: The County has considered the appropriateness of including, "flexibility in parking requirements" in the list of potential incentives for senior and special needs housing types in Program HE-9.	**Hazards and Safety** **Parking**

Date	Comments	Information and Suggested Response	Topics
		Due to the reduced need for cars among the target population (seniors, persons with a disability), the County has not removed this statement from the list of potential incentives.	
1/18/2025	Please consider these comments on the draft Housing Element. Thanks! Comments on draft Trinity County Housing Plan Element 1. In the housing sites evaluation, the draft only looked at communities with infrastructure to support hotels and apartments (Hayfork, Lewiston and Weaverville). This was apparently because these had community services district that provided water and sewer. a. There are other potential housing sites that are served by septic systems in Trinity Center which should be included. For example: i. The former Airporter Motel (APN 007-560-022-000) has 16 rooms, commercial zoning on 3.87 acres and is currently for sale. ii. The former Ycatapom Inn and Restaurant (APN 007-440-040-000) has 4 bedrooms in an 11,537 sf building (rooms & restaurant), commercial zoning on 0.5 acres and is currently for sale. iii. The former Sasquatch Restaurant (APN 007-420-022-000) is CURRENTLY being converted into a hotel. iv. Parcels such as 007-420-001-000, 2 acres, which is currently vacant, could be zoned commercial since they're across from the Trinity Center Church and Sasquatch and adjacent to the County's road maintenance yard. b. The former facilities that are being converted to new use (hotel) or for sale are all on existing septic systems. That shouldn't disqualify them for being listed/mapped as potential housing sites. c. These parcels have adequate water through the Trinity Center Mutual Water Company and internet (Dry Utilities) options through the companies you listed plus TDS Broadband. 2. I took the Housing Type survey online and noted the lack of inclusion of RV and Mobile Home Parks. There weren't any nice photos of those housing options. It really focused on ADUs or Tiny homes for the smaller housing options. Nor does the draft give much	1a: Due to State requirements for sites included in the RHNA sites inventory, these sites were not included as capacity to meet the RHNA. Each of those parcels can still be developed for residential uses and any actual production can be counted towards the production goals outlined in the RHNA. The County should consider these comments in future revisions to the General Plan Land Use Element. 1b: The Housing Element does not map all available residential sites. The sites inventory includes sites the County estimates are most feasible for development in the next five years, and meet all the requirements of State law. The analysis of capacity beyond the RHNA estimates additional capacity created through updates to the Land Use Element. The County has included a program to support redevelopment of sites such as those listed here (see Program HE-32). 1c: See response to "b" above. 2a: Steep slopes may constrain the development of ADUs, however the County must allow them in compliance with State law. The County should consider this comment in the development of the Zoning Code Update. 2b: We have added Policy HE 2.10, committing the County encouraging and supporting the development of mobile home and RV parks to expand both long-term and emergency housing options in the county. 2c: The County should consider allowing small RV parks in commercial areas in the development of the Zoning Code Update.	**Housing Sites Inventory** **Multifamily Housing** **Environmental Constraints** **Mobile Homes and Parks**

Date	Comments	Information and Suggested Response	Topics
	attention to these options. Please note: a. I seriously considered the addition of an ADU to my large property (43 acres) to house my mom. Because of the steepness of slopes, no location near my home could accommodate an ADU or septic system. I think ADUs will be more difficult to implement in Trinity County than you think. b. Mobile home and RV parks are a significant option (permanent or transitional) for those facing homelessness. For example, the Coffee Creek Campground is mostly a long-term RV park. Without that facility, those people would be homeless. I don't think the draft Housing Element provides enough support or encouragement for the development of Mobile home and RV parks. c. Is it possible to include small Mobile Home Parks (ie up to 4 mobile homes?) or RV parks in commercial zoning or will they be restricted to Medium Density Residential. I appreciate all your hard work on this. The draft was very comprehensive and thoughtful.		
1/22/2025	The draft to a large extent seems to be a document for Weaverville, Hayfork & Lewiston and only nibbles at the housing issues in the more rural communities. This seems to be, in part, with a focus on communities that have central sewer. Trinity Center, for example has some smaller multi-unit potential. The "Airporter" was a 16-unit motel and at some pint will have a new owner. They could remodel the motel, or possibly re-invent the facility as a small apartment complex. Currently an old restaurant is being re-purposed as a small (5-unit) motel/short term rental. The historic Ycatapom was a restaurant and in. It could be housing, too. And Trinity Center has a number of vacant parcels that could be developed as housing. The draft strongly supports Tiny Housing, even mobile tiny housing. I know that is the "hip" thing in housing at the time. But the plan doesn't really address mobile home parks with traditional mobile housing. This should be addressed one of two ways:	Potential for housing outside Weaverville, Hayfork, and Lewiston: Yes, due to the requirements of State law, the sites inventory is limited to sites in areas served by water and sewer districts. Further lower-income capacity is limited by State-imposed size and density requirements. The Housing Element includes several programs/actions targeted to rural lower resource areas and lower-income communities, including, but not limited to, Programs HE-10, HE-11, HE-20, HE-27, HE-30, and HE-31. The Housing Element has been revised to include a program action support redevelopment in Trinity Center and other lower resource rural locations (see Program HE-32). Mobile homes and parks: The Housing Element has been revised to include a policy to encourage and support the development of mobile home park and RV parks countywide. Program HE-15 (Previously HE-14): In addition to this program, the	**Housing Sites Inventory** **Multifamily Housing** **Mobile Homes and Parks** **Hazards and Safety**

Date	Comments	Information and Suggested Response	Topics
	1. Include mobile home parks as a possible option, or 2. Describe why they are not viable. **Table 8.70** includes Cottonwood. It is a nice town, but clearly not in Trinity County. **Program HE-14.** Is a good start on addressing wildfire issues. Should it also reference the General Plan's Safety Element? And I think that there should be some mention of the encouragement of home hardening specifically to further ensure the survival of housing from wildfire.	County has revised the Housing Element to include programs to address fire risk (Program HE-28) and the high cost of insurance (Program HE-29), both of which are coordinated with programs in the Hazards and Safety Element.	
1/24/2025	Page 8-138 HE-21: Housing information Transparency: Where will the promised database be made available to the public?	Response: The County must continue to maintain and update this information available on the County website, at minimum.	**Housing Transparency**
1/23/2025	Weaverville higher income areas: Timber Ridge and Reservoir Road	Response: This data has been incorporated (see page A-16) and considered in the analysis.	**Local Data and Knowledge**
1/23/2025	East Weaver Road labeled as a higher income area when it is not served, throughout, by town water and sewer is mislabeling.	Context: "Higher income areas" speaks to median household income, regardless of access to sewer and water. Response: The Housing Element has been revised to include a footnote with the provided data; the County should continue to consider water and sewer access in future revisions to the Draft Housing Element and Draft General Plan Update.	**Local Data and Knowledge**
1/23/2025	Mislabel of Weaver Creek Road as a higher income area as this road has a high incidence of 911 calls and is in central Weaverville. A-16	Context: "Higher income areas" is a term defined by census tract data on median household income, regardless of 911 call frequency. The Housing Element states that, based on input received, "there are certain areas that are considered to be higher-income areas," and identifies a list that includes, "Weaverville, particularly along East Weaver Creek Road to the north of the community."	**Local Data and Knowledge**

Date	Comments	Information and Suggested Response	Topics
		Response: This sentence is accurate and should not be revised.	
1/23/2025	Disability higher than the CA State average: for ambulatory and sight disabilities need developed sidewalks along State Hwy 299, State Hwy 3 (Hayfork and Weaverville) and in areas of low-income housing development/re-development. The mention in A-10 needs additional emphasis elsewhere.	Response: The Housing Element has been revised to target the areas mentioned here in Program HE-20: *Affirmatively Furthering Fair Housing*.	**Local Data and Knowledge**
1/6/2025	A couple minor comments. Housing element says on page 8-68 says "Weaver Creek Senior Center, located at 80 Brown South Ranch Road in Weaverville." The correct road name is "Brown's Ranch Road." The income sheet A-16 references a "Weaver Creek Road," but the correct name is "East Weaver Creek Road."	Response: The text has been revised accordingly.	**Local Data and Knowledge**
11/26/2024	I find the data on rental prices (table 8.38) to be unbelievable having moved twice while here and having searched for one for 6 months beforehand. First and foremost 10 total rental units across four income categories is not enough data (because there are not ever enough available units in Trinity County) to pass any sort of statistical significance tests and the percent error would have to be something like +/-50%. Secondly, it is highly disingenuous to include RV rental spaces (without the RV included) into rental data. Finally, Craigslist is not an acceptable reference for data like this and I would be highly suspect that any rental for this area on Craigslist is just someone trying to scam you out of a deposit or your identity.	Response: The Housing Element has been revised to include more data points on current rental costs in the county.	**Local Data and Knowledge** **Rental Units**

Date	Comments	Information and Suggested Response	Topics
6/13/2024	North Lake area concern - shortage of long term rental property. I received a call today regarding the same concerns we've heard before from folks in this area. The concerns are all related to very limited inventory of long term rentals. Not only does this mean there are challenges for people who want to live and/or work in the area, but there are other problems that tie back to this situation. The Knolls Water District - no longer qualifies for grants to update their system because the percentage of permanent homeowners is too low. Teacher housing - a teacher in the North Lake area rents a property M-F and then her family has to drive back up to Siskiyou County for the weekend because the property is used for vacation rentals over the weekend. I encouraged the individual (and those who reached out to him) to use the comment form on the Trinity2050 website to share their concerns and/or suggestions. I have seen jurisdictions take varying approaches to these concerns - from incentives/dis-incentives, to caps, etc. My understanding is that we (Board & Staff) will be discussing potential ordinance updates as part of these planning processes we have underway. Please let me know if this is something that needs to be addressed outside of our current update processes.	Response: The Housing Element includes a program aimed at encouraging and incentivizing long-term affordable rental housing (see Program HE-6) as well as incentives for affordable housing that would apply to the development of rental units (see Program HE-9). The Housing Element also includes programs for housing rehabilitation, funding for capital improvements, and off-site improvements (such as sidewalk repair) targeted to lower resource areas. The County will also consider the feasibility of implementing a geographically targeted or countywide ban or limit on short-term rentals in the development of the Comprehensive Zoning Code Update.	**Local Data and Knowledge** **Rental Units**
6/10/2024	More feedback: I think rental prices in the Weaverville area are, or are almost too high relative to the job market	Response: This information has been incorporated into the Needs Analysis.	**Local Data and Knowledge**
1/24/2025	Page 8-102 How long does a lot line adjustment (LLA) take for TC Planning/TC Surveyor/TC Planning Commission to process and approve?	Response: This information has been incorporated into Table 8.69.	**Permit Processing**

Date	Comments	Information and Suggested Response	Topics
1/24/2025	When will the next public draft be released ?	Response: The County will revise the Housing Element before submitting it to the State Department of Housing and Community Development, and will post the document for the public again at that time. Comments received on the HCD Review Draft Housing Element will be considered and incorporated when the County responds to HCD comments on the Draft.	**Project Schedule**
11/27/2024	More affordable housing. Be allowed to have someone stay in an RV with less than 2.5 acres. Let someone live in tiny homes and RV on privet property. More affordable housing for families not just senior	Response: The Housing Element doesn't regulate RVs on private property. The County should consider this comment in future revisions to the General Plan Land Use Element and development of the Zoning Code Update.	**RVs** **Affordable Housing**
11/16/2024	As a resident of the Weaverville community for over 17 years, I am submitting the following comments related to the draft Weaverville Community Plan. 1. Support economic development and community identity through the inclusion of a Policy and Program to develop Design Guidelines for the entire Hwy 299 Commercial Corridor. Regarding "Goal WV 2: Maintain and enhance commercial and tourism development in downtown Weaverville," I believe the addition of the proposed Downtown Sign Ordinance will help to improve the aesthetics and hope it includes design components that lead to a more cohesive design for the community. The Sign Ordinance should apply to the entire commercial corridor of Highway 299. Further, addition of a Policy to develop and adopt Design Guidelines would assist in enhancing commercial and tourism development through the creation of design standards. Design standards help create a sense of place and would support the communities desire to maintain its unique characteristics. This could be accomplished through replicating design aesthetics of the historic district to the rest of the Weaverville 299 commercial corridor. Currently, the entrance to Weaverville from the west consists of many dilapidated buildings, and the central area of town has been allowed to be developed with "big box" type stores	1: Design guidelines for commercial uses and individual communities are not a part of the Housing Element. The County should consider this comment in the development of the revised General Plan, Community Plans, and Zoning Code Update. 2: The Housing Element has been revised to include a program action addressing sidewalk installation and repair near multifamily uses in Weaverville (see Program HE-20). This effort works to address HCD requirements for investment in community improvement and revitalization. The County will also consider this comment in future revisions to the Draft General Plan.	**Sidewalks**

Date	Comments	Information and Suggested Response	Topics
	with little to no thought for design or aesthetics in keeping with the community's unique western, mountainous, historic town aesthetic. Design guidelines would also serve to support Goal WV 3: Promote the unique community and history of Weaverville. 2. Improved pedestrian safety along Highway 299 and Highway 3 through inclusion of a Policy and Program specific to the Weaverville Community for development of sidewalks and crosswalks. While the draft Trinity County General Plan includes a policy to "encourage" the construction of sidewalks, this language is too broad to serve the communities unique needs. Just as multimodal trails was called out as a specific policy for the Weaverville Community, so too does the construction of adequate sidewalks and bike paths along the Hwy 299 and Hwy 3 corridor, as well as the provision of additional crosswalks, need to be included as a specific policy and program for Weaverville. There is grant funding available for this through CalTrans and it needs to be prioritized for pedestrian safety as well as economic benefits. This is also an equity issue, as residents without cars and in need of social services from Trinity County Health and Human Services (HHS), such as CalFresh and WIC, must walk to the farthest eastern end of the community without sidewalks for much of the journey to access the HHS offices and services. For example, mother's and father's without vehicle transportation have to push their strollers along Hwy 299 to travel to their WIC appointments without the benefit of a sidewalk for protection for much of the way between downtown Weaverville and the outskirts of town. Not only are sidewalks needed, but also traffic calming devices and additional crosswalks. Pedestrians have been hit on numerous occasions while crossing the highway. This will also encourage tourists to travel between the various commercial districts and cultural and historical points of interest more easily. Thank you for the opportunity to provide comments. I look forward to seeing the Housing Element as housing is a critical issue for the community and county.		

Date	Comments	Information and Suggested Response	Topics
11/15/2024	For Weaverville: Multiple-unit housing needs sidewalks, as occupants need safe walking access to walk to schools and to work at schools, government offices and private businesses as well as to grocery, pharmacy, hardware and other retail businesses. Redevelopment of real estate along Hwy 299/Main St is prime for multiple-unit housing.	Response: As noted above, the Housing Element has been revised to include a program or action to address sidewalk deficiencies near multifamily uses (see Program HE-20). The County should continue to promote redevelopment along major transportation routes through the General Plan Circulation Element and Zoning Code updates.	**Sidewalks** **Multifamily Housing**
1/22/2025	I am writing to provide comments and recommendations for the proposed Trinity County 2050 General Plan. The inclusion of the new Health Element in the General Plan is a great step for Trinity County in obtaining vital health equity goals. The attached comments and recommendations focus on enhancing the proposed General Plan to further align with promoting the development of Secure, safe, sanitary, healthy, and affordable housing for the community members. Below is a summary of the key recommendations: 1.Healthy Multi-Unit Housing: The recommendations include policies to promote the adoption of smoke-free policies for new and existing multi-unit housing developments. It is suggested that the county adopts policies that limit residents' exposure to the harmful effects of secondhand and thirdhand smoke and preserve the structural integrity of new and existing housing stock. 2.Healthy Assisted Living Facilities: To protect staff, patients, vendors, and visitors. Consider adopting an ordinance or policy that prohibits smoking and vaping on all county-owned or operated housing campuses and facilities.	Response: The County will consider adopting a smoke free ordinance for new multifamily development and county-owned or operated housing campuses and facilities through the Comprehensive Zoning Code Update. The County considered including a program to promote awareness and education about fire risk from fire-prone tobacco products and to promote the voluntary adoption of smoke-free lease terms to limit fire risk. However, the Housing Element schedule, as dictated by state requirements, does not provide sufficient time for community engagement and discussion on the topic. The County will bring the issue to the public for conversation and comment in the process of developing the Comprehensive Zoning Code Update, scheduled for completion in 2026.	**Smoke-free Housing**

Date	Comments	Information and Suggested Response	Topics
	3.Thirdhand smoke and fire-hazard awareness: Promote awareness and seek to educate property owners and residents about the fire risk from fire-prone tobacco products, and the negative impact of thirdhand smoke on the health of residents and the quality and longevity of housing structures. 4.Thirdhand smoke and fire-hazard prevention: Promote the voluntary adoption of smoke-free lease terms by landlords and property managers to limit the fire risks from fire-prone tobacco products, to limit tenants' exposure to thirdhand smoke, and to preserve the structural integrity of housing stock. These recommendations are designed to ensure that Trinity County's development policies address the health concerns associated with secondhand and thirdhand smoke and provide equitable access to healthy living conditions. By implementing these proposed changes, the General Plan can become a robust tool for a healthier, more sustainable, and inclusive community. Thank you for considering the attached recommendations.		
11/15/2024	Under Housing Element: Consider an ordinance to have 100% smoke-free multiunit housing for existing units or new developments to protect vulnerable populations (Seniors, Families with Children, and people with fixed income.	Response: The County considered adopting smoke free policies, however, the Housing Element schedule, as dictated by state requirements, does not provide sufficient time for community engagement and discussion on the topic. The County will bring the issue to the public for conversation and comment in the process of developing the Comprehensive Zoning Code Update, scheduled for completion in 2026.	**Smoke-free Housing**

Date	Comments	Information and Suggested Response	Topics
11/15/2024	Throughout the broader Trinity County 2025 General Plan Update, there are numerous mentions of the desire to have a healthy environment, or community, for residents. In order to remain consistent, the County could consider adding the word "healthy" to the descriptors of the type of housing the County strives to promote in Goal HE 2. In addition, the County could consider adding the suggested language in red "Policy HE 2.10 Healthy Multi-Housing" and "Policy HE 2.11 Healthy Assisted Living Facilities" in this section in order to promote smoke-free housing and living spaces for people with special needs. Housing is where the members of the community will spend the majority of their time and creating a healthy housing environment is a crucial part of meeting the General Plan vision. The goal of healthy housing is also in line with the requirements of SB 1000 (Cal. Gov. Code Section 65302(h)), the environmental justice element, which is being adopted in the broader Trinity County 2050 General Plan Update. SB 1000 requires that jurisdiction aim to adopt policies for the "reduction of pollution exposure, including the improvement of air quality, and the promotion of public facilities, food access, safe and sanitary homes, and physical activity." (emphasis added). Commercial tobacco use, like smoking and vaping, in multi-unit housing or shared living facilities exposes residents to harmful secondhand smoke and creates unsanitary and unsafe conditions when that smoke permeates the structure of the home as thirdhand smoke. Commercial tobacco use is the number one cause of preventable death and disease in California. In addition, secondhand smoke has repeatedly been identified as a health hazard, and the U.S. Surgeon General has concluded that there is no risk-free level of exposure to secondhand smoke. The California Air Resources Board identified secondhand smoke as a toxic air contaminant, in the same category as the most toxic automotive and industrial air pollutants, and a serious health threat for which there is no safe level of exposure.3 Secondhand smoke is particularly problematic in multi-unit housing	Response: Based on the comment, Goal HE 2 as been revised to: "Proactively promote the development of secure, safe, sanitary, healthy, and affordable housing for all members of the community." Suggested New Policies: ***Healthy Multi-Unit Housing.*** *Promote the adoption of smoke-free policies for new and existing multi-unit housing developments to limit residents' exposure to the harmful effects of secondhand and thirdhand smoke and to preserve the structural integrity of new and existing housing stock.* ***Healthy Assisted Living Facilities.*** *Consider adopting an ordinance or policy that prohibits smoking and vaping on all County owned or operated housing campuses and facilities.* Response: The County considered this comment but did not have ample time for public discussion on the matter. The County will continue to consider this request as part of the Comprehensive Zoning Code Update.	**Smoke-free Housing**

Date	Comments	Information and Suggested Response	Topics
	because it easily transfers from one unit to another through shared ventilation systems, gaps in doors, and through nearby windows, doors, or other vents. Harmful residues from tobacco smoke, or "thirdhand smoke," can be absorbed by and cling to virtually all indoor surfaces long after smoking has stopped and then be emitted back into the air. Thirdhand smoke contains carcinogenic materials that accumulate over time, presenting a health hazard long after the initial smoke is gone. Studies consistently find that thirdhand smoke remains months after nonsmokers have moved into units where smokers previously lived, and can remain in units for years. Human exposure to these thirdhand smoke carcinogens can occur through inhalation, ingestion, or skin absorption through contact with carpeting, furnishings, or clothing. Thirdhand smoke potentially poses the greatest danger to infants and toddlers, who crawl on rugs and furnishings and place household items in their mouths.		
1/24/2025	Homelessness: The Housing Element is written as if all people want to live indoors. Is that true? According to published research?	Response: Providing shelter for unsheltered individuals is one of the goals of the housing element.	**Special Housing Needs**
1/23/2025	Page 8-131, Program HE-9: Special Housing Needs. Include floorplan designs that have handicap-width doorways and hallways, open design with few walls.	Response: The Housing Element has been revised to incorporate this suggestion into Program HE-10 (formerly HE-9).	**Special Housing Needs**
1/22/2025	This is a very thorough, data-rich draft. So data-rich that it can be difficult to navigate and focus. The tables on pages 8-39-42 regarding age are quite revealing. Currently we have 2,494 people age 60 or older, and their housing needs need to be addressed. As important, or more so, is the number of people age 45-59 (3019). They represent a bow wave of need in the future – the future of this draft. I really didn't see this specifically addressed, though I could have missed it.	Senior Population: The Housing Element includes program actions that work to incentivize senior housing and target resources and engagement to seniors. The Housing Element will continue to emphasize housing for seniors in all future revisions. Table 8.35: The table and narrative has been revised for clarity. Home sales prices: Table 8.36 has been revised to include data on Junction City and Trinity Center. Rental Prices: Additional data on the cost of rent has been incorporated	**Special Housing Needs** **Local Data and Knowledge** **Short-term Rentals**

Date	Comments	Information and Suggested Response	Topics
	Table 8.35 is difficult to understand. The percentage column adds up to >100%. **Home sale prices.** Why did you not include Junction City and Trinity Center? **Rental Prices**. Very little data because most rentals do not get advertised in the Trinity Journal. You'd likely get better data by contacting property management companies – Eagle realty & Bear Creek management. **Seniors:** As the age tables show, this is a large need now and will only become bigger as the middle-age folks age. You identify the need for assisted living facilities, but should there also be mention of programs to allow seniors to remain in their homes. One potential project might involve the Trinity Hospital. At some point there will be a project to build a new hospital at a new site. This raises 2 possibilities: • Re-purposing the existing hospital to meet some housing needs. • Working with the MCHD to include an assisted living facility, or a progressive care facility at the location of the new hospital site The Golden Age Center seems to be under-utilized. Repurpose it, but maybe not for seniors but as an emergency shelter. It has a commercial kitchen already. Growth of Short-term rentals/growth of summer homes/vacant housing: The draft touches on this, but doesn't really propose any ways to fix or take advantage of this new phenomenon. I use Trinity Center as my example, because I am most familiar with the community. This housing stock is removed from the year-round residential market. I don't know what we legally or fairly can do, but maybe there is a two-pronged approach: Housing that is used exclusively for short-term rentals, pass an	into the analysis based on this suggestion. Seniors: The County would support the development of an additional hospital and assisted living facilities, if plans were to be pursued by Trinity Hospital or another provider. The Housing Element also includes programs to address rehabilitation and weatherization that would work to assist lower-income seniors to age in place. Golden Age Center: The Housing Element has been revised to include a program encouraging and supporting redevelopment projects such as the site mentioned here (see Program HE-32) Short-term rentals: The County will consider a ban or limit on short-terms rentals by geographic area or countywide in developing the Comprehensive Zoning Code Update currently underway and scheduled for adoption in 2026. Vacancy Tax: The County will consider imposing a fee on homes left vacant for a specified time (i.e., more than three months) each year in the development of the Comprehensive Zoning Code Update currently underway and scheduled for adoption in 2026.	**Vacancy Tax**

Date	Comments	Information and Suggested Response	Topics
	ordinance to add a short-term rental property fee (above and beyond TOT). Collected funds would go towards a housing needs program to build new housing (many tiny homes). Housing that is vacant or mostly vacant (don't know how to measure and track this)for a year would have a "vacant housing fee" that would go to the same housing needs program.		
1/23/2025	Object to "use by right" on page 8-128, Program HE-2: State Law Compliance. Retain opportunity by town residents and neighborhood residents to comment.	The program action in question is a requirement of State law and cannot be changed. This is due to State law regulating recycled sites. Recycled sites are vacant sites identified in the previous two updates, or non-vacant sites identified in the previous update. Response: This action is a requirement of State law and cannot be altered.	**State Law Compliance**
1/23/2025	Page 8-127 HE 2 is too open-ended—will not protect the sales value, homogeneity and desirability of existing neighborhoods.	Program HE-3 (formerly HE-2)includes zoning code amendments that must be completed for compliance with State law. Response: Due to State law requirements, no change was made to Program HE-3 (formerly HE-2) based on this comment.	**State Law Compliance**
1/24/2025	Page 8-140 HE 23 Ordinance for Tiny Movable Homes: Wow! From Trinity County will not allow tiny homes anywhere to tiny homes are allowed everywhere, and neighbors/neighborhoods will not have a say. This will be like "allowing a variance" for marijuana grows—the consequence to neighbors is "deal with it." In many cases, this "by right" will create undesirable places to live. ***Program HE-23 Ordinance for Moveable Tiny Houses*** *Amend the Zoning Code to allow mobile tiny homes as permanent single-family dwellings in all zones that permit single-family dwellings by right. Under the updated Ordinance, tiny homes shall only be subject to restrictions that apply to other residential dwellings of the*	Programs related to tiny homes were included to promote and allow for a variety of housing types and affordability. Response: Based on other comments received, the County should support tiny homes and villages and mobile homes and parks, as these are among the most affordable housing types available. The Housing Element has been revised to include Policy HE 2.10, which encourages and supports mobile home and RV parks, as well as Program HE-32, which encourages redevelopment of underutilized sites to mobile home park, hotels/motels, multifamily housing, and more.	**Tiny Homes**

Date	Comments	Information and Suggested Response	Topics
	same type in the same zone when connected to utilities, including objective health, safety and/or design standards. ***Program HE-24 Ordinance for Tiny House Villages*** *Amend the Zoning Code to allow groupings of three or more mobile tiny homes as permanent multifamily dwellings in all zones that permit multifamily dwellings by right. A grouping of three or more detached rooms with communal bathroom, laundry, cooking, and dining facilities shall also be considered a tiny house village under the Ordinance. Under the updated Ordinance, tiny homes shall only be subject to restrictions that apply to other residential dwellings of the same type in the same zone when connected to utilities, including objective health, safety and/or design standards.*		
2/8/2025	County should encourage the establishment of a Trinity County Housing Foundation (something like the newly formed economic development council) to promote and potentially oversee acquisition of funds and implementation of housing. County could establish a real estate transfer fee that would be dedicated to housing needs.	Response: The County has incorporated these suggestions into Program HE-1: Housing Element Implementation.	**Housing Element Implementation** **Funding for Housing Needs**

APPENDIX E: DEFINITIONS

AFH. Assessment of Fair Housing (see Appendix A).

Affirmatively Furthering Fair Housing (AFFH). Taking meaningful actions, in addition to combating discrimination, that overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected characteristics.

Accessory Dwelling Unit (ADU). An accessory dwelling unit is a detached or attached dwelling unit. It shall include permanent provisions for living, sleeping, eating, cooking, and sanitation and is generally smaller and located on the same parcel as a proposed or existing primary dwelling. An accessory dwelling unit also includes efficiency units and manufactured homes.

Cost Burden. A household is cost-burdened when it spends more than 30 percent of its income on rent and utilities. A household is considered severely cost-burdened when it spends more than 50 percent of its income on these expenses. Cost burden is also known as "overpayment."

Density. The number of permanent residential dwelling units per acre of land. Densities specified in the General Plan are expressed in residential dwelling units (not including Accessory Dwelling Units) per gross acre or per net developable acre.

Density Bonus. A zoning tool that permits developers to build more housing units, taller buildings, or more floor space than normally allowed in exchange for providing a defined public benefit, such as including affordable units in the development

Displacement. The involuntary relocation of current residents or businesses caused by foreclosure, eviction, rent increases, negligent landlords, or environmental catastrophe. Displacement mitigation strategies may include tenant protections, conservation of existing stock, preservation of units at-risk of conversion to market-rate uses, acquisition and rehabilitation of existing stock, including naturally occurring affordable housing, and removing barriers to building affordable housing.

Duplex/Triplex/Fourplex. Two, three, or four attached dwelling units on a single parcel.

Dwelling Unit. One or more habitable rooms designed for occupancy by only one family for living and sleeping purposes and having a kitchen.

Floor Area Ratio (FAR). The gross floor area of a building or buildings on a parcel divided by the net parcel area or site area. Floor area means the entire enclosed area of all floors that are more than four (4) feet above the existing or proposed grade, measured from the outer face of exterior walls or in the case of shared walls from the centerline.

HCD. The California Department of Housing and Community Development.

HCV. Housing Choice Vouchers/Section 8 Vouchers.

Housing Mobility Strategies. Actions that work to remove barriers to housing in areas of opportunity or strategically enhance access to education and economic development opportunities.

HUD. U.S. Department of Housing and Urban Development, the Federal agency responsible for national policy and programs that address America's housing needs.

Missing Middle Housing. Housing types that fall somewhere between a single-family home and apartment buildings, such as townhomes, duplexes, triplexes, and courtyard clusters. These housing types bring "gentle density" to neighborhoods while seamlessly fitting additional housing into existing residential areas.

Mixed-use. Developments that allow residential, retail, commercial, office and/or public uses with flexible parking and setback requirements. Individual mixed-use projects are not expected to contain any specific combination of these uses.

Multifamily Residential. A building used and designed as a residence for two or more families living independently of each other with individual entrances, bathrooms, kitchens, and living space.

Overcrowding. A residential unit is considered overcrowded when it is occupied by 1.01 persons or more per room (excluding bathrooms and kitchens). Units with more than 1.5 persons per room are considered severely overcrowded.

Place-based Strategies. Actions focused on conserving and improving assets in areas of lower opportunity and concentrated poverty such as targeted investment in neighborhood revitalization, preserving or rehabilitating existing affordable housing, improving infrastructure, schools, employment, parks, transportation and other community amenities.

RHNA. Regional Housing Needs Allocation, a state-mandated process whereby the State Department of Housing and Community Development (HCD) quantifies existing and future housing needs for each region across the state and allocates each region's housing need in response to their projected population and household growth.

Single-Family. A building or structure designed exclusively for occupancy by one family.

Single-Room Occupancy (SRO) Unit. A small residential unit typically aimed at residents with low or minimal incomes within a multi-tenant building where tenants share a kitchen, toilets, and/or bathrooms.

Transitional and Supportive Housing. Supportive Housing means housing with no limit on length of stay that is linked to services that assist the supportive housing resident in improving their health status, while maximizing their ability to live and work in the community. Transitional Housing consists of housing which offers Supportive Services, usually for a period of up to 24 months, to facilitate movement to permanent housing for persons with low incomes who may have one or more disabilities, and may include adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

TRINITY COUNTY GENERAL PLAN
CIRCULATION ELEMENT

Prepared for

The County of Trinity

Prepared by

LSC Transportation Consultants, Inc.



Trinity County General Plan
Circulation Element

Final

Prepared for

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May 1, 2002

LSC #017010

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CIRCULATION ELEMENT

INTRODUCTION

California law has, since 1955, required each jurisdiction to prepare a "Circulation Element" as a part of a general plan. The California Government Code, Section 65302(b), states that a circulation element shall consist of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, other local public utilities and facilities, all correlated with the land use element of the County's general plan. Additionally, this circulation element is coordinated with the Housing, Safety, Open Space/Conservation, and Noise Elements of the *Trinity County General Plan*, the *Trinity County Subdivision Ordinance* (1986), *Trinity County Regional Transportation Plan* (2001), *Weaverville Basin Traffic Circulation Study* (1998), *Trinity County Transportation Development Plan* (1997), *Final Project Study Report for the East Connector Roadway* (1999), *Final Project Study Report for the West Connector Roadway* (1999), and the community plans of the region including the *Douglas City Community Plan* (1987), *Junction City Community Plan* (1987), *Hayfork Community Plan* (1996), *Lewiston Community Plan* (1986), and *Weaverville Community Plan* (1990).

The Circulation Element of the Trinity County General Plan was last updated in 1996, as part of the 1996 *Trinity County Regional Transportation Plan.* In order to address recent changes in State requirements for Regional Transportation Plans in an expeditious manner, the process of updating the Circulation Element was separated from the RTP update process.

Figure 1 presents the regional transportation setting of the county. The circulation system is shown in Figure 2 as a series of roadway classifications. The roadway classification system has been developed to guide the County's long range planning and programming. Roadways are classified in this system based on the linkages they provide, as well as their function. In general, roadways have two functions, which can conflict from a design standpoint: to provide mobility, and to provide access to property. High speeds and limited interruption are desirable for mobility, while low speeds are more desirable for property access. A functional classification system helps the access and mobility requirements for the development accommodated by the General Plan. Local streets emphasize property access; rural roads emphasize access to remote, scenic, or recreational areas; highways and arterials emphasize higher mobility for through traffic; and collectors attempt to achieve a balance between the functions.

OVERALL TRANSPORTATION GOAL

Objectives and policies for the county primarily focus on providing maintenance and safety
'mprovements to the existing roadway system, and developing facilities for non-motorized modes of
nsportation. These objectives and policies support the county's overall goal of providing an effective,
ıced and coordinated transportation system, at reasonable costs, consistent with socioeconomic and
ımental needs within Trinity County.

TRANSPORTATION SYSTEM

'em

ı in Trinity County totals approximately 2,190 centerline miles. In addition to private
.ne ı road system consists of 202 miles in the State highway system, 700 miles in the
dw- ı, and 1,288 miles owned and operated by the Federal government (largely in the

FIGURE 1

TRINITY COUNTY SITE LOCATION MAP

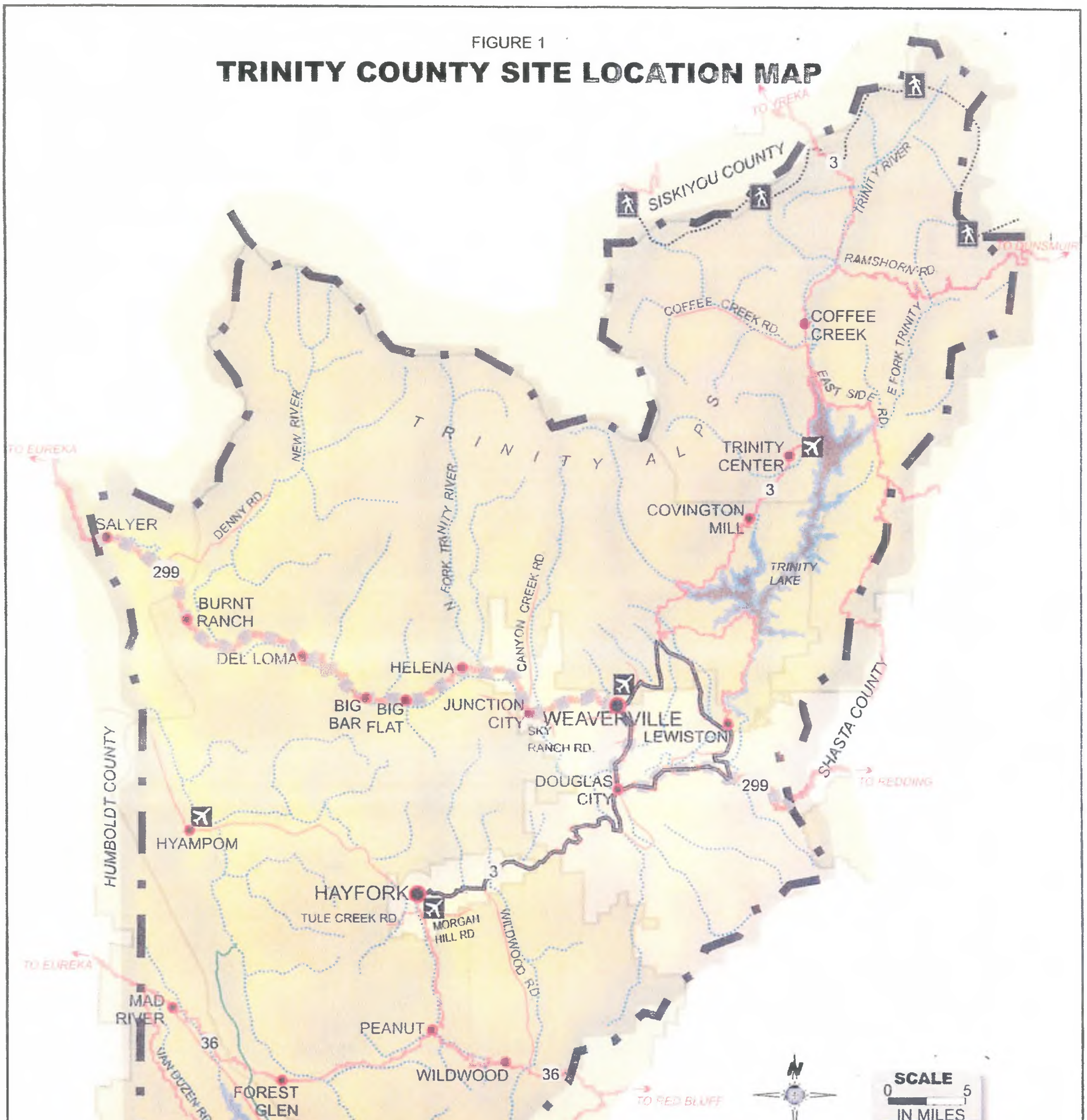
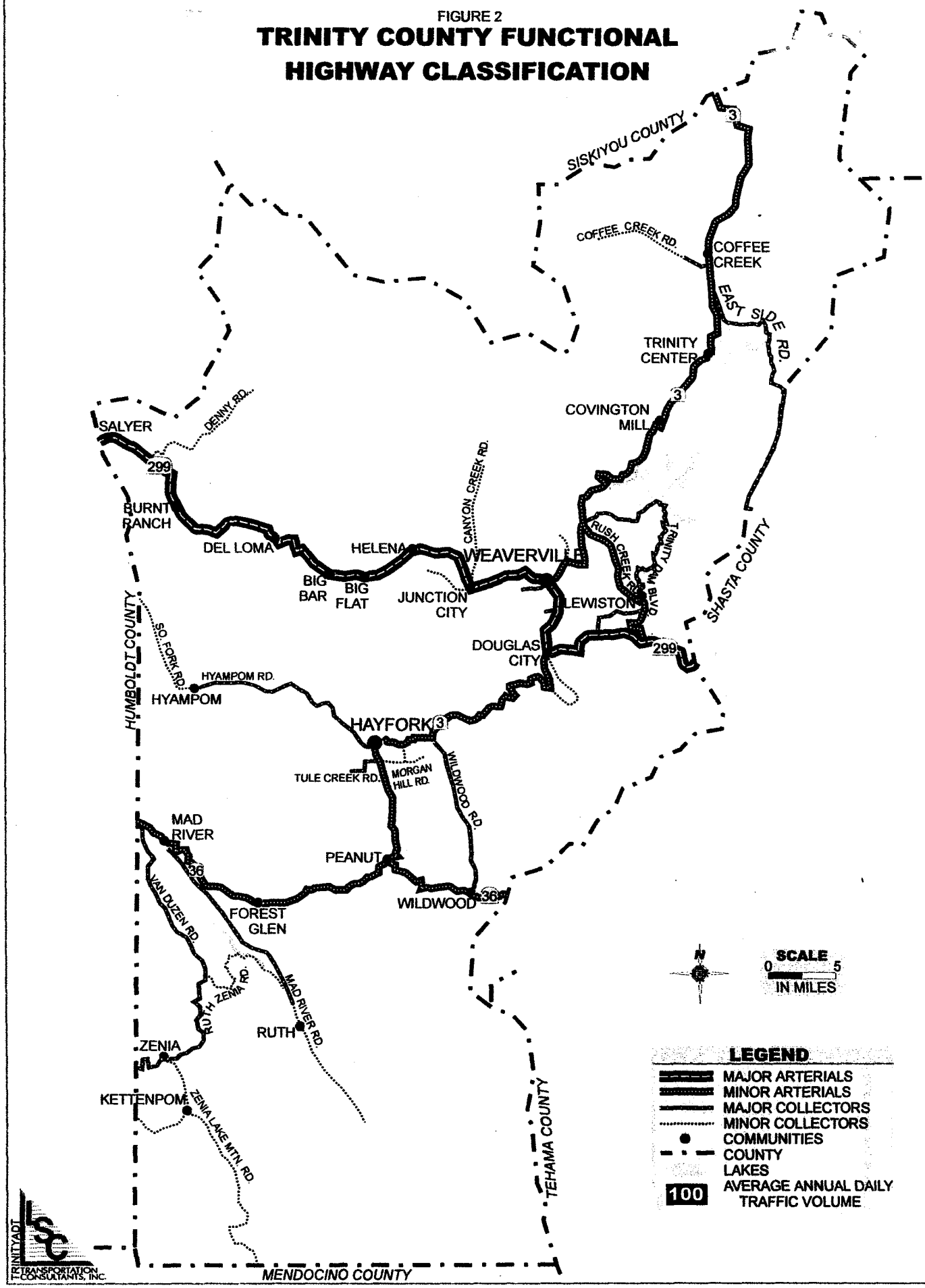


FIGURE 2

TRINITY COUNTY FUNCTIONAL HIGHWAY CLASSIFICATION



Trinity County is served by three State highways: 3, 36, and 299. Routes 3 and 36 are lower volume highways, while Route 299 is the primary east-west highway link in Northern California between the Central Valley and the Coast. The following describes each highway in more detail.

State Route 3

State Route 3 runs north-south through Trinity County, beginning at SR 36 just south of Peanut and passing out of Trinity County over Scott's Mountain north of Trinity Lake. SR 3 passes through Hayfork, Douglas City, Weaverville, Trinity Center and Coffee Creek as well as several smaller communities. It serves as the primary north-south artery in the county, connecting central and northern Trinity County with the county seat of Weaverville. Between Douglas City and Weaverville Routes 3 and 299 coincide (by statute, SR 299 is the assigned route number). SR 3 carries local (intra-county) traffic as well as recreational and commercial (primarily natural resource) traffic. The operation of SR3 is constrained by sharp curves and limited passing opportunities between Douglas City and Hayfork as well as between Slate Creek and Trinity Center. During winter months, snow is not removed from the travelway on nights, weekends, and holidays from 20 miles north of Trinity Center to 3 miles south of Callahan (in Siskiyou County), due to 6 miles of winding road with a 7 percent grade over Scott Mountain. Within Weaverville, SR 3 provides access between the central commercial district and several schools, residential areas, and the Weaverville Airport. Caltrans is currently planning to update the Transportation Concept Report for SR 3 starting in 2002, which will identify short and long range goals for improvements.

State Route 36

State Route 36 runs east-west through the southern portion of the county, entering Trinity County near Wildwood from the east and crossing into Humboldt County west of Mad River. Other than passing through the communities of Wildwood and Mad River, SR 36 mostly passes through undeveloped forest land. SR 36 provides access to Fortuna in Humboldt County on the west and Red Bluff in Tehama County on the east, as well as Hayfork and Weaverville (via Route 3). The capacity of SR 36 is constrained by horizontal and vertical curves, and by the limited passing opportunities.

State Route 299

State Route 299 runs east-west through the central portion of Trinity County, entering over Buckhorn Summit from Redding to the east and crossing into Humboldt County near Salyer and Willow Creek on the west. SR 299 links the communities of Lewiston, Douglas City, Weaverville, Junction City, Big Bar, Burnt Ranch and Salyer, as well as several smaller communities. SR 299 carries a variety of traffic including local (intra-regional), recreational, commuter and commercial. SR 299 has been classified as a Forest Service National Scenic Byway and is heavily utilized for access to and along the Trinity River. It is also an important inter-regional route (for both auto and truck traffic) between the Sacramento Valley and the North Coast.

SR 299 has limited passing opportunities, particularly west of Weaverville. Implementation of federally mandated barrier striping on State highways in 1988 resulted in severely restricted passing opportunities. Only three passing lanes exist (two eastbound, one westbound) on SR 299 between Willow Creek and Douglas City, a stretch of 65 miles. The distance between passing lanes for eastbound traffic is 42 miles (Trinity Village to Oregon Mountain), while the distance for westbound traffic is a 52-mile gap between passing lanes (Oregon Mountain to Grays Falls). Caltrans is currently conducting feasibility studies, and is planning to update the Transportation Concept Report for SR 299 starting in 2003, both of which will address current conditions.

SR 299 also serves as the major roadway within Weaverville, connecting the more established commercial and government centers on the west with newer commercial and employment centers on the east. Due to the limited roadway network, virtually all trips in Weaverville use SR 299, which (in combination with through traffic) results in traffic congestion during peak summer travel periods.

While not located within Trinity County, the Buckhorn Grade segment of SR 299 immediately to the east in Shasta County is a significant constraint to interregional truck traffic. This approximately seven mile stretch of highway from Clear Creek in Shasta County to the Shasta/Trinity County line climbs approximately 1,600 feet in elevation, and does not meet current design standards. Larger commercial trucks have difficulty negotiating the roadway due to steep grades, narrow lane widths, and tight curves. Caltrans has also expressed ongoing concern with high operation and maintenance costs in this area.

Caltrans and the Shasta, Trinity and Humboldt Regional Transportation Planning Agencies are conducting an environmental assessment for potential realignment and other improvements to Buckhorn Grade (District Agreement No. 02-0032). Consideration of possible future project phases will be made after completion of this assessment. Improvements to Buckhorn Grade could reduce shipping times and costs between the Central Valley and the North Coast. These improvements could also have impacts on the economy, environment, roads and community infrastructure in Trinity County. Due to continuing studies and the unknown time frame for project development and review, no specific forecasts for project phases are available at this time.

East Connector

Funding for a new two-lane arterial roadway that will provide a direct connection from SR 299 at Glen Road to SR 3 near Five Cent Gulch was approved in October 1998. Environmental studies are underway for the East Connector, and are expected to be completed in June 2002. This roadway will begin at a new signalized intersection on SR 299 opposite Glen Road and will also provide direct access to the Longs/Tops Center. Access to the California Highway Patrol building will be provided off of the new roadway and the existing driveway area will be used as part of the new roadway intersection, which will allow direct continuity with Glen Road to the west of SR 299. The alignment will pass to the south and east of the lumber mill improved areas (requiring only a relatively small portion of existing mill property). An additional access to the northerly portion of Martin Road will be provided in the vicinity of Pioneer Lane. Continuing to the north, the alignment may utilize a portion of the Browns Ranch Road existing alignment near the Senior Center, will cross East Weaver Creek by a new bridge across from Five Cent Gulch Street north of the existing Browns Ranch Road bridge, and will terminate at SR 3.

This roadway will provide a needed new route between the northern portions of the Weaverville Basin and the commercial properties along the straight stretch of SR 299, thereby reducing traffic and delays at the key intersections of SR 3 and Washington Street with SR 299. In addition, it will provide important secondary access to the growing Martin Road area, and will improve the ability of fire, police and emergency medical vehicles to respond to calls, and will possibly tie in to the access road to the new Weaverville Airport.

West Connector

The County has identified a need to construct a new two lane Major Collector / Arterial roadway on the south-western side of Weaverville that will provide a direct connection from SR 299 east of Weaverville to SR 299 west of Weaverville. The proposed new West Connector will provide an alternative to SR 299, thus reducing traffic and delays along SR 299 through the historic district in downtown Weaverville, and along key intersections with SR 3 and Washington Street. Design of the alignment and intersections should provide for the safe and efficient movement of commercial vehicles. The eastern segment of the West Connector is proposed to be on the northerly side of Weaver Creek allowing connections to Glen

Road, Mountain View Street and Mill Street. The alignment will cross over to the southerly side of Weaver Creek at Mill Street and will then follow the southerly side of West Weaver Creek up to SR 299. A truck climbing lane will be evaluated for the westerly segment. All intersecting streets are planned for Stop Signs and a four way stop control will be evaluated. The intersections with SR 299 or interchanges with SR 299 may be stop-controlled. At both termini, the existing through alignment on SR 299 will be maintained.

This identified alignment would benefit the community by providing:

- a diversion route for residents of the region and other motorists familiar with the local roadway system to make north-south trips through the Weaverville Basin during periods when there is congestion on SR 299 -- the roadway would therefore act as a "relief valve" for high traffic levels on the existing highway.

- a means for local residents to make trips within the area without always having to travel on SR 299 (and add to the congestion on the State highway).

- an important alternative route for emergency vehicles.

- an attractive and relatively safe alternative route through the community for bicyclists, as it would have lower traffic volumes and less intersections and driveways than along SR 299.

The County has selected a consultant to perform the environmental study.

Scenic Highways and Roadways

Trinity County's natural beauty is often cited as a contributing factor in the high quality of life expressed by residents of the county, recreationists visiting the county, and small businesses seeking to relocate to the county. It is therefore important that the county develop in a manner which retains these characteristics. A significant percentage of residents and non-residents alike experience some, if not most, of their scenic viewing from roads and highways.

In 1974, the County adopted a Scenic Highways Element of the *General Plan*, which recommended that no highways be considered for Scenic Highway status. In 1986, the Scenic Highways Element was incorporated into the RTP and County Scenic Roadways were proposed that were less restrictive than official Scenic Highway status. The Scenic Roadways designated a 50' wide Scenic-Conservation (SC) overlay zone along appropriate roads as part of the Community Plan adoption process. As shown in Figure 3, the following roads have been designated as County Scenic Roadways:

- Trinity Dam Blvd. (Rd 105)
- Rush Creek Road (Rd 204)
- Canyon Creek Road (Rd 401)
- Sky Ranch Road (Rd 412)

National Scenic Byways

In 1990, the Forest Service adopted a National Scenic Byway system to showcase outstanding National Forest scenery, provide interpretation of National Forest management, meet growing demand for recreational driving opportunities, increase use of National Forests by non-traditional users (urban minorities, disadvantaged and elderly citizens), and enhance rural economic development.

FIGURE 3

TRINITY COUNTY SCENIC ROADWAYS



While the program applies only to National Forest lands, in 1992 the California State Legislature passed AB 126 renaming State Route 299 from the Trinity Highway to the Trinity Scenic Byway in support of the Federal effort. Designated Scenic Byways are also shown in Figure 3 and include the following:

Trinity Scenic Byway

- State Route 299- Redding to Arcata

Trinity Heritage Scenic Byway

- State Route 3 (Weaverville- north)
- Rainier Road (County Road 134)
- Rush Creek Road (County Road 204)
- Trinity Dam Blvd (County Road 106)
- Wildwood Road (County Road 302)
- Guy Covington Dr (County Road 160)

Road Classification

Figure 2 depicts Trinity County's main roadway system, along with their functional classification. The following provides the definition of each functional classification found in the county.

- Major arterials constitute routes of interregional significance whose design provides for relatively high overall travel speeds, with minimum interference to through movement. These routes provide for travel in, out of, and through the county. In Trinity County, the major arterial is SR 299.

- Minor arterials are similar to principal arterials, in that they are important routes for regional circulation. While major arterials serve more interregional travel, minor arterials also help to serve the majority of intra-county regional travel. In Trinity County, the minor arterial road system consists of SR 3, SR 36, Rush Creek Road, and the southerly 5.4 miles of Trinity Dam Boulevard (SR 299 to Rush Creek Road).

- Major collectors provide greater access to more localized destinations for regional traffic. These roads are designed to provide access for regional traffic between state routes. Narrow lanes and shoulders limit the carrying capacity of some collectors.

- Minor collectors provide additional access to local attractions for regional traffic. These roadways have the least capacity of all roads identified, and serve to supplement regional facilities.

- Local roads classification consists of public and private two lane streets, providing direct access to residential properties, and providing access from residential areas to collector or arterial streets.

- Rural Roads provide access to remote, scenic or recreational areas, and to very low density residential areas.

Parking

With the exception of one small park-and-ride lot along SR 299 in the eastern portion of the county, there are no public parking lots in Trinity County. Parking is therefore provided by private parking lots, as well as on public rights-of-way.

Issues associated with limited parking capacity are generally limited to the downtown Weaverville area. Counts conducted in 1998 for the area along SR 299 from Oregon Street to Garden Gulch (including the Courthouse parking lot) indicated a peak parking occupancy of 75 percent of all available spaces. In the

immediate area of the Courthouse, the occupancy was approximately 94 percent of all spaces. These data indicate that parking availability is a problem in the immediate vicinity of the Courthouse, but that overall conditions in the downtown area are acceptable.

Transit

The Trinity County Planning Department Transit Division began public transportation service in July, 1999, continuing services that were previously provided through a non-profit agency. Service is provided along two routes: Weaverville -- Douglas City -- Hayfork, and Weaverville -- Lewiston. Service operates on each route twice each day Monday through Friday between approximately 6:45 A.M. and 6:00 P.M. Trinity Transit ridership during the 1999-2000 Fiscal Year was 11,177 one-way passenger trips, slightly below the FY 98/99 level of 11,629. The existing fleet consists of four vans: one with a 19 passenger capacity; one 12 passenger capacity; and two 21 passenger capacity. All of the vehicles are wheelchair-lift equipped. During peak times, the system operates three vehicles, allowing one back-up vehicle. Vehicle maintenance is contracted to local vendors.

Trinity Transit also connects with the transit provider "Let's Go" that provides medical transportation to Redding every Tuesday and Thursday. The shuttles meet at Top's Market and the Douglas City Store. The service is by reservation only, and costs $9.00 per round trip. Additionally, Greyhound is currently operating a daily route between Eureka and Redding along SR 299, with westbound stops in Weaverville at 5:50 A.M. and 6:25 P.M., and eastbound stops at 12:15 P.M. and 8:25 P.M.

Trinity Transit also provides package pick up and delivery along scheduled routes. The cost is $1.00 to drop off and $2.00 to pick up and deliver. Revenues from this service are not included in the passenger farebox figures.

Other Transportation Service Providers include the following:

- *Golden Age Nutrition Center* - The Golden Age Nutrition Center provides hot meals, transit services and additional services to persons 60 years of age or older in Trinity County. The Golden Age Nutrition Center has approximately 300 clients, with approximately 60 persons attending the lunch program each day. The Center provides transit service to and from the lunch program for its clients who live within the Weaverville area. Passengers are picked up between 9:30 and 11:00 A.M., and returned home between 1:00 and 3:00 P.M. The center also delivers meals to approximately 20 home-bound persons each day. The Center operates a 1995 eight-passenger van that transports between three and eight clients a day.

- *Early Head Start* - Early Head Start is a federally funded program serving low-income families with children up to three years of age. The facility is located in Weaverville and provides transportation to and from its Thursday social lunch program. Early Head Start operates a 1993 Dodge six-passenger van, which provides six one-way passenger trips each Thursday.

- *Head Start* - Head Start is a federally funded preschool program for low-income children between the ages of three and four. Head Start has one site in Hayfork which serves approximately 18 clients. Transportation is provided Tuesday through Friday during the school year. One non-wheelchair-accessible, Ford Aerostar, seven passenger minivan is used on two runs a day. Head Start provides approximately 1,560 one-way passenger-trips a year, operating approximately 6,500 vehicle-miles a year.

- *Healthy Start* - Healthy Start provides social services and transportation to high risk families with school-aged children. Healthy Start provides transportation to and from medical and dental appointments, the Head Start program, the grocery store, and for other errands. Healthy Start has

approximately 70 participants. Vans from the Southern Trinity County Unified School District are used to provide transportation services.

- *Southern Trinity County Unified School District* - The Southern Trinity County Unified School District operates seven bus routes Monday through Friday from 7:00 to 8:30 A.M. and 2:30 to 4:45 P.M. This District serves all of Southern Trinity County and a small part of Humboldt County, providing approximately 320 passenger-trips a day, Monday through Friday during the school year. Total vehicle fleet consists of eight buses and eight vans, none of which are wheelchair-accessible.

- *Trinity Union High School District* - The Trinity Union High School District operates eight bus routes Monday through Friday between 6:40 A.M. and 5:00 P.M. The district serves Weaverville, Douglas City, Cox Bar, Burnt Ranch, Junction City, and the Trinity Lakes area providing approximately 1,600 passenger-trips a day, Monday through Friday during the school year. Trinity Union High School District owns eight school buses and contracts with the Trinity County Office of Education for special needs transportation.

- *Mountain Valley Unified School District* - The Mountain Valley Unified School District operates six bus routes Monday through Friday from 7:00 A.M. to 5:00 P.M. The district serves Hayfork, Wildwood, Trinity Pines, Peanut, and Hyampom, providing approximately 233 one-way passenger-trips each day, Monday through Friday during the school year. Total vehicle fleet consists of eight vehicles, of which one is wheelchair-accessible. A total of 90,206 vehicle-miles were logged during the 1999-2000 school year.

- *Lewiston Elementary School District* – The Lewiston Elementary School District operates three bus routes in the morning (7:15 A.M. to 8:15 A.M.), and four bus routes in the afternoon (2:30 P.M. to 4:30 P.M.) Monday through Friday. The District serves the Lewiston area, providing approximately 70 one-way passenger trips a day. The District owns four buses and one van. Additionally, the District provides special transportation services to Weaverville on Wednesday and Friday, dropping off at 8:30 A.M. and picking up at 2:30 P.M.

- *Douglas City School District* – The Douglas City School District operates two bus routes, Monday through Friday between 7:00 A.M. – 4:30 P.M. There are a total of six one-way passenger trips (three per bus) each day. Annual vehicle miles total 32,000.

- *Cox Bar Elementary School District* – The Cox Bar Elementary School District operates one bus route between Del Loma and Big Flat, between 6:30-8:30 A.M. and 2:30-4:30 P.M. The District provides three one-way passenger trips per day, totaling 10,000 vehicle miles per year.

- *Shasta College* - Shasta College operates one bus between Weaverville and the main campus in Redding. Service is provided Monday through Friday, with the morning run departing Weaverville at 6:25 A.M. and arriving at Shasta College at approximately 7:45 A.M. The afternoon run departs Shasta College at 4:00 P.M. and arrives in Weaverville at approximately 5:20 P.M. Service to and from Weaverville is provided using a 1969, non-wheelchair-accessible, 41-passenger Gillig bus. Service is provided only to registered students and staff during the school year at a cost of $60.00 per semester.

- *Trinity Cab Service* - This company is based in Weaverville and operates six days a week from 7:00 A.M. to 2:00 A.M., providing service anywhere in Trinity County as well as outside the county. According to the owner, they provide approximately 20 to 25 trips a day. One-way fare in and around Weaverville is $4.50. Trinity Cab Service's vehicle fleet consists of four 4-passenger vehicles, two of which are used as back-up vehicles.

- *Valley Cabs* - Valley Cabs is located in Hayfork and operates seven days a week, 24 hours a day. This company provides service anywhere in Trinity County, as well as outside the county. Valley Cabs operates one four-passenger vehicle and averages six trips a day.

NON-MOTORIZED FACILITIES

Non-motorized facilities include locally or regionally significant bike lanes/trails, sidewalks, hiking trails, equestrian trails, and other related improvements. The Pacific Crest Trail (which follows a portion of the northern Trinity County line) and the National Recreation Trail along the South Fork of the Trinity River are identified as being of regional and national significance. Other bike lanes, hiking trails and riding trails in the county are important for local use as well as to tourists and recreational riders. The annual La Grange Classic mountain bike race, which utilizes local roads and trails in the Weaverville area, draws hundreds of riders from outside of Trinity County.

Trails within and around the various communities are used by local residents and visitors for both bicycling and hiking. Existing and proposed bikeway and pedestrian trails are located in Hayfork, Junction City, Lewiston, Douglas City, and Weaverville (Figures 4 through 7, respectively). Adopted community plans will guide the County when considering non-motorized improvement priorities and will aid the Board of Supervisors in reviewing land divisions and other county-issued entitlements to determine the extent of right-of-way necessary to provide bicycle routes and preserve important trails. Cooperation with the U.S. Forest Service, other public agencies, private landowners and civic groups can contribute to maintenance of regional trails.

Future bikeways are planned on the East and West Connector projects (see Figure 7). As part of the East Connector project, a Class II bikeway is proposed running the full length of the new roadway. Additionally, a Class I bikeway is planned along Levee Road between the East Connector and a new bicycle/pedestrian bridge across East Weaver Creek serving Lowden Park. The West Connector project may accommodate bicycle traffic on the shoulder running the entire length of the roadway.

The following explains the bicycle path classification system :

- Class I (Bike Path): Exclusive bikeways provide access to areas not now accessible to bicyclists, close gaps that exist for bicycle travel, and eliminate circuitous routing. Generally, bike paths should serve corridors not served by streets or highways. The most common applications are along rivers, canals, utility rights-of-way, abandoned railroad rights-of-way, and within parks. Such facilities can also be provided from schools to residential areas as part of planned developments.

- Class II (Bike Lane): Bike lanes utilize the shoulder areas along streets and highways, and improve conditions for bicyclists through proper delineation and maintenance. Bike lane signing and striping separate those rights-of-way assigned to bicyclists, and those assigned to motorists, and provide for more predictable movements by each.

- Class III (Bike Route): Class III is similar to the Class II facility, except that the shoulder area is shared with vehicles. Class III lanes should only be designated with signs when no convenient alternate route exists, and where necessary, for route continuity.

FIGURE 4

HAYFORK PEDESTRIAN PATHS AND BIKEWAYS

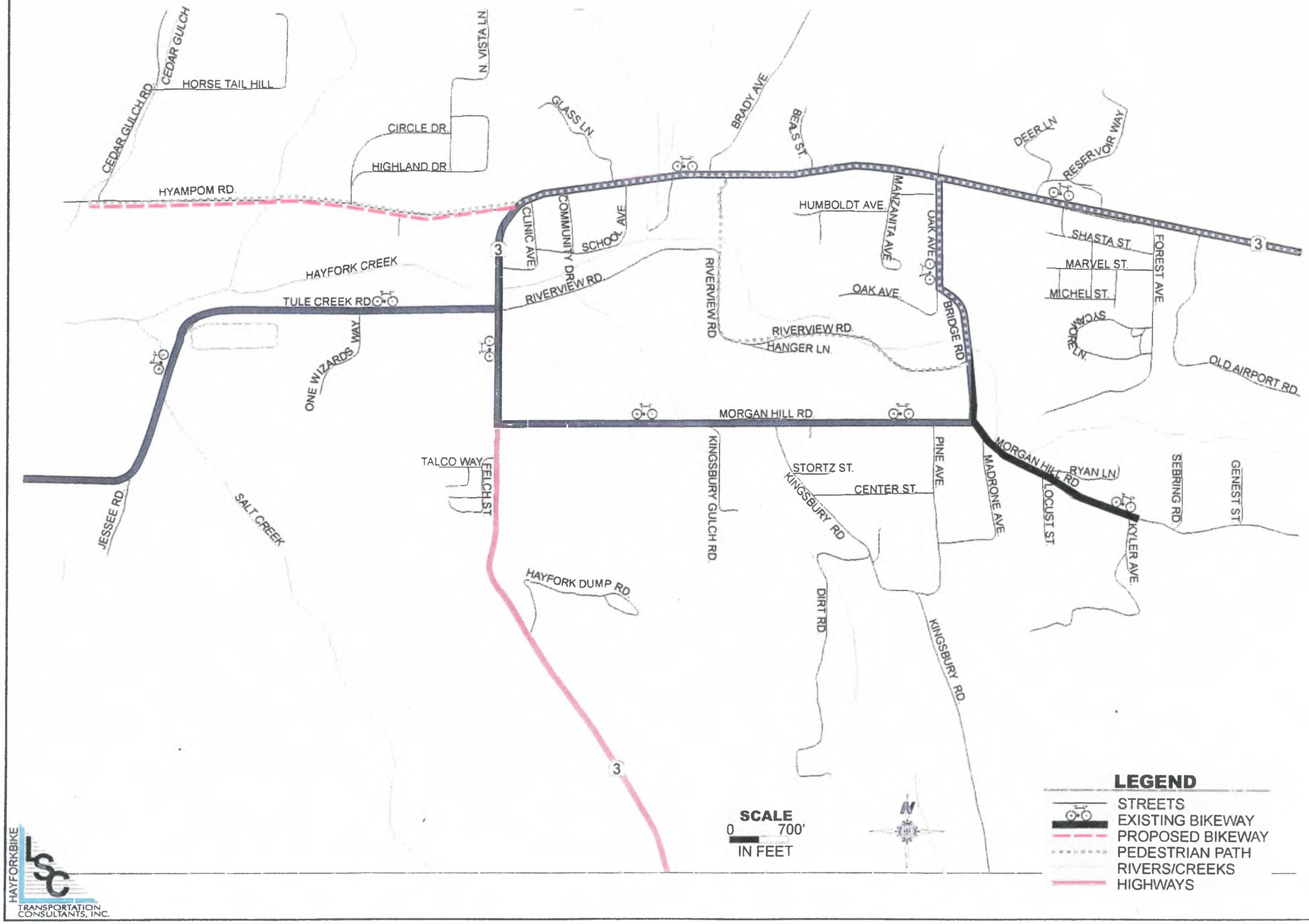


FIGURE 5

JUNCTION CITY BIKEWAYS

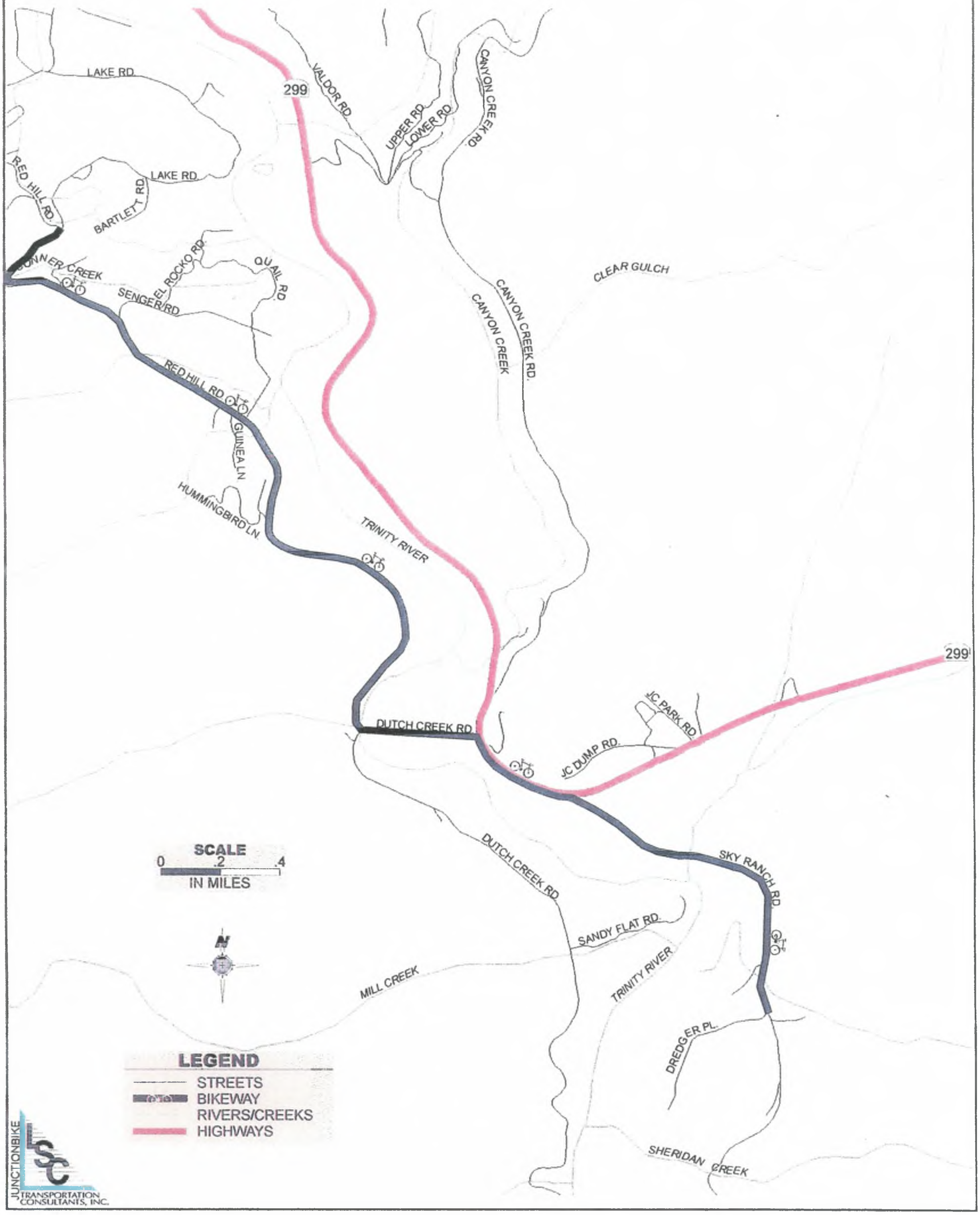


FIGURE 6

LEWISTON AND DOUGLAS CITY BIKEWAYS

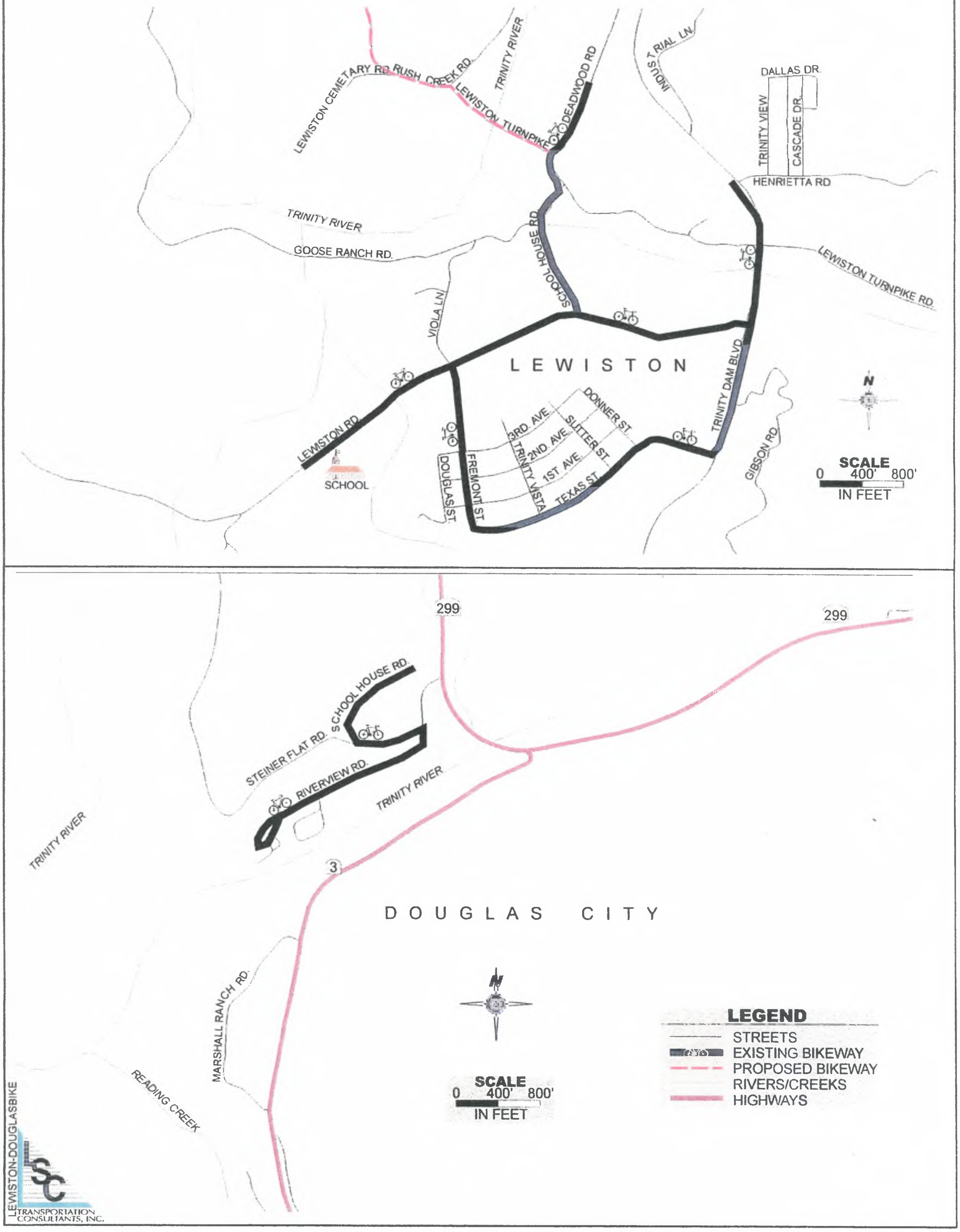
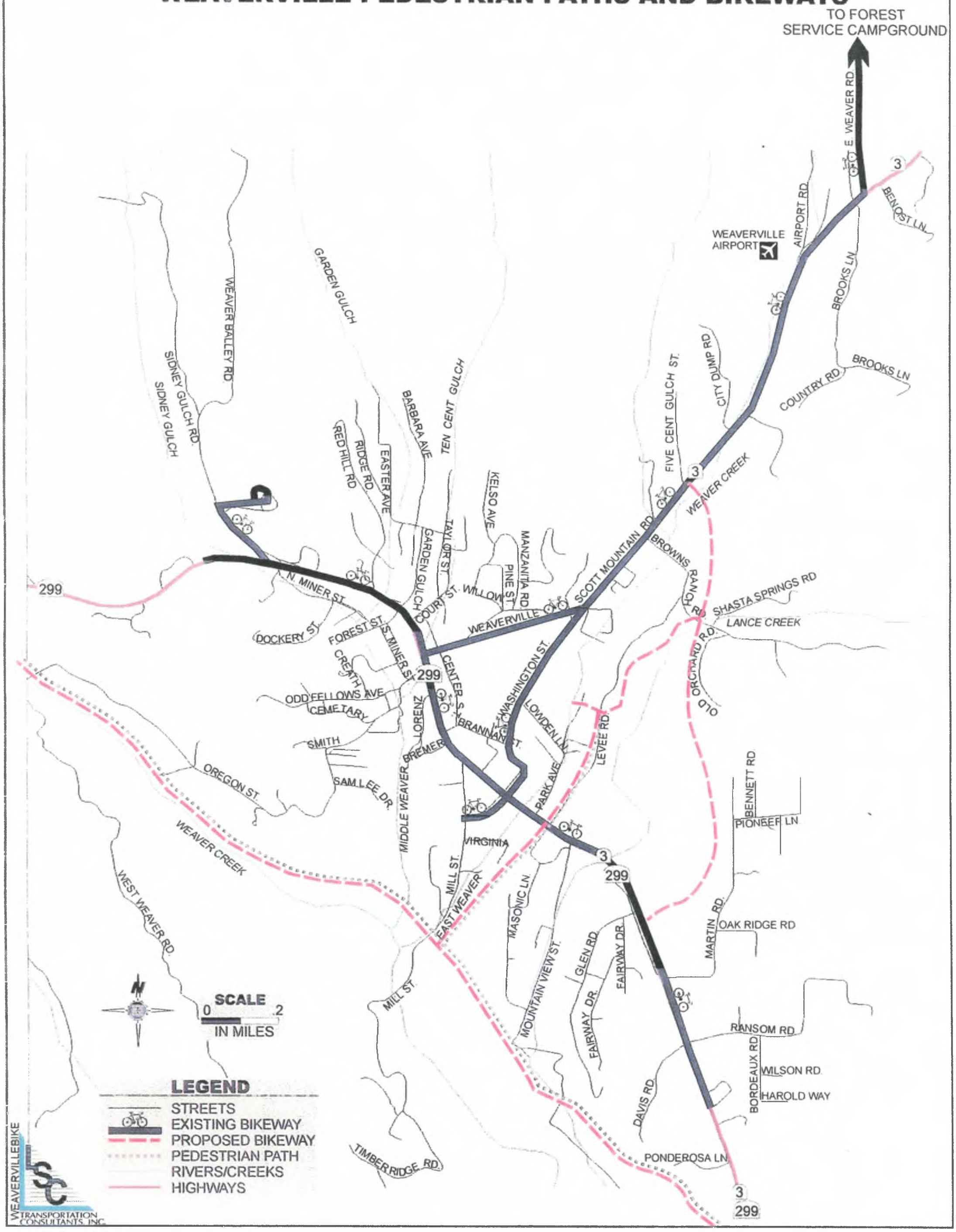


FIGURE 7

WEAVERVILLE PEDESTRIAN PATHS AND BIKEWAYS



The isolated, rural nature of Trinity County has contributed to a strong commitment by local aircraft owners and the County for the development of functional airport facilities. Airports provide significant contributions to the county's economy by attracting tourists, businesses, seasonal residents and commuters who live in Trinity County and work elsewhere. The county's airports also play an important role in the event of an emergency such as forest fire or medical rescue. There are five publicly owned airports in Trinity County, which have generally seen an increase in both resident based aircraft and transient aircraft activity. These airports are Hayfork, Hyampom, Ruth, Trinity Center and Weaverville-Lonnie Pool (as shown in Figure 8), and are described below.

Hayfork Airport

The Hayfork Airport, located in central Hayfork, is classified as a Community airport and is visual flight rules rated. The airport is unattended and there is currently no fixed-based operator. A single, two-way runway exists, consisting of a 4,100 foot by 60 foot physical asphalt surface. The runway is equipped with a pilot-keyed, medium intensity lighting system. Approximately 18 chained tie-downs are available for the based and transient aircraft on apron. Two hangars exist and are occupied by lease. There are currently no fueling facilities on the site. As a General Aviation facility, Hayfork Airport serves Aircraft Design Group 1, which is defined as airplanes having up to a 49-foot wing span. There are approximately 17,000 annual flight operations at the facility.

Hayfork Airport currently meets design standards for Aircraft Design Group 1 as established by the Federal Aviation Administration (FAA). The capacity of the airport is adequate for immediate needs, however, the airports' capacity is limited by airspace encroachments, hangar and tie down facilities, lack of a fueling system, lack of a Precision Approach Path Indicator, the need for extended runway and taxiway, and the need for a greater runway protection zone. Additional hangars or shade hangers are desirable and will be developed as the need arises.

Hyampom Airport

The Hyampom Airport, located within the community of Hyampom, is classified as a Community airport. The airport is unattended and there is no fixed-based operator. A single, two-way runway exists, consisting of a 2,980 foot by 60 foot physical asphalt surface. Approximately 12 tie-downs are available.

Hyampom Airport meets the current FAA requirements for Aircraft Design Group 1. The airport meets current demand and should be able to provide for increased future demand. To insure future safety requirements , the runway needs to be extended and routine maintenance will be necessary. Additional hangars or shade hangers are desirable and will be developed as the need arises.

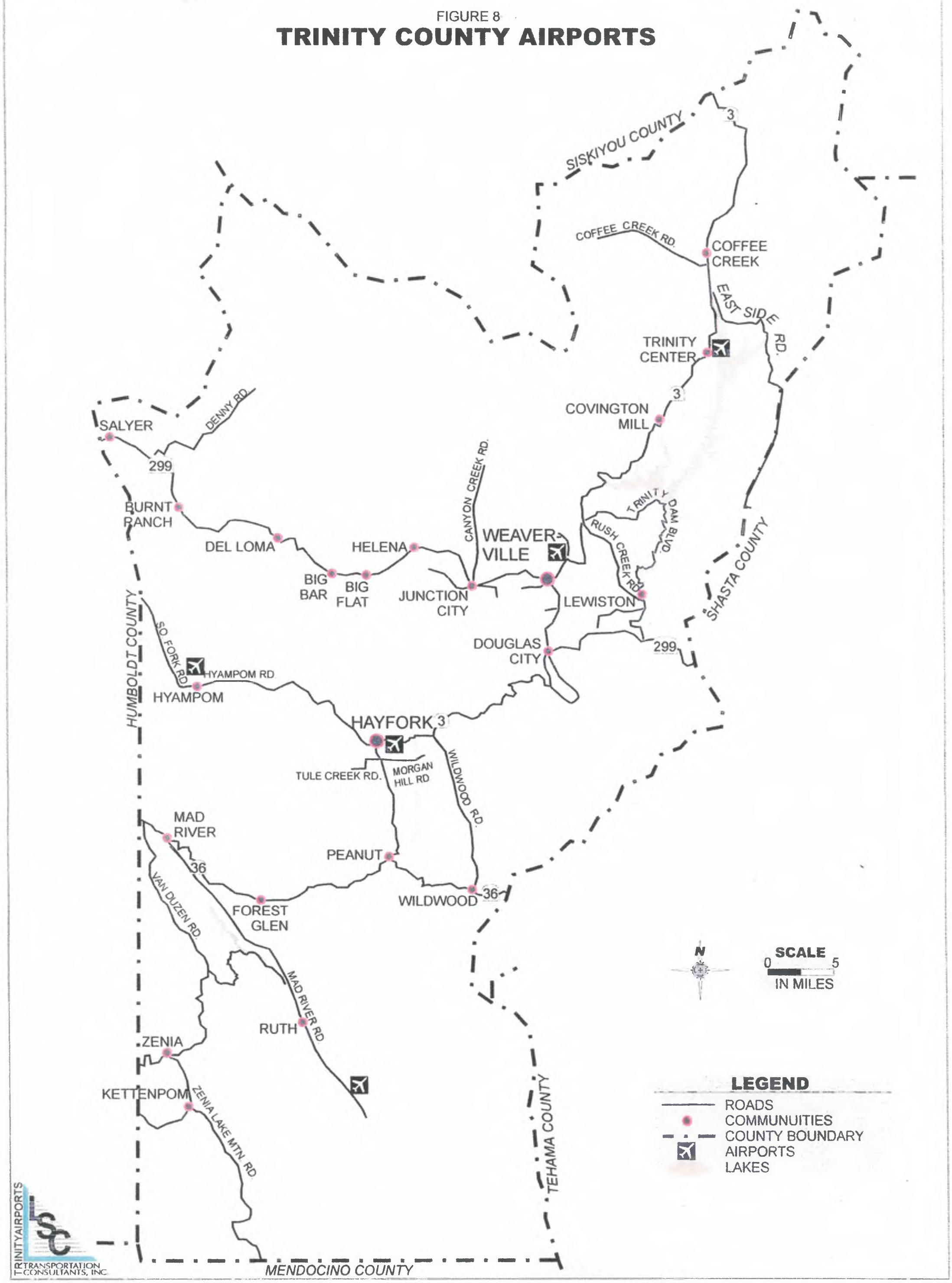
Ruth Airport

The Ruth Airport, located in the southern portion of the county near Ruth Lake, is classified as a Community-Recreation Airport. The airport is unattended and there is no fixed-based operator. A single, two-way runway exists, consisting of a 3,500 foot by 50 foot physical asphalt surface. The runway is not lighted. Approximately 10 tie-down spaces are available for based and transient aircraft. There are approximately 7,000 annual flight operations at this facility.

While Ruth Airport meets current aviation demand, several improvements will be necessary for future expected demand. These improvements include extension of the runway, land acquisition to develop a taxiway and extend the apron area, and routine maintenance of the facility. Additional hangars or shade hangers are desirable and will be developed as the need arises.

FIGURE 8

TRINITY COUNTY AIRPORTS



Trinity Center Airport

The Trinity Center Airport, located in Trinity Center, is classified as a Community-Recreation airport and is visual flight rules rated. The airport is currently unattended and there is no fixed-based operator. A single, two-way runway exists, consisting of a 3,200-foot physical asphalt surface that includes relocated thresholds of 200 feet on each end. The runway width varies between 50 and 60 feet, and is not lighted. Approximately 50 chained tie-downs are available for based and transient aircraft on the apron. Additional aircraft parking is available along the west side, north of the apron. Twenty-two owner built hangars are occupied by lease. There are no fueling, service, or repair facilities on site. There are approximately 17,500 annual flight operations at this facility.

Trinity Center Airport does not meet the FAA design standards for Aircraft Design Group 1. Facility improvements necessary to meet minimum standards include extension of Runway 14, relocating the runway threshold to provide the required runway end safety areas for Runways 14 and 32, widening a portion of the runway surface from 50 to 60 feet, and relocation of the service road located at the north end of the airport. Additional improvements for safety and increased use include removal of obstructions within airspace encroachment areas, extension of a parallel taxiway, hangar and tie-down expansion, drainage improvements, a fueling system, runway lighting, and runway and apron resurfacing. Additional hangars or shade hangers are desirable and will be developed as the need arises.

Weaverville-Lonnie Pool Airport

The Weaverville-Lonnie Pool Airport, located in Weaverville, is classified as a Community-Recreation Airport. The airport does not have a fixed-based operator. The runway is a single-directional, consisting of a 3,380 foot by 50 foot physical asphalt surface. Planes must take-off to the south and land from the south, due to the runway grade. The runway is supplemented by runway lights, a Precision Approach Path Indicator, and a wind indicator. Nighttime activity is restricted to emergency provider use only. The runway is constrained by gradient and obstructions in the approach and departure zones. Terrain to the north and east of the airport penetrates the horizontal and conical surfaces of the runway. The facility has 29 tie-downs and nine hangars, with 15 based aircraft. There are currently no fueling facilities on the site. As a General Aviation facility, this airport serves Aircraft Design Group 1, which is defined as airplanes having up to a 49-foot wing span. There are approximately 14,000 annual flight operations at the facility.

The Weaverville-Lonnie Pool Airport has significant operational constraints and does not meet Federal Aviation Administration standards. As a result, almost all potential improvements have been postponed and/or remain unfunded (though maintenance activities continue). A site selection study is currently underway that is evaluating several alternative sites for relocation of the airport. Once this study and the accompanying environmental review is completed, construction funding will be secured to relocate the Airport to the preferred location. Relocation of the Airport is likely to occur within the next five years.

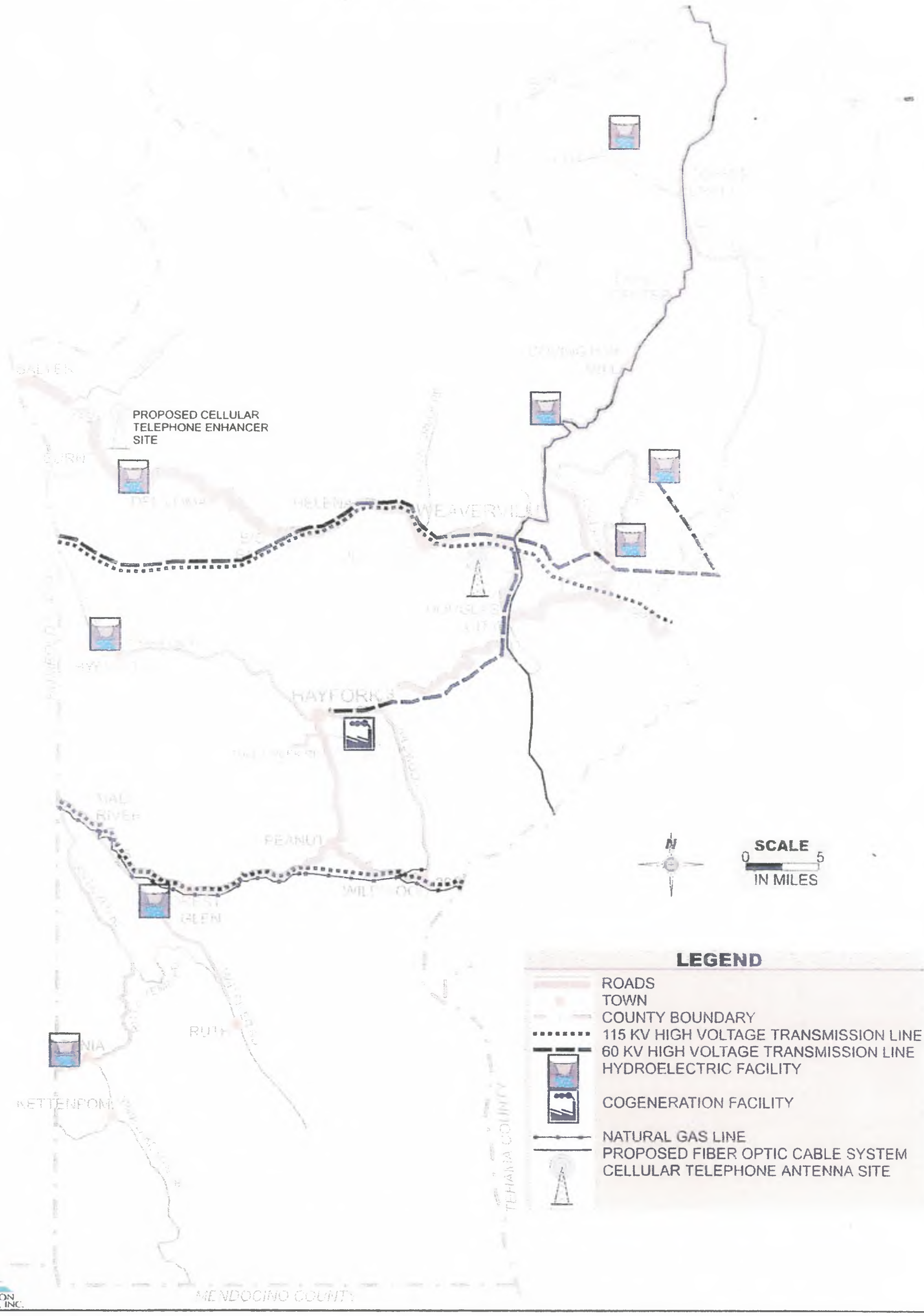
PUBLIC UTILITIES AND FACILITIES

Government Code Section 65302(b) requires the Circulation Element to address not only the transportation system of a region, but also other public utilities and facilities of a region. The existing public utility and facility systems in Trinity County are shown in Figure 9 and addressed below:

Pipelines - A ten inch diameter natural gas pipeline is the only regional gas line within the county. This line passes through the southern portion of the county in very remote areas.

FIGURE 9

TRINITY COUNTY COMMUNICATION AND POWER FACILITIES



TELEPOWER
TRANSPORTATION CONSULTANTS, INC.

Utility Lines/Systems - Several regional high voltage transmission lines run east/west through Trinity County (between the Pacific Coast and Sacramento Valley). Sub-regional transmission lines connect several communities in the county, while local and arterial utility lines occur as needed in all areas of the county. Eight hydroelectric facilities are operated in locations spread throughout the county. The two largest (located at Trinity and Lewiston Lakes) are operated by the Bureau of Reclamation, with generated power sold to the Western Area Power Administration. Power from smaller private hydroelectric operations in the county is generally sold to Pacific Gas and Electric.

Water Supply Systems - The Weaverville Community Service District and Trinity County Waterworks District #1 provide large-scale community water service. Several small companies provide limited service to portions of Lewiston. Water in other areas of the county is provided by a number of smaller water companies as well as numerous individual surface and subsurface sources. The Humboldt Bay Municipal Water District owns and operates Ruth Lake (reservoir) in the southern portion of the county, but no service is provided within Trinity County.

Sewage Treatment - The Weaverville Sanitary District provides large-scale community wastewater service. The Trinity County Waterworks District #1 provides sewer service to a portion of its District. Two small companies provide limited service to portions of Lewiston. Sewage disposal in other areas of the county is provided by individual on-site septic tank and leach field systems.

Communication - Telephone services are generally available in larger communities in the county, however, many rural and isolated areas lack service. Verizon provides service to Forest Glen, Hyampom, Hayfork, Douglas City, Weaverville, Burnt Ranch and Salyer. Pacific Bell serves Lewiston. Happy Valley Phone Company covers the Trinity Center and Coffee Creek areas.

In 1997, AT&T constructed a fiber optic communication cable from Bandon, Oregon to Cloverdale, California. This cable crosses open country in the southeastern portion of the county and then continues northward along State Route 3 to the Trinity/Siskiyou County border. As this cable is for long distance transmission, no service is provided in Trinity County.

EXISTING AND FUTURE TRANSPORTATION REQUIREMENTS

Existing Travel Demand

Existing travel demands in Trinity County are defined by both resident and visitor activities. Year-round, the county's permanent population of roughly 13,000 generates travel demand patterns much like any other community of similar size, including employment, shopping, school, and recreational trips. Due to the relatively low population levels, the county is generally free of traffic congestion problems, with the exception of the Weaverville area. In Weaverville, SR 299 and certain intersections along SR 299 experience significant congestion or delay during peak periods (primarily late morning through the afternoon). This situation tends to be more pronounced during the summer season, when recreational travel is highest.

Existing traffic volumes are shown in Figure 10, and Table 1. As shown, the highest annual average daily traffic (AADT) volume in Trinity County in 1999 (the latest year for which data is currently available) was observed on SR 299 in Weaverville, near Washington Street (11,600) (*Traffic Volumes on State Highways*, Caltrans 2001). Other relatively high AADT volumes were observed on SR 299 at Martin/Nugget Roads (7,300), on SR 299 just west of the east junction of SR 3 (6,900), and on SR 3 near Rush Creek Road (4,250). The pattern of traffic volumes reflect the fact that much of the inter-regional traffic in the western portion of the county travels to Humboldt County, while much of the inter-regional traffic from the Lewiston area travels to Shasta County.

FIGURE 10

TRINITY COUNTY STATE HIGHWAY 1999 AADT

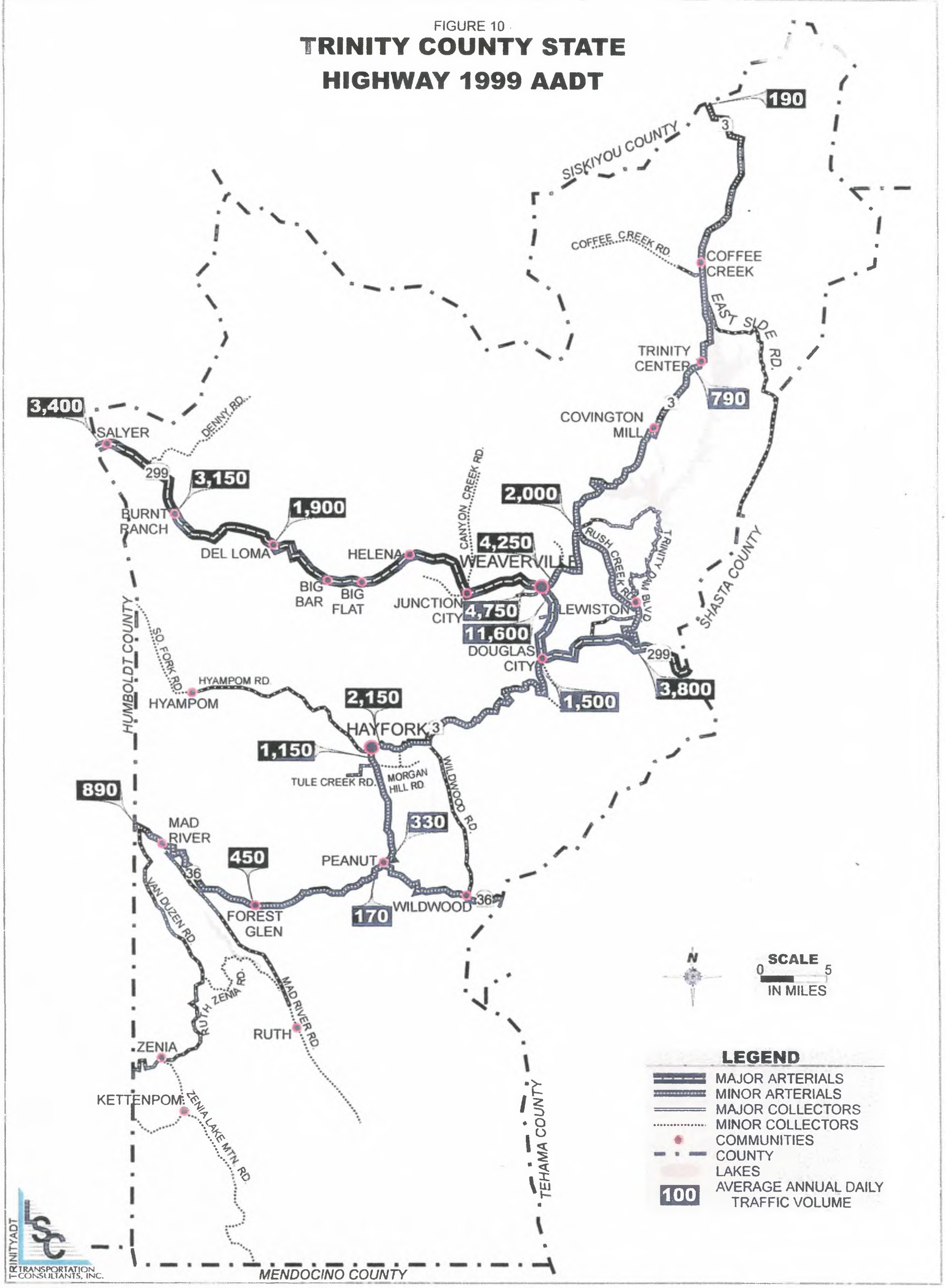


TABLE 1: Trinity County Daily Traffic Volumes 1991-1999

Location	1991	1993	1995	1997	1999	Change: 1991 - 1999 #	Change: 1991 - 1999 %	Annual % Change
Annual Average Daily Traffic Volumes								
SR 3 @								
Junction of Route 36, north	260	270	270	330	330	70	26.9%	3.0%
Morgan Hill Road, south	740	750	730	890	890	150	20.3%	2.3%
Morgan Hill Road, north	900	950	730	730	730	(170)	-18.9%	-2.6%
Hayfork	2,250	2,300	2,350	2,100	2,150	(100)	-4.4%	-0.6%
Douglas City, South Junction	1,450	1,500	1,600	1,500	1,500	50	3.4%	0.4%
Weaverville, North Junction	4,600	4,750	4,300	4,100	4,250	(350)	-7.6%	-1.0%
Rush Creek Road, south	1,200	1,250	1,300	1,500	2,000	800	66.7%	6.6%
Rush Creek Road, north	680	680	700	750	760	80	11.8%	1.4%
Trinity Center Maintenance Station	600	600	680	780	790	190	31.7%	3.5%
Siskiyou County Line	140	140	160	180	190	50	35.7%	3.9%
SR 36 @								
Lower Mad River Road, west	720	700	700	700	700	(20)	-2.8%	-0.4%
Lower Mad River Road, east	250	280	280	370	370	120	48.0%	5.0%
Forest Glen Maintenance Station	310	290	290	450	450	140	45.2%	4.8%
Jct. of Route 3, north	260	240	150	170	170	(90)	-34.6%	-5.2%
SR 299 @								
East Limits Salyer, west	3,000	3,000	3,300	3,350	3,450	450	15.0%	1.8%
East Limits Salyer, east	3,000	3,000	3,000	3,050	3,150	150	5.0%	0.6%
Burnt Ranch Road, west	3,000	3,000	3,000	3,050	3,150	150	5.0%	0.6%
Burnt Ranch Road, east	2,100	2,150	1,800	1,900	2,000	(100)	-4.8%	-0.6%
Del Loma, east	1,850	1,950	1,700	1,800	1,900	50	2.7%	0.3%
Weaverville, West City Limits, west	2,050	2,100	2,000	2,700	2,800	750	36.6%	4.0%
Weaverville, West City Limits, east	2,800	2,850	2,700	2,950	3,050	250	8.9%	1.1%
Weaverville, Washington Street, east	10,900	11,200	11,700	11,200	11,600	700	6.4%	0.8%
Martin/Nugget Roads, west	7,000	7,200	7,100	7,100	7,300	300	4.3%	0.5%
Martin/Nugget Roads, east	6,300	6,500	6,400	6,700	6,900	600	9.5%	1.1%
East Junction SR 3, west	4,550	4,700	4,600	4,600	4,750	200	4.4%	0.5%
East Junction SR 3, east	3,100	3,200	3,200	3,200	3,300	200	6.5%	0.8%
Lewiston Road, east	2,700	2,800	3,300	3,200	3,100	400	14.8%	1.7%
New Lewiston Road, east	3,300	3,400	3,600	3,700	3,800	500	15.2%	1.8%
Peak Month Average Daily Traffic Volumes								
SR 3 @								
Junction of Route 36, north	340	350	450	570	570	230	67.6%	6.7%
Morgan Hill Road, south	900	910	1,200	1,300	1,300	400	44.4%	4.7%
Morgan Hill Road, north	1,100	1,150	1,150	1,150	1,150	50	4.5%	0.6%
Hayfork	2,650	2,700	2,600	2,250	2,300	(350)	-13.2%	-1.8%
Douglas City, South Junction	1,700	1,750	1,750	1,650	2,200	500	29.4%	3.3%
Weaverville, North Junction	5,100	5,300	4,650	4,300	4,450	(650)	-12.7%	-1.7%
Rush Creek Road, south	1,700	1,750	2,050	2,350	3,150	1,450	85.3%	8.0%
Rush Creek Road, north	1,100	1,100	1,400	1,450	1,450	350	31.8%	3.5%
Trinity Center Maintenance Station	900	900	1,150	1,200	1,200	300	33.3%	3.7%
Siskiyou County Line	210	210	240	270	280	70	33.3%	3.7%
SR 36 @								
Lower Mad River Road, west	960	930	930	930	930	(30)	-3.1%	-0.4%
Lower Mad River Road, east	330	370	370	490	490	160	48.5%	5.1%
Forest Glen Maintenance Station	410	390	390	600	600	190	46.3%	4.9%
Jct. of Route 3, north	510	470	240	260	260	(250)	-49.0%	-8.1%
SR 299 @								
East Limits Salyer, west	4,200	3,900	4,300	4,350	4,500	300	7.1%	0.9%
East Limits Salyer, east	4,200	3,900	3,900	3,950	4,100	(100)	-2.4%	-0.3%
Burnt Ranch Road, west	4,200	3,900	3,900	3,950	4,100	(100)	-2.4%	-0.3%
Burnt Ranch Road, east	2,950	2,800	2,350	2,450	2,600	(350)	-11.9%	-1.6%
Del Loma, east	2,400	2,550	2,200	2,350	2,450	50	2.1%	0.3%
Weaverville, West City Limits, west	2,600	2,650	2,500	2,500	2,600	0	0.0%	0.0%
Weaverville, West City Limits, east	3,850	3,900	3,350	4,000	4,150	300	7.8%	0.9%
Weaverville, Washington Street, east	12,100	12,400	12,700	11,800	12,200	100	0.8%	0.1%
Martin/Nugget Roads, west	8,100	8,400	8,200	8,200	8,500	400	4.9%	0.6%
Martin/Nugget Roads, east	7,200	7,900	7,800	8,100	8,400	1,200	16.7%	1.9%
East Junction SR 3, west	6,500	6,000	5,700	5,600	5,600	(900)	-13.8%	-1.8%
East Junction SR 3, east	3,700	4,100	4,200	4,200	4,650	950	25.7%	2.9%
Lewiston Road, east	3,350	3,700	3,800	3,800	4,150	800	23.9%	2.7%
New Lewiston Road, east	3,950	4,050	4,250	4,900	5,000	1,050	26.6%	3.0%

Source: Caltrans 1991 - 1999 Traffic Volumes on California State Highways

In addition, the county's transportation network is impacted by the travel demand generated by goods movement, particularly along SR 299. State Route 299 serves as the primary east-west route for goods movement within Trinity County. It also serves as the primary east-west route for goods movement in northern California, connecting the Pacific Coast (Route 101) to the northern portion of the Central Valley (Interstate 5). Table 2 presents the most recent (1998) available data for truck activity on the State highways in Trinity County (*Truck Traffic on State Highways*, Caltrans 2001). The highest truck traffic volumes were observed on SR 299 at Lewiston Road (645 trucks per day), followed by SR 299 at the Trinity/Shasta County Line (636 trucks per day). While the level of truck activity on SR 299 through the county is relatively consistent (478 to 645 trucks per day), the higher overall traffic levels in Weaverville cause the proportion of trucks to vary from a high of 22 percent near Lewiston Road to a low of 4 percent in Weaverville. The proportion of all traffic consisting of trucks was highest on SR 3 at the Siskiyou County line, with trucks comprising up to 60 percent of all traffic.

Future Travel Demand

To assess future travel demand, traffic forecasts were developed using the County's TP+ computer traffic model. Existing land uses were first updated to reflect current conditions, by reviewing development permits issued since the last model update. The traffic model was then "calibrated" by comparing model forecasts against actual traffic counts, and adjusting model factors until actual volumes were replicated. Future forecast land uses for 2020 were then entered into the model. Percentage growth factors were identified by comparing existing and 2020 model results, and applied to existing observed traffic volumes (to eliminate any remaining model calibration error).

The resulting 2020 traffic volume forecasts are presented in Table 3, and depicted in Figure 11. As indicated, the largest traffic volume increases are forecast to occur along SR 299 between Washington Street and the eastern end of the community, with growth over the next 20 years of 1,500 to 1,600 vehicles per day. These volumes reflect an overall growth of approximately 15 percent over the 20-year period, or an annual growth rate of 0.7 percent. Daily traffic growth on all other segments of the State highway network are forecast to increase by less than 900 vehicles per day. On a percentage basis, the largest growth in traffic is forecast to occur on SR 3 in the Trinity Center area (total growth of 25 percent) and in the southern segment between SR 299 and SR 36 (total growth of 22 percent).

TRANSPORTATION FINDINGS, GOALS, AND POLICIES

Findings

Finding 1: Increasing seasonal traffic congestion in Weaverville creates potential safety issues and adverse impacts to the community.

Finding 2: State Route 299 in Weaverville operates at level-of-service E during peak periods. During peak periods, vehicle movements along SR 299 are slowed, while movements onto the highway experience significant delay. Conflicting traffic movements (turns from side streets, parking ingress and egress, delivery vehicles, etc.) cause additional delays.

Finding 3: State Route 299 has limited opportunities for passing, particularly downriver. Only three passing lanes exist (two eastbound, one westbound) on Highway 299 between Willow Creek and Douglas City, a stretch of 65 miles. The gap between passing lanes for eastbound traffic is 42 miles (Trinity Village to Oregon Mountain) while for west bound traffic there is a 52-mile gap between passing lanes (Oregon Mountain to Grays Falls). Caltrans is currently conducting feasibility studies, and is planning to update the Transportation Concept Report for SR 299 starting in 2003, both of which will address current conditions.

TABLE 2: Truck Traffic on Trinity County State Highways

Highway	Truck Average Annual Daily Traffic (1) 1992	1995	1998	Total Change: 1992-98	Avg. Annual Change 1992-98	Total Annual Avg. Daily Traffic Volume 1998	Percent Trucks 1998
SR 3 @:							
Junction of Route 36, north	45	13	36	(9)	-3.7%	330	11%
Morgan Hill Road, south	41	10	36	(5)	-2.1%	730	5%
Morgan Hill Road, north	242	170	126	(116)	-10.3%	890	14%
Hayfork	234	195	137	(97)	-8.5%	2,100	7%
Weaverville, North Junction, south	153	283	172	19	2.0%	1,550	11%
Weaverville, North Junction, north	142	124	125	(17)	-2.1%	4,200	3%
Rush Creek Road, south	141	254	146	5	0.6%	1,550	9%
Rush Creek Road, north	100	241	190	90	11.3%	750	25%
Trinity Center Maintenance Station	101	250	204	103	12.4%	780	26%
Siskiyou County Line	107	98	108	1	0.2%	180	60%
SR 36 @:							
Junction of Route 3, west	56	14	70	14	3.8%	380	18%
Junction of Route 3, east	134	74	66	(68)	-11.1%	170	39%
Shasta County Line, west	112	62	70	(42)	-7.5%	170	41%
SR 299 @:							
Humboldt/Trinity County Line, west	448	620	620	172	5.6%	3,300	19%
Weaverville, West City Limits, west	600	423	478	(122)	-3.7%	2,950	16%
Weaverville, West City Limits, east	607	426	516	(91)	-2.7%	2,700	19%
Weaverville, Washington Street, east	593	491	482	(111)	-3.4%	11,200	4%
Martin/Nugget Roads, west	590	475	583	(7)	-0.2%	6,700	9%
Martin/Nugget Roads, east	682	582	511	(171)	-4.7%	7,100	7%
East Junction SR 3, west	690	584	616	(74)	-1.9%	4,600	13%
East Junction SR 3, east	691	604	630	(61)	-1.5%	3,200	20%
Lewiston Road, east	644	639	645	1	0.0%	3,000	22%
New Lewiston Road, east	792	777	644	(148)	-3.4%	3,700	17%
Trinity/Shasta County Line, east	663	651	636	(27)	-0.7%	3,700	17%

Note 1: Truck traffic includes all vehicles in the two-axle class (including 1 1/2 ton trucks with dual rear tire and excludes pickups and vans with only four tires) and above.
Source: California Department of Transportation. Annual Average Daily Truck Traffic on the California State Highway System, 1998.

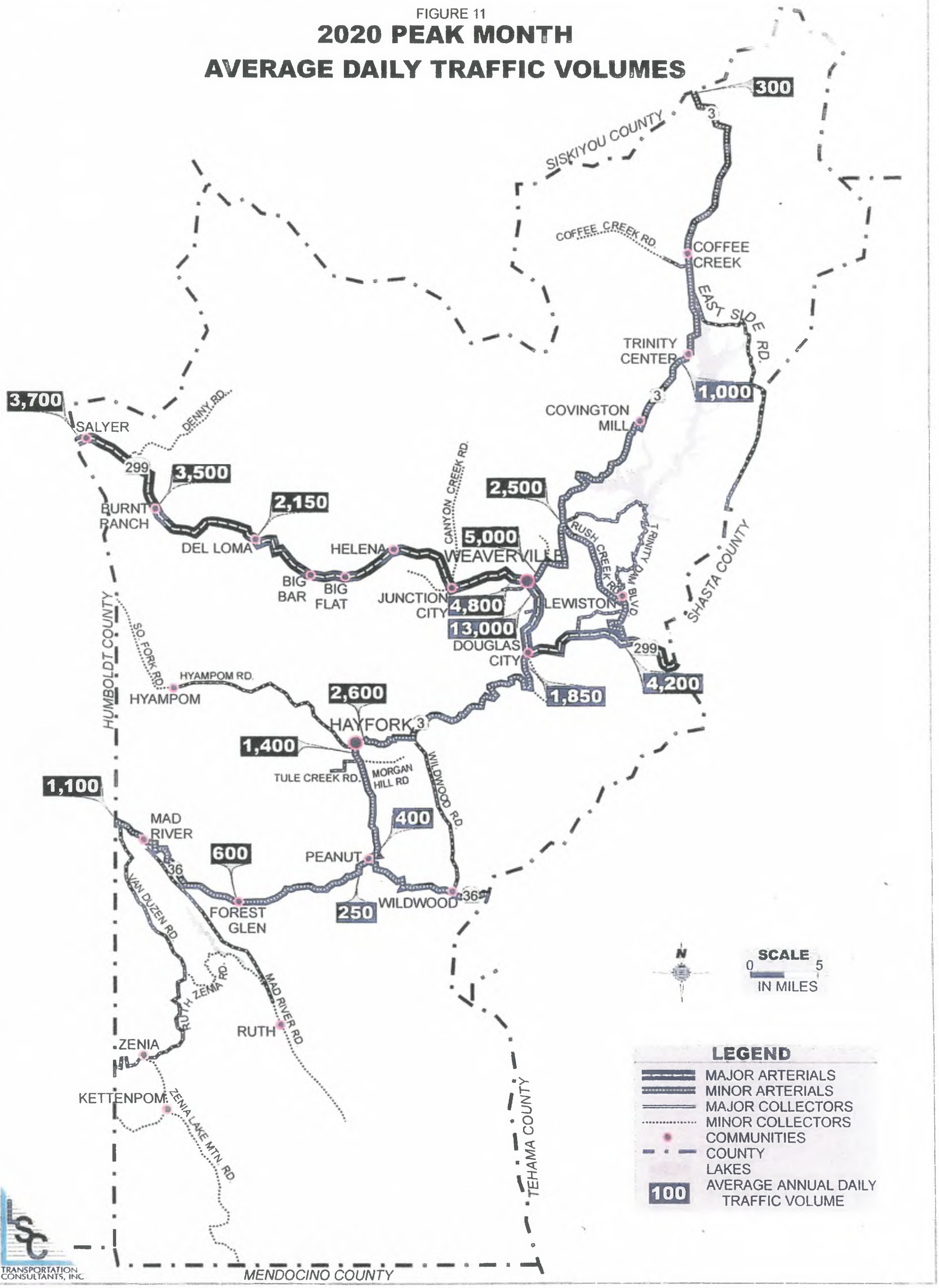
TABLE 3: Forecast Peak-Month Average Daily Traffic Volumes

Location	Estimated Existing 2000	Impact of Population Growth and Development 2000 - 2020	Impact of Growth in Through Traffic 2000 - 2020	Change in ADT 2000 - 2020	Total 2020	Total Change in ADT 2000 - 2020	Annual Percent Change in ADT 2000 - 2020
SR 3 @:							
Junction of Route 36, north	570	127	0	127	697	22.32%	1.0%
Morgan Hill Road, south	1,300	290	0	290	1,590	22.32%	1.0%
Morgan Hill Road, north	1,150	257	0	257	1,407	22.32%	1.0%
Hayfork	2,300	513	0	513	2,813	22.32%	1.0%
Douglas City, South Junction	2,200	498	0	498	2,698	22.62%	1.0%
Weaverville, North Junction	4,450	734	0	734	5,184	16.49%	0.8%
Rush Creek Road, south	3,150	752	0	752	3,902	23.88%	1.1%
Rush Creek Road, north	1,450	368	0	368	1,818	25.37%	1.1%
Trinity Center Maintenance Station	1,200	304	0	304	1,504	25.37%	1.1%
Siskiyou County Line	280	39	0	39	319	14.04%	0.7%
SR 36 @:							
Lower Mad River Road, west	930	132	0	132	1,062	14.15%	0.7%
Lower Mad River Road, east	490	69	0	69	559	14.15%	0.7%
Forest Glen Maintenance Station	600	138	0	138	738	23.01%	1.0%
Jct. of Route 3, north	260	38	0	38	298	14.65%	0.7%
SR 299 @:							
East Limits Salyer, west	4,500	196	200	396	4,896	8.80%	0.4%
East Limits Salyer, east	4,100	325	200	525	4,625	12.80%	0.6%
Burnt Ranch Road, west	4,100	325	200	525	4,625	12.80%	0.6%
Burnt Ranch Road, east	2,600	133	200	333	2,933	12.80%	0.6%
Del Loma, east	2,450	114	200	314	2,764	12.80%	0.6%
Weaverville, West City Limits, west	2,600	199	200	399	2,999	15.33%	0.7%
Weaverville, West City Limits, east	4,150	436	200	636	4,786	15.33%	0.7%
Weaverville, Washington Street, east	12,200	1,309	200	1,509	13,709	12.37%	0.6%
Martin/Nugget Roads, west	8,500	1,381	200	1,581	10,081	18.60%	0.9%
Martin/Nugget Roads, east	8,400	1,362	200	1,562	9,962	18.60%	0.9%
East Junction SR 3, west	5,600	695	200	895	6,495	15.99%	0.7%
East Junction SR 3, east	4,650	243	200	443	5,093	9.52%	0.5%
Lewiston Road, east	4,150	195	200	395	4,545	9.52%	0.5%
New Lewiston Road, east	5,000	276	200	476	5,476	9.52%	0.5%

Source: Estimates by LSC Transportation Consultants, Inc.

FIGURE 11

2020 PEAK MONTH AVERAGE DAILY TRAFFIC VOLUMES



Finding 4: State Route 3 has limited passing opportunities from Douglas City to Hayfork, and from Slate Creek to Trinity Center. Caltrans is currently planning to update the Transportation Concept Report for SR 3 starting in 2002, which will identify short and long range goals for improvements.

Finding 5: Facilities for non-motorized travel, including sidewalks and bicycle/pedestrian paths, are limited and do not provide safe continuous routes that link to recreational activity, commercial and residential areas.

Finding 6: The Weaverville-Lonnie Pool Airport has significant operational constraints and does not meet Federal Aviation Administration standards. There are safety issues with planes taking off due to the grade of the runway. A site location study is currently underway that is evaluating several alternative sites for relocation of the airport.

Finding 7: Downtown Weaverville has limited parking, particularly around the County offices.

Finding 8: Historically, inter-regional transit service (e.g., Greyhound) serving Trinity County, has been sporadic.

Finding 9: Development of water and/or wastewater systems in certain portions of the County will be important for both public health and economic development needs in the future, but may be constrained by limited local and/or grant funding resources.

Finding 10: Isolated portions of the County could benefit from expansion of cellular phone service to areas that could not otherwise be economically served. Additionally, increased availability of Internet service will enhance educational opportunities and could increase economic opportunities for County residents.

GOALS AND POLICIES

Transportation System

Goal 1: Provide for the long-range development of the county's roadway system that is consistent with adopted land use patterns, ensures the safe and efficient movement of the people and goods, minimizes impacts on the attractiveness of the community, meets environmental and circulation objectives, and implements funding strategies for construction, improvement, and maintenance of existing and new roadways.

Roadway Design

Objective 1.1: Establish consistency and/or linkages between transportation programs and land use plans.

Policy 1.1.A: Update the Trinity County *General Plan, Regional Transportation Plan*, and/or Community Plans to provide consistency with the findings and/or recommendation of traffic studies, as appropriate.

Policy 1.1.B: Consider the Trinity County *General Plan, Regional Transportation Plan,* and/or Community Plans when assessing potential transportation projects.

Objective 1.2: Determine and, as appropriate, address the probable land use impacts of transportation projects prior to approving or funding the projects.

Policy 1.2.A: Location, design and development of transportation projects shall be consistent with the adopted land use policies of the county.

Policy 1.2.B: Identify potential impacts and/or conflicts between potentially growth-inducing transportation projects and the adopted land-use policies of the county.

Policy 1.2.C: Require mitigation for transportation projects with potentially significant impacts to existing or planned land uses in the county.

Objective 1.3: Develop a uniform road classification system throughout the county to assure consistency in the application of development and road standards.

Policy 1.3.A: Apply the American Association of State Highway and Transportation Officials classification system of arterials, collectors and locals to County roads, as identified in County Ordinance No. 1214.

Policy 1.3.B: Review the circulation system of each community during updates of the Regional Transportation Plan to determine the possible need for changes in road classifications.

Policy 1.3.C: Periodically review and update individual road classifications based on current land use and population projections.

Objective 1.4: Develop road systems, which are compatible with the areas they serve.

Policy 1.4.A: Motorist safety, emergency vehicle access, roadway use/purpose and climate/weather conditions are all factors that should be considered when existing roads are improved or new roads are developed.

Policy 1.4.B: Sound engineering judgment shall be used in determining road design and construction in order to reduce long term maintenance costs.

Policy 1.4.C: Projects or land uses that will generate heavy commercial traffic or high trip volumes shall be mitigated as determined by the decision-making body.

Policy 1.4.D: Land uses or densities which could result in unsafe road conditions shall be mitigated as determined by the decision-making body.

Objective 1.5: Utilize environmental protection/mitigation measures that consider environmental, social, and economic factors when designing, constructing and operating transportation facilities.

Policy 1.5.A: Support early consideration of environmental issues in the planning and design of transportation facilities.

Policy 1.5.B: Comply with applicable State and Federal environmental laws during the planning and construction of roadway projects.

Policy 1.5.C: Ensure the County, State and Federal maintenance activities are conducted in accord with applicable environmental regulations.

Policy 1.5.D: Work with local, State and Federal agencies to ensure that existing and/or proposed environmental regulations achieve protection of the environment without sacrificing public safety or placing unnecessary restrictions on street and highway projects.

Policy 1.5.E: Ensure that social and economic issues are considered along with the natural and man made environments when environmental review is conducted for proposed projects.

Policy 1.5.F: Work with local, State and Federal agencies to ensure coordination and consistency in the application of environmental regulations.

Level of Service

Objective 1.6: Identify anticipated street and road congestion/capacity problems before they become critical in order to program preventative measures and reduce the cost of correction.

Policy 1.6.A: The minimum acceptable Level Of Service (LOS) standard for roadway and intersection operation in Trinity County is "D". No public highway or roadway should be allowed to fall to or below LOS "E".

Policy 1.6.B: Traffic analysis, engineering judgment and/or special studies should be utilized to assess whether roadways or intersections are operating near or at LOS "E". If a roadway or intersection is at or near LOS "E", improvements or other strategies to remedy the condition should be considered a priority.

Roadway Network

Objective 1.7: Identify the need for road corridor expansion on the basis of existing conditions and/or planned land uses.

Policy 1.7.A: Complete traffic studies and neighborhood informational meetings prior to proposing significant expansion of existing roads. Citizens Advisory Committees, appointed by the Board of Supervisors to represent a cross section of community interests, similar in composition to the Weaverville Basin Traffic Circulation Study Advisory Committee, should be utilized to help identify and prioritize traffic congestion relief projects in congested communities.

Policy 1.7.B: New roads and extension/improvement of existing roads must be designed for anticipated traffic volumes and weight loads.

Policy 1.7.C: Identify road segments where existing right-of-way is inadequate to accommodate road width needed at community build-out and take steps to obtain necessary right-of-way.

Objective 1.8: Provide safe passing zones on State highways and county roads.

Policy 1.8.A: Construct turnouts and passing lanes on county roads where feasible and as transportation funding/project prioritization allows.

Policy 1.8.B: Support Caltrans' efforts to program turnouts and passing lanes on State highways in Trinity County.

Policy 1.8.C: Avoid overall barrier striping where feasible.

Policy 1.8.D: Location, design and development of transportation projects shall be consistent with the adopted land use policies of the county.

Policy 1.8.E: Identify potential impacts and/or conflicts between potentially growth-inducing transportation projects and the adopted land-use policies of the county.

Policy 1.8.F: Require mitigation for transportation projects with potentially significant impacts to existing or planned land uses in the county.

Policy 1.8.G: Require on and off-site road improvements at the time of land division in order to provide for the safe and efficient movement of traffic.

Policy 1.8.H: Development projects shall comply with all applicable county and State roadway conditions and/or standards.

Policy 1.8.I: All roads serving new land divisions or commercial, industrial or multiple family development requiring discretionary County approvals in the Weaverville and Hayfork Fire Protection Districts shall be County-maintained roads; however, upon approval by the affected fire district, roads shall be paved, but may be privately owned and maintained by a road maintenance association.

Objective 1.9: Develop standards for reviewing the abandonment of roadways. Standards shall include needs for generation circulation pattern, public utilities, and access to public resources and waterways.

Policy 1.9.A: Road abandonment shall provide the retention of utility and private easements as necessary.

Policy 1.9.B: Proposed abandonment of a road which provides reasonable access to public resources or waterways should be denied.

Policy 1.9.C: Abandonment of a road for vehicular traffic shall consider the need for retaining pedestrian, equestrian, utility or stock easements.

Financing of Improvements

Objective 1.10: Pursue highest priority transportation projects first, within the constraints of funding availability and eligibility.

Policy 1.10A: Develop projects and allocate transportation revenues abailable to the County and RTPA, focusing on the following priorities:

- Operational/Safety improvements to existing county roads.
- Maintenance of existing county roads.
- Rehabilitation/Reconstruction of existing county roads.
- Improvement of existing facilities to increase capacity and reduce congestion.
- Construction of new facilities to relieve congestion (Weaverville).
- Operational/Safety improvements to State highways.
- Passing lanes and other capacity improvements to State highways.

Policy 1.10.B: Seek and/or provide funding for all priority projects within Trinity County prior to supporting projects outside the county.

Policy 1.10.C: Schedule present and future transportation projects within the limits of fiscal constraints, funding eligibility and applicable program guidelines/criteria.

Objective 1.11: Identify and secure additional funding sources to support transportation.

Policy 1.11.A: Support legislation which provides additional funding for maintenance of county streets and highways as well as additional funding for transportation in general.

Policy 1.11.B: Support legislation which reduces limitations on transportation funding and/or simplifies funding programs.

Policy 1.11.C: Ensure to the extent possible that the costs of street and highway improvements necessitated by new development are borne by the responsible projects.

Objective 1.12: Use available funds for eligible programs that will ensure the most efficient use of existing facilities.

Policy 1.12.A: Give highest priority to maintenance and protection of existing facilities, following the recommendations developed through the Pavement Management System, and as financially feasible.

Policy 1.12.B: Consider utilizing low-cost alternatives before approving costly expansions.

Economic Development

Objective 1.13: As feasible under financial constraints, expand the transportation system to accommodate and attract new businesses and visitors.

Policy 1.13.A: Maintain existing transportation facilities in a manner that supports economic development and tourism.

Policy 1.13.B: Assess each project's contribution to the aesthetics of the area in which it is implemented and support those projects that enhance the visitor's experience in the region.

Objective 1.14: Support and promote economic development through the efficient movement of freight and tourist travel to, and through Trinity County.

Policy 1.14.A: Support efforts to maintain and improve Trinity County's highway system as important inter-regional trucking routes, as well as connecting highways in adjacent counties.

Objective 1.15: Achieve scenic roadway designation for appropriate State and County highways/roads.

Policy 1.15.A: The County Scenic Roadways program will consist of specific right-of-way zoning per the County Scenic Conservation Overlay Zoning District. At the time that Community Plans or the General Plan Land Use Element are developed or updated, identify appropriate roads (or road segments) to be designated as County Scenic Roadways. Factors to consider include current viewshed condition, resource utilization needs and the need for shaded fuel breaks.

In addition to adopted County Scenic Roadways, the following county roads are eligible for designation as County Scenic Roads:

- Coffee Creek Road (Rd 104)
- East Side Road (Rd 106)
- Hyampom Road (Rd 301)
- Wildwood Road (Rd 302)
- Denny Road (Rd 402)
- Mad River Road (Rd 501)
- Ruth-Zenia Road (Rd 502),
- Alder Point Bluff Road (Rd 516)
- Peak Road (Rd 519)
- Van Duzen Road (Rd 511)

Policy 1.15.B: Regulate the location and design of off-site signs, community identification signs, and community service signs along designated National Scenic Byways and designated Scenic County Roadways.

Policy 1.15.C: Review plans by other public agencies to insure that the viewsheds of scenic roadways are adequately addressed.

Policy 1.15.D: Cooperate with interested landowners to obtain grants or other resources to improve visual quality along roadways with a high scenic value.

Objective 1.16: Maintain the historical characteristics that make communities unique and allow residents and visitors to experience a sense of the past.

Policy 1.16.A: Discourage the use of traffic signals in or near designated historic areas or similar areas of local significance.

Policy 1.16.B: Street lighting in historic districts shall complement rather than detract from colors and architecture of the district.

Objective 1.17: Encourage development of aviation facilities and aviation compatible business and commercial activities at the County Airports.

Policy 1.17.A: Review existing land uses at the County's airports during updates of the County General Plan and Community Plans to determine if additional aviation compatible uses are desirable, necessary, or anticipated in order to augment the airports' sustainability and the community's economic health.

Policy 1.17.B: Include policies in future updates of Community Plans and the County General Plan that allow and encourage aviation compatible development at the airports.

Inter-Jurisdictional Coordination

Objective 1.18: Coordinate plans, programs and projects for the County, State and Federal transportation systems.

Policy 1.18.A: Provide State and Federal agencies the opportunity to comment on transportation plans and projects proposed by the County, as appropriate.

Policy 1.18.B: Seek opportunities to review and comment on transportation plans and projects proposed by State and Federal agencies.

Policy 1.18.C: Attempt to develop "partnerships" with Caltrans and other Regional Transportation Planning Agencies when considering large transportation projects with multi-jurisdictional benefits and/or impacts.

Policy 1.18.D: Consider potential impacts to all components of the transportation system that may result from a proposed project. Require mitigation of identified impacts if the project is to be approved.

Transit

Goal 2: Provide an effective, efficient transit service that can reasonably meet the transportation needs of county residents and visitors.

Objective 2.1: Maximize accessibility for those travel markets that exhibit the greatest need for transit services.

Policy 2.1.A: Adopt standards for Level Of Need (LON) and utilize these standards to guide development of transit services. Standards shall be as follows:

- LON 1 - Service Standard: As a minimum, some form of transit service should be provided along the major highways in the county where the population is sufficient to warrant service.
- LON 2 - Service Standard: Major employment, medical, shopping and government attractors in the largest population centers should be served by public transit as much as economically feasible.
- LON 3 - Service Standard: Service should be available during the week, Monday through Friday.
- LON 4 - Service Standard: Any expansion of service beyond LON 1,2 and 3 should only be considered after all type LON 1, 2 and 3 needs are met throughout the county.

Policy 2.1.B: Recognize the important contribution of taxi cab service to the residents of the county.

Objective 2.2: Maintain a minimum fare box to operating expense recovery ratio.

Policy 2.2.A: Maintain a fare box return ratio that is equal to or greater than the prior year. This could necessitate any combination of the following actions: increase ridership to increase revenue, raise fares to increase revenue, keep total operating cost increases to a minimum. In no instance should the ratio fall below the State mandated minimum of 10 percent.

Objective 2.3: Increase productivity per unit of service supply.

Policy 2.3.A: Efforts should be made to increase passengers per vehicle service hour by a minimum annual rate of 4 percent. Since the achievement of this standard will result in higher patronage (and fare box revenues) with only minimum increases in costs (due to marketing, for example), it will help ensure the attainment of fare box ratio.

Objective 2.4: Maintain cost efficiencies for each of the key components of the transit operation.

Policy 2.4.A: Annual operating cost increases should not exceed the level required to address inflation. The index that should be used are cost per hour of service. The key components of this costs to monitor are: personnel (primarily drivers' salaries and benefits), operations (primarily fuel and insurance), maintenance (primarily mechanics' salaries and parts), and administration (includes

administrative and management costs charged to transit by County staff as well as the Transit Coordinator's office workdays).

Objective 2.5: Minimize the net cost of providing transit service.

Policy 2.5.A: Transit service in the rural portions of the county should only be considered for implementation by the County when it can be provided at a cost that will not exceed $10.00 per passenger trip. In the more populated areas of the county, costs should not exceed $6.00 per passenger trip.

Policy 2.5.B: When possible, efforts should be made to take advantage of existing specialized and private services already in operation. Subsidy cost for these services should not exceed $5.00 per passenger trip.

Policy 2.5.C: Update the Transit Development Plan in 2002, and a minimum of every five years thereafter.

Policy 2.5.D: The most recent adopted Transit Development Plan will be considered as a sub-element to this Circulation Element.

Transportation System Management

Goal 3: Maintain and upgrade the existing transportation system to prevent costly deterioration, to ensure that efficiency of the system does not decline, to maintain air quality and conserve energy, and to increase mobility and reduce travel time within Trinity County and adjacent regions.

Objective 3.1: Use available funds for programs that ensure the most efficient use of existing facilities.

Policy 3.1.A: Give highest priority to maintenance and protection of existing facilities.

*Policy 3.1.*B: Examine low-cost alternatives rather than approving costly expansions.

Policy 3.1.C: Support land uses and planning that minimizes potential damage to the current roadway system.

Objective 3.2: Encourage multi-passenger vehicle use and other forms of energy-conserving transportation.

Policy 3.2.A: Encourage public transit systems, vanpools, and carpools.

Policy 3.2.B: Acquire public transit vehicles to maintain an efficient and effective public transit system.

Objective 3.3: Encourage non-motorized systems of transportation.

Policy 3.3.A: Encourage residents to walk and use bicycles.

Objective 3.4: Development of a system of high standard collector and arterial roads to reduce travel time and improve traffic safety within the county, as well as connectors with other regions.

Policy 3.4.A: Correct deficiencies in major collector and arterial roads.

Policy 3.4.B: Provide for surfaced, all weather roads and streets where year-round public service is needed for education, mail, medical, fire protection, law enforcement and cultural activities.

Objective 3.5: Promote safe transportation systems with the use of Intelligent Transportation Systems (ITS) technology.

Policy 3.5.A: Coordinate with Caltrans the placement of ITS technology at key locations to promote safer travel.

Non-Motorized Transportation

Goal 4: Increase bicycle and pedestrian travel by developing a safe and convenient system of bicycle routes, trails, storage facilities and pedestrian walkways, connecting all of Trinity County's major activity centers.

Objective 4.1: Increase the total mileage of safe bike routes, trails and pedestrian walkways.

Policy 4.1.A: A minimum of four foot paved shoulders should be provided when any new State highway lane miles are added in Trinity County. Four-foot paved shoulders should also be provided when any new county road classified as a major or minor arterial is constructed.

Policy 4.1.B: Bicycle and pedestrian facilities shall be developed in accordance with applicable County and State regulations.

Policy 4.1.C: Pursue available funding sources for pedestrian and bicycle facilities when feasible. Possible sources of funding that should be considered include the STIP, TEA, BTA and other competitive grant programs.

Policy 4.1.D: Develop and adopt a Bikeway Master Plan by Spring of 2003 to better address existing facilities and future needs and attain eligibility for Bicycle Transportation Account funds.

Policy 4.1.E: Ensure that future community plans identify those pedestrian and bicycle routes most frequently used.

Policy 4.1.F: Identify important bicycle and pedestrian routes during adoption of community plans and cooperate with State and Federal agencies to secure such trails.

Policy 4.1 G: Obtain public easements for locally or regionally significant trails at the time of land division.

Policy 4.1.H: Retain pedestrian/bicycle access points and trails across public lands.

Policy 4.1.I: Locate new trail access points on public land when possible.

Policy 4.1.J: Obtain or verify legal access across private lands for existing trails. If legal access does not exist, or cannot be obtained by mutual agreement, then provide for alternative access on public lands where possible.

Policy 4.1.K: Historic trails should be designated by using historic names.

Objective 4.2: Increase bike facility parking security at selected locations.

Policy 4.2.A: Acquire bike storage and security facilities at appropriate locations as funding becomes available.

Objective 4.3: Promote developments that are designed to encourage non-motorized trips by providing for efficient, convenient, and safe pedestrian and bicycle facilities.

Policy 4.3.A: Include provisions in the County Zoning Ordinance that support the design and development of pedestrian and bicycle facilities as part of other development projects. These provisions could include special standards for mixed-use developments, reduced development standards or other incentives.

Goods Movement

Goal 5: Maintain a balanced freight transportation system to provide for the safe and efficient movement of goods in a manner that supports the economic well-being and quality of life of Trinity County residents.

Objective 5.1: Provide for safe, efficient distribution of goods and services within reasonable time frames.

Policy 5.1.A: Coordinate county road maintenance and improvement schedules with planned commercial trucking needs, to facilitate the efficient movement of goods.

Policy 5.1.B: Support Federal, State and local policies that enhance facilities involved in the transportation of commodities.

Policy 5.1.C: Review land use and transportation projects for potential impacts to goods movement facilities.

Policy 5.1.D: Ensure that all proposals for road closure by the United States Forest Service, Bureau of Land Management, or other governmental agencies have considered the potential use of the road for resource access, resource management, recreation, fire protection and other important public purposes.

Policy 5.1.E: Support completion of the environmental studies for Buckhorn Grade on State Route 299 in order to assess potential benefits to interregional commerce that may result from the project. Consideration should also be given to potential impacts to other parts of the goods movement system in Trinity County - particularly county roads and State Route 299 in Weaverville.

Policy 5.1.F: Encourage use of County Airports by commercial freight delivery services, including development of air freight service facilities at the airports.

Objective 5.2: Address potential impacts on the environment that may result from projects to improve the goods movement system.

Policy 5.2.A: Review all proposals to improve regional and interregional goods movement for potential impacts to infrastructure systems, residents and the environment in Trinity County.

Policy 5.2.B: Ensure that the requirements of the Cooperative Agreement for the environmental studies/document component for potential Buckhorn Grade Improvement and/or Realignment

(District Agreement No. 02-0032) are met and evaluated by all parties prior to any consideration of funding/developing subsequent project components.

Objective 5.3: Coordinate the development and use of the goods movement system with other infrastructure and community service needs in the county.

Policy 5.3.A: Solicit review and comment on goods movement proposals by agencies and special districts that may be affected by the proposal.

Air Transportation

Goal 6: Maintain, improve and/or develop airports to better serve the needs of general and commercial aviation users as well as the general public.

Objective 6.1: Maintain or improve existing general aviation airports to meet Federal standards and State airport licensing criteria.

Policy 6.1.A: Support efforts to implement improvements identified in adopted airport master plans.

Policy 6.1.B: Seek available Federal and State grants and/or loans on an on-going basis to provide necessary financial support for airport safety, maintenance and expansion.

Policy 6.1.C: The Trinity County Zoning Ordinance should be amended to address encroachment of existing and future natural obstructions and future man-made obstructions within the airspace encroachment areas.

Policy 6.1.D: Complete an Airport System Plan that includes updated Airport Layout Plans (Master Plans) for all County airports.

Policy 6.1.E: The most recent adopted Airport Master Plan(s) will be considered as a sub-element to this Circulation Element.

Policy 6.1.F: Develop and adopt Comprehensive Land Use Plans for all County operated airports, and require development of airports and surrounding properties to be consistent with adopted Comprehensive Land Use Plans.

Objective 6.2: Relocate the Weaverville Airport in order to improve safety, increase utilization, reduce potential risks and reduce land use conflicts.

Policy 6.2.A: The Weaverville Airport Relocation Study and the accompanying environmental document should consider the operational requirements of the airport, appropriate land uses/facilities for the site and potential impacts to the community and environment resulting from construction and operation of the airport, in compliance with NEPA and CEQA.

Objective 6.3: Ensure that new general aviation airport development is done in accordance with Federal, State and local standards.

Policy 6.3.A: Access roads to airports shall comply with all applicable policies and standards of this plan.

Policy 6.3.B: Involve appropriate Federal and/or State aviation and regulatory agencies in any proposal to relocate an existing airport or to develop a new facility.

Objective 6.4: Facilitate the rapid transfer of emergency medical cases.

Policy 6.4.A: Install runway lighting and navigational aids as needed at appropriate airports.

Policy 6.4.B: Encourage the development of approved heliports for emergency medical transportation.

Development of New Growth Areas

Goal 7: Promote the efficient movement of goods and people within new growth areas and between growth areas, and to other major destinations in the County.

Objective 7.1: Determine and, as appropriate, address the probable transportation impacts of proposed land use projects.

Policy 7.1.A: Require, as appropriate, on- and off-site road improvements at the time of land division in order to provide for the safe and efficient movement of traffic.

Policy 7.1.B: Development projects shall comply with all applicable county and State roadway conditions and/or standards.

Policy 7.1.C: Ensure to the extent possible that the costs of street and highway improvements necessitated by new development are borne by the responsible party or parties.

Policy 7.1.D: Ensure that county road and State highway right-of-way needs will be met in conjunction with development project approvals.

Policy 7.1.E: Review land use development projects of all public and private project proponents to determine impacts to the road system and require improvements as necessary.

Public Utilities and Facilities

Goal 8: Promote orderly and efficient expansion of public utilities and facilities to meet projected needs.

Objective 8.1: Coordinate the development and use of public utilities and facilities with community development and growth.

Policy 8.1.A: Consider the availability, condition and capacity of community utilities and facilities when evaluating land divisions, development projects and transportation projects.

Policy 8.1.B: Encourage completion of studies to assess the need for new or improved community utilities and facilities in growing areas of the County and areas with known problems or constraints.

Policy 8.1.C: Support the efforts of communities and special districts to obtain funding to develop community infrastructure systems for fire, water, sewage and other important community services.

Objective 8.2: Provide for public utility and facility support services related to other important community services.

Policy 8.2.A: Identify future school bus routes and requirements (such as turnarounds and bus stops) at the time of land division.

Policy 8.2.B: Encourage the development of fiber optic communication services to the extent practical and feasible, including the development of a state-wide conference communication system.

Policy 8.2.C: Encourage installation of fire hydrants and other fire support services as requested by local, State and Federal fire prevention/suppression agencies.

Policy 8.2.D: Locate emergency response services in areas with adequate roads and support systems.

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S.652

One Hundred Fourth Congress
of the
United States of America
AT THE SECOND SESSION
Begun and held at the City of Washington on Wednesday,
the third day of January, one thousand nine hundred and ninety-six

An Act

To promote competition and reduce regulation in order to secure lower prices and higher quality services for American telecommunications consumers and encourage the rapid deployment of new telecommunications technologies.

[Italic->] Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [<-Italic]

SECTION 1. SHORT TITLE; REFERENCES.

(a) SHORT TITLE- This Act may be cited as the `Telecommunications Act of 1996'.

(b) REFERENCES- Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Communications Act of 1934 (47 U.S.C. 151 et seq.).

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title; references.
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SEC. 3. DEFINITIONS.

(a) ADDITIONAL DEFINITIONS- Section 3 (47 U.S.C. 153) is amended--

(1) in subsection (r)--

(A) by inserting `(A)' after `means'; and

(B) by inserting before the period at the end the following: `, or (B) comparable service provided through a system of switches, transmission equipment, or other facilities (or combination thereof) by which a subscriber can originate and terminate a telecommunications service'; and

(2) by adding at the end thereof the following:

`(33) AFFILIATE- The term `affiliate' means a person that (directly or indirectly) owns or controls, is owned or controlled by, or is under common ownership or control with, another person. For purposes of this paragraph, the term `own' means to own an equity interest (or the equivalent thereof) of more than 10 percent.

`(34) AT&T CONSENT DECREE- The term `AT&T Consent Decree' means the order entered August 24, 1982, in the antitrust action styled United States v. Western Electric, Civil Action No. 82-0192, in the United States District Court for the District of Columbia, and includes any judgment or order with respect to such action entered on or after August 24, 1982.

`(35) BELL OPERATING COMPANY- The term `Bell operating company'--

`(A) means any of the following companies: Bell Telephone Company of Nevada, Illinois Bell Telephone Company, Indiana Bell Telephone Company, Incorporated, Michigan Bell Telephone Company, New England Telephone and Telegraph Company, New Jersey Bell Telephone Company, New York Telephone Company, U S West Communications Company, South Central Bell Telephone Company, Southern Bell Telephone and Telegraph Company, Southwestern Bell Telephone Company, The Bell Telephone Company of Pennsylvania, The Chesapeake and

Potomac Telephone Company, The Chesapeake and Potomac Telephone Company of Maryland, The Chesapeake and Potomac Telephone Company of Virginia, The Chesapeake and Potomac Telephone Company of West Virginia, The Diamond State Telephone Company, The Ohio Bell Telephone Company, The Pacific Telephone and Telegraph Company, or Wisconsin Telephone Company; and

`(B) includes any successor or assign of any such company that provides wireline telephone exchange service; but

`(C) does not include an affiliate of any such company, other than an affiliate described in subparagraph (A) or (B).

`(36) CABLE SERVICE- The term `cable service' has the meaning given such term in section 602.

`(37) CABLE SYSTEM- The term `cable system' has the meaning given such term in section 602.

`(38) CUSTOMER PREMISES EQUIPMENT- The term `customer premises equipment' means equipment employed on the premises of a person (other than a carrier) to originate, route, or terminate telecommunications.

`(39) DIALING PARITY- The term `dialing parity' means that a person that is not an affiliate of a local exchange carrier is able to provide telecommunications services in such a manner that customers have the ability to route automatically, without the use of any access code, their telecommunications to the telecommunications services provider of the customer's designation from among 2 or more telecommunications services providers (including such local exchange carrier).

`(40) EXCHANGE ACCESS- The term `exchange access' means the offering of access to telephone exchange services or facilities for the purpose of the origination or termination of telephone toll services.

`(41) INFORMATION SERVICE- The term `information service' means the offering of a capability for generating, acquiring, storing, transforming, processing, retrieving, utilizing, or making available information via telecommunications, and includes electronic publishing, but does not include any use of any such capability for the management, control, or operation of a telecommunications system or the management of a telecommunications service.

`(42) INTERLATA SERVICE- The term `interLATA service' means telecommunications between a point located in a local access and transport area and a point located outside such area.

`(43) LOCAL ACCESS AND TRANSPORT AREA- The term `local access and transport area' or `LATA' means a contiguous geographic area--

`(A) established before the date of enactment of the Telecommunications Act of 1996 by a Bell operating company such that no exchange area includes points within more than 1 metropolitan statistical area, consolidated metropolitan statistical area, or State, except as expressly permitted under the AT&T Consent Decree; or

`(B) established or modified by a Bell operating company after such date of enactment and approved by the Commission.

`(44) LOCAL EXCHANGE CARRIER- The term `local exchange carrier' means any person that is engaged in the provision of telephone exchange service or exchange access. Such term does not include a person insofar as such person is engaged in the provision of a commercial mobile service under section 332(c), except to the extent that the Commission finds that such service should be included in the definition of such term.

`(45) NETWORK ELEMENT- The term `network element' means a facility or equipment used in the provision of a telecommunications service. Such term also includes features, functions, and capabilities that are provided by means of such facility or equipment, including subscriber numbers, databases, signaling systems, and information sufficient for billing and collection or used in the transmission, routing, or other provision of a telecommunications service.

`(46) NUMBER PORTABILITY- The term `number portability' means the ability of users of telecommunications services to retain, at the same location, existing telecommunications numbers without impairment of quality, reliability, or convenience when switching from one telecommunications carrier to another.

`(47) RURAL TELEPHONE COMPANY- The term `rural telephone company' means a local exchange carrier operating entity to the extent that such entity--

`(A) provides common carrier service to any local exchange carrier study area that does not include either--

`(i) any incorporated place of 10,000 inhabitants or more, or any part thereof, based on the most recently available population statistics of the Bureau of the Census; or

`(ii) any territory, incorporated or unincorporated, included in an urbanized area, as defined by the Bureau of the Census as of August 10, 1993;

`(B) provides telephone exchange service, including exchange access, to fewer than 50,000 access lines;

`(C) provides telephone exchange service to any local exchange carrier study area with fewer than 100,000 access lines; or

`(D) has less than 15 percent of its access lines in communities of more than 50,000 on the date of enactment of the Telecommunications Act of 1996.

`(48) TELECOMMUNICATIONS- The term `telecommunications' means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

`(49) TELECOMMUNICATIONS CARRIER- The term `telecommunications carrier' means any provider of telecommunications services, except that such term does not include aggregators of telecommunications services (as defined in section 226). A telecommunications carrier shall be treated as a common carrier under this Act only to the extent that it is engaged in providing telecommunications services, except that the Commission shall determine whether the provision of fixed and mobile satellite service shall be treated as common carriage.

`(50) TELECOMMUNICATIONS EQUIPMENT- The term `telecommunications equipment' means equipment, other than customer premises equipment, used by a carrier to provide telecommunications services, and includes software integral to such equipment (including upgrades).

`(51) TELECOMMUNICATIONS SERVICE- The term `telecommunications service' means the offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used.'.

(b) COMMON TERMINOLOGY- Except as otherwise provided in this Act, the terms used in this Act have the meanings provided in section 3 of the Communications Act of 1934 (47 U.S.C. 153), as amended by this section.

(c) STYLISTIC CONSISTENCY- Section 3 (47 U.S.C. 153) is amended--

(1) in subsections (e) and (n), by redesignating clauses (1), (2), and (3), as clauses (A), (B), and (C), respectively;

(2) in subsection (w), by redesignating paragraphs (1) through (5) as subparagraphs (A) through (E), respectively;

(3) in subsections (y) and (z), by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively;

(4) by redesignating subsections (a) through (ff) as paragraphs (1) through (32);

(5) by indenting such paragraphs 2 em spaces;

(6) by inserting after the designation of each such paragraph--

(A) a heading, in a form consistent with the form of the heading of this subsection, consisting of the term defined by such paragraph, or the first term so defined if such

paragraph defines more than one term; and

(B) the words `The term';

(7) by changing the first letter of each defined term in such paragraphs from a capital to a lower case letter (except for `United States', `State', `State commission', and `Great Lakes Agreement'); and

(8) by reordering such paragraphs and the additional paragraphs added by subsection (a) in alphabetical order based on the headings of such paragraphs and renumbering such paragraphs as so reordered.

(d) CONFORMING AMENDMENTS- The Act is amended--

(1) in section 225(a)(1), by striking `section 3(h)' and inserting `section 3';

(2) in section 332(d), by striking `section 3(n)' each place it appears and inserting `section 3'; and

(3) in sections 621(d)(3), 636(d), and 637(a)(2), by striking `section 3(v)' and inserting `section 3'.

TITLE I--TELECOMMUNICATION SERVICES

SUBTITLE A--TELECOMMUNICATIONS SERVICES

SEC. 101. ESTABLISHMENT OF PART II OF TITLE II.

(a) AMENDMENT- Title II is amended by inserting after section 229 (47 U.S.C. 229) the following new part:

`PART II--DEVELOPMENT OF COMPETITIVE MARKETS

`SEC. 251. INTERCONNECTION.

`(a) GENERAL DUTY OF TELECOMMUNICATIONS CARRIERS- Each telecommunications carrier has the duty--

`(1) to interconnect directly or indirectly with the facilities and equipment of other telecommunications carriers; and

`(2) not to install network features, functions, or capabilities that do not comply with the guidelines and standards established pursuant to section 255 or 256.

`(b) OBLIGATIONS OF ALL LOCAL EXCHANGE CARRIERS- Each local exchange carrier has the following duties:

`(1) RESALE- The duty not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on, the resale of its telecommunications services.

`(2) NUMBER PORTABILITY- The duty to provide, to the extent technically feasible, number portability in accordance with requirements prescribed by the Commission.

`(3) DIALING PARITY- The duty to provide dialing parity to competing providers of telephone exchange service and telephone toll service, and the duty to permit all such providers to have nondiscriminatory access to telephone numbers, operator services, directory assistance, and directory listing, with no

unreasonable dialing delays.

`(4) ACCESS TO RIGHTS-OF-WAY- The duty to afford access to the poles, ducts, conduits, and rights-of-way of such carrier to competing providers of telecommunications services on rates, terms, and conditions that are consistent with section 224.

`(5) RECIPROCAL COMPENSATION- The duty to establish reciprocal compensation arrangements for the transport and termination of telecommunications.

`(c) ADDITIONAL OBLIGATIONS OF INCUMBENT LOCAL EXCHANGE CARRIERS-

In addition to the duties contained in subsection (b), each incumbent local exchange carrier has the following duties:

`(1) DUTY TO NEGOTIATE- The duty to negotiate in good faith in accordance with section 252 the particular terms and conditions of agreements to fulfill the duties described in paragraphs (1) through (5) of subsection (b) and this subsection. The requesting telecommunications carrier also has the duty to negotiate in good faith the terms and conditions of such agreements.

`(2) INTERCONNECTION- The duty to provide, for the facilities and equipment of any requesting telecommunications carrier, interconnection with the local exchange carrier's network--

`(A) for the transmission and routing of telephone exchange service and exchange access;

`(B) at any technically feasible point within the carrier's network;

`(C) that is at least equal in quality to that provided by the local exchange carrier to itself or to any subsidiary, affiliate, or any other party to which the carrier provides interconnection; and

`(D) on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, in accordance with the terms and conditions of the agreement and the requirements of this section and section 252.

`(3) UNBUNDLED ACCESS- The duty to provide, to any requesting telecommunications carrier for the provision of a telecommunications service, nondiscriminatory access to network elements on an unbundled basis at any technically feasible point on rates, terms, and conditions that are just, reasonable, and nondiscriminatory in accordance with the terms and conditions of the agreement and the requirements of this section and section 252. An incumbent local exchange carrier shall provide such unbundled network elements in a manner that allows requesting carriers to combine such elements in order to provide such telecommunications service.

`(4) RESALE- The duty--

`(A) to offer for resale at wholesale rates any telecommunications service that the carrier provides at retail to subscribers who are not telecommunications carriers; and

`(B) not to prohibit, and not to impose unreasonable or discriminatory conditions or limitations on, the resale of such telecommunications service, except that a State commission may, consistent with regulations prescribed by the Commission under this section, prohibit a reseller that obtains at wholesale rates a telecommunications service that is available at retail only to a category of subscribers from offering such service to a different category of subscribers.

`(5) NOTICE OF CHANGES- The duty to provide reasonable public notice of changes in the information necessary for the transmission and routing of services using that local exchange carrier's facilities or networks, as well as of any other changes that would affect the interoperability of those facilities and networks.

`(6) COLLOCATION- The duty to provide, on rates, terms, and conditions that are just, reasonable, and nondiscriminatory, for physical collocation of equipment necessary for interconnection or access to unbundled network elements at the premises of the local exchange carrier, except that the carrier may provide for virtual collocation if the local exchange carrier demonstrates to the State commission that physical collocation is not practical for technical reasons or because of space limitations.

`(d) IMPLEMENTATION-

`(1) IN GENERAL- Within 6 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall complete all actions necessary to establish regulations to implement the requirements of this section.

`(2) ACCESS STANDARDS- In determining what network elements should be made available for purposes of subsection (c)(3), the Commission shall consider, at a minimum, whether--

`(A) access to such network elements as are proprietary in nature is necessary; and

`(B) the failure to provide access to such network elements would impair the ability of the telecommunications carrier seeking access to provide the services that it seeks to offer.

`(3) PRESERVATION OF STATE ACCESS REGULATIONS- In prescribing and enforcing regulations to implement the requirements of this

section, the Commission shall not preclude the enforcement of any regulation, order, or policy of a State commission that--

`(A) establishes access and interconnection obligations of local exchange carriers;

`(B) is consistent with the requirements of this section; and

`(C) does not substantially prevent implementation of the requirements of this section and the purposes of this part.

`(e) NUMBERING ADMINISTRATION-

`(1) COMMISSION AUTHORITY AND JURISDICTION- The Commission shall create or designate one or more impartial entities to administer telecommunications numbering and to make such numbers available on an equitable basis. The Commission shall have exclusive jurisdiction over those portions of the North American Numbering Plan that pertain to the United States. Nothing in this paragraph shall preclude the Commission from delegating to State commissions or other entities all or any portion of such jurisdiction.

`(2) COSTS- The cost of establishing telecommunications numbering administration arrangements and number portability shall be borne by all telecommunications carriers on a competitively neutral basis as determined by the Commission.

`(f) EXEMPTIONS, SUSPENSIONS, AND MODIFICATIONS-

`(1) EXEMPTION FOR CERTAIN RURAL TELEPHONE COMPANIES-

`(A) EXEMPTION- Subsection (c) of this section shall not apply to a rural telephone company until (i) such company has received a bona fide request for interconnection, services, or network elements, and (ii) the State commission determines (under subparagraph (B)) that such request is not unduly economically burdensome, is technically feasible, and is consistent with section 254 (other than subsections (b)(7) and (c)(1)(D) thereof).

`(B) STATE TERMINATION OF EXEMPTION AND IMPLEMENTATION SCHEDULE- The party making a bona fide request of a rural telephone company for interconnection, services, or network elements shall submit a notice of its request to the State commission. The State commission shall conduct an inquiry for the purpose of determining whether to terminate the exemption under subparagraph (A). Within 120 days after the State commission receives notice of the request, the State commission shall terminate the exemption if the request is not unduly economically burdensome, is technically feasible, and is consistent with section 254 (other than subsections (b)(7) and (c)(1)(D) thereof). Upon termination of the exemption, a State commission shall establish an

implementation schedule for compliance with the request that is consistent in time and manner with Commission regulations.

`(C) LIMITATION ON EXEMPTION- The exemption provided by this paragraph shall not apply with respect to a request under subsection (c) from a cable operator providing video programming, and seeking to provide any telecommunications service, in the area in which the rural telephone company provides video programming. The limitation contained in this subparagraph shall not apply to a rural telephone company that is providing video programming on the date of enactment of the Telecommunications Act of 1996.

`(2) SUSPENSIONS AND MODIFICATIONS FOR RURAL CARRIERS- A local exchange carrier with fewer than 2 percent of the Nation's subscriber lines installed in the aggregate nationwide may petition a State commission for a suspension or modification of the application of a requirement or requirements of subsection (b) or (c) to telephone exchange service facilities specified in such petition. The State commission shall grant such petition to the extent that, and for such duration as, the State commission determines that such suspension or modification--

`(A) is necessary--

`(i) to avoid a significant adverse economic impact on users of telecommunications services generally;

`(ii) to avoid imposing a requirement that is unduly economically burdensome; or

`(iii) to avoid imposing a requirement that is technically infeasible; and

`(B) is consistent with the public interest, convenience, and necessity.

The State commission shall act upon any petition filed under this paragraph within 180 days after receiving such petition. Pending such action, the State commission may suspend enforcement of the requirement or requirements to which the petition applies with respect to the petitioning carrier or carriers.

`(g) CONTINUED ENFORCEMENT OF EXCHANGE ACCESS AND INTERCONNECTION REQUIREMENTS- On and after the date of enactment of the Telecommunications Act of 1996, each local exchange carrier, to the extent that it provides wireline services, shall provide exchange access, information access, and exchange services for such access to interexchange carriers and information service providers in accordance with the same equal access and nondiscriminatory

interconnection restrictions and obligations (including receipt of compensation) that apply to such carrier on the date immediately preceding the date of enactment of the Telecommunications Act of 1996 under any court order, consent decree, or regulation, order, or policy of the Commission, until such restrictions and obligations are explicitly superseded by regulations prescribed by the Commission after such date of enactment. During the period beginning on such date of enactment and until such restrictions and obligations are so superseded, such restrictions and obligations shall be enforceable in the same manner as regulations of the Commission.

`(h) DEFINITION OF INCUMBENT LOCAL EXCHANGE CARRIER-

`(1) DEFINITION- For purposes of this section, the term `incumbent local exchange carrier' means, with respect to an area, the local exchange carrier that--

`(A) on the date of enactment of the Telecommunications Act of 1996, provided telephone exchange service in such area; and

`(B)(i) on such date of enactment, was deemed to be a member of the exchange carrier association pursuant to section 69.601(b) of the Commission's regulations (47 C.F.R. 69.601(b)); or

`(ii) is a person or entity that, on or after such date of enactment, became a successor or assign of a member described in clause (i).

`(2) TREATMENT OF COMPARABLE CARRIERS AS INCUMBENTS- The Commission may, by rule, provide for the treatment of a local exchange carrier (or class or category thereof) as an incumbent local exchange carrier for purposes of this section if--

`(A) such carrier occupies a position in the market for telephone exchange service within an area that is comparable to the position occupied by a carrier described in paragraph (1);

`(B) such carrier has substantially replaced an incumbent local exchange carrier described in paragraph (1); and

`(C) such treatment is consistent with the public interest, convenience, and necessity and the purposes of this section.

`(i) SAVINGS PROVISION- Nothing in this section shall be construed to limit or otherwise affect the Commission's authority under section 201.

`SEC. 252. PROCEDURES FOR NEGOTIATION, ARBITRATION, AND APPROVAL OF AGREEMENTS.

`(a) AGREEMENTS ARRIVED AT THROUGH NEGOTIATION-

`(1) VOLUNTARY NEGOTIATIONS- Upon receiving a request for interconnection, services, or network elements pursuant to section 251, an incumbent local exchange carrier may negotiate and enter into a binding agreement with the requesting telecommunications carrier or carriers without regard to the standards set forth in subsections (b) and (c) of section 251. The agreement shall include a detailed schedule of itemized charges for interconnection and each service or network element included in the agreement. The agreement, including any interconnection agreement negotiated before the date of enactment of the Telecommunications Act of 1996, shall be submitted to the State commission under subsection (e) of this section.

`(2) MEDIATION- Any party negotiating an agreement under this section may, at any point in the negotiation, ask a State commission to participate in the negotiation and to mediate any differences arising in the course of the negotiation.

`(b) AGREEMENTS ARRIVED AT THROUGH COMPULSORY ARBITRATION-

`(1) ARBITRATION- During the period from the 135th to the 160th day (inclusive) after the date on which an incumbent local exchange carrier receives a request for negotiation under this section, the carrier or any other party to the negotiation may petition a State commission to arbitrate any open issues.

`(2) DUTY OF PETITIONER-

`(A) A party that petitions a State commission under paragraph (1) shall, at the same time as it submits the petition, provide the State commission all relevant documentation concerning--

`(i) the unresolved issues;

`(ii) the position of each of the parties with respect to those issues; and

`(iii) any other issue discussed and resolved by the parties.

`(B) A party petitioning a State commission under paragraph (1) shall provide a copy of the petition and any documentation to the other party or parties not later than the day on which the State commission receives the petition.

`(3) OPPORTUNITY TO RESPOND- A non-petitioning party to a negotiation under this section may respond to the other party's petition and provide such additional information as it wishes within 25 days after the State commission receives the petition.

`(4) ACTION BY STATE COMMISSION-

`(A) The State commission shall limit its consideration of any petition under paragraph (1) (and any response thereto) to the issues set forth in the petition and in the

response, if any, filed under paragraph (3).

`(B) The State commission may require the petitioning party and the responding party to provide such information as may be necessary for the State commission to reach a decision on the unresolved issues. If any party refuses or fails unreasonably to respond on a timely basis to any reasonable request from the State commission, then the State commission may proceed on the basis of the best information available to it from whatever source derived.

`(C) The State commission shall resolve each issue set forth in the petition and the response, if any, by imposing appropriate conditions as required to implement subsection (c) upon the parties to the agreement, and shall conclude the resolution of any unresolved issues not later than 9 months after the date on which the local exchange carrier received the request under this section.

`(5) REFUSAL TO NEGOTIATE- The refusal of any other party to the negotiation to participate further in the negotiations, to cooperate with the State commission in carrying out its function as an arbitrator, or to continue to negotiate in good faith in the presence, or with the assistance, of the State commission shall be considered a failure to negotiate in good faith.

`(c) STANDARDS FOR ARBITRATION- In resolving by arbitration under subsection (b) any open issues and imposing conditions upon the parties to the agreement, a State commission shall--

`(1) ensure that such resolution and conditions meet the requirements of section 251, including the regulations prescribed by the Commission pursuant to section 251;

`(2) establish any rates for interconnection, services, or network elements according to subsection (d); and

`(3) provide a schedule for implementation of the terms and conditions by the parties to the agreement.

`(d) PRICING STANDARDS-

`(1) INTERCONNECTION AND NETWORK ELEMENT CHARGES- Determinations by a State commission of the just and reasonable rate for the interconnection of facilities and equipment for purposes of subsection (c)(2) of section 251, and the just and reasonable rate for network elements for purposes of subsection (c)(3) of such section--

`(A) shall be--

`(i) based on the cost (determined without reference to a rate-of-return or other rate-based proceeding) of providing the interconnection or network element (whichever is applicable), and

`(ii) nondiscriminatory, and

`(B) may include a reasonable profit.

`(2) CHARGES FOR TRANSPORT AND TERMINATION OF TRAFFIC-

`(A) IN GENERAL- For the purposes of compliance by an incumbent local exchange carrier with section 251(b)(5), a State commission shall not consider the terms and conditions for reciprocal compensation to be just and reasonable unless--

`(i) such terms and conditions provide for the mutual and reciprocal recovery by each carrier of costs associated with the transport and termination on each carrier's network facilities of calls that originate on the network facilities of the other carrier; and

`(ii) such terms and conditions determine such costs on the basis of a reasonable approximation of the additional costs of terminating such calls.

`(B) RULES OF CONSTRUCTION- This paragraph shall not be construed--

`(i) to preclude arrangements that afford the mutual recovery of costs through the offsetting of reciprocal obligations, including arrangements that waive mutual recovery (such as bill-and-keep arrangements); or

`(ii) to authorize the Commission or any State commission to engage in any rate regulation proceeding to establish with particularity the additional costs of transporting or terminating calls, or to require carriers to maintain records with respect to the additional costs of such calls.

`(3) WHOLESALE PRICES FOR TELECOMMUNICATIONS SERVICES- For the purposes of section 251(c)(4), a State commission shall determine wholesale rates on the basis of retail rates charged to subscribers for the telecommunications service requested, excluding the portion thereof attributable to any marketing, billing, collection, and other costs that will be avoided by the local exchange carrier.

`(e) APPROVAL BY STATE COMMISSION-

`(1) APPROVAL REQUIRED- Any interconnection agreement adopted by negotiation or arbitration shall be submitted for approval to the State commission. A State commission to which an agreement is submitted shall approve or reject the agreement, with written findings as to any deficiencies.

`(2) GROUNDS FOR REJECTION- The State commission may only reject--

`(A) an agreement (or any portion thereof) adopted by negotiation under subsection (a) if it finds that--

`(i) the agreement (or portion thereof) discriminates against a telecommunications carrier not a party to the agreement; or

`(ii) the implementation of such agreement or portion is not consistent with the public interest, convenience, and necessity; or

`(B) an agreement (or any portion thereof) adopted by arbitration under subsection (b) if it finds that the agreement does not meet the requirements of section 251, including the regulations prescribed by the Commission pursuant to section 251, or the standards set forth in subsection (d) of this section.

`(3) PRESERVATION OF AUTHORITY- Notwithstanding paragraph (2), but subject to section 253, nothing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of an agreement, including requiring compliance with intrastate telecommunications service quality standards or requirements.

`(4) SCHEDULE FOR DECISION- If the State commission does not act to approve or reject the agreement within 90 days after submission by the parties of an agreement adopted by negotiation under subsection (a), or within 30 days after submission by the parties of an agreement adopted by arbitration under subsection (b), the agreement shall be deemed approved. No State court shall have jurisdiction to review the action of a State commission in approving or rejecting an agreement under this section.

`(5) COMMISSION TO ACT IF STATE WILL NOT ACT- If a State commission fails to act to carry out its responsibility under this section in any proceeding or other matter under this section, then the Commission shall issue an order preempting the State commission's jurisdiction of that proceeding or matter within 90 days after being notified (or taking notice) of such failure, and shall assume the responsibility of the State commission under this section with respect to the proceeding or matter and act for the State commission.

`(6) REVIEW OF STATE COMMISSION ACTIONS- In a case in which a State fails to act as described in paragraph (5), the proceeding by the Commission under such paragraph and any judicial review of the Commission's actions shall be the exclusive remedies for a State commission's failure to act. In any case in which a State commission makes a determination under this section, any party aggrieved by such determination may bring an action in an appropriate Federal district court to determine whether the agreement or statement meets the

requirements of section 251 and this section.

`(f) STATEMENTS OF GENERALLY AVAILABLE TERMS-

`(1) IN GENERAL- A Bell operating company may prepare and file with a State commission a statement of the terms and conditions that such company generally offers within that State to comply with the requirements of section 251 and the regulations thereunder and the standards applicable under this section.

`(2) STATE COMMISSION REVIEW- A State commission may not approve such statement unless such statement complies with subsection (d) of this section and section 251 and the regulations thereunder. Except as provided in section 253, nothing in this section shall prohibit a State commission from establishing or enforcing other requirements of State law in its review of such statement, including requiring compliance with intrastate telecommunications service quality standards or requirements.

`(3) SCHEDULE FOR REVIEW- The State commission to which a statement is submitted shall, not later than 60 days after the date of such submission--

`(A) complete the review of such statement under paragraph (2) (including any reconsideration thereof), unless the submitting carrier agrees to an extension of the period for such review; or

`(B) permit such statement to take effect.

`(4) AUTHORITY TO CONTINUE REVIEW- Paragraph (3) shall not preclude the State commission from continuing to review a statement that has been permitted to take effect under subparagraph (B) of such paragraph or from approving or disapproving such statement under paragraph (2).

`(5) DUTY TO NEGOTIATE NOT AFFECTED- The submission or approval of a statement under this subsection shall not relieve a Bell operating company of its duty to negotiate the terms and conditions of an agreement under section 251.

`(g) CONSOLIDATION OF STATE PROCEEDINGS- Where not inconsistent with the requirements of this Act, a State commission may, to the extent practical, consolidate proceedings under sections 214(e), 251(f), 253, and this section in order to reduce administrative burdens on telecommunications carriers, other parties to the proceedings, and the State commission in carrying out its responsibilities under this Act.

`(h) FILING REQUIRED- A State commission shall make a copy of each agreement approved under subsection (e) and each statement approved under subsection (f) available for public inspection and copying within 10 days after the agreement or statement is

approved. The State commission may charge a reasonable and nondiscriminatory fee to the parties to the agreement or to the party filing the statement to cover the costs of approving and filing such agreement or statement.

`(i) AVAILABILITY TO OTHER TELECOMMUNICATIONS CARRIERS- A local exchange carrier shall make available any interconnection, service, or network element provided under an agreement approved under this section to which it is a party to any other requesting telecommunications carrier upon the same terms and conditions as those provided in the agreement.

`(j) DEFINITION OF INCUMBENT LOCAL EXCHANGE CARRIER- For purposes of this section, the term `incumbent local exchange carrier' has the meaning provided in section 251(h).

`SEC. 253. REMOVAL OF BARRIERS TO ENTRY.

`(a) IN GENERAL- No State or local statute or regulation, or other State or local legal requirement, may prohibit or have the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service.

`(b) STATE REGULATORY AUTHORITY- Nothing in this section shall affect the ability of a State to impose, on a competitively neutral basis and consistent with section 254, requirements necessary to preserve and advance universal service, protect the public safety and welfare, ensure the continued quality of telecommunications services, and safeguard the rights of consumers.

`(c) STATE AND LOCAL GOVERNMENT AUTHORITY- Nothing in this section affects the authority of a State or local government to manage the public rights-of-way or to require fair and reasonable compensation from telecommunications providers, on a competitively neutral and nondiscriminatory basis, for use of public rights-of-way on a nondiscriminatory basis, if the compensation required is publicly disclosed by such government.

`(d) PREEMPTION- If, after notice and an opportunity for public comment, the Commission determines that a State or local government has permitted or imposed any statute, regulation, or legal requirement that violates subsection (a) or (b), the Commission shall preempt the enforcement of such statute, regulation, or legal requirement to the extent necessary to correct such violation or inconsistency.

`(e) COMMERCIAL MOBILE SERVICE PROVIDERS- Nothing in this section shall affect the application of section 332(c)(3) to commercial mobile service providers.

`(f) RURAL MARKETS- It shall not be a violation of this section for a State to require a telecommunications carrier that seeks to provide telephone exchange service or exchange access in a service area served by a rural telephone company to meet the requirements

in section 214(e)(1) for designation as an eligible telecommunications carrier for that area before being permitted to provide such service. This subsection shall not apply--

`(1) to a service area served by a rural telephone company that has obtained an exemption, suspension, or modification of section 251(c)(4) that effectively prevents a competitor from meeting the requirements of section 214(e)(1); and

`(2) to a provider of commercial mobile services.

`SEC. 254. UNIVERSAL SERVICE.

`(a) PROCEDURES TO REVIEW UNIVERSAL SERVICE REQUIREMENTS-

`(1) FEDERAL-STATE JOINT BOARD ON UNIVERSAL SERVICE- Within one month after the date of enactment of the Telecommunications Act of 1996, the Commission shall institute and refer to a Federal-State Joint Board under section 410(c) a proceeding to recommend changes to any of its regulations in order to implement sections 214(e) and this section, including the definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for completion of such recommendations. In addition to the members of the Joint Board required under section 410(c), one member of such Joint Board shall be a State-appointed utility consumer advocate nominated by a national organization of State utility consumer advocates. The Joint Board shall, after notice and opportunity for public comment, make its recommendations to the Commission 9 months after the date of enactment of the Telecommunications Act of 1996.

`(2) COMMISSION ACTION- The Commission shall initiate a single proceeding to implement the recommendations from the Joint Board required by paragraph (1) and shall complete such proceeding within 15 months after the date of enactment of the Telecommunications Act of 1996. The rules established by such proceeding shall include a definition of the services that are supported by Federal universal service support mechanisms and a specific timetable for implementation. Thereafter, the Commission shall complete any proceeding to implement subsequent recommendations from any Joint Board on universal service within one year after receiving such recommendations.

`(b) UNIVERSAL SERVICE PRINCIPLES- The Joint Board and the Commission shall base policies for the preservation and advancement of universal service on the following principles:

`(1) QUALITY AND RATES- Quality services should be available at just, reasonable, and affordable rates.

`(2) ACCESS TO ADVANCED SERVICES- Access to advanced telecommunications and information services should be provided in all regions of the Nation.

`(3) ACCESS IN RURAL AND HIGH COST AREAS- Consumers in all regions of the Nation, including low-income consumers and those in rural, insular, and high cost areas, should have access to telecommunications and information services, including interexchange services and advanced telecommunications and information services, that are reasonably comparable to those services provided in urban areas and that are available at rates that are reasonably comparable to rates charged for similar services in urban areas.

`(4) EQUITABLE AND NONDISCRIMINATORY CONTRIBUTIONS- All providers of telecommunications services should make an equitable and nondiscriminatory contribution to the preservation and advancement of universal service.

`(5) SPECIFIC AND PREDICTABLE SUPPORT MECHANISMS- There should be specific, predictable and sufficient Federal and State mechanisms to preserve and advance universal service.

`(6) ACCESS TO ADVANCED TELECOMMUNICATIONS SERVICES FOR SCHOOLS, HEALTH CARE, AND LIBRARIES- Elementary and secondary schools and classrooms, health care providers, and libraries should have access to advanced telecommunications services as described in subsection (h).

`(7) ADDITIONAL PRINCIPLES- Such other principles as the Joint Board and the Commission determine are necessary and appropriate for the protection of the public interest, convenience, and necessity and are consistent with this Act.

`(c) DEFINITION-

`(1) IN GENERAL- Universal service is an evolving level of telecommunications services that the Commission shall establish periodically under this section, taking into account advances in telecommunications and information technologies and services. The Joint Board in recommending, and the Commission in establishing, the definition of the services that are supported by Federal universal service support mechanisms shall consider the extent to which such telecommunications services--

`(A) are essential to education, public health, or public safety;

`(B) have, through the operation of market choices by customers, been subscribed to by a substantial majority of residential customers;

`(C) are being deployed in public telecommunications networks by telecommunications carriers; and

`(D) are consistent with the public interest, convenience, and necessity.

`(2) ALTERATIONS AND MODIFICATIONS- The Joint Board may, from time to time, recommend to the Commission modifications in the

definition of the services that are supported by Federal universal service support mechanisms.

`(3) SPECIAL SERVICES- In addition to the services included in the definition of universal service under paragraph (1), the Commission may designate additional services for such support mechanisms for schools, libraries, and health care providers for the purposes of subsection (h).

`(d) TELECOMMUNICATIONS CARRIER CONTRIBUTION- Every telecommunications carrier that provides interstate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, to the specific, predictable, and sufficient mechanisms established by the Commission to preserve and advance universal service. The Commission may exempt a carrier or class of carriers from this requirement if the carrier's telecommunications activities are limited to such an extent that the level of such carrier's contribution to the preservation and advancement of universal service would be de minimis. Any other provider of interstate telecommunications may be required to contribute to the preservation and advancement of universal service if the public interest so requires.

`(e) UNIVERSAL SERVICE SUPPORT- After the date on which Commission regulations implementing this section take effect, only an eligible telecommunications carrier designated under section 214(e) shall be eligible to receive specific Federal universal service support. A carrier that receives such support shall use that support only for the provision, maintenance, and upgrading of facilities and services for which the support is intended. Any such support should be explicit and sufficient to achieve the purposes of this section.

`(f) STATE AUTHORITY- A State may adopt regulations not inconsistent with the Commission's rules to preserve and advance universal service. Every telecommunications carrier that provides intrastate telecommunications services shall contribute, on an equitable and nondiscriminatory basis, in a manner determined by the State to the preservation and advancement of universal service in that State. A State may adopt regulations to provide for additional definitions and standards to preserve and advance universal service within that State only to the extent that such regulations adopt additional specific, predictable, and sufficient mechanisms to support such definitions or standards that do not rely on or burden Federal universal service support mechanisms.

`(g) INTEREXCHANGE AND INTERSTATE SERVICES- Within 6 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall adopt rules to require that the rates charged by providers of interexchange telecommunications services to

subscribers in rural and high cost areas shall be no higher than the rates charged by each such provider to its subscribers in urban areas. Such rules shall also require that a provider of interstate interexchange telecommunications services shall provide such services to its subscribers in each State at rates no higher than the rates charged to its subscribers in any other State.

`(h) TELECOMMUNICATIONS SERVICES FOR CERTAIN PROVIDERS-

`(1) IN GENERAL-

`(A) HEALTH CARE PROVIDERS FOR RURAL AREAS- A telecommunications carrier shall, upon receiving a bona fide request, provide telecommunications services which are necessary for the provision of health care services in a State, including instruction relating to such services, to any public or nonprofit health care provider that serves persons who reside in rural areas in that State at rates that are reasonably comparable to rates charged for similar services in urban areas in that State. A telecommunications carrier providing service under this paragraph shall be entitled to have an amount equal to the difference, if any, between the rates for services provided to health care providers for rural areas in a State and the rates for similar services provided to other customers in comparable rural areas in that State treated as a service obligation as a part of its obligation to participate in the mechanisms to preserve and advance universal service.

`(B) EDUCATIONAL PROVIDERS AND LIBRARIES- All telecommunications carriers serving a geographic area shall, upon a bona fide request for any of its services that are within the definition of universal service under subsection (c)(3), provide such services to elementary schools, secondary schools, and libraries for educational purposes at rates less than the amounts charged for similar services to other parties. The discount shall be an amount that the Commission, with respect to interstate services, and the States, with respect to intrastate services, determine is appropriate and necessary to ensure affordable access to and use of such services by such entities. A telecommunications carrier providing service under this paragraph shall--

`(i) have an amount equal to the amount of the discount treated as an offset to its obligation to contribute to the mechanisms to preserve and advance universal service, or

`(ii) notwithstanding the provisions of subsection (e) of this section, receive reimbursement utilizing

the support mechanisms to preserve and advance universal service.

`(2) ADVANCED SERVICES- The Commission shall establish competitively neutral rules--

`(A) to enhance, to the extent technically feasible and economically reasonable, access to advanced telecommunications and information services for all public and nonprofit elementary and secondary school classrooms, health care providers, and libraries; and

`(B) to define the circumstances under which a telecommunications carrier may be required to connect its network to such public institutional telecommunications users.

`(3) TERMS AND CONDITIONS- Telecommunications services and network capacity provided to a public institutional telecommunications user under this subsection may not be sold, resold, or otherwise transferred by such user in consideration for money or any other thing of value.

`(4) ELIGIBILITY OF USERS- No entity listed in this subsection shall be entitled to preferential rates or treatment as required by this subsection, if such entity operates as a for-profit business, is a school described in paragraph (5)(A) with an endowment of more than $50,000,000, or is a library not eligible for participation in State-based plans for funds under title III of the Library Services and Construction Act (20 U.S.C. 335c et seq.).

`(5) DEFINITIONS- For purposes of this subsection:

`(A) ELEMENTARY AND SECONDARY SCHOOLS- The term `elementary and secondary schools' means elementary schools and secondary schools, as defined in paragraphs (14) and (25), respectively, of section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

`(B) HEALTH CARE PROVIDER- The term `health care provider' means--

`(i) post-secondary educational institutions offering health care instruction, teaching hospitals, and medical schools;

`(ii) community health centers or health centers providing health care to migrants;

`(iii) local health departments or agencies;

`(iv) community mental health centers;

`(v) not-for-profit hospitals;

`(vi) rural health clinics; and

`(vii) consortia of health care providers consisting of one or more entities described in clauses (i)

through (vi).

`(C) PUBLIC INSTITUTIONAL TELECOMMUNICATIONS USER- The term `public institutional telecommunications user' means an elementary or secondary school, a library, or a health care provider as those terms are defined in this paragraph.

`(i) CONSUMER PROTECTION- The Commission and the States should ensure that universal service is available at rates that are just, reasonable, and affordable.

`(j) LIFELINE ASSISTANCE- Nothing in this section shall affect the collection, distribution, or administration of the Lifeline Assistance Program provided for by the Commission under regulations set forth in section 69.117 of title 47, Code of Federal Regulations, and other related sections of such title.

`(k) SUBSIDY OF COMPETITIVE SERVICES PROHIBITED- A telecommunications carrier may not use services that are not competitive to subsidize services that are subject to competition. The Commission, with respect to interstate services, and the States, with respect to intrastate services, shall establish any necessary cost allocation rules, accounting safeguards, and guidelines to ensure that services included in the definition of universal service bear no more than a reasonable share of the joint and common costs of facilities used to provide those services.

`SEC. 255. ACCESS BY PERSONS WITH DISABILITIES.

`(a) DEFINITIONS- As used in this section--

`(1) DISABILITY- The term `disability' has the meaning given to it by section 3(2)(A) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102(2)(A)).

`(2) READILY ACHIEVABLE- The term `readily achievable' has the meaning given to it by section 301(9) of that Act (42 U.S.C. 12181(9)).

`(b) MANUFACTURING- A manufacturer of telecommunications equipment or customer premises equipment shall ensure that the equipment is designed, developed, and fabricated to be accessible to and usable by individuals with disabilities, if readily achievable.

`(c) TELECOMMUNICATIONS SERVICES- A provider of telecommunications service shall ensure that the service is accessible to and usable by individuals with disabilities, if readily achievable.

`(d) COMPATIBILITY- Whenever the requirements of subsections (b) and (c) are not readily achievable, such a manufacturer or provider shall ensure that the equipment or service is compatible with existing peripheral devices or specialized customer premises equipment commonly used by individuals with disabilities to achieve access, if readily achievable.

`(e) GUIDELINES- Within 18 months after the date of enactment of the Telecommunications Act of 1996, the Architectural and Transportation Barriers Compliance Board shall develop guidelines for accessibility of telecommunications equipment and customer premises equipment in conjunction with the Commission. The Board shall review and update the guidelines periodically.

`(f) NO ADDITIONAL PRIVATE RIGHTS AUTHORIZED- Nothing in this section shall be construed to authorize any private right of action to enforce any requirement of this section or any regulation thereunder. The Commission shall have exclusive jurisdiction with respect to any complaint under this section.

`SEC. 256. COORDINATION FOR INTERCONNECTIVITY.

`(a) PURPOSE- It is the purpose of this section--

`(1) to promote nondiscriminatory accessibility by the broadest number of users and vendors of communications products and services to public telecommunications networks used to provide telecommunications service through--

`(A) coordinated public telecommunications network planning and design by telecommunications carriers and other providers of telecommunications service; and

`(B) public telecommunications network interconnectivity, and interconnectivity of devices with such networks used to provide telecommunications service; and

`(2) to ensure the ability of users and information providers to seamlessly and transparently transmit and receive information between and across telecommunications networks.

`(b) COMMISSION FUNCTIONS- In carrying out the purposes of this section, the Commission--

`(1) shall establish procedures for Commission oversight of coordinated network planning by telecommunications carriers and other providers of telecommunications service for the effective and efficient interconnection of public telecommunications networks used to provide telecommunications service; and

`(2) may participate, in a manner consistent with its authority and practice prior to the date of enactment of this section, in the development by appropriate industry standards-setting organizations of public telecommunications network interconnectivity standards that promote access to--

`(A) public telecommunications networks used to provide telecommunications service;

`(B) network capabilities and services by individuals with disabilities; and

`(C) information services by subscribers of rural telephone companies.

`(c) COMMISSION'S AUTHORITY- Nothing in this section shall be

construed as expanding or limiting any authority that the Commission may have under law in effect before the date of enactment of the Telecommunications Act of 1996.

`(d) DEFINITION- As used in this section, the term `public telecommunications network interconnectivity' means the ability of two or more public telecommunications networks used to provide telecommunications service to communicate and exchange information without degeneration, and to interact in concert with one another.

`SEC. 257. MARKET ENTRY BARRIERS PROCEEDING.

`(a) ELIMINATION OF BARRIERS- Within 15 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall complete a proceeding for the purpose of identifying and eliminating, by regulations pursuant to its authority under this Act (other than this section), market entry barriers for entrepreneurs and other small businesses in the provision and ownership of telecommunications services and information services, or in the provision of parts or services to providers of telecommunications services and information services.

`(b) NATIONAL POLICY- In carrying out subsection (a), the Commission shall seek to promote the policies and purposes of this Act favoring diversity of media voices, vigorous economic competition, technological advancement, and promotion of the public interest, convenience, and necessity.

`(c) PERIODIC REVIEW- Every 3 years following the completion of the proceeding required by subsection (a), the Commission shall review and report to Congress on--

`(1) any regulations prescribed to eliminate barriers within its jurisdiction that are identified under subsection (a) and that can be prescribed consistent with the public interest, convenience, and necessity; and

`(2) the statutory barriers identified under subsection (a) that the Commission recommends be eliminated, consistent with the public interest, convenience, and necessity.

`SEC. 258. ILLEGAL CHANGES IN SUBSCRIBER CARRIER SELECTIONS.

`(a) PROHIBITION- No telecommunications carrier shall submit or execute a change in a subscriber's selection of a provider of telephone exchange service or telephone toll service except in accordance with such verification procedures as the Commission shall prescribe. Nothing in this section shall preclude any State commission from enforcing such procedures with respect to intrastate services.

`(b) LIABILITY FOR CHARGES- Any telecommunications carrier that violates the verification procedures described in subsection (a) and that collects charges for telephone exchange service or telephone toll service from a subscriber shall be liable to the

carrier previously selected by the subscriber in an amount equal to all charges paid by such subscriber after such violation, in accordance with such procedures as the Commission may prescribe. The remedies provided by this subsection are in addition to any other remedies available by law.

`SEC. 259. INFRASTRUCTURE SHARING.

`(a) REGULATIONS REQUIRED- The Commission shall prescribe, within one year after the date of enactment of the Telecommunications Act of 1996, regulations that require incumbent local exchange carriers (as defined in section 251(h)) to make available to any qualifying carrier such public switched network infrastructure, technology, information, and telecommunications facilities and functions as may be requested by such qualifying carrier for the purpose of enabling such qualifying carrier to provide telecommunications services, or to provide access to information services, in the service area in which such qualifying carrier has requested and obtained designation as an eligible telecommunications carrier under section 214(e).

`(b) TERMS AND CONDITIONS OF REGULATIONS- The regulations prescribed by the Commission pursuant to this section shall--

`(1) not require a local exchange carrier to which this section applies to take any action that is economically unreasonable or that is contrary to the public interest;

`(2) permit, but shall not require, the joint ownership or operation of public switched network infrastructure and services by or among such local exchange carrier and a qualifying carrier;

`(3) ensure that such local exchange carrier will not be treated by the Commission or any State as a common carrier for hire or as offering common carrier services with respect to any infrastructure, technology, information, facilities, or functions made available to a qualifying carrier in accordance with regulations issued pursuant to this section;

`(4) ensure that such local exchange carrier makes such infrastructure, technology, information, facilities, or functions available to a qualifying carrier on just and reasonable terms and conditions that permit such qualifying carrier to fully benefit from the economies of scale and scope of such local exchange carrier, as determined in accordance with guidelines prescribed by the Commission in regulations issued pursuant to this section;

`(5) establish conditions that promote cooperation between local exchange carriers to which this section applies and qualifying carriers;

`(6) not require a local exchange carrier to which this

section applies to engage in any infrastructure sharing agreement for any services or access which are to be provided or offered to consumers by the qualifying carrier in such local exchange carrier's telephone exchange area; and

`(7) require that such local exchange carrier file with the Commission or State for public inspection, any tariffs, contracts, or other arrangements showing the rates, terms, and conditions under which such carrier is making available public switched network infrastructure and functions under this section.

`(c) INFORMATION CONCERNING DEPLOYMENT OF NEW SERVICES AND EQUIPMENT- A local exchange carrier to which this section applies that has entered into an infrastructure sharing agreement under this section shall provide to each party to such agreement timely information on the planned deployment of telecommunications services and equipment, including any software or upgrades of software integral to the use or operation of such telecommunications equipment.

`(d) DEFINITION- For purposes of this section, the term `qualifying carrier' means a telecommunications carrier that--

`(1) lacks economies of scale or scope, as determined in accordance with regulations prescribed by the Commission pursuant to this section; and

`(2) offers telephone exchange service, exchange access, and any other service that is included in universal service, to all consumers without preference throughout the service area for which such carrier has been designated as an eligible telecommunications carrier under section 214(e).

`SEC. 260. PROVISION OF TELEMESSAGING SERVICE.

`(a) NONDISCRIMINATION SAFEGUARDS- Any local exchange carrier subject to the requirements of section 251(c) that provides telemessaging service--

`(1) shall not subsidize its telemessaging service directly or indirectly from its telephone exchange service or its exchange access; and

`(2) shall not prefer or discriminate in favor of its telemessaging service operations in its provision of telecommunications services.

`(b) EXPEDITED CONSIDERATION OF COMPLAINTS- The Commission shall establish procedures for the receipt and review of complaints concerning violations of subsection (a) or the regulations thereunder that result in material financial harm to a provider of telemessaging service. Such procedures shall ensure that the Commission will make a final determination with respect to any such complaint within 120 days after receipt of the complaint. If the complaint contains an appropriate showing that the alleged

violation occurred, the Commission shall, within 60 days after receipt of the complaint, order the local exchange carrier and any affiliates to cease engaging in such violation pending such final determination.

`(c) DEFINITION- As used in this section, the term `telemessaging service' means voice mail and voice storage and retrieval services, any live operator services used to record, transcribe, or relay messages (other than telecommunications relay services), and any ancillary services offered in combination with these services.

`SEC. 261. EFFECT ON OTHER REQUIREMENTS.

`(a) COMMISSION REGULATIONS- Nothing in this part shall be construed to prohibit the Commission from enforcing regulations prescribed prior to the date of enactment of the Telecommunications Act of 1996 in fulfilling the requirements of this part, to the extent that such regulations are not inconsistent with the provisions of this part.

`(b) EXISTING STATE REGULATIONS- Nothing in this part shall be construed to prohibit any State commission from enforcing regulations prescribed prior to the date of enactment of the Telecommunications Act of 1996, or from prescribing regulations after such date of enactment, in fulfilling the requirements of this part, if such regulations are not inconsistent with the provisions of this part.

`(c) ADDITIONAL STATE REQUIREMENTS- Nothing in this part precludes a State from imposing requirements on a telecommunications carrier for intrastate services that are necessary to further competition in the provision of telephone exchange service or exchange access, as long as the State's requirements are not inconsistent with this part or the Commission's regulations to implement this part.'.

(b) DESIGNATION OF PART I- Title II of the Act is further amended by inserting before the heading of section 201 the following new heading:

`PART I--COMMON CARRIER REGULATION'.

(c) STYLISTIC CONSISTENCY- The Act is amended so that--

(1) the designation and heading of each title of the Act shall be in the form and typeface of the designation and heading of this title of this Act; and

(2) the designation and heading of each part of each title of the Act shall be in the form and typeface of the designation and heading of part I of title II of the Act, as amended by subsection (a).

SEC. 102. ELIGIBLE TELECOMMUNICATIONS CARRIERS.

(a) IN GENERAL- Section 214 (47 U.S.C. 214) is amended by adding at the end thereof the following new subsection:

`(e) PROVISION OF UNIVERSAL SERVICE-

`(1) ELIGIBLE TELECOMMUNICATIONS CARRIERS- A common carrier designated as an eligible telecommunications carrier under paragraph (2) or (3) shall be eligible to receive universal service support in accordance with section 254 and shall, throughout the service area for which the designation is received--

`(A) offer the services that are supported by Federal universal service support mechanisms under section 254(c), either using its own facilities or a combination of its own facilities and resale of another carrier's services (including the services offered by another eligible telecommunications carrier); and

`(B) advertise the availability of such services and the charges therefor using media of general distribution.

`(2) DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIERS- A State commission shall upon its own motion or upon request designate a common carrier that meets the requirements of paragraph (1) as an eligible telecommunications carrier for a service area designated by the State commission. Upon request and consistent with the public interest, convenience, and necessity, the State commission may, in the case of an area served by a rural telephone company, and shall, in the case of all other areas, designate more than one common carrier as an eligible telecommunications carrier for a service area designated by the State commission, so long as each additional requesting carrier meets the requirements of paragraph (1). Before designating an additional eligible telecommunications carrier for an area served by a rural telephone company, the State commission shall find that the designation is in the public interest.

`(3) DESIGNATION OF ELIGIBLE TELECOMMUNICATIONS CARRIERS FOR UNSERVED AREAS- If no common carrier will provide the services that are supported by Federal universal service support mechanisms under section 254(c) to an unserved community or any portion thereof that requests such service, the Commission, with respect to interstate services, or a State commission, with respect to intrastate services, shall determine which common carrier or carriers are best able to provide such service to the requesting unserved community or portion thereof and shall order such carrier or carriers to provide such service for that unserved community or portion thereof. Any carrier or carriers ordered to provide such service under this paragraph shall meet the requirements of paragraph (1) and shall be designated as an eligible telecommunications carrier

for that community or portion thereof.

`(4) RELINQUISHMENT OF UNIVERSAL SERVICE- A State commission shall permit an eligible telecommunications carrier to relinquish its designation as such a carrier in any area served by more than one eligible telecommunications carrier. An eligible telecommunications carrier that seeks to relinquish its eligible telecommunications carrier designation for an area served by more than one eligible telecommunications carrier shall give advance notice to the State commission of such relinquishment. Prior to permitting a telecommunications carrier designated as an eligible telecommunications carrier to cease providing universal service in an area served by more than one eligible telecommunications carrier, the State commission shall require the remaining eligible telecommunications carrier or carriers to ensure that all customers served by the relinquishing carrier will continue to be served, and shall require sufficient notice to permit the purchase or construction of adequate facilities by any remaining eligible telecommunications carrier. The State commission shall establish a time, not to exceed one year after the State commission approves such relinquishment under this paragraph, within which such purchase or construction shall be completed.

`(5) SERVICE AREA DEFINED- The term `service area' means a geographic area established by a State commission for the purpose of determining universal service obligations and support mechanisms. In the case of an area served by a rural telephone company, `service area' means such company's `study area' unless and until the Commission and the States, after taking into account recommendations of a Federal-State Joint Board instituted under section 410(c), establish a different definition of service area for such company.'.

SEC. 103. EXEMPT TELECOMMUNICATIONS COMPANIES.

The Public Utility Holding Company Act of 1935 (15 U.S.C. 79 and following) is amended by redesignating sections 34 and 35 as sections 35 and 36, respectively, and by inserting the following new section after section 33:

`SEC. 34. EXEMPT TELECOMMUNICATIONS COMPANIES.

`(a) DEFINITIONS- For purposes of this section--

`(1) EXEMPT TELECOMMUNICATIONS COMPANY- The term `exempt telecommunications company' means any person determined by the Federal Communications Commission to be engaged directly or indirectly, wherever located, through one or more affiliates (as defined in section 2(a)(11)(B)), and exclusively in the business of providing---

`(A) telecommunications services;
`(B) information services;
`(C) other services or products subject to the jurisdiction of the Federal Communications Commission; or
`(D) products or services that are related or incidental to the provision of a product or service described in subparagraph (A), (B), or (C).

No person shall be deemed to be an exempt telecommunications company under this section unless such person has applied to the Federal Communications Commission for a determination under this paragraph. A person applying in good faith for such a determination shall be deemed an exempt telecommunications company under this section, with all of the exemptions provided by this section, until the Federal Communications Commission makes such determination. The Federal Communications Commission shall make such determination within 60 days of its receipt of any such application filed after the enactment of this section and shall notify the Commission whenever a determination is made under this paragraph that any person is an exempt telecommunications company. Not later than 12 months after the date of enactment of this section, the Federal Communications Commission shall promulgate rules implementing the provisions of this paragraph which shall be applicable to applications filed under this paragraph after the effective date of such rules.

`(2) OTHER TERMS- For purposes of this section, the terms `telecommunications services' and `information services' shall have the same meanings as provided in the Communications Act of 1934.

`(b) STATE CONSENT FOR SALE OF EXISTING RATE-BASED FACILITIES- If a rate or charge for the sale of electric energy or natural gas (other than any portion of a rate or charge which represents recovery of the cost of a wholesale rate or charge) for, or in connection with, assets of a public utility company that is an associate company or affiliate of a registered holding company was in effect under the laws of any State as of December 19, 1995, the public utility company owning such assets may not sell such assets to an exempt telecommunications company that is an associate company or affiliate unless State commissions having jurisdiction over such public utility company approve such sale. Nothing in this subsection shall preempt the otherwise applicable authority of any State to approve or disapprove the sale of such assets. The approval of the Commission under this Act shall not be required for the sale of assets as provided in this subsection.

`(c) OWNERSHIP OF ETCS BY EXEMPT HOLDING COMPANIES-

Notwithstanding any provision of this Act, a holding company that is exempt under section 3 of this Act shall be permitted, without condition or limitation under this Act, to acquire and maintain an interest in the business of one or more exempt telecommunications companies.

`(d) OWNERSHIP OF ETCS BY REGISTERED HOLDING COMPANIES- Notwithstanding any provision of this Act, a registered holding company shall be permitted (without the need to apply for, or receive, approval from the Commission, and otherwise without condition under this Act) to acquire and hold the securities, or an interest in the business, of one or more exempt telecommunications companies.

`(e) FINANCING AND OTHER RELATIONSHIPS BETWEEN ETCS AND REGISTERED HOLDING COMPANIES- The relationship between an exempt telecommunications company and a registered holding company, its affiliates and associate companies, shall remain subject to the jurisdiction of the Commission under this Act: [Italic->] Provided, [<-Italic] That--

`(1) section 11 of this Act shall not prohibit the ownership of an interest in the business of one or more exempt telecommunications companies by a registered holding company (regardless of activities engaged in or where facilities owned or operated by such exempt telecommunications companies are located), and such ownership by a registered holding company shall be deemed consistent with the operation of an integrated public utility system;

`(2) the ownership of an interest in the business of one or more exempt telecommunications companies by a registered holding company (regardless of activities engaged in or where facilities owned or operated by such exempt telecommunications companies are located) shall be considered as reasonably incidental, or economically necessary or appropriate, to the operations of an integrated public utility system;

`(3) the Commission shall have no jurisdiction under this Act over, and there shall be no restriction or approval required under this Act with respect to (A) the issue or sale of a security by a registered holding company for purposes of financing the acquisition of an exempt telecommunications company, or (B) the guarantee of a security of an exempt telecommunications company by a registered holding company; and

`(4) except for costs that should be fairly and equitably allocated among companies that are associate companies of a registered holding company, the Commission shall have no jurisdiction under this Act over the sales, service, and construction contracts between an exempt telecommunications

company and a registered holding company, its affiliates and associate companies.

`(f) REPORTING OBLIGATIONS CONCERNING INVESTMENTS AND ACTIVITIES OF REGISTERED PUBLIC-UTILITY HOLDING COMPANY SYSTEMS-

`(1) OBLIGATIONS TO REPORT INFORMATION- Any registered holding company or subsidiary thereof that acquires or holds the securities, or an interest in the business, of an exempt telecommunications company shall file with the Commission such information as the Commission, by rule, may prescribe concerning--

`(A) investments and activities by the registered holding company, or any subsidiary thereof, with respect to exempt telecommunications companies, and

`(B) any activities of an exempt telecommunications company within the holding company system,

that are reasonably likely to have a material impact on the financial or operational condition of the holding company system.

`(2) AUTHORITY TO REQUIRE ADDITIONAL INFORMATION- If, based on reports provided to the Commission pursuant to paragraph (1) of this subsection or other available information, the Commission reasonably concludes that it has concerns regarding the financial or operational condition of any registered holding company or any subsidiary thereof (including an exempt telecommunications company), the Commission may require such registered holding company to make additional reports and provide additional information.

`(3) AUTHORITY TO LIMIT DISCLOSURE OF INFORMATION- Notwithstanding any other provision of law, the Commission shall not be compelled to disclose any information required to be reported under this subsection. Nothing in this subsection shall authorize the Commission to withhold the information from Congress, or prevent the Commission from complying with a request for information from any other Federal or State department or agency requesting the information for purposes within the scope of its jurisdiction. For purposes of section 552 of title 5, United States Code, this subsection shall be considered a statute described in subsection (b)(3)(B) of such section 552.

`(g) ASSUMPTION OF LIABILITIES- Any public utility company that is an associate company, or an affiliate, of a registered holding company and that is subject to the jurisdiction of a State commission with respect to its retail electric or gas rates shall not issue any security for the purpose of financing the acquisition, ownership, or operation of an exempt

telecommunications company. Any public utility company that is an associate company, or an affiliate, of a registered holding company and that is subject to the jurisdiction of a State commission with respect to its retail electric or gas rates shall not assume any obligation or liability as guarantor, endorser, surety, or otherwise by the public utility company in respect of any security of an exempt telecommunications company.

`(h) PLEDGING OR MORTGAGING OF ASSETS- Any public utility company that is an associate company, or affiliate, of a registered holding company and that is subject to the jurisdiction of a State commission with respect to its retail electric or gas rates shall not pledge, mortgage, or otherwise use as collateral any assets of the public utility company or assets of any subsidiary company thereof for the benefit of an exempt telecommunications company.

`(i) PROTECTION AGAINST ABUSIVE AFFILIATE TRANSACTIONS- A public utility company may enter into a contract to purchase services or products described in subsection (a)(1) from an exempt telecommunications company that is an affiliate or associate company of the public utility company only if--

`(1) every State commission having jurisdiction over the retail rates of such public utility company approves such contract; or

`(2) such public utility company is not subject to State commission retail rate regulation and the purchased services or products--

`(A) would not be resold to any affiliate or associate company; or

`(B) would be resold to an affiliate or associate company and every State commission having jurisdiction over the retail rates of such affiliate or associate company makes the determination required by subparagraph (A).

The requirements of this subsection shall not apply in any case in which the State or the State commission concerned publishes a notice that the State or State commission waives its authority under this subsection.

`(j) NONPREEMPTION OF RATE AUTHORITY- Nothing in this Act shall preclude the Federal Energy Regulatory Commission or a State commission from exercising its jurisdiction under otherwise applicable law to determine whether a public utility company may recover in rates the costs of products or services purchased from or sold to an associate company or affiliate that is an exempt telecommunications company, regardless of whether such costs are incurred through the direct or indirect purchase or sale of products or services from such associate company or affiliate.

`(k) RECIPROCAL ARRANGEMENTS PROHIBITED- Reciprocal arrangements

among companies that are not affiliates or associate companies of each other that are entered into in order to avoid the provisions of this section are prohibited.

`(l) BOOKS AND RECORDS- (1) Upon written order of a State commission, a State commission may examine the books, accounts, memoranda, contracts, and records of--

`(A) a public utility company subject to its regulatory authority under State law;

`(B) any exempt telecommunications company selling products or services to such public utility company or to an associate company of such public utility company; and

`(C) any associate company or affiliate of an exempt telecommunications company which sells products or services to a public utility company referred to in subparagraph (A),

wherever located, if such examination is required for the effective discharge of the State commission's regulatory responsibilities affecting the provision of electric or gas service in connection with the activities of such exempt telecommunications company.

`(2) Where a State commission issues an order pursuant to paragraph (1), the State commission shall not publicly disclose trade secrets or sensitive commercial information.

`(3) Any United States district court located in the State in which the State commission referred to in paragraph (1) is located shall have jurisdiction to enforce compliance with this subsection.

`(4) Nothing in this section shall--

`(A) preempt applicable State law concerning the provision of records and other information; or

`(B) in any way limit rights to obtain records and other information under Federal law, contracts, or otherwise.

`(m) INDEPENDENT AUDIT AUTHORITY FOR STATE COMMISSIONS-

`(1) STATE MAY ORDER AUDIT- Any State commission with jurisdiction over a public utility company that--

`(A) is an associate company of a registered holding company; and

`(B) transacts business, directly or indirectly, with a subsidiary company, an affiliate or an associate company that is an exempt telecommunications company,

may order an independent audit to be performed, no more frequently than on an annual basis, of all matters deemed relevant by the selected auditor that reasonably relate to retail rates: [Italic->] Provided [<-Italic] , That such matters relate, directly or indirectly, to transactions or transfers between the public utility company subject to its jurisdiction and such exempt telecommunications company.

`(2) SELECTION OF FIRM TO CONDUCT AUDIT- (A) If a State

commission orders an audit in accordance with paragraph (1), the public utility company and the State commission shall jointly select, within 60 days, a firm to perform the audit. The firm selected to perform the audit shall possess demonstrated qualifications relating to--

`(i) competency, including adequate technical training and professional proficiency in each discipline necessary to carry out the audit; and

`(ii) independence and objectivity, including that the firm be free from personal or external impairments to independence, and should assume an independent position with the State commission and auditee, making certain that the audit is based upon an impartial consideration of all pertinent facts and responsible opinions.

`(B) The public utility company and the exempt telecommunications company shall cooperate fully with all reasonable requests necessary to perform the audit and the public utility company shall bear all costs of having the audit performed.

`(3) AVAILABILITY OF AUDITOR'S REPORT- The auditor's report shall be provided to the State commission not later than 6 months after the selection of the auditor, and provided to the public utility company not later than 60 days thereafter.

`(n) APPLICABILITY OF TELECOMMUNICATIONS REGULATION- Nothing in this section shall affect the authority of the Federal Communications Commission under the Communications Act of 1934, or the authority of State commissions under State laws concerning the provision of telecommunications services, to regulate the activities of an exempt telecommunications company.'.

SEC. 104. NONDISCRIMINATION PRINCIPLE.

Section 1 (47 U.S.C. 151) is amended by inserting after `to all the people of the United States' the following: `, without discrimination on the basis of race, color, religion, national origin, or sex,'.

SUBTITLE B--SPECIAL PROVISIONS CONCERNING BELL OPERATING COMPANIES

SEC. 151. BELL OPERATING COMPANY PROVISIONS.

(a) ESTABLISHMENT OF PART III OF TITLE II- Title II is amended by adding at the end of part II (as added by section 101) the following new part:

`PART III--SPECIAL PROVISIONS CONCERNING BELL OPERATING COMPANIES

`SEC. 271. BELL OPERATING COMPANY ENTRY INTO INTERLATA SERVICES.

`(a) GENERAL LIMITATION- Neither a Bell operating company, nor any affiliate of a Bell operating company, may provide interLATA

services except as provided in this section.

`(b) INTERLATA SERVICES TO WHICH THIS SECTION APPLIES-

`(1) IN-REGION SERVICES- A Bell operating company, or any affiliate of that Bell operating company, may provide interLATA services originating in any of its in-region States (as defined in subsection (i)) if the Commission approves the application of such company for such State under subsection (d)(3).

`(2) OUT-OF-REGION SERVICES- A Bell operating company, or any affiliate of that Bell operating company, may provide interLATA services originating outside its in-region States after the date of enactment of the Telecommunications Act of 1996, subject to subsection (j).

`(3) INCIDENTAL INTERLATA SERVICES- A Bell operating company, or any affiliate of a Bell operating company, may provide incidental interLATA services (as defined in subsection (g)) originating in any State after the date of enactment of the Telecommunications Act of 1996.

`(4) TERMINATION- Nothing in this section prohibits a Bell operating company or any of its affiliates from providing termination for interLATA services, subject to subsection (j).

`(c) REQUIREMENTS FOR PROVIDING CERTAIN IN-REGION INTERLATA SERVICES-

`(1) AGREEMENT OR STATEMENT- A Bell operating company meets the requirements of this paragraph if it meets the requirements of subparagraph (A) or subparagraph (B) of this paragraph for each State for which the authorization is sought.

`(A) PRESENCE OF A FACILITIES-BASED COMPETITOR- A Bell operating company meets the requirements of this subparagraph if it has entered into one or more binding agreements that have been approved under section 252 specifying the terms and conditions under which the Bell operating company is providing access and interconnection to its network facilities for the network facilities of one or more unaffiliated competing providers of telephone exchange service (as defined in section 3(47)(A), but excluding exchange access) to residential and business subscribers. For the purpose of this subparagraph, such telephone exchange service may be offered by such competing providers either exclusively over their own telephone exchange service facilities or predominantly over their own telephone exchange service facilities in combination with the resale of the telecommunications services of another carrier. For the purpose of this subparagraph, services provided pursuant to subpart K of part 22 of the Commission's regulations (47 C.F.R. 22.901 et seq.) shall

not be considered to be telephone exchange services.

`(B) FAILURE TO REQUEST ACCESS- A Bell operating company meets the requirements of this subparagraph if, after 10 months after the date of enactment of the Telecommunications Act of 1996, no such provider has requested the access and interconnection described in subparagraph (A) before the date which is 3 months before the date the company makes its application under subsection (d)(1), and a statement of the terms and conditions that the company generally offers to provide such access and interconnection has been approved or permitted to take effect by the State commission under section 252(f). For purposes of this subparagraph, a Bell operating company shall be considered not to have received any request for access and interconnection if the State commission of such State certifies that the only provider or providers making such a request have (i) failed to negotiate in good faith as required by section 252, or (ii) violated the terms of an agreement approved under section 252 by the provider's failure to comply, within a reasonable period of time, with the implementation schedule contained in such agreement.

`(2) SPECIFIC INTERCONNECTION REQUIREMENTS-

`(A) AGREEMENT REQUIRED- A Bell operating company meets the requirements of this paragraph if, within the State for which the authorization is sought--

`(i)(I) such company is providing access and interconnection pursuant to one or more agreements described in paragraph (1)(A), or

`(II) such company is generally offering access and interconnection pursuant to a statement described in paragraph (1)(B), and

`(ii) such access and interconnection meets the requirements of subparagraph (B) of this paragraph.

`(B) COMPETITIVE CHECKLIST- Access or interconnection provided or generally offered by a Bell operating company to other telecommunications carriers meets the requirements of this subparagraph if such access and interconnection includes each of the following:

`(i) Interconnection in accordance with the requirements of sections 251(c)(2) and 252(d)(1).

`(ii) Nondiscriminatory access to network elements in accordance with the requirements of sections 251(c)(3) and 252(d)(1).

`(iii) Nondiscriminatory access to the poles, ducts, conduits, and rights-of-way owned or controlled by the

Bell operating company at just and reasonable rates in accordance with the requirements of section 224.

`(iv) Local loop transmission from the central office to the customer's premises, unbundled from local switching or other services.

`(v) Local transport from the trunk side of a wireline local exchange carrier switch unbundled from switching or other services.

`(vi) Local switching unbundled from transport, local loop transmission, or other services.

`(vii) Nondiscriminatory access to--

`(I) 911 and E911 services;

`(II) directory assistance services to allow the other carrier's customers to obtain telephone numbers; and

`(III) operator call completion services.

`(viii) White pages directory listings for customers of the other carrier's telephone exchange service.

`(ix) Until the date by which telecommunications numbering administration guidelines, plan, or rules are established, nondiscriminatory access to telephone numbers for assignment to the other carrier's telephone exchange service customers. After that date, compliance with such guidelines, plan, or rules.

`(x) Nondiscriminatory access to databases and associated signaling necessary for call routing and completion.

`(xi) Until the date by which the Commission issues regulations pursuant to section 251 to require number portability, interim telecommunications number portability through remote call forwarding, direct inward dialing trunks, or other comparable arrangements, with as little impairment of functioning, quality, reliability, and convenience as possible. After that date, full compliance with such regulations.

`(xii) Nondiscriminatory access to such services or information as are necessary to allow the requesting carrier to implement local dialing parity in accordance with the requirements of section 251(b)(3).

`(xiii) Reciprocal compensation arrangements in accordance with the requirements of section 252(d)(2).

`(xiv) Telecommunications services are available for resale in accordance with the requirements of sections 251(c)(4) and 252(d)(3).

`(d) ADMINISTRATIVE PROVISIONS-

`(1) APPLICATION TO COMMISSION- On and after the date of

enactment of the Telecommunications Act of 1996, a Bell operating company or its affiliate may apply to the Commission for authorization to provide interLATA services originating in any in-region State. The application shall identify each State for which the authorization is sought.

`(2) CONSULTATION-

`(A) CONSULTATION WITH THE ATTORNEY GENERAL- The Commission shall notify the Attorney General promptly of any application under paragraph (1). Before making any determination under this subsection, the Commission shall consult with the Attorney General, and if the Attorney General submits any comments in writing, such comments shall be included in the record of the Commission's decision. In consulting with and submitting comments to the Commission under this paragraph, the Attorney General shall provide to the Commission an evaluation of the application using any standard the Attorney General considers appropriate. The Commission shall give substantial weight to the Attorney General's evaluation, but such evaluation shall not have any preclusive effect on any Commission decision under paragraph (3).

`(B) CONSULTATION WITH STATE COMMISSIONS- Before making any determination under this subsection, the Commission shall consult with the State commission of any State that is the subject of the application in order to verify the compliance of the Bell operating company with the requirements of subsection (c).

`(3) DETERMINATION- Not later than 90 days after receiving an application under paragraph (1), the Commission shall issue a written determination approving or denying the authorization requested in the application for each State. The Commission shall not approve the authorization requested in an application submitted under paragraph (1) unless it finds that--

`(A) the petitioning Bell operating company has met the requirements of subsection (c)(1) and--

`(i) with respect to access and interconnection provided pursuant to subsection (c)(1)(A), has fully implemented the competitive checklist in subsection (c)(2)(B); or

`(ii) with respect to access and interconnection generally offered pursuant to a statement under subsection (c)(1)(B), such statement offers all of the items included in the competitive checklist in subsection (c)(2)(B);

`(B) the requested authorization will be carried out in

accordance with the requirements of section 272; and

`(C) the requested authorization is consistent with the public interest, convenience, and necessity.

The Commission shall state the basis for its approval or denial of the application.

`(4) LIMITATION ON COMMISSION- The Commission may not, by rule or otherwise, limit or extend the terms used in the competitive checklist set forth in subsection (c)(2)(B).

`(5) PUBLICATION- Not later than 10 days after issuing a determination under paragraph (3), the Commission shall publish in the Federal Register a brief description of the determination.

`(6) ENFORCEMENT OF CONDITIONS-

`(A) COMMISSION AUTHORITY- If at any time after the approval of an application under paragraph (3), the Commission determines that a Bell operating company has ceased to meet any of the conditions required for such approval, the Commission may, after notice and opportunity for a hearing--

`(i) issue an order to such company to correct the deficiency;

`(ii) impose a penalty on such company pursuant to title V; or

`(iii) suspend or revoke such approval.

`(B) RECEIPT AND REVIEW OF COMPLAINTS- The Commission shall establish procedures for the review of complaints concerning failures by Bell operating companies to meet conditions required for approval under paragraph (3). Unless the parties otherwise agree, the Commission shall act on such complaint within 90 days.

`(e) LIMITATIONS-

`(1) JOINT MARKETING OF LOCAL AND LONG DISTANCE SERVICES- Until a Bell operating company is authorized pursuant to subsection (d) to provide interLATA services in an in-region State, or until 36 months have passed since the date of enactment of the Telecommunications Act of 1996, whichever is earlier, a telecommunications carrier that serves greater than 5 percent of the Nation's presubscribed access lines may not jointly market in such State telephone exchange service obtained from such company pursuant to section 251(c)(4) with interLATA services offered by that telecommunications carrier.

`(2) INTRALATA TOLL DIALING PARITY-

`(A) PROVISION REQUIRED- A Bell operating company granted authority to provide interLATA services under subsection (d) shall provide intraLATA toll dialing parity throughout that State coincident with its exercise of that authority.

`(B) LIMITATION- Except for single-LATA States and States that have issued an order by December 19, 1995, requiring a Bell operating company to implement intraLATA toll dialing parity, a State may not require a Bell operating company to implement intraLATA toll dialing parity in that State before a Bell operating company has been granted authority under this section to provide interLATA services originating in that State or before 3 years after the date of enactment of the Telecommunications Act of 1996, whichever is earlier. Nothing in this subparagraph precludes a State from issuing an order requiring intraLATA toll dialing parity in that State prior to either such date so long as such order does not take effect until after the earlier of either such dates.

`(f) EXCEPTION FOR PREVIOUSLY AUTHORIZED ACTIVITIES- Neither subsection (a) nor section 273 shall prohibit a Bell operating company or affiliate from engaging, at any time after the date of enactment of the Telecommunications Act of 1996, in any activity to the extent authorized by, and subject to the terms and conditions contained in, an order entered by the United States District Court for the District of Columbia pursuant to section VII or VIII(C) of the AT&T Consent Decree if such order was entered on or before such date of enactment, to the extent such order is not reversed or vacated on appeal. Nothing in this subsection shall be construed to limit, or to impose terms or conditions on, an activity in which a Bell operating company is otherwise authorized to engage under any other provision of this section.

`(g) DEFINITION OF INCIDENTAL INTERLATA SERVICES- For purposes of this section, the term `incidental interLATA services' means the interLATA provision by a Bell operating company or its affiliate--

`(1)(A) of audio programming, video programming, or other programming services to subscribers to such services of such company or affiliate;

`(B) of the capability for interaction by such subscribers to select or respond to such audio programming, video programming, or other programming services;

`(C) to distributors of audio programming or video programming that such company or affiliate owns or controls, or is licensed by the copyright owner of such programming (or by an assignee of such owner) to distribute; or

`(D) of alarm monitoring services;

`(2) of two-way interactive video services or Internet services over dedicated facilities to or for elementary and secondary schools as defined in section 254(h)(5);

`(3) of commercial mobile services in accordance with section

332(c) of this Act and with the regulations prescribed by the Commission pursuant to paragraph (8) of such section;

`(4) of a service that permits a customer that is located in one LATA to retrieve stored information from, or file information for storage in, information storage facilities of such company that are located in another LATA;

`(5) of signaling information used in connection with the provision of telephone exchange services or exchange access by a local exchange carrier; or

`(6) of network control signaling information to, and receipt of such signaling information from, common carriers offering interLATA services at any location within the area in which such Bell operating company provides telephone exchange services or exchange access.

`(h) LIMITATIONS- The provisions of subsection (g) are intended to be narrowly construed. The interLATA services provided under subparagraph (A), (B), or (C) of subsection (g)(1) are limited to those interLATA transmissions incidental to the provision by a Bell operating company or its affiliate of video, audio, and other programming services that the company or its affiliate is engaged in providing to the public. The Commission shall ensure that the provision of services authorized under subsection (g) by a Bell operating company or its affiliate will not adversely affect telephone exchange service ratepayers or competition in any telecommunications market.

`(i) ADDITIONAL DEFINITIONS- As used in this section--

`(1) IN-REGION STATE- The term `in-region State' means a State in which a Bell operating company or any of its affiliates was authorized to provide wireline telephone exchange service pursuant to the reorganization plan approved under the AT&T Consent Decree, as in effect on the day before the date of enactment of the Telecommunications Act of 1996.

`(2) AUDIO PROGRAMMING SERVICES- The term `audio programming services' means programming provided by, or generally considered to be comparable to programming provided by, a radio broadcast station.

`(3) VIDEO PROGRAMMING SERVICES; OTHER PROGRAMMING SERVICES- The terms `video programming service' and `other programming services' have the same meanings as such terms have under section 602 of this Act.

`(j) CERTAIN SERVICE APPLICATIONS TREATED AS IN-REGION SERVICE APPLICATIONS- For purposes of this section, a Bell operating company application to provide 800 service, private line service, or their equivalents that--

`(1) terminate in an in-region State of that Bell operating

company, and

`(2) allow the called party to determine the interLATA carrier,

shall be considered an in-region service subject to the requirements of subsection (b)(1).

`SEC. 272. SEPARATE AFFILIATE; SAFEGUARDS.

`(a) SEPARATE AFFILIATE REQUIRED FOR COMPETITIVE ACTIVITIES-

`(1) IN GENERAL- A Bell operating company (including any affiliate) which is a local exchange carrier that is subject to the requirements of section 251(c) may not provide any service described in paragraph (2) unless it provides that service through one or more affiliates that--

`(A) are separate from any operating company entity that is subject to the requirements of section 251(c); and

`(B) meet the requirements of subsection (b).

`(2) SERVICES FOR WHICH A SEPARATE AFFILIATE IS REQUIRED- The services for which a separate affiliate is required by paragraph (1) are:

`(A) Manufacturing activities (as defined in section 273(h)).

`(B) Origination of interLATA telecommunications services, other than--

`(i) incidental interLATA services described in paragraphs (1), (2), (3), (5), and (6) of section 271(g);

`(ii) out-of-region services described in section 271(b)(2); or

`(iii) previously authorized activities described in section 271(f).

`(C) InterLATA information services, other than electronic publishing (as defined in section 274(h)) and alarm monitoring services (as defined in section 275(e)).

`(b) STRUCTURAL AND TRANSACTIONAL REQUIREMENTS- The separate affiliate required by this section--

`(1) shall operate independently from the Bell operating company;

`(2) shall maintain books, records, and accounts in the manner prescribed by the Commission which shall be separate from the books, records, and accounts maintained by the Bell operating company of which it is an affiliate;

`(3) shall have separate officers, directors, and employees from the Bell operating company of which it is an affiliate;

`(4) may not obtain credit under any arrangement that would permit a creditor, upon default, to have recourse to the assets of the Bell operating company; and

`(5) shall conduct all transactions with the Bell operating company of which it is an affiliate on an arm's length basis

with any such transactions reduced to writing and available for public inspection.

`(c) NONDISCRIMINATION SAFEGUARDS- In its dealings with its affiliate described in subsection (a), a Bell operating company--

`(1) may not discriminate between that company or affiliate and any other entity in the provision or procurement of goods, services, facilities, and information, or in the establishment of standards; and

`(2) shall account for all transactions with an affiliate described in subsection (a) in accordance with accounting principles designated or approved by the Commission.

`(d) BIENNIAL AUDIT-

`(1) GENERAL REQUIREMENT- A company required to operate a separate affiliate under this section shall obtain and pay for a joint Federal/State audit every 2 years conducted by an independent auditor to determine whether such company has complied with this section and the regulations promulgated under this section, and particularly whether such company has complied with the separate accounting requirements under subsection (b).

`(2) RESULTS SUBMITTED TO COMMISSION; STATE COMMISSIONS- The auditor described in paragraph (1) shall submit the results of the audit to the Commission and to the State commission of each State in which the company audited provides service, which shall make such results available for public inspection. Any party may submit comments on the final audit report.

`(3) ACCESS TO DOCUMENTS- For purposes of conducting audits and reviews under this subsection--

`(A) the independent auditor, the Commission, and the State commission shall have access to the financial accounts and records of each company and of its affiliates necessary to verify transactions conducted with that company that are relevant to the specific activities permitted under this section and that are necessary for the regulation of rates;

`(B) the Commission and the State commission shall have access to the working papers and supporting materials of any auditor who performs an audit under this section; and

`(C) the State commission shall implement appropriate procedures to ensure the protection of any proprietary information submitted to it under this section.

`(e) FULFILLMENT OF CERTAIN REQUESTS- A Bell operating company and an affiliate that is subject to the requirements of section 251(c)--

`(1) shall fulfill any requests from an unaffiliated entity

for telephone exchange service and exchange access within a period no longer than the period in which it provides such telephone exchange service and exchange access to itself or to its affiliates;

`(2) shall not provide any facilities, services, or information concerning its provision of exchange access to the affiliate described in subsection (a) unless such facilities, services, or information are made available to other providers of interLATA services in that market on the same terms and conditions;

`(3) shall charge the affiliate described in subsection (a), or impute to itself (if using the access for its provision of its own services), an amount for access to its telephone exchange service and exchange access that is no less than the amount charged to any unaffiliated interexchange carriers for such service; and

`(4) may provide any interLATA or intraLATA facilities or services to its interLATA affiliate if such services or facilities are made available to all carriers at the same rates and on the same terms and conditions, and so long as the costs are appropriately allocated.

`(f) SUNSET-

`(1) MANUFACTURING AND LONG DISTANCE- The provisions of this section (other than subsection (e)) shall cease to apply with respect to the manufacturing activities or the interLATA telecommunications services of a Bell operating company 3 years after the date such Bell operating company or any Bell operating company affiliate is authorized to provide interLATA telecommunications services under section 271(d), unless the Commission extends such 3-year period by rule or order.

`(2) INTERLATA INFORMATION SERVICES- The provisions of this section (other than subsection (e)) shall cease to apply with respect to the interLATA information services of a Bell operating company 4 years after the date of enactment of the Telecommunications Act of 1996, unless the Commission extends such 4-year period by rule or order.

`(3) PRESERVATION OF EXISTING AUTHORITY- Nothing in this subsection shall be construed to limit the authority of the Commission under any other section of this Act to prescribe safeguards consistent with the public interest, convenience, and necessity.

`(g) JOINT MARKETING-

`(1) AFFILIATE SALES OF TELEPHONE EXCHANGE SERVICES- A Bell operating company affiliate required by this section may not market or sell telephone exchange services provided by the Bell

operating company unless that company permits other entities offering the same or similar service to market and sell its telephone exchange services.

`(2) BELL OPERATING COMPANY SALES OF AFFILIATE SERVICES- A Bell operating company may not market or sell interLATA service provided by an affiliate required by this section within any of its in-region States until such company is authorized to provide interLATA services in such State under section 271(d).

`(3) RULE OF CONSTRUCTION- The joint marketing and sale of services permitted under this subsection shall not be considered to violate the nondiscrimination provisions of subsection (c).

`(h) TRANSITION- With respect to any activity in which a Bell operating company is engaged on the date of enactment of the Telecommunications Act of 1996, such company shall have one year from such date of enactment to comply with the requirements of this section.

`SEC. 273. MANUFACTURING BY BELL OPERATING COMPANIES.

`(a) AUTHORIZATION- A Bell operating company may manufacture and provide telecommunications equipment, and manufacture customer premises equipment, if the Commission authorizes that Bell operating company or any Bell operating company affiliate to provide interLATA services under section 271(d), subject to the requirements of this section and the regulations prescribed thereunder, except that neither a Bell operating company nor any of its affiliates may engage in such manufacturing in conjunction with a Bell operating company not so affiliated or any of its affiliates.

`(b) COLLABORATION; RESEARCH AND ROYALTY AGREEMENTS-

`(1) COLLABORATION- Subsection (a) shall not prohibit a Bell operating company from engaging in close collaboration with any manufacturer of customer premises equipment or telecommunications equipment during the design and development of hardware, software, or combinations thereof related to such equipment.

`(2) CERTAIN RESEARCH ARRANGEMENTS; ROYALTY AGREEMENTS- Subsection (a) shall not prohibit a Bell operating company from--

`(A) engaging in research activities related to manufacturing, and

`(B) entering into royalty agreements with manufacturers of telecommunications equipment.

`(c) INFORMATION REQUIREMENTS-

`(1) INFORMATION ON PROTOCOLS AND TECHNICAL REQUIREMENTS- Each Bell operating company shall, in accordance with regulations prescribed by the Commission, maintain and file with the Commission full and complete information with respect

to the protocols and technical requirements for connection with and use of its telephone exchange service facilities. Each such company shall report promptly to the Commission any material changes or planned changes to such protocols and requirements, and the schedule for implementation of such changes or planned changes.

`(2) DISCLOSURE OF INFORMATION- A Bell operating company shall not disclose any information required to be filed under paragraph (1) unless that information has been filed promptly, as required by regulation by the Commission.

`(3) ACCESS BY COMPETITORS TO INFORMATION- The Commission may prescribe such additional regulations under this subsection as may be necessary to ensure that manufacturers have access to the information with respect to the protocols and technical requirements for connection with and use of telephone exchange service facilities that a Bell operating company makes available to any manufacturing affiliate or any unaffiliated manufacturer.

`(4) PLANNING INFORMATION- Each Bell operating company shall provide, to interconnecting carriers providing telephone exchange service, timely information on the planned deployment of telecommunications equipment.

`(d) MANUFACTURING LIMITATIONS FOR STANDARD-SETTING ORGANIZATIONS-

`(1) APPLICATION TO BELL COMMUNICATIONS RESEARCH OR MANUFACTURERS- Bell Communications Research, Inc., or any successor entity or affiliate--

`(A) shall not be considered a Bell operating company or a successor or assign of a Bell operating company at such time as it is no longer an affiliate of any Bell operating company; and

`(B) notwithstanding paragraph (3), shall not engage in manufacturing telecommunications equipment or customer premises equipment as long as it is an affiliate of more than 1 otherwise unaffiliated Bell operating company or successor or assign of any such company.

Nothing in this subsection prohibits Bell Communications Research, Inc., or any successor entity, from engaging in any activity in which it is lawfully engaged on the date of enactment of the Telecommunications Act of 1996. Nothing provided in this subsection shall render Bell Communications Research, Inc., or any successor entity, a common carrier under title II of this Act. Nothing in this subsection restricts any manufacturer from engaging in any activity in which it is lawfully engaged on the date of enactment of the

Telecommunications Act of 1996.

`(2) PROPRIETARY INFORMATION- Any entity which establishes standards for telecommunications equipment or customer premises equipment, or generic network requirements for such equipment, or certifies telecommunications equipment or customer premises equipment, shall be prohibited from releasing or otherwise using any proprietary information, designated as such by its owner, in its possession as a result of such activity, for any purpose other than purposes authorized in writing by the owner of such information, even after such entity ceases to be so engaged.

`(3) MANUFACTURING SAFEGUARDS- (A) Except as prohibited in paragraph (1), and subject to paragraph (6), any entity which certifies telecommunications equipment or customer premises equipment manufactured by an unaffiliated entity shall only manufacture a particular class of telecommunications equipment or customer premises equipment for which it is undertaking or has undertaken, during the previous 18 months, certification activity for such class of equipment through a separate affiliate.

`(B) Such separate affiliate shall--

`(i) maintain books, records, and accounts separate from those of the entity that certifies such equipment, consistent with generally acceptable accounting principles;

`(ii) not engage in any joint manufacturing activities with such entity; and

`(iii) have segregated facilities and separate employees with such entity.

`(C) Such entity that certifies such equipment shall--

`(i) not discriminate in favor of its manufacturing affiliate in the establishment of standards, generic requirements, or product certification;

`(ii) not disclose to the manufacturing affiliate any proprietary information that has been received at any time from an unaffiliated manufacturer, unless authorized in writing by the owner of the information; and

`(iii) not permit any employee engaged in product certification for telecommunications equipment or customer premises equipment to engage jointly in sales or marketing of any such equipment with the affiliated manufacturer.

`(4) STANDARD-SETTING ENTITIES- Any entity that is not an accredited standards development organization and that establishes industry-wide standards for telecommunications equipment or customer premises equipment, or industry-wide generic network requirements for such equipment, or that

certifies telecommunications equipment or customer premises equipment manufactured by an unaffiliated entity, shall--

`(A) establish and publish any industry-wide standard for, industry-wide generic requirement for, or any substantial modification of an existing industry-wide standard or industry-wide generic requirement for, telecommunications equipment or customer premises equipment only in compliance with the following procedure--

`(i) such entity shall issue a public notice of its consideration of a proposed industry-wide standard or industry-wide generic requirement;

`(ii) such entity shall issue a public invitation to interested industry parties to fund and participate in such efforts on a reasonable and nondiscriminatory basis, administered in such a manner as not to unreasonably exclude any interested industry party;

`(iii) such entity shall publish a text for comment by such parties as have agreed to participate in the process pursuant to clause (ii), provide such parties a full opportunity to submit comments, and respond to comments from such parties;

`(iv) such entity shall publish a final text of the industry-wide standard or industry-wide generic requirement, including the comments in their entirety, of any funding party which requests to have its comments so published; and

`(v) such entity shall attempt, prior to publishing a text for comment, to agree with the funding parties as a group on a mutually satisfactory dispute resolution process which such parties shall utilize as their sole recourse in the event of a dispute on technical issues as to which there is disagreement between any funding party and the entity conducting such activities, except that if no dispute resolution process is agreed to by all the parties, a funding party may utilize the dispute resolution procedures established pursuant to paragraph (5) of this subsection;

`(B) engage in product certification for telecommunications equipment or customer premises equipment manufactured by unaffiliated entities only if--

`(i) such activity is performed pursuant to published criteria;

`(ii) such activity is performed pursuant to auditable criteria; and

`(iii) such activity is performed pursuant to

available industry-accepted testing methods and standards, where applicable, unless otherwise agreed upon by the parties funding and performing such activity;

`(C) not undertake any actions to monopolize or attempt to monopolize the market for such services; and

`(D) not preferentially treat its own telecommunications equipment or customer premises equipment, or that of its affiliate, over that of any other entity in establishing and publishing industry-wide standards or industry-wide generic requirements for, and in certification of, telecommunications equipment and customer premises equipment.

`(5) ALTERNATE DISPUTE RESOLUTION- Within 90 days after the date of enactment of the Telecommunications Act of 1996, the Commission shall prescribe a dispute resolution process to be utilized in the event that a dispute resolution process is not agreed upon by all the parties when establishing and publishing any industry-wide standard or industry-wide generic requirement for telecommunications equipment or customer premises equipment, pursuant to paragraph (4)(A)(v). The Commission shall not establish itself as a party to the dispute resolution process. Such dispute resolution process shall permit any funding party to resolve a dispute with the entity conducting the activity that significantly affects such funding party's interests, in an open, nondiscriminatory, and unbiased fashion, within 30 days after the filing of such dispute. Such disputes may be filed within 15 days after the date the funding party receives a response to its comments from the entity conducting the activity. The Commission shall establish penalties to be assessed for delays caused by referral of frivolous disputes to the dispute resolution process.

`(6) SUNSET- The requirements of paragraphs (3) and (4) shall terminate for the particular relevant activity when the Commission determines that there are alternative sources of industry-wide standards, industry-wide generic requirements, or product certification for a particular class of telecommunications equipment or customer premises equipment available in the United States. Alternative sources shall be deemed to exist when such sources provide commercially viable alternatives that are providing such services to customers. The Commission shall act on any application for such a determination within 90 days after receipt of such application, and shall receive public comment on such application.

`(7) ADMINISTRATION AND ENFORCEMENT AUTHORITY- For the purposes of administering this subsection and the regulations prescribed thereunder, the Commission shall have the same

remedial authority as the Commission has in administering and enforcing the provisions of this title with respect to any common carrier subject to this Act.

`(8) DEFINITIONS- For purposes of this subsection:

`(A) The term `affiliate' shall have the same meaning as in section 3 of this Act, except that, for purposes of paragraph (1)(B)--

`(i) an aggregate voting equity interest in Bell Communications Research, Inc., of at least 5 percent of its total voting equity, owned directly or indirectly by more than 1 otherwise unaffiliated Bell operating company, shall constitute an affiliate relationship; and

`(ii) a voting equity interest in Bell Communications Research, Inc., by any otherwise unaffiliated Bell operating company of less than 1 percent of Bell Communications Research's total voting equity shall not be considered to be an equity interest under this paragraph.

`(B) The term `generic requirement' means a description of acceptable product attributes for use by local exchange carriers in establishing product specifications for the purchase of telecommunications equipment, customer premises equipment, and software integral thereto.

`(C) The term `industry-wide' means activities funded by or performed on behalf of local exchange carriers for use in providing wireline telephone exchange service whose combined total of deployed access lines in the United States constitutes at least 30 percent of all access lines deployed by telecommunications carriers in the United States as of the date of enactment of the Telecommunications Act of 1996.

`(D) The term `certification' means any technical process whereby a party determines whether a product, for use by more than one local exchange carrier, conforms with the specified requirements pertaining to such product.

`(E) The term `accredited standards development organization' means an entity composed of industry members which has been accredited by an institution vested with the responsibility for standards accreditation by the industry.

`(e) BELL OPERATING COMPANY EQUIPMENT PROCUREMENT AND SALES-

`(1) NONDISCRIMINATION STANDARDS FOR MANUFACTURING- In the procurement or awarding of supply contracts for telecommunications equipment, a Bell operating company, or any entity acting on its behalf, for the duration of the requirement for a separate subsidiary including manufacturing

under this Act--

`(A) shall consider such equipment, produced or supplied by unrelated persons; and

`(B) may not discriminate in favor of equipment produced or supplied by an affiliate or related person.

`(2) PROCUREMENT STANDARDS- Each Bell operating company or any entity acting on its behalf shall make procurement decisions and award all supply contracts for equipment, services, and software on the basis of an objective assessment of price, quality, delivery, and other commercial factors.

`(3) NETWORK PLANNING AND DESIGN- A Bell operating company shall, to the extent consistent with the antitrust laws, engage in joint network planning and design with local exchange carriers operating in the same area of interest. No participant in such planning shall be allowed to delay the introduction of new technology or the deployment of facilities to provide telecommunications services, and agreement with such other carriers shall not be required as a prerequisite for such introduction or deployment.

`(4) SALES RESTRICTIONS- Neither a Bell operating company engaged in manufacturing nor a manufacturing affiliate of such a company shall restrict sales to any local exchange carrier of telecommunications equipment, including software integral to the operation of such equipment and related upgrades.

`(5) PROTECTION OF PROPRIETARY INFORMATION- A Bell operating company and any entity it owns or otherwise controls shall protect the proprietary information submitted for procurement decisions from release not specifically authorized by the owner of such information.

`(f) ADMINISTRATION AND ENFORCEMENT AUTHORITY- For the purposes of administering and enforcing the provisions of this section and the regulations prescribed thereunder, the Commission shall have the same authority, power, and functions with respect to any Bell operating company or any affiliate thereof as the Commission has in administering and enforcing the provisions of this title with respect to any common carrier subject to this Act.

`(g) ADDITIONAL RULES AND REGULATIONS- The Commission may prescribe such additional rules and regulations as the Commission determines are necessary to carry out the provisions of this section, and otherwise to prevent discrimination and cross-subsidization in a Bell operating company's dealings with its affiliate and with third parties.

`(h) DEFINITION- As used in this section, the term `manufacturing' has the same meaning as such term has under the AT&T Consent Decree.

`SEC. 274. ELECTRONIC PUBLISHING BY BELL OPERATING COMPANIES.

`(a) LIMITATIONS- No Bell operating company or any affiliate may engage in the provision of electronic publishing that is disseminated by means of such Bell operating company's or any of its affiliates' basic telephone service, except that nothing in this section shall prohibit a separated affiliate or electronic publishing joint venture operated in accordance with this section from engaging in the provision of electronic publishing.

`(b) SEPARATED AFFILIATE OR ELECTRONIC PUBLISHING JOINT VENTURE REQUIREMENTS- A separated affiliate or electronic publishing joint venture shall be operated independently from the Bell operating company. Such separated affiliate or joint venture and the Bell operating company with which it is affiliated shall--

`(1) maintain separate books, records, and accounts and prepare separate financial statements;

`(2) not incur debt in a manner that would permit a creditor of the separated affiliate or joint venture upon default to have recourse to the assets of the Bell operating company;

`(3) carry out transactions (A) in a manner consistent with such independence, (B) pursuant to written contracts or tariffs that are filed with the Commission and made publicly available, and (C) in a manner that is auditable in accordance with generally accepted auditing standards;

`(4) value any assets that are transferred directly or indirectly from the Bell operating company to a separated affiliate or joint venture, and record any transactions by which such assets are transferred, in accordance with such regulations as may be prescribed by the Commission or a State commission to prevent improper cross subsidies;

`(5) between a separated affiliate and a Bell operating company--

`(A) have no officers, directors, and employees in common after the effective date of this section; and

`(B) own no property in common;

`(6) not use for the marketing of any product or service of the separated affiliate or joint venture, the name, trademarks, or service marks of an existing Bell operating company except for names, trademarks, or service marks that are owned by the entity that owns or controls the Bell operating company;

`(7) not permit the Bell operating company--

`(A) to perform hiring or training of personnel on behalf of a separated affiliate;

`(B) to perform the purchasing, installation, or maintenance of equipment on behalf of a separated affiliate, except for telephone service that it provides

under tariff or contract subject to the provisions of this section; or

`(C) to perform research and development on behalf of a separated affiliate;

`(8) each have performed annually a compliance review--

`(A) that is conducted by an independent entity for the purpose of determining compliance during the preceding calendar year with any provision of this section; and

`(B) the results of which are maintained by the separated affiliate or joint venture and the Bell operating company for a period of 5 years subject to review by any lawful authority; and

`(9) within 90 days of receiving a review described in paragraph (8), file a report of any exceptions and corrective action with the Commission and allow any person to inspect and copy such report subject to reasonable safeguards to protect any proprietary information contained in such report from being used for purposes other than to enforce or pursue remedies under this section.

`(c) JOINT MARKETING-

`(1) IN GENERAL- Except as provided in paragraph (2)--

`(A) a Bell operating company shall not carry out any promotion, marketing, sales, or advertising for or in conjunction with a separated affiliate; and

`(B) a Bell operating company shall not carry out any promotion, marketing, sales, or advertising for or in conjunction with an affiliate that is related to the provision of electronic publishing.

`(2) PERMISSIBLE JOINT ACTIVITIES-

`(A) JOINT TELEMARKETING- A Bell operating company may provide inbound telemarketing or referral services related to the provision of electronic publishing for a separated affiliate, electronic publishing joint venture, affiliate, or unaffiliated electronic publisher: [Italic->] P rovided, [<-Italic] That if such services are provided to a separated affiliate, electronic publishing joint venture, or affiliate, such services shall be made available to all electronic publishers on request, on nondiscriminatory terms.

`(B) TEAMING ARRANGEMENTS- A Bell operating company may engage in nondiscriminatory teaming or business arrangements to engage in electronic publishing with any separated affiliate or with any other electronic publisher if (i) the Bell operating company only provides facilities, services, and basic telephone service information as authorized by this section, and (ii) the Bell operating

company does not own such teaming or business arrangement.

`(C) ELECTRONIC PUBLISHING JOINT VENTURES- A Bell operating company or affiliate may participate on a nonexclusive basis in electronic publishing joint ventures with entities that are not a Bell operating company, affiliate, or separated affiliate to provide electronic publishing services, if the Bell operating company or affiliate has not more than a 50 percent direct or indirect equity interest (or the equivalent thereof) or the right to more than 50 percent of the gross revenues under a revenue sharing or royalty agreement in any electronic publishing joint venture. Officers and employees of a Bell operating company or affiliate participating in an electronic publishing joint venture may not have more than 50 percent of the voting control over the electronic publishing joint venture. In the case of joint ventures with small, local electronic publishers, the Commission for good cause shown may authorize the Bell operating company or affiliate to have a larger equity interest, revenue share, or voting control but not to exceed 80 percent. A Bell operating company participating in an electronic publishing joint venture may provide promotion, marketing, sales, or advertising personnel and services to such joint venture.

`(d) BELL OPERATING COMPANY REQUIREMENT- A Bell operating company under common ownership or control with a separated affiliate or electronic publishing joint venture shall provide network access and interconnections for basic telephone service to electronic publishers at just and reasonable rates that are tariffed (so long as rates for such services are subject to regulation) and that are not higher on a per-unit basis than those charged for such services to any other electronic publisher or any separated affiliate engaged in electronic publishing.

`(e) PRIVATE RIGHT OF ACTION-

`(1) DAMAGES- Any person claiming that any act or practice of any Bell operating company, affiliate, or separated affiliate constitutes a violation of this section may file a complaint with the Commission or bring suit as provided in section 207 of this Act, and such Bell operating company, affiliate, or separated affiliate shall be liable as provided in section 206 of this Act; except that damages may not be awarded for a violation that is discovered by a compliance review as required by subsection (b)(7) of this section and corrected within 90 days.

`(2) CEASE AND DESIST ORDERS- In addition to the provisions of paragraph (1), any person claiming that any act or practice

of any Bell operating company, affiliate, or separated affiliate constitutes a violation of this section may make application to the Commission for an order to cease and desist such violation or may make application in any district court of the United States of competent jurisdiction for an order enjoining such acts or practices or for an order compelling compliance with such requirement.

`(f) SEPARATED AFFILIATE REPORTING REQUIREMENT- Any separated affiliate under this section shall file with the Commission annual reports in a form substantially equivalent to the Form 10-K required by regulations of the Securities and Exchange Commission.

`(g) EFFECTIVE DATES-

`(1) TRANSITION- Any electronic publishing service being offered to the public by a Bell operating company or affiliate on the date of enactment of the Telecommunications Act of 1996 shall have one year from such date of enactment to comply with the requirements of this section.

`(2) SUNSET- The provisions of this section shall not apply to conduct occurring after 4 years after the date of enactment of the Telecommunications Act of 1996.

`(h) DEFINITION OF ELECTRONIC PUBLISHING-

`(1) IN GENERAL- The term `electronic publishing' means the dissemination, provision, publication, or sale to an unaffiliated entity or person, of any one or more of the following: news (including sports); entertainment (other than interactive games); business, financial, legal, consumer, or credit materials; editorials, columns, or features; advertising; photos or images; archival or research material; legal notices or public records; scientific, educational, instructional, technical, professional, trade, or other literary materials; or other like or similar information.

`(2) EXCEPTIONS- The term `electronic publishing' shall not include the following services:

`(A) Information access, as that term is defined by the AT&T Consent Decree.

`(B) The transmission of information as a common carrier.

`(C) The transmission of information as part of a gateway to an information service that does not involve the generation or alteration of the content of information, including data transmission, address translation, protocol conversion, billing management, introductory information content, and navigational systems that enable users to access electronic publishing services, which do not affect the presentation of such electronic publishing services to users.

`(D) Voice storage and retrieval services, including voice messaging and electronic mail services.

`(E) Data processing or transaction processing services that do not involve the generation or alteration of the content of information.

`(F) Electronic billing or advertising of a Bell operating company's regulated telecommunications services.

`(G) Language translation or data format conversion.

`(H) The provision of information necessary for the management, control, or operation of a telephone company telecommunications system.

`(I) The provision of directory assistance that provides names, addresses, and telephone numbers and does not include advertising.

`(J) Caller identification services.

`(K) Repair and provisioning databases and credit card and billing validation for telephone company operations.

`(L) 911-E and other emergency assistance databases.

`(M) Any other network service of a type that is like or similar to these network services and that does not involve the generation or alteration of the content of information.

`(N) Any upgrades to these network services that do not involve the generation or alteration of the content of information.

`(O) Video programming or full motion video entertainment on demand.

`(i) ADDITIONAL DEFINITIONS- As used in this section--

`(1) The term `affiliate' means any entity that, directly or indirectly, owns or controls, is owned or controlled by, or is under common ownership or control with, a Bell operating company. Such term shall not include a separated affiliate.

`(2) The term `basic telephone service' means any wireline telephone exchange service, or wireline telephone exchange service facility, provided by a Bell operating company in a telephone exchange area, except that such term does not include--

`(A) a competitive wireline telephone exchange service provided in a telephone exchange area where another entity provides a wireline telephone exchange service that was provided on January 1, 1984, or

`(B) a commercial mobile service.

`(3) The term `basic telephone service information' means network and customer information of a Bell operating company and other information acquired by a Bell operating company as a result of its engaging in the provision of basic telephone service.

`(4) The term `control' has the meaning that it has in 17 C.F.R. 240.12b-2, the regulations promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934 (15 U.S.C. 78a et seq.) or any successor provision to such section.

`(5) The term `electronic publishing joint venture' means a joint venture owned by a Bell operating company or affiliate that engages in the provision of electronic publishing which is disseminated by means of such Bell operating company's or any of its affiliates' basic telephone service.

`(6) The term `entity' means any organization, and includes corporations, partnerships, sole proprietorships, associations, and joint ventures.

`(7) The term `inbound telemarketing' means the marketing of property, goods, or services by telephone to a customer or potential customer who initiated the call.

`(8) The term `own' with respect to an entity means to have a direct or indirect equity interest (or the equivalent thereof) of more than 10 percent of an entity, or the right to more than 10 percent of the gross revenues of an entity under a revenue sharing or royalty agreement.

`(9) The term `separated affiliate' means a corporation under common ownership or control with a Bell operating company that does not own or control a Bell operating company and is not owned or controlled by a Bell operating company and that engages in the provision of electronic publishing which is disseminated by means of such Bell operating company's or any of its affiliates' basic telephone service.

`(10) The term `Bell operating company' has the meaning provided in section 3, except that such term includes any entity or corporation that is owned or controlled by such a company (as so defined) but does not include an electronic publishing joint venture owned by such an entity or corporation.

`SEC. 275. ALARM MONITORING SERVICES.

`(a) DELAYED ENTRY INTO ALARM MONITORING-

`(1) PROHIBITION- No Bell operating company or affiliate thereof shall engage in the provision of alarm monitoring services before the date which is 5 years after the date of enactment of the Telecommunications Act of 1996.

`(2) EXISTING ACTIVITIES- Paragraph (1) does not prohibit or limit the provision, directly or through an affiliate, of alarm monitoring services by a Bell operating company that was engaged in providing alarm monitoring services as of November 30, 1995, directly or through an affiliate. Such Bell operating company or affiliate may not acquire any equity interest in, or

obtain financial control of, any unaffiliated alarm monitoring service entity after November 30, 1995, and until 5 years after the date of enactment of the Telecommunications Act of 1996, except that this sentence shall not prohibit an exchange of customers for the customers of an unaffiliated alarm monitoring service entity.

`(b) NONDISCRIMINATION- An incumbent local exchange carrier (as defined in section 251(h)) engaged in the provision of alarm monitoring services shall--

`(1) provide nonaffiliated entities, upon reasonable request, with the network services it provides to its own alarm monitoring operations, on nondiscriminatory terms and conditions; and

`(2) not subsidize its alarm monitoring services either directly or indirectly from telephone exchange service operations.

`(c) EXPEDITED CONSIDERATION OF COMPLAINTS- The Commission shall establish procedures for the receipt and review of complaints concerning violations of subsection (b) or the regulations thereunder that result in material financial harm to a provider of alarm monitoring service. Such procedures shall ensure that the Commission will make a final determination with respect to any such complaint within 120 days after receipt of the complaint. If the complaint contains an appropriate showing that the alleged violation occurred, as determined by the Commission in accordance with such regulations, the Commission shall, within 60 days after receipt of the complaint, order the incumbent local exchange carrier (as defined in section 251(h)) and its affiliates to cease engaging in such violation pending such final determination.

`(d) USE OF DATA- A local exchange carrier may not record or use in any fashion the occurrence or contents of calls received by providers of alarm monitoring services for the purposes of marketing such services on behalf of such local exchange carrier, or any other entity. Any regulations necessary to enforce this subsection shall be issued initially within 6 months after the date of enactment of the Telecommunications Act of 1996.

`(e) DEFINITION OF ALARM MONITORING SERVICE- The term `alarm monitoring service' means a service that uses a device located at a residence, place of business, or other fixed premises--

`(1) to receive signals from other devices located at or about such premises regarding a possible threat at such premises to life, safety, or property, from burglary, fire, vandalism, bodily injury, or other emergency, and

`(2) to transmit a signal regarding such threat by means of transmission facilities of a local exchange carrier or one of

its affiliates to a remote monitoring center to alert a person at such center of the need to inform the customer or another person or police, fire, rescue, security, or public safety personnel of such threat,

but does not include a service that uses a medical monitoring device attached to an individual for the automatic surveillance of an ongoing medical condition.

`SEC. 276. PROVISION OF PAYPHONE SERVICE.

`(a) NONDISCRIMINATION SAFEGUARDS- After the effective date of the rules prescribed pursuant to subsection (b), any Bell operating company that provides payphone service--

`(1) shall not subsidize its payphone service directly or indirectly from its telephone exchange service operations or its exchange access operations; and

`(2) shall not prefer or discriminate in favor of its payphone service.

`(b) REGULATIONS-

`(1) CONTENTS OF REGULATIONS- In order to promote competition among payphone service providers and promote the widespread deployment of payphone services to the benefit of the general public, within 9 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall take all actions necessary (including any reconsideration) to prescribe regulations that--

`(A) establish a per call compensation plan to ensure that all payphone service providers are fairly compensated for each and every completed intrastate and interstate call using their payphone, except that emergency calls and telecommunications relay service calls for hearing disabled individuals shall not be subject to such compensation;

`(B) discontinue the intrastate and interstate carrier access charge payphone service elements and payments in effect on such date of enactment, and all intrastate and interstate payphone subsidies from basic exchange and exchange access revenues, in favor of a compensation plan as specified in subparagraph (A);

`(C) prescribe a set of nonstructural safeguards for Bell operating company payphone service to implement the provisions of paragraphs (1) and (2) of subsection (a), which safeguards shall, at a minimum, include the nonstructural safeguards equal to those adopted in the Computer Inquiry-III (CC Docket No. 90-623) proceeding;

`(D) provide for Bell operating company payphone service providers to have the same right that independent payphone providers have to negotiate with the location provider on

the location provider's selecting and contracting with, and, subject to the terms of any agreement with the location provider, to select and contract with, the carriers that carry interLATA calls from their payphones, unless the Commission determines in the rulemaking pursuant to this section that it is not in the public interest; and

`(E) provide for all payphone service providers to have the right to negotiate with the location provider on the location provider's selecting and contracting with, and, subject to the terms of any agreement with the location provider, to select and contract with, the carriers that carry intraLATA calls from their payphones.

`(2) PUBLIC INTEREST TELEPHONES- In the rulemaking conducted pursuant to paragraph (1), the Commission shall determine whether public interest payphones, which are provided in the interest of public health, safety, and welfare, in locations where there would otherwise not be a payphone, should be maintained, and if so, ensure that such public interest payphones are supported fairly and equitably.

`(3) EXISTING CONTRACTS- Nothing in this section shall affect any existing contracts between location providers and payphone service providers or interLATA or intraLATA carriers that are in force and effect as of the date of enactment of the Telecommunications Act of 1996.

`(c) STATE PREEMPTION- To the extent that any State requirements are inconsistent with the Commission's regulations, the Commission's regulations on such matters shall preempt such State requirements.

`(d) DEFINITION- As used in this section, the term `payphone service' means the provision of public or semi-public pay telephones, the provision of inmate telephone service in correctional institutions, and any ancillary services.'.

(b) REVIEW OF ENTRY DECISIONS- Section 402(b) (47 U.S.C. 402(b)) is amended--

(1) in paragraph (6), by striking `(3), and (4)' and inserting `(3), (4), and (9)'; and

(2) by adding at the end the following new paragraph:

`(9) By any applicant for authority to provide interLATA services under section 271 of this Act whose application is denied by the Commission.'.

TITLE II--BROADCAST SERVICES

SEC. 201. BROADCAST SPECTRUM FLEXIBILITY.

Title III is amended by inserting after section 335 (47 U.S.C. 335) the following new section:

`SEC. 336. BROADCAST SPECTRUM FLEXIBILITY.

`(a) COMMISSION ACTION- If the Commission determines to issue additional licenses for advanced television services, the Commission--

`(1) should limit the initial eligibility for such licenses to persons that, as of the date of such issuance, are licensed to operate a television broadcast station or hold a permit to construct such a station (or both); and

`(2) shall adopt regulations that allow the holders of such licenses to offer such ancillary or supplementary services on designated frequencies as may be consistent with the public interest, convenience, and necessity.

`(b) CONTENTS OF REGULATIONS- In prescribing the regulations required by subsection (a), the Commission shall--

`(1) only permit such licensee or permittee to offer ancillary or supplementary services if the use of a designated frequency for such services is consistent with the technology or method designated by the Commission for the provision of advanced television services;

`(2) limit the broadcasting of ancillary or supplementary services on designated frequencies so as to avoid derogation of any advanced television services, including high definition television broadcasts, that the Commission may require using such frequencies;

`(3) apply to any other ancillary or supplementary service such of the Commission's regulations as are applicable to the offering of analogous services by any other person, except that no ancillary or supplementary service shall have any rights to carriage under section 614 or 615 or be deemed a multichannel video programming distributor for purposes of section 628;

`(4) adopt such technical and other requirements as may be necessary or appropriate to assure the quality of the signal used to provide advanced television services, and may adopt regulations that stipulate the minimum number of hours per day that such signal must be transmitted; and

`(5) prescribe such other regulations as may be necessary for the protection of the public interest, convenience, and necessity.

`(c) RECOVERY OF LICENSE- If the Commission grants a license for advanced television services to a person that, as of the date of such issuance, is licensed to operate a television broadcast station or holds a permit to construct such a station (or both), the Commission shall, as a condition of such license, require that either the additional license or the original license held by the licensee be surrendered to the Commission for reallocation or reassignment (or both) pursuant to Commission regulation.

`(d) PUBLIC INTEREST REQUIREMENT- Nothing in this section shall be construed as relieving a television broadcasting station from its obligation to serve the public interest, convenience, and necessity. In the Commission's review of any application for renewal of a broadcast license for a television station that provides ancillary or supplementary services, the television licensee shall establish that all of its program services on the existing or advanced television spectrum are in the public interest. Any violation of the Commission rules applicable to ancillary or supplementary services shall reflect upon the licensee's qualifications for renewal of its license.

`(e) FEES-

`(1) SERVICES TO WHICH FEES APPLY- If the regulations prescribed pursuant to subsection (a) permit a licensee to offer ancillary or supplementary services on a designated frequency--

`(A) for which the payment of a subscription fee is required in order to receive such services, or

`(B) for which the licensee directly or indirectly receives compensation from a third party in return for transmitting material furnished by such third party (other than commercial advertisements used to support broadcasting for which a subscription fee is not required),

the Commission shall establish a program to assess and collect from the licensee for such designated frequency an annual fee or other schedule or method of payment that promotes the objectives described in subparagraphs (A) and (B) of paragraph (2).

`(2) COLLECTION OF FEES- The program required by paragraph (1) shall--

`(A) be designed (i) to recover for the public a portion of the value of the public spectrum resource made available for such commercial use, and (ii) to avoid unjust enrichment through the method employed to permit such uses of that resource;

`(B) recover for the public an amount that, to the extent feasible, equals but does not exceed (over the term of the license) the amount that would have been recovered had such services been licensed pursuant to the provisions of section 309(j) of this Act and the Commission's regulations thereunder; and

`(C) be adjusted by the Commission from time to time in order to continue to comply with the requirements of this paragraph.

`(3) TREATMENT OF REVENUES-

`(A) GENERAL RULE- Except as provided in subparagraph (B), all proceeds obtained pursuant to the regulations required by this subsection shall be deposited in the Treasury in accordance with chapter 33 of title 31, United States Code.

`(B) RETENTION OF REVENUES- Notwithstanding subparagraph (A), the salaries and expenses account of the Commission shall retain as an offsetting collection such sums as may be necessary from such proceeds for the costs of developing and implementing the program required by this section and regulating and supervising advanced television services. Such offsetting collections shall be available for obligation subject to the terms and conditions of the receiving appropriations account, and shall be deposited in such accounts on a quarterly basis.

`(4) REPORT- Within 5 years after the date of enactment of the Telecommunications Act of 1996, the Commission shall report to the Congress on the implementation of the program required by this subsection, and shall annually thereafter advise the Congress on the amounts collected pursuant to such program.

`(f) EVALUATION- Within 10 years after the date the Commission first issues additional licenses for advanced television services, the Commission shall conduct an evaluation of the advanced television services program. Such evaluation shall include--

`(1) an assessment of the willingness of consumers to purchase the television receivers necessary to receive broadcasts of advanced television services;

`(2) an assessment of alternative uses, including public safety use, of the frequencies used for such broadcasts; and

`(3) the extent to which the Commission has been or will be able to reduce the amount of spectrum assigned to licensees.

`(g) DEFINITIONS- As used in this section:

`(1) ADVANCED TELEVISION SERVICES- The term `advanced television services' means television services provided using digital or other advanced technology as further defined in the opinion, report, and order of the Commission entitled `Advanced Television Systems and Their Impact Upon the Existing Television Broadcast Service', MM Docket 87-268, adopted September 17, 1992, and successor proceedings.

`(2) DESIGNATED FREQUENCIES- The term `designated frequency' means each of the frequencies designated by the Commission for licenses for advanced television services.

`(3) HIGH DEFINITION TELEVISION- The term `high definition television' refers to systems that offer approximately twice the vertical and horizontal resolution of receivers generally

available on the date of enactment of the Telecommunications Act of 1996, as further defined in the proceedings described in paragraph (1) of this subsection.'.

SEC. 202. BROADCAST OWNERSHIP.

(a) NATIONAL RADIO STATION OWNERSHIP RULE CHANGES REQUIRED- The Commission shall modify section 73.3555 of its regulations (47 C.F.R. 73.3555) by eliminating any provisions limiting the number of AM or FM broadcast stations which may be owned or controlled by one entity nationally.

(b) LOCAL RADIO DIVERSITY-

(1) APPLICABLE CAPS- The Commission shall revise section 73.3555(a) of its regulations (47 C.F.R. 73.3555) to provide that--

(A) in a radio market with 45 or more commercial radio stations, a party may own, operate, or control up to 8 commercial radio stations, not more than 5 of which are in the same service (AM or FM);

(B) in a radio market with between 30 and 44 (inclusive) commercial radio stations, a party may own, operate, or control up to 7 commercial radio stations, not more than 4 of which are in the same service (AM or FM);

(C) in a radio market with between 15 and 29 (inclusive) commercial radio stations, a party may own, operate, or control up to 6 commercial radio stations, not more than 4 of which are in the same service (AM or FM); and

(D) in a radio market with 14 or fewer commercial radio stations, a party may own, operate, or control up to 5 commercial radio stations, not more than 3 of which are in the same service (AM or FM), except that a party may not own, operate, or control more than 50 percent of the stations in such market.

(2) EXCEPTION- Notwithstanding any limitation authorized by this subsection, the Commission may permit a person or entity to own, operate, or control, or have a cognizable interest in, radio broadcast stations if the Commission determines that such ownership, operation, control, or interest will result in an increase in the number of radio broadcast stations in operation.

(c) TELEVISION OWNERSHIP LIMITATIONS-

(1) NATIONAL OWNERSHIP LIMITATIONS- The Commission shall modify its rules for multiple ownership set forth in section 73.3555 of its regulations (47 C.F.R. 73.3555)--

(A) by eliminating the restrictions on the number of television stations that a person or entity may directly or indirectly own, operate, or control, or have a cognizable interest in, nationwide; and

(B) by increasing the national audience reach limitation for television stations to 35 percent.

(2) LOCAL OWNERSHIP LIMITATIONS- The Commission shall conduct a rulemaking proceeding to determine whether to retain, modify, or eliminate its limitations on the number of television stations that a person or entity may own, operate, or control, or have a cognizable interest in, within the same television market.

(d) RELAXATION OF ONE-TO-A-MARKET- With respect to its enforcement of its one-to-a-market ownership rules under section 73.3555 of its regulations, the Commission shall extend its waiver policy to any of the top 50 markets, consistent with the public interest, convenience, and necessity.

(e) DUAL NETWORK CHANGES- The Commission shall revise section 73.658(g) of its regulations (47 C.F.R. 658(g)) to permit a television broadcast station to affiliate with a person or entity that maintains 2 or more networks of television broadcast stations unless such dual or multiple networks are composed of--

(1) two or more persons or entities that, on the date of enactment of the Telecommunications Act of 1996, are `networks' as defined in section 73.3613(a)(1) of the Commission's regulations (47 C.F.R. 73.3613(a)(1)); or

(2) any network described in paragraph (1) and an English-language program distribution service that, on such date, provides 4 or more hours of programming per week on a national basis pursuant to network affiliation arrangements with local television broadcast stations in markets reaching more than 75 percent of television homes (as measured by a national ratings service).

(f) CABLE CROSS OWNERSHIP-

(1) ELIMINATION OF RESTRICTIONS- The Commission shall revise section 76.501 of its regulations (47 C.F.R. 76.501) to permit a person or entity to own or control a network of broadcast stations and a cable system.

(2) SAFEGUARDS AGAINST DISCRIMINATION- The Commission shall revise such regulations if necessary to ensure carriage, channel positioning, and nondiscriminatory treatment of nonaffiliated broadcast stations by a cable system described in paragraph (1).

(g) LOCAL MARKETING AGREEMENTS- Nothing in this section shall be construed to prohibit the origination, continuation, or renewal of any television local marketing agreement that is in compliance with the regulations of the Commission.

(h) FURTHER COMMISSION REVIEW- The Commission shall review its rules adopted pursuant to this section and all of its ownership

rules biennially as part of its regulatory reform review under section 11 of the Communications Act of 1934 and shall determine whether any of such rules are necessary in the public interest as the result of competition. The Commission shall repeal or modify any regulation it determines to be no longer in the public interest.

(i) ELIMINATION OF STATUTORY RESTRICTION- Section 613(a) (47 U.S.C. 533(a)) is amended--

(1) by striking paragraph (1);

(2) by redesignating paragraph (2) as subsection (a);

(3) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively;

(4) by striking `and' at the end of paragraph (1) (as so redesignated);

(5) by striking the period at the end of paragraph (2) (as so redesignated) and inserting `; and'; and

(6) by adding at the end the following new paragraph:

`(3) shall not apply the requirements of this subsection to any cable operator in any franchise area in which a cable operator is subject to effective competition as determined under section 623(l).'.

SEC. 203. TERM OF LICENSES.

Section 307(c) (47 U.S.C. 307(c)) is amended to read as follows:

`(c) TERMS OF LICENSES-

`(1) INITIAL AND RENEWAL LICENSES- Each license granted for the operation of a broadcasting station shall be for a term of not to exceed 8 years. Upon application therefor, a renewal of such license may be granted from time to time for a term of not to exceed 8 years from the date of expiration of the preceding license, if the Commission finds that public interest, convenience, and necessity would be served thereby. Consistent with the foregoing provisions of this subsection, the Commission may by rule prescribe the period or periods for which licenses shall be granted and renewed for particular classes of stations, but the Commission may not adopt or follow any rule which would preclude it, in any case involving a station of a particular class, from granting or renewing a license for a shorter period than that prescribed for stations of such class if, in its judgment, the public interest, convenience, or necessity would be served by such action.

`(2) MATERIALS IN APPLICATION- In order to expedite action on applications for renewal of broadcasting station licenses and in order to avoid needless expense to applicants for such renewals, the Commission shall not require any such applicant to file any information which previously has been furnished to the Commission or which is not directly material to the

considerations that affect the granting or denial of such application, but the Commission may require any new or additional facts it deems necessary to make its findings.

`(3) CONTINUATION PENDING DECISION- Pending any hearing and final decision on such an application and the disposition of any petition for rehearing pursuant to section 405, the Commission shall continue such license in effect.'.

SEC. 204. BROADCAST LICENSE RENEWAL PROCEDURES.

(a) RENEWAL PROCEDURES-

(1) AMENDMENT- Section 309 (47 U.S.C. 309) is amended by adding at the end thereof the following new subsection:

`(k) BROADCAST STATION RENEWAL PROCEDURES-

`(1) STANDARDS FOR RENEWAL- If the licensee of a broadcast station submits an application to the Commission for renewal of such license, the Commission shall grant the application if it finds, with respect to that station, during the preceding term of its license--

`(A) the station has served the public interest, convenience, and necessity;

`(B) there have been no serious violations by the licensee of this Act or the rules and regulations of the Commission; and

`(C) there have been no other violations by the licensee of this Act or the rules and regulations of the Commission which, taken together, would constitute a pattern of abuse.

`(2) CONSEQUENCE OF FAILURE TO MEET STANDARD- If any licensee of a broadcast station fails to meet the requirements of this subsection, the Commission may deny the application for renewal in accordance with paragraph (3), or grant such application on terms and conditions as are appropriate, including renewal for a term less than the maximum otherwise permitted.

`(3) STANDARDS FOR DENIAL- If the Commission determines, after notice and opportunity for a hearing as provided in subsection (e), that a licensee has failed to meet the requirements specified in paragraph (1) and that no mitigating factors justify the imposition of lesser sanctions, the Commission shall--

`(A) issue an order denying the renewal application filed by such licensee under section 308; and

`(B) only thereafter accept and consider such applications for a construction permit as may be filed under section 308 specifying the channel or broadcasting facilities of the former licensee.

`(4) COMPETITOR CONSIDERATION PROHIBITED- In making the determinations specified in paragraph (1) or (2), the

Commission shall not consider whether the public interest, convenience, and necessity might be served by the grant of a license to a person other than the renewal applicant.'.

(2) CONFORMING AMENDMENT- Section 309(d) (47 U.S.C. 309(d)) is amended by inserting after `with subsection (a)' each place it appears the following: `(or subsection (k) in the case of renewal of any broadcast station license)'.

(b) SUMMARY OF COMPLAINTS ON VIOLENT PROGRAMMING- Section 308 (47 U.S.C. 308) is amended by adding at the end the following new subsection:

`(d) SUMMARY OF COMPLAINTS- Each applicant for the renewal of a commercial or noncommercial television license shall attach as an exhibit to the application a summary of written comments and suggestions received from the public and maintained by the licensee (in accordance with Commission regulations) that comment on the applicant's programming, if any, and that are characterized by the commentor as constituting violent programming.'.

(c) EFFECTIVE DATE- The amendments made by this section apply to applications filed after May 1, 1995.

SEC. 205. DIRECT BROADCAST SATELLITE SERVICE.

(a) DBS SIGNAL SECURITY- Section 705(e)(4) (47 U.S.C. 605(e)(4)) is amended by inserting `or direct-to-home satellite services,' after `programming,'.

(b) FCC JURISDICTION OVER DIRECT-TO-HOME SATELLITE SERVICES- Section 303 (47 U.S.C. 303) is amended by adding at the end thereof the following new subsection:

`(v) Have exclusive jurisdiction to regulate the provision of direct-to-home satellite services. As used in this subsection, the term `direct-to-home satellite services' means the distribution or broadcasting of programming or services by satellite directly to the subscriber's premises without the use of ground receiving or distribution equipment, except at the subscriber's premises or in the uplink process to the satellite.'.

SEC. 206. AUTOMATED SHIP DISTRESS AND SAFETY SYSTEMS.

Part II of title III is amended by inserting after section 364 (47 U.S.C. 362) the following new section:

`SEC. 365. AUTOMATED SHIP DISTRESS AND SAFETY SYSTEMS.

`Notwithstanding any provision of this Act or any other provision of law or regulation, a ship documented under the laws of the United States operating in accordance with the Global Maritime Distress and Safety System provisions of the Safety of Life at Sea Convention shall not be required to be equipped with a radio telegraphy station operated by one or more radio officers or operators. This section shall take effect for each vessel upon a determination by the United States Coast Guard that such vessel has

the equipment required to implement the Global Maritime Distress and Safety System installed and operating in good working condition.'.

SEC. 207. RESTRICTIONS ON OVER-THE-AIR RECEPTION DEVICES.

Within 180 days after the date of enactment of this Act, the Commission shall, pursuant to section 303 of the Communications Act of 1934, promulgate regulations to prohibit restrictions that impair a viewer's ability to receive video programming services through devices designed for over-the-air reception of television broadcast signals, multichannel multipoint distribution service, or direct broadcast satellite services.

TITLE III--CABLE SERVICES

SEC. 301. CABLE ACT REFORM.

(a) DEFINITIONS-

(1) DEFINITION OF CABLE SERVICE- Section 602(6)(B) (47 U.S.C. 522(6)(B)) is amended by inserting `or use' after `the selection'.

(2) CHANGE IN DEFINITION OF CABLE SYSTEM- Section 602(7) (47 U.S.C. 522(7)) is amended by striking `(B) a facility that serves only subscribers in 1 or more multiple unit dwellings under common ownership, control, or management, unless such facility or facilities uses any public right-of-way;' and inserting `(B) a facility that serves subscribers without using any public right-of-way;'.

(b) RATE DEREGULATION-

(1) UPPER TIER REGULATION- Section 623(c) (47 U.S.C. 543(c)) is amended--

(A) in paragraph (1)(B), by striking `subscriber, franchising authority, or other relevant State or local government entity' and inserting `franchising authority (in accordance with paragraph (3))';

(B) in paragraph (1)(C), by striking `such complaint' and inserting `the first complaint filed with the franchising authority under paragraph (3)'; and

(C) by striking paragraph (3) and inserting the following:

`(3) REVIEW OF RATE CHANGES- The Commission shall review any complaint submitted by a franchising authority after the date of enactment of the Telecommunications Act of 1996 concerning an increase in rates for cable programming services and issue a final order within 90 days after it receives such a complaint, unless the parties agree to extend the period for such review. A franchising authority may not file a complaint under this paragraph unless, within 90 days after such increase becomes effective it receives subscriber complaints.

`(4) SUNSET OF UPPER TIER RATE REGULATION- This subsection

shall not apply to cable programming services provided after March 31, 1999.'.

(2) SUNSET OF UNIFORM RATE STRUCTURE IN MARKETS WITH EFFECTIVE COMPETITION- Section 623(d) (47 U.S.C. 543(d)) is amended by adding at the end thereof the following: `This subsection does not apply to (1) a cable operator with respect to the provision of cable service over its cable system in any geographic area in which the video programming services offered by the operator in that area are subject to effective competition, or (2) any video programming offered on a per channel or per program basis. Bulk discounts to multiple dwelling units shall not be subject to this subsection, except that a cable operator of a cable system that is not subject to effective competition may not charge predatory prices to a multiple dwelling unit. Upon a prima facie showing by a complainant that there are reasonable grounds to believe that the discounted price is predatory, the cable system shall have the burden of showing that its discounted price is not predatory.'.

(3) EFFECTIVE COMPETITION- Section 623(l)(1) (47 U.S.C. 543(l)(1)) is amended--

(A) by striking `or' at the end of subparagraph (B);

(B) by striking the period at the end of subparagraph (C) and inserting `; or'; and

(C) by adding at the end the following:

`(D) a local exchange carrier or its affiliate (or any multichannel video programming distributor using the facilities of such carrier or its affiliate) offers video programming services directly to subscribers by any means (other than direct-to-home satellite services) in the franchise area of an unaffiliated cable operator which is providing cable service in that franchise area, but only if the video programming services so offered in that area are comparable to the video programming services provided by the unaffiliated cable operator in that area.'.

(c) GREATER DEREGULATION FOR SMALLER CABLE COMPANIES- Section 623 (47 U.S.C 543) is amended by adding at the end thereof the following:

`(m) SPECIAL RULES FOR SMALL COMPANIES-

`(1) IN GENERAL- Subsections (a), (b), and (c) do not apply to a small cable operator with respect to--

`(A) cable programming services, or

`(B) a basic service tier that was the only service tier subject to regulation as of December 31, 1994,

in any franchise area in which that operator services 50,000 or

fewer subscribers.

`(2) DEFINITION OF SMALL CABLE OPERATOR- For purposes of this subsection, the term `small cable operator' means a cable operator that, directly or through an affiliate, serves in the aggregate fewer than 1 percent of all subscribers in the United States and is not affiliated with any entity or entities whose gross annual revenues in the aggregate exceed $250,000,000.'.

(d) MARKET DETERMINATIONS-

(1) MARKET DETERMINATIONS; EXPEDITED DECISIONMAKING- Section 614(h)(1)(C) (47 U.S.C. 534(h)(1)(C)) is amended--

(A) by striking `in the manner provided in section 73.3555(d)(3)(i) of title 47, Code of Federal Regulations, as in effect on May 1, 1991,' in clause (i) and inserting `by the Commission by regulation or order using, where available, commercial publications which delineate television markets based on viewing patterns,'; and

(B) by striking clause (iv) and inserting the following:

`(iv) Within 120 days after the date on which a request is filed under this subparagraph (or 120 days after the date of enactment of the Telecommunications Act of 1996, if later), the Commission shall grant or deny the request.'.

(2) APPLICATION TO PENDING REQUESTS- The amendment made by paragraph (1) shall apply to--

(A) any request pending under section 614(h)(1)(C) of the Communications Act of 1934 (47 U.S.C. 534(h)(1)(C)) on the date of enactment of this Act; and

(B) any request filed under that section after that date.

(e) TECHNICAL STANDARDS- Section 624(e) (47 U.S.C. 544(e)) is amended by striking the last two sentences and inserting the following: `No State or franchising authority may prohibit, condition, or restrict a cable system's use of any type of subscriber equipment or any transmission technology.'.

(f) CABLE EQUIPMENT COMPATIBILITY- Section 624A (47 U.S.C. 544A) is amended--

(1) in subsection (a) by striking `and' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting `; and'; and by adding at the end the following new paragraph:

`(4) compatibility among televisions, video cassette recorders, and cable systems can be assured with narrow technical standards that mandate a minimum degree of common design and operation, leaving all features, functions, protocols, and other product and service options for selection through open competition in the market.';

(2) in subsection (c)(1)--

(A) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(B) by inserting before such redesignated subparagraph (B) the following new subparagraph:

`(A) the need to maximize open competition in the market for all features, functions, protocols, and other product and service options of converter boxes and other cable converters unrelated to the descrambling or decryption of cable television signals;'; and

(3) in subsection (c)(2)--

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following new subparagraph:

`(D) to ensure that any standards or regulations developed under the authority of this section to ensure compatibility between televisions, video cassette recorders, and cable systems do not affect features, functions, protocols, and other product and service options other than those specified in paragraph (1)(B), including telecommunications interface equipment, home automation communications, and computer network services;'.

(g) SUBSCRIBER NOTICE- Section 632 (47 U.S.C. 552) is amended--

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

`(c) SUBSCRIBER NOTICE- A cable operator may provide notice of service and rate changes to subscribers using any reasonable written means at its sole discretion. Notwithstanding section 623(b)(6) or any other provision of this Act, a cable operator shall not be required to provide prior notice of any rate change that is the result of a regulatory fee, franchise fee, or any other fee, tax, assessment, or charge of any kind imposed by any Federal agency, State, or franchising authority on the transaction between the operator and the subscriber.'.

(h) PROGRAM ACCESS- Section 628 (47 U.S.C. 548) is amended by adding at the end the following:

`(j) COMMON CARRIERS- Any provision that applies to a cable operator under this section shall apply to a common carrier or its affiliate that provides video programming by any means directly to subscribers. Any such provision that applies to a satellite cable programming vendor in which a cable operator has an attributable interest shall apply to any satellite cable programming vendor in which such common carrier has an attributable interest. For the

purposes of this subsection, two or fewer common officers or directors shall not by itself establish an attributable interest by a common carrier in a satellite cable programming vendor (or its parent company).'.

(i) ANTITRAFFICKING- Section 617 (47 U.S.C. 537) is amended--

(1) by striking subsections (a) through (d); and

(2) in subsection (e), by striking `(e)' and all that follows through `a franchising authority' and inserting `A franchising authority'.

(j) AGGREGATION OF EQUIPMENT COSTS- Section 623(a) (47 U.S.C. 543(a)) is amended by adding at the end the following new paragraph:

`(7) AGGREGATION OF EQUIPMENT COSTS-

`(A) IN GENERAL- The Commission shall allow cable operators, pursuant to any rules promulgated under subsection (b)(3), to aggregate, on a franchise, system, regional, or company level, their equipment costs into broad categories, such as converter boxes, regardless of the varying levels of functionality of the equipment within each such broad category. Such aggregation shall not be permitted with respect to equipment used by subscribers who receive only a rate regulated basic service tier.

`(B) REVISION TO COMMISSION RULES; FORMS- Within 120 days of the date of enactment of the Telecommunications Act of 1996, the Commission shall issue revisions to the appropriate rules and forms necessary to implement subparagraph (A).'.

(k) TREATMENT OF PRIOR YEAR LOSSES-

(1) AMENDMENT- Section 623 (48 U.S.C. 543) is amended by adding at the end thereof the following:

`(n) TREATMENT OF PRIOR YEAR LOSSES- Notwithstanding any other provision of this section or of section 612, losses associated with a cable system (including losses associated with the grant or award of a franchise) that were incurred prior to September 4, 1992, with respect to a cable system that is owned and operated by the original franchisee of such system shall not be disallowed, in whole or in part, in the determination of whether the rates for any tier of service or any type of equipment that is subject to regulation under this section are lawful.'.

(2) EFFECTIVE DATE- The amendment made by paragraph (1) shall take effect on the date of enactment of this Act and shall be applicable to any rate proposal filed on or after September 4, 1993, upon which no final action has been taken by December 1, 1995.

SEC. 302. CABLE SERVICE PROVIDED BY TELEPHONE COMPANIES.

(a) PROVISIONS FOR REGULATION OF CABLE SERVICE PROVIDED BY

TELEPHONE COMPANIES- Title VI (47 U.S.C. 521 et seq.) is amended by adding at the end the following new part:

`PART V--VIDEO PROGRAMMING SERVICES PROVIDED BY TELEPHONE COMPANIES

`SEC. 651. REGULATORY TREATMENT OF VIDEO PROGRAMMING SERVICES.

`(a) LIMITATIONS ON CABLE REGULATION-

`(1) RADIO-BASED SYSTEMS- To the extent that a common carrier (or any other person) is providing video programming to subscribers using radio communication, such carrier (or other person) shall be subject to the requirements of title III and section 652, but shall not otherwise be subject to the requirements of this title.

`(2) COMMON CARRIAGE OF VIDEO TRAFFIC- To the extent that a common carrier is providing transmission of video programming on a common carrier basis, such carrier shall be subject to the requirements of title II and section 652, but shall not otherwise be subject to the requirements of this title. This paragraph shall not affect the treatment under section 602(7)(C) of a facility of a common carrier as a cable system.

`(3) CABLE SYSTEMS AND OPEN VIDEO SYSTEMS- To the extent that a common carrier is providing video programming to its subscribers in any manner other than that described in paragraphs (1) and (2)--

`(A) such carrier shall be subject to the requirements of this title, unless such programming is provided by means of an open video system for which the Commission has approved a certification under section 653; or

`(B) if such programming is provided by means of an open video system for which the Commission has approved a certification under section 653, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this title only as provided in 653(c).

`(4) ELECTION TO OPERATE AS OPEN VIDEO SYSTEM- A common carrier that is providing video programming in a manner described in paragraph (1) or (2), or a combination thereof, may elect to provide such programming by means of an open video system that complies with section 653. If the Commission approves such carrier's certification under section 653, such carrier shall be subject to the requirements of this part, but shall be subject to parts I through IV of this title only as provided in 653(c).

`(b) LIMITATIONS ON INTERCONNECTION OBLIGATIONS- A local exchange carrier that provides cable service through an open video system or a cable system shall not be required, pursuant to title II of this

Act, to make capacity available on a nondiscriminatory basis to any other person for the provision of cable service directly to subscribers.

`(c) ADDITIONAL REGULATORY RELIEF- A common carrier shall not be required to obtain a certificate under section 214 with respect to the establishment or operation of a system for the delivery of video programming.

`SEC. 652. PROHIBITION ON BUY OUTS.

`(a) ACQUISITIONS BY CARRIERS- No local exchange carrier or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier may purchase or otherwise acquire directly or indirectly more than a 10 percent financial interest, or any management interest, in any cable operator providing cable service within the local exchange carrier's telephone service area.

`(b) ACQUISITIONS BY CABLE OPERATORS- No cable operator or affiliate of a cable operator that is owned by, operated by, controlled by, or under common ownership with such cable operator may purchase or otherwise acquire, directly or indirectly, more than a 10 percent financial interest, or any management interest, in any local exchange carrier providing telephone exchange service within such cable operator's franchise area.

`(c) JOINT VENTURES- A local exchange carrier and a cable operator whose telephone service area and cable franchise area, respectively, are in the same market may not enter into any joint venture or partnership to provide video programming directly to subscribers or to provide telecommunications services within such market.

`(d) EXCEPTIONS-

`(1) RURAL SYSTEMS- Notwithstanding subsections (a), (b), and (c) of this section, a local exchange carrier (with respect to a cable system located in its telephone service area) and a cable operator (with respect to the facilities of a local exchange carrier used to provide telephone exchange service in its cable franchise area) may obtain a controlling interest in, management interest in, or enter into a joint venture or partnership with the operator of such system or facilities for the use of such system or facilities to the extent that--

`(A) such system or facilities only serve incorporated or unincorporated--

`(i) places or territories that have fewer than 35,000 inhabitants; and

`(ii) are outside an urbanized area, as defined by the Bureau of the Census; and

`(B) in the case of a local exchange carrier, such

system, in the aggregate with any other system in which such carrier has an interest, serves less than 10 percent of the households in the telephone service area of such carrier.

`(2) JOINT USE- Notwithstanding subsection (c), a local exchange carrier may obtain, with the concurrence of the cable operator on the rates, terms, and conditions, the use of that part of the transmission facilities of a cable system extending from the last multi-user terminal to the premises of the end user, if such use is reasonably limited in scope and duration, as determined by the Commission.

`(3) ACQUISITIONS IN COMPETITIVE MARKETS- Notwithstanding subsections (a) and (c), a local exchange carrier may obtain a controlling interest in, or form a joint venture or other partnership with, or provide financing to, a cable system (hereinafter in this paragraph referred to as `the subject cable system'), if--

`(A) the subject cable system operates in a television market that is not in the top 25 markets, and such market has more than 1 cable system operator, and the subject cable system is not the cable system with the most subscribers in such television market;

`(B) the subject cable system and the cable system with the most subscribers in such television market held on May 1, 1995, cable television franchises from the largest municipality in the television market and the boundaries of such franchises were identical on such date;

`(C) the subject cable system is not owned by or under common ownership or control of any one of the 50 cable system operators with the most subscribers as such operators existed on May 1, 1995; and

`(D) the system with the most subscribers in the television market is owned by or under common ownership or control of any one of the 10 largest cable system operators as such operators existed on May 1, 1995.

`(4) EXEMPT CABLE SYSTEMS- Subsection (a) does not apply to any cable system if--

`(A) the cable system serves no more than 17,000 cable subscribers, of which no less than 8,000 live within an urban area, and no less than 6,000 live within a nonurbanized area as of June 1, 1995;

`(B) the cable system is not owned by, or under common ownership or control with, any of the 50 largest cable system operators in existence on June 1, 1995; and

`(C) the cable system operates in a television market

that was not in the top 100 television markets as of June 1, 1995.

`(5) SMALL CABLE SYSTEMS IN NONURBAN AREAS- Notwithstanding subsections (a) and (c), a local exchange carrier with less than $100,000,000 in annual operating revenues (or any affiliate of such carrier owned by, operated by, controlled by, or under common control with such carrier) may purchase or otherwise acquire more than a 10 percent financial interest in, or any management interest in, or enter into a joint venture or partnership with, any cable system within the local exchange carrier's telephone service area that serves no more than 20,000 cable subscribers, if no more than 12,000 of those subscribers live within an urbanized area, as defined by the Bureau of the Census.

`(6) WAIVERS- The Commission may waive the restrictions of subsections (a), (b), or (c) only if--

`(A) the Commission determines that, because of the nature of the market served by the affected cable system or facilities used to provide telephone exchange service--

`(i) the affected cable operator or local exchange carrier would be subjected to undue economic distress by the enforcement of such provisions;

`(ii) the system or facilities would not be economically viable if such provisions were enforced; or

`(iii) the anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served; and

`(B) the local franchising authority approves of such waiver.

`(e) DEFINITION OF TELEPHONE SERVICE AREA- For purposes of this section, the term `telephone service area' when used in connection with a common carrier subject in whole or in part to title II of this Act means the area within which such carrier provided telephone exchange service as of January 1, 1993, but if any common carrier after such date transfers its telephone exchange service facilities to another common carrier, the area to which such facilities provide telephone exchange service shall be treated as part of the telephone service area of the acquiring common carrier and not of the selling common carrier.

`SEC. 653. ESTABLISHMENT OF OPEN VIDEO SYSTEMS.

`(a) OPEN VIDEO SYSTEMS-

`(1) CERTIFICATES OF COMPLIANCE- A local exchange carrier may provide cable service to its cable service subscribers in its

telephone service area through an open video system that complies with this section. To the extent permitted by such regulations as the Commission may prescribe consistent with the public interest, convenience, and necessity, an operator of a cable system or any other person may provide video programming through an open video system that complies with this section. An operator of an open video system shall qualify for reduced regulatory burdens under subsection (c) of this section if the operator of such system certifies to the Commission that such carrier complies with the Commission's regulations under subsection (b) and the Commission approves such certification. The Commission shall publish notice of the receipt of any such certification and shall act to approve or disapprove any such certification within 10 days after receipt of such certification.

`(2) DISPUTE RESOLUTION- The Commission shall have the authority to resolve disputes under this section and the regulations prescribed thereunder. Any such dispute shall be resolved within 180 days after notice of such dispute is submitted to the Commission. At that time or subsequently in a separate damages proceeding, the Commission may, in the case of any violation of this section, require carriage, award damages to any person denied carriage, or any combination of such sanctions. Any aggrieved party may seek any other remedy available under this Act.

`(b) COMMISSION ACTIONS-

`(1) REGULATIONS REQUIRED- Within 6 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall complete all actions necessary (including any reconsideration) to prescribe regulations that--

`(A) except as required pursuant to section 611, 614, or 615, prohibit an operator of an open video system from discriminating among video programming providers with regard to carriage on its open video system, and ensure that the rates, terms, and conditions for such carriage are just and reasonable, and are not unjustly or unreasonably discriminatory;

`(B) if demand exceeds the channel capacity of the open video system, prohibit an operator of an open video system and its affiliates from selecting the video programming services for carriage on more than one-third of the activated channel capacity on such system, but nothing in this subparagraph shall be construed to limit the number of channels that the carrier and its affiliates may offer to provide directly to subscribers;

`(C) permit an operator of an open video system to carry

on only one channel any video programming service that is offered by more than one video programming provider (including the local exchange carrier's video programming affiliate): [Italic->] Provided, [<-Italic] That subscribers have ready and immediate access to any such video programming service;

`(D) extend to the distribution of video programming over open video systems the Commission's regulations concerning sports exclusivity (47 C.F.R. 76.67), network nonduplication (47 C.F.R. 76.92 et seq.), and syndicated exclusivity (47 C.F.R. 76.151 et seq.); and

`(E)(i) prohibit an operator of an open video system from unreasonably discriminating in favor of the operator or its affiliates with regard to material or information (including advertising) provided by the operator to subscribers for the purposes of selecting programming on the open video system, or in the way such material or information is presented to subscribers;

`(ii) require an operator of an open video system to ensure that video programming providers or copyright holders (or both) are able suitably and uniquely to identify their programming services to subscribers;

`(iii) if such identification is transmitted as part of the programming signal, require the carrier to transmit such identification without change or alteration; and

`(iv) prohibit an operator of an open video system from omitting television broadcast stations or other unaffiliated video programming services carried on such system from any navigational device, guide, or menu.

`(2) CONSUMER ACCESS- Subject to the requirements of paragraph (1) and the regulations thereunder, nothing in this section prohibits a common carrier or its affiliate from negotiating mutually agreeable terms and conditions with over-the-air broadcast stations and other unaffiliated video programming providers to allow consumer access to their signals on any level or screen of any gateway, menu, or other program guide, whether provided by the carrier or its affiliate.

`(c) REDUCED REGULATORY BURDENS FOR OPEN VIDEO SYSTEMS-

`(1) IN GENERAL- Any provision that applies to a cable operator under--

`(A) sections 613 (other than subsection (a) thereof), 616, 623(f), 628, 631, and 634 of this title, shall apply,

`(B) sections 611, 614, and 615 of this title, and section 325 of title III, shall apply in accordance with the regulations prescribed under paragraph (2), and

`(C) sections 612 and 617, and parts III and IV (other than sections 623(f), 628, 631, and 634), of this title shall not apply,

to any operator of an open video system for which the Commission has approved a certification under this section.

`(2) IMPLEMENTATION-

`(A) COMMISSION ACTION- In the rulemaking proceeding to prescribe the regulations required by subsection (b)(1), the Commission shall, to the extent possible, impose obligations that are no greater or lesser than the obligations contained in the provisions described in paragraph (1)(B) of this subsection. The Commission shall complete all action (including any reconsideration) to prescribe such regulations no later than 6 months after the date of enactment of the Telecommunications Act of 1996.

`(B) FEES- An operator of an open video system under this part may be subject to the payment of fees on the gross revenues of the operator for the provision of cable service imposed by a local franchising authority or other governmental entity, in lieu of the franchise fees permitted under section 622. The rate at which such fees are imposed shall not exceed the rate at which franchise fees are imposed on any cable operator transmitting video programming in the franchise area, as determined in accordance with regulations prescribed by the Commission. An operator of an open video system may designate that portion of a subscriber's bill attributable to the fee under this subparagraph as a separate item on the bill.

`(3) REGULATORY STREAMLINING- With respect to the establishment and operation of an open video system, the requirements of this section shall apply in lieu of, and not in addition to, the requirements of title II.

`(4) TREATMENT AS CABLE OPERATOR- Nothing in this Act precludes a video programming provider making use of an open video system from being treated as an operator of a cable system for purposes of section 111 of title 17, United States Code.

`(d) DEFINITION OF TELEPHONE SERVICE AREA- For purposes of this section, the term `telephone service area' when used in connection with a common carrier subject in whole or in part to title II of this Act means the area within which such carrier is offering telephone exchange service.'.

(b) CONFORMING AND TECHNICAL AMENDMENTS-

(1) REPEAL- Subsection (b) of section 613 (47 U.S.C. 533(b)) is repealed.

(2) DEFINITIONS- Section 602 (47 U.S.C. 531) is amended--

(A) in paragraph (7), by striking `, or (D)' and inserting the following: `, unless the extent of such use is solely to provide interactive on-demand services; (D) an open video system that complies with section 653 of this title; or (E)';

(B) by redesignating paragraphs (12) through (19) as paragraphs (13) through (20), respectively; and

(C) by inserting after paragraph (11) the following new paragraph:

`(12) the term `interactive on-demand services' means a service providing video programming to subscribers over switched networks on an on-demand, point-to-point basis, but does not include services providing video programming prescheduled by the programming provider;'.

(3) TERMINATION OF VIDEO-DIALTONE REGULATIONS- The Commission's regulations and policies with respect to video dialtone requirements issued in CC Docket No. 87-266 shall cease to be effective on the date of enactment of this Act. This paragraph shall not be construed to require the termination of any video-dialtone system that the Commission has approved before the date of enactment of this Act.

SEC. 303. PREEMPTION OF FRANCHISING AUTHORITY REGULATION OF TELECOMMUNICATIONS SERVICES.

(a) PROVISION OF TELECOMMUNICATIONS SERVICES BY A CABLE OPERATOR-

Section 621(b) (47 U.S.C. 541(b)) is amended by adding at the end thereof the following new paragraph:

`(3)(A) If a cable operator or affiliate thereof is engaged in the provision of telecommunications services--

`(i) such cable operator or affiliate shall not be required to obtain a franchise under this title for the provision of telecommunications services; and

`(ii) the provisions of this title shall not apply to such cable operator or affiliate for the provision of telecommunications services.

`(B) A franchising authority may not impose any requirement under this title that has the purpose or effect of prohibiting, limiting, restricting, or conditioning the provision of a telecommunications service by a cable operator or an affiliate thereof.

`(C) A franchising authority may not order a cable operator or affiliate thereof--

`(i) to discontinue the provision of a telecommunications service, or

`(ii) to discontinue the operation of a cable system, to the

extent such cable system is used for the provision of a telecommunications service, by reason of the failure of such cable operator or affiliate thereof to obtain a franchise or franchise renewal under this title with respect to the provision of such telecommunications service.

`(D) Except as otherwise permitted by sections 611 and 612, a franchising authority may not require a cable operator to provide any telecommunications service or facilities, other than institutional networks, as a condition of the initial grant of a franchise, a franchise renewal, or a transfer of a franchise.'.

(b) FRANCHISE FEES- Section 622(b) (47 U.S.C. 542(b)) is amended by inserting `to provide cable services' immediately before the period at the end of the first sentence thereof.

SEC. 304. COMPETITIVE AVAILABILITY OF NAVIGATION DEVICES.

Part III of title VI is amended by inserting after section 628 (47 U.S.C. 548) the following new section:

`SEC. 629. COMPETITIVE AVAILABILITY OF NAVIGATION DEVICES.

`(a) COMMERCIAL CONSUMER AVAILABILITY OF EQUIPMENT USED TO ACCESS SERVICES PROVIDED BY MULTICHANNEL VIDEO PROGRAMMING DISTRIBUTORS-

The Commission shall, in consultation with appropriate industry standard-setting organizations, adopt regulations to assure the commercial availability, to consumers of multichannel video programming and other services offered over multichannel video programming systems, of converter boxes, interactive communications equipment, and other equipment used by consumers to access multichannel video programming and other services offered over multichannel video programming systems, from manufacturers, retailers, and other vendors not affiliated with any multichannel video programming distributor. Such regulations shall not prohibit any multichannel video programming distributor from also offering converter boxes, interactive communications equipment, and other equipment used by consumers to access multichannel video programming and other services offered over multichannel video programming systems, to consumers, if the system operator's charges to consumers for such devices and equipment are separately stated and not subsidized by charges for any such service.

`(b) PROTECTION OF SYSTEM SECURITY- The Commission shall not prescribe regulations under subsection (a) which would jeopardize security of multichannel video programming and other services offered over multichannel video programming systems, or impede the legal rights of a provider of such services to prevent theft of service.

`(c) WAIVER- The Commission shall waive a regulation adopted

under subsection (a) for a limited time upon an appropriate showing by a provider of multichannel video programming and other services offered over multichannel video programming systems, or an equipment provider, that such waiver is necessary to assist the development or introduction of a new or improved multichannel video programming or other service offered over multichannel video programming systems, technology, or products. Upon an appropriate showing, the Commission shall grant any such waiver request within 90 days of any application filed under this subsection, and such waiver shall be effective for all service providers and products in that category and for all providers of services and products.

`(d) AVOIDANCE OF REDUNDANT REGULATIONS-

`(1) COMMERCIAL AVAILABILITY DETERMINATIONS- Determinations made or regulations prescribed by the Commission with respect to commercial availability to consumers of converter boxes, interactive communications equipment, and other equipment used by consumers to access multichannel video programming and other services offered over multichannel video programming systems, before the date of enactment of the Telecommunications Act of 1996 shall fulfill the requirements of this section.

`(2) REGULATIONS- Nothing in this section affects section 64.702(e) of the Commission's regulations (47 C.F.R. 64.702(e)) or other Commission regulations governing interconnection and competitive provision of customer premises equipment used in connection with basic common carrier communications services.

`(e) SUNSET- The regulations adopted under this section shall cease to apply when the Commission determines that--

`(1) the market for the multichannel video programming distributors is fully competitive;

`(2) the market for converter boxes, and interactive communications equipment, used in conjunction with that service is fully competitive; and

`(3) elimination of the regulations would promote competition and the public interest.

`(f) COMMISSION'S AUTHORITY- Nothing in this section shall be construed as expanding or limiting any authority that the Commission may have under law in effect before the date of enactment of the Telecommunications Act of 1996.'.

SEC. 305. VIDEO PROGRAMMING ACCESSIBILITY.

Title VII is amended by inserting after section 712 (47 U.S.C. 612) the following new section:

`SEC. 713. VIDEO PROGRAMMING ACCESSIBILITY.

`(a) COMMISSION INQUIRY- Within 180 days after the date of enactment of the Telecommunications Act of 1996, the Federal Communications Commission shall complete an inquiry to ascertain

the level at which video programming is closed captioned. Such inquiry shall examine the extent to which existing or previously published programming is closed captioned, the size of the video programming provider or programming owner providing closed captioning, the size of the market served, the relative audience shares achieved, or any other related factors. The Commission shall submit to the Congress a report on the results of such inquiry.

`(b) ACCOUNTABILITY CRITERIA- Within 18 months after such date of enactment, the Commission shall prescribe such regulations as are necessary to implement this section. Such regulations shall ensure that--

`(1) video programming first published or exhibited after the effective date of such regulations is fully accessible through the provision of closed captions, except as provided in subsection (d); and

`(2) video programming providers or owners maximize the accessibility of video programming first published or exhibited prior to the effective date of such regulations through the provision of closed captions, except as provided in subsection (d).

`(c) DEADLINES FOR CAPTIONING- Such regulations shall include an appropriate schedule of deadlines for the provision of closed captioning of video programming.

`(d) EXEMPTIONS- Notwithstanding subsection (b)--

`(1) the Commission may exempt by regulation programs, classes of programs, or services for which the Commission has determined that the provision of closed captioning would be economically burdensome to the provider or owner of such programming;

`(2) a provider of video programming or the owner of any program carried by the provider shall not be obligated to supply closed captions if such action would be inconsistent with contracts in effect on the date of enactment of the Telecommunications Act of 1996, except that nothing in this section shall be construed to relieve a video programming provider of its obligations to provide services required by Federal law; and

`(3) a provider of video programming or program owner may petition the Commission for an exemption from the requirements of this section, and the Commission may grant such petition upon a showing that the requirements contained in this section would result in an undue burden.

`(e) UNDUE BURDEN- The term `undue burden' means significant difficulty or expense. In determining whether the closed captions necessary to comply with the requirements of this paragraph would

result in an undue economic burden, the factors to be considered include--

`(1) the nature and cost of the closed captions for the programming;

`(2) the impact on the operation of the provider or program owner;

`(3) the financial resources of the provider or program owner; and

`(4) the type of operations of the provider or program owner.

`(f) VIDEO DESCRIPTIONS INQUIRY- Within 6 months after the date of enactment of the Telecommunications Act of 1996, the Commission shall commence an inquiry to examine the use of video descriptions on video programming in order to ensure the accessibility of video programming to persons with visual impairments, and report to Congress on its findings. The Commission's report shall assess appropriate methods and schedules for phasing video descriptions into the marketplace, technical and quality standards for video descriptions, a definition of programming for which video descriptions would apply, and other technical and legal issues that the Commission deems appropriate.

`(g) VIDEO DESCRIPTION- For purposes of this section, `video description' means the insertion of audio narrated descriptions of a television program's key visual elements into natural pauses between the program's dialogue.

`(h) PRIVATE RIGHTS OF ACTIONS PROHIBITED- Nothing in this section shall be construed to authorize any private right of action to enforce any requirement of this section or any regulation thereunder. The Commission shall have exclusive jurisdiction with respect to any complaint under this section.'.

TITLE IV--REGULATORY REFORM

SEC. 401. REGULATORY FORBEARANCE.

Title I is amended by inserting after section 9 (47 U.S.C. 159) the following new section:

`SEC. 10. COMPETITION IN PROVISION OF TELECOMMUNICATIONS SERVICE.

`(a) REGULATORY FLEXIBILITY- Notwithstanding section 332(c)(1)(A) of this Act, the Commission shall forbear from applying any regulation or any provision of this Act to a telecommunications carrier or telecommunications service, or class of telecommunications carriers or telecommunications services, in any or some of its or their geographic markets, if the Commission determines that--

`(1) enforcement of such regulation or provision is not necessary to ensure that the charges, practices, classifications, or regulations by, for, or in connection with that telecommunications carrier or telecommunications service

are just and reasonable and are not unjustly or unreasonably discriminatory;

`(2) enforcement of such regulation or provision is not necessary for the protection of consumers; and

`(3) forbearance from applying such provision or regulation is consistent with the public interest.

`(b) COMPETITIVE EFFECT TO BE WEIGHED- In making the determination under subsection (a)(3), the Commission shall consider whether forbearance from enforcing the provision or regulation will promote competitive market conditions, including the extent to which such forbearance will enhance competition among providers of telecommunications services. If the Commission determines that such forbearance will promote competition among providers of telecommunications services, that determination may be the basis for a Commission finding that forbearance is in the public interest.

`(c) PETITION FOR FORBEARANCE- Any telecommunications carrier, or class of telecommunications carriers, may submit a petition to the Commission requesting that the Commission exercise the authority granted under this section with respect to that carrier or those carriers, or any service offered by that carrier or carriers. Any such petition shall be deemed granted if the Commission does not deny the petition for failure to meet the requirements for forbearance under subsection (a) within one year after the Commission receives it, unless the one-year period is extended by the Commission. The Commission may extend the initial one-year period by an additional 90 days if the Commission finds that an extension is necessary to meet the requirements of subsection (a). The Commission may grant or deny a petition in whole or in part and shall explain its decision in writing.

`(d) LIMITATION- Except as provided in section 251(f), the Commission may not forbear from applying the requirements of section 251(c) or 271 under subsection (a) of this section until it determines that those requirements have been fully implemented.

`(e) STATE ENFORCEMENT AFTER COMMISSION FORBEARANCE- A State commission may not continue to apply or enforce any provision of this Act that the Commission has determined to forbear from applying under subsection (a).'.

SEC. 402. BIENNIAL REVIEW OF REGULATIONS; REGULATORY RELIEF.

(a) BIENNIAL REVIEW- Title I is amended by inserting after section 10 (as added by section 401) the following new section:

`SEC. 11. REGULATORY REFORM.

`(a) BIENNIAL REVIEW OF REGULATIONS- In every even-numbered year (beginning with 1998), the Commission--

`(1) shall review all regulations issued under this Act in

effect at the time of the review that apply to the operations or activities of any provider of telecommunications service; and

`(2) shall determine whether any such regulation is no longer necessary in the public interest as the result of meaningful economic competition between providers of such service.

`(b) EFFECT OF DETERMINATION- The Commission shall repeal or modify any regulation it determines to be no longer necessary in the public interest.'.

(b) REGULATORY RELIEF-

(1) Streamlined procedures for changes in charges, classifications, regulations, or practices-

(A) Section 204(a) (47 U.S.C. 204(a)) is amended--

(i) by striking `12 months' the first place it appears in paragraph (2)(A) and inserting `5 months';

(ii) by striking `effective,' and all that follows in paragraph (2)(A) and inserting `effective.'; and

(iii) by adding at the end thereof the following:

`(3) A local exchange carrier may file with the Commission a new or revised charge, classification, regulation, or practice on a streamlined basis. Any such charge, classification, regulation, or practice shall be deemed lawful and shall be effective 7 days (in the case of a reduction in rates) or 15 days (in the case of an increase in rates) after the date on which it is filed with the Commission unless the Commission takes action under paragraph (1) before the end of that 7-day or 15-day period, as is appropriate.'.

(B) Section 208(b) (47 U.S.C. 208(b)) is amended--

(i) by striking `12 months' the first place it appears in paragraph (1) and inserting `5 months'; and

(ii) by striking `filed,' and all that follows in paragraph (1) and inserting `filed.'.

(2) EXTENSIONS OF LINES UNDER SECTION 214; ARMIS REPORTS- The Commission shall permit any common carrier--

(A) to be exempt from the requirements of section 214 of the Communications Act of 1934 for the extension of any line; and

(B) to file cost allocation manuals and ARMIS reports annually, to the extent such carrier is required to file such manuals or reports.

(3) FORBEARANCE AUTHORITY NOT LIMITED- Nothing in this subsection shall be construed to limit the authority of the Commission to waive, modify, or forbear from applying any of the requirements to which reference is made in paragraph (1) under any other provision of this Act or other law.

(4) EFFECTIVE DATE OF AMENDMENTS- The amendments made by

paragraph (1) of this subsection shall apply with respect to any charge, classification, regulation, or practice filed on or after one year after the date of enactment of this Act.

(c) CLASSIFICATION OF CARRIERS- In classifying carriers according to section 32.11 of its regulations (47 C.F.R. 32.11) and in establishing reporting requirements pursuant to part 43 of its regulations (47 C.F.R. part 43) and section 64.903 of its regulations (47 C.F.R. 64.903), the Commission shall adjust the revenue requirements to account for inflation as of the release date of the Commission's Report and Order in CC Docket No. 91-141, and annually thereafter. This subsection shall take effect on the date of enactment of this Act.

SEC. 403. ELIMINATION OF UNNECESSARY COMMISSION REGULATIONS AND FUNCTIONS.

(a) MODIFICATION OF AMATEUR RADIO EXAMINATION PROCEDURES- Section 4(f)(4) (47 U.S.C. 154(f)(4)) is amended--

(1) in subparagraph (A)--

(A) by inserting `or administering' after `for purposes of preparing';

(B) by inserting `of' after `than the class'; and

(C) by inserting `or administered' after `for which the examination is being prepared';

(2) by striking subparagraph (B);

(3) in subparagraph (H), by striking `(A), (B), and (C)' and inserting `(A) and (B)';

(4) in subparagraph (J)--

(A) by striking `or (B)'; and

(B) by striking the last sentence; and

(5) by redesignating subparagraphs (C) through (J) as subparagraphs (B) through (I), respectively.

(b) AUTHORITY TO DESIGNATE ENTITIES TO INSPECT- Section 4(f)(3) (47 U.S.C. 154(f)(3)) is amended by inserting before the period at the end the following: `: and [Italic->] Provided further, [<-Italic] That, in the alternative, an entity designated by the Commission may make the inspections referred to in this paragraph'.

(c) EXPEDITING INSTRUCTIONAL TELEVISION FIXED SERVICE PROCESSING-

Section 5(c)(1) (47 U.S.C. 155(c)(1)) is amended by striking the last sentence and inserting the following: `Except for cases involving the authorization of service in the instructional television fixed service, or as otherwise provided in this Act, nothing in this paragraph shall authorize the Commission to provide for the conduct, by any person or persons other than persons referred to in paragraph (2) or (3) of section 556(b) of title 5,

United States Code, of any hearing to which such section applies.'.

(d) REPEAL SETTING OF DEPRECIATION RATES- The first sentence of section 220(b) (47 U.S.C. 220(b)) is amended by striking `shall prescribe for such carriers' and inserting `may prescribe, for such carriers as it determines to be appropriate,'.

(e) USE OF INDEPENDENT AUDITORS- Section 220(c) (47 U.S.C. 220(c)) is amended by adding at the end thereof the following: `The Commission may obtain the services of any person licensed to provide public accounting services under the law of any State to assist with, or conduct, audits under this section. While so employed or engaged in conducting an audit for the Commission under this section, any such person shall have the powers granted the Commission under this subsection and shall be subject to subsection (f) in the same manner as if that person were an employee of the Commission.'.

(f) DELEGATION OF EQUIPMENT TESTING AND CERTIFICATION TO PRIVATE LABORATORIES- Section 302 (47 U.S.C. 302) is amended by adding at the end the following:

`(e) The Commission may--

`(1) authorize the use of private organizations for testing and certifying the compliance of devices or home electronic equipment and systems with regulations promulgated under this section;

`(2) accept as prima facie evidence of such compliance the certification by any such organization; and

`(3) establish such qualifications and standards as it deems appropriate for such private organizations, testing, and certification.'.

(g) MAKING LICENSE MODIFICATION UNIFORM- Section 303(f) (47 U.S.C. 303(f)) is amended by striking `unless, after a public hearing,' and inserting `unless'.

(h) ELIMINATE FCC JURISDICTION OVER GOVERNMENT-OWNED SHIP RADIO STATIONS-

(1) Section 305 (47 U.S.C. 305) is amended by striking subsection (b) and redesignating subsections (c) and (d) as (b) and (c), respectively.

(2) Section 382(2) (47 U.S.C. 382(2)) is amended by striking `except a vessel of the United States Maritime Administration, the Inland and Coastwise Waterways Service, or the Panama Canal Company,'.

(i) PERMIT OPERATION OF DOMESTIC SHIP AND AIRCRAFT RADIOS WITHOUT LICENSE- Section 307(e) (47 U.S.C. 307(e)) is amended to read as

follows:

`(e)(1) Notwithstanding any license requirement established in this Act, if the Commission determines that such authorization serves the public interest, convenience, and necessity, the Commission may by rule authorize the operation of radio stations without individual licenses in the following radio services: (A) the citizens band radio service; (B) the radio control service; (C) the aviation radio service for aircraft stations operated on domestic flights when such aircraft are not otherwise required to carry a radio station; and (D) the maritime radio service for ship stations navigated on domestic voyages when such ships are not otherwise required to carry a radio station.

`(2) Any radio station operator who is authorized by the Commission to operate without an individual license shall comply with all other provisions of this Act and with rules prescribed by the Commission under this Act.

`(3) For purposes of this subsection, the terms `citizens band radio service', `radio control service', `aircraft station' and `ship station' shall have the meanings given them by the Commission by rule.'.

(j) EXPEDITED LICENSING FOR FIXED MICROWAVE SERVICE- Section 309(b)(2) (47 U.S.C. 309(b)(2)) is amended by striking subparagraph (A) and redesignating subparagraphs (B) through (G) as subparagraphs (A) through (F), respectively.

(k) FOREIGN DIRECTORS- Section 310(b) (47 U.S.C. 310(b)) is amended--

(1) in paragraph (3), by striking `of which any officer or director is an alien or'; and

(2) in paragraph (4), by striking `of which any officer or more than one-fourth of the directors are aliens, or'.

(l) LIMITATION ON SILENT STATION AUTHORIZATIONS- Section 312 (47 U.S.C. 312) is amended by adding at the end the following:

`(g) If a broadcasting station fails to transmit broadcast signals for any consecutive 12-month period, then the station license granted for the operation of that broadcast station expires at the end of that period, notwithstanding any provision, term, or condition of the license to the contrary.'.

(m) MODIFICATION OF CONSTRUCTION PERMIT REQUIREMENT- Section 319(d) is amended by striking the last two sentences and inserting the following: `With respect to any broadcasting station, the Commission shall not have any authority to waive the requirement of a permit for construction, except that the Commission may by regulation determine that a permit shall not be required for minor changes in the facilities of authorized broadcast stations. With respect to any other station or class of stations, the Commission

shall not waive the requirement for a construction permit unless the Commission determines that the public interest, convenience, and necessity would be served by such a waiver.'.

(n) CONDUCT OF INSPECTIONS- Section 362(b) (47 U.S.C. 362(b)) is amended to read as follows:

`(b) Every ship of the United States that is subject to this part shall have the equipment and apparatus prescribed therein inspected at least once each year by the Commission or an entity designated by the Commission. If, after such inspection, the Commission is satisfied that all relevant provisions of this Act and the station license have been complied with, the fact shall be so certified on the station license by the Commission. The Commission shall make such additional inspections at frequent intervals as the Commission determines may be necessary to ensure compliance with the requirements of this Act. The Commission may, upon a finding that the public interest could be served thereby--

`(1) waive the annual inspection required under this section for a period of up to 90 days for the sole purpose of enabling a vessel to complete its voyage and proceed to a port in the United States where an inspection can be held; or

`(2) waive the annual inspection required under this section for a vessel that is in compliance with the radio provisions of the Safety Convention and that is operating solely in waters beyond the jurisdiction of the United States: [Italic->] Provided, [<-Italic] That such inspection shall be performed within 30 days of such vessel's return to the United States.'.

(o) INSPECTION BY OTHER ENTITIES- Section 385 (47 U.S.C. 385) is amended--

(1) by inserting `or an entity designated by the Commission' after `The Commission'; and

(2) by adding at the end thereof the following: `In accordance with such other provisions of law as apply to Government contracts, the Commission may enter into contracts with any person for the purpose of carrying out such inspections and certifying compliance with those requirements, and may, as part of any such contract, allow any such person to accept reimbursement from the license holder for travel and expense costs of any employee conducting an inspection or certification.'.

TITLE V--OBSCENITY AND VIOLENCE

SUBTITLE A--OBSCENE, HARASSING, AND WRONGFUL UTILIZATION OF TELECOMMUNICATIONS FACILITIES

SEC. 501. SHORT TITLE.

This title may be cited as the `Communications Decency Act of 1996'.

SEC. 502. OBSCENE OR HARASSING USE OF TELECOMMUNICATIONS FACILITIES UNDER THE COMMUNICATIONS ACT OF 1934.

Section 223 (47 U.S.C. 223) is amended--

(1) by striking subsection (a) and inserting in lieu thereof:

`(a) Whoever--

`(1) in interstate or foreign communications--

`(A) by means of a telecommunications device knowingly--

`(i) makes, creates, or solicits, and

`(ii) initiates the transmission of,

any comment, request, suggestion, proposal, image, or other communication which is obscene, lewd, lascivious, filthy, or indecent, with intent to annoy, abuse, threaten, or harass another person;

`(B) by means of a telecommunications device knowingly--

`(i) makes, creates, or solicits, and

`(ii) initiates the transmission of,

any comment, request, suggestion, proposal, image, or other communication which is obscene or indecent, knowing that the recipient of the communication is under 18 years of age, regardless of whether the maker of such communication placed the call or initiated the communication;

`(C) makes a telephone call or utilizes a telecommunications device, whether or not conversation or communication ensues, without disclosing his identity and with intent to annoy, abuse, threaten, or harass any person at the called number or who receives the communications;

`(D) makes or causes the telephone of another repeatedly or continuously to ring, with intent to harass any person at the called number; or

`(E) makes repeated telephone calls or repeatedly initiates communication with a telecommunications device, during which conversation or communication ensues, solely to harass any person at the called number or who receives the communication; or

`(2) knowingly permits any telecommunications facility under his control to be used for any activity prohibited by paragraph (1) with the intent that it be used for such activity,

shall be fined under title 18, United States Code, or imprisoned not more than two years, or both.'; and

(2) by adding at the end the following new subsections:

`(d) Whoever--

`(1) in interstate or foreign communications knowingly--

`(A) uses an interactive computer service to send to a specific person or persons under 18 years of age, or

`(B) uses any interactive computer service to display in a manner available to a person under 18 years of age, any comment, request, suggestion, proposal, image, or other communication that, in context, depicts or describes, in terms patently offensive as measured by contemporary community standards, sexual or excretory activities or organs, regardless of whether the user of such service placed the call or initiated the communication; or

`(2) knowingly permits any telecommunications facility under such person's control to be used for an activity prohibited by paragraph (1) with the intent that it be used for such activity, shall be fined under title 18, United States Code, or imprisoned not more than two years, or both.

`(e) In addition to any other defenses available by law:

`(1) No person shall be held to have violated subsection (a) or (d) solely for providing access or connection to or from a facility, system, or network not under that person's control, including transmission, downloading, intermediate storage, access software, or other related capabilities that are incidental to providing such access or connection that does not include the creation of the content of the communication.

`(2) The defenses provided by paragraph (1) of this subsection shall not be applicable to a person who is a conspirator with an entity actively involved in the creation or knowing distribution of communications that violate this section, or who knowingly advertises the availability of such communications.

`(3) The defenses provided in paragraph (1) of this subsection shall not be applicable to a person who provides access or connection to a facility, system, or network engaged in the violation of this section that is owned or controlled by such person.

`(4) No employer shall be held liable under this section for the actions of an employee or agent unless the employee's or agent's conduct is within the scope of his or her employment or agency and the employer (A) having knowledge of such conduct, authorizes or ratifies such conduct, or (B) recklessly disregards such conduct.

`(5) It is a defense to a prosecution under subsection (a)(1)(B) or (d), or under subsection (a)(2) with respect to the use of a facility for an activity under subsection (a)(1)(B) that a person--

`(A) has taken, in good faith, reasonable, effective, and appropriate actions under the circumstances to restrict or prevent access by minors to a communication specified in

such subsections, which may involve any appropriate measures to restrict minors from such communications, including any method which is feasible under available technology; or

`(B) has restricted access to such communication by requiring use of a verified credit card, debit account, adult access code, or adult personal identification number.

`(6) The Commission may describe measures which are reasonable, effective, and appropriate to restrict access to prohibited communications under subsection (d). Nothing in this section authorizes the Commission to enforce, or is intended to provide the Commission with the authority to approve, sanction, or permit, the use of such measures. The Commission shall have no enforcement authority over the failure to utilize such measures. The Commission shall not endorse specific products relating to such measures. The use of such measures shall be admitted as evidence of good faith efforts for purposes of paragraph (5) in any action arising under subsection (d). Nothing in this section shall be construed to treat interactive computer services as common carriers or telecommunications carriers.

`(f)(1) No cause of action may be brought in any court or administrative agency against any person on account of any activity that is not in violation of any law punishable by criminal or civil penalty, and that the person has taken in good faith to implement a defense authorized under this section or otherwise to restrict or prevent the transmission of, or access to, a communication specified in this section.

`(2) No State or local government may impose any liability for commercial activities or actions by commercial entities, nonprofit libraries, or institutions of higher education in connection with an activity or action described in subsection (a)(2) or (d) that is inconsistent with the treatment of those activities or actions under this section: [Italic->] Provided, however [<-Italic] , That nothing herein shall preclude any State or local government from enacting and enforcing complementary oversight, liability, and regulatory systems, procedures, and requirements, so long as such systems, procedures, and requirements govern only intrastate services and do not result in the imposition of inconsistent rights, duties or obligations on the provision of interstate services. Nothing in this subsection shall preclude any State or local government from governing conduct not covered by this section.

`(g) Nothing in subsection (a), (d), (e), or (f) or in the defenses to prosecution under subsection (a) or (d) shall be construed to affect or limit the application or enforcement of any

other Federal law.

`(h) For purposes of this section--

`(1) The use of the term `telecommunications device' in this section--

`(A) shall not impose new obligations on broadcasting station licensees and cable operators covered by obscenity and indecency provisions elsewhere in this Act; and

`(B) does not include an interactive computer service.

`(2) The term `interactive computer service' has the meaning provided in section 230(e)(2).

`(3) The term `access software' means software (including client or server software) or enabling tools that do not create or provide the content of the communication but that allow a user to do any one or more of the following:

`(A) filter, screen, allow, or disallow content;

`(B) pick, choose, analyze, or digest content; or

`(C) transmit, receive, display, forward, cache, search, subset, organize, reorganize, or translate content.

`(4) The term `institution of higher education' has the meaning provided in section 1201 of the Higher Education Act of 1965 (20 U.S.C. 1141).

`(5) The term `library' means a library eligible for participation in State-based plans for funds under title III of the Library Services and Construction Act (20 U.S.C. 355e et seq.).'.

SEC. 503. OBSCENE PROGRAMMING ON CABLE TELEVISION.

Section 639 (47 U.S.C. 559) is amended by striking `not more than $10,000' and inserting `under title 18, United States Code,'.

SEC. 504. SCRAMBLING OF CABLE CHANNELS FOR NONSUBSCRIBERS.

Part IV of title VI (47 U.S.C. 551 et seq.) is amended by adding at the end the following:

`SEC. 640. SCRAMBLING OF CABLE CHANNELS FOR NONSUBSCRIBERS.

`(a) SUBSCRIBER REQUEST- Upon request by a cable service subscriber, a cable operator shall, without charge, fully scramble or otherwise fully block the audio and video programming of each channel carrying such programming so that one not a subscriber does not receive it.

`(b) DEFINITION- As used in this section, the term `scramble' means to rearrange the content of the signal of the programming so that the programming cannot be viewed or heard in an understandable manner.'.

SEC. 505. SCRAMBLING OF SEXUALLY EXPLICIT ADULT VIDEO SERVICE PROGRAMMING.

(a) REQUIREMENT- Part IV of title VI (47 U.S.C. 551 et seq.), as amended by this Act, is further amended by adding at the end the

following:

`SEC. 641. SCRAMBLING OF SEXUALLY EXPLICIT ADULT VIDEO SERVICE PROGRAMMING.

`(a) REQUIREMENT- In providing sexually explicit adult programming or other programming that is indecent on any channel of its service primarily dedicated to sexually-oriented programming, a multichannel video programming distributor shall fully scramble or otherwise fully block the video and audio portion of such channel so that one not a subscriber to such channel or programming does not receive it.

`(b) IMPLEMENTATION- Until a multichannel video programming distributor complies with the requirement set forth in subsection (a), the distributor shall limit the access of children to the programming referred to in that subsection by not providing such programming during the hours of the day (as determined by the Commission) when a significant number of children are likely to view it.

`(c) DEFINITION- As used in this section, the term `scramble' means to rearrange the content of the signal of the programming so that the programming cannot be viewed or heard in an understandable manner.'.

(b) EFFECTIVE DATE- The amendment made by subsection (a) shall take effect 30 days after the date of enactment of this Act.

SEC. 506. CABLE OPERATOR REFUSAL TO CARRY CERTAIN PROGRAMS.

(a) PUBLIC, EDUCATIONAL, AND GOVERNMENTAL CHANNELS- Section 611(e) (47 U.S.C. 531(e)) is amended by inserting before the period the following: `, except a cable operator may refuse to transmit any public access program or portion of a public access program which contains obscenity, indecency, or nudity'.

(b) CABLE CHANNELS FOR COMMERCIAL USE- Section 612(c)(2) (47 U.S.C. 532(c)(2)) is amended by striking `an operator' and inserting `a cable operator may refuse to transmit any leased access program or portion of a leased access program which contains obscenity, indecency, or nudity and'.

SEC. 507. CLARIFICATION OF CURRENT LAWS REGARDING COMMUNICATION OF OBSCENE MATERIALS THROUGH THE USE OF COMPUTERS.

(a) IMPORTATION OR TRANSPORTATION- Section 1462 of title 18, United States Code, is amended--

(1) in the first undesignated paragraph, by inserting `or interactive computer service (as defined in section 230(e)(2) of the Communications Act of 1934)' after `carrier'; and

(2) in the second undesignated paragraph--

(A) by inserting `or receives,' after `takes';

(B) by inserting `or interactive computer service (as

defined in section 230(e)(2) of the Communications Act of 1934)' after `common carrier'; and

(C) by inserting `or importation' after `carriage'.

(b) TRANSPORTATION FOR PURPOSES OF SALE OR DISTRIBUTION- The first undesignated paragraph of section 1465 of title 18, United States Code, is amended--

(1) by striking `transports in' and inserting `transports or travels in, or uses a facility or means of,';

(2) by inserting `or an interactive computer service (as defined in section 230(e)(2) of the Communications Act of 1934) in or affecting such commerce' after `foreign commerce' the first place it appears;

(3) by striking `, or knowingly travels in' and all that follows through `obscene material in interstate or foreign commerce,' and inserting `of'.

(c) INTERPRETATION- The amendments made by this section are clarifying and shall not be interpreted to limit or repeal any prohibition contained in sections 1462 and 1465 of title 18, United States Code, before such amendment, under the rule established in United States v. Alpers, 338 U.S. 680 (1950).

SEC. 508. COERCION AND ENTICEMENT OF MINORS.

Section 2422 of title 18, United States Code, is amended--

(1) by inserting `(a)' before `Whoever knowingly'; and

(2) by adding at the end the following:

`(b) Whoever, using any facility or means of interstate or foreign commerce, including the mail, or within the special maritime and territorial jurisdiction of the United States, knowingly persuades, induces, entices, or coerces any individual who has not attained the age of 18 years to engage in prostitution or any sexual act for which any person may be criminally prosecuted, or attempts to do so, shall be fined under this title or imprisoned not more than 10 years, or both.'.

SEC. 509. ONLINE FAMILY EMPOWERMENT.

Title II of the Communications Act of 1934 (47 U.S.C. 201 et seq.) is amended by adding at the end the following new section:

`SEC. 230. PROTECTION FOR PRIVATE BLOCKING AND SCREENING OF OFFENSIVE MATERIAL.

`(a) FINDINGS- The Congress finds the following:

`(1) The rapidly developing array of Internet and other interactive computer services available to individual Americans represent an extraordinary advance in the availability of educational and informational resources to our citizens.

`(2) These services offer users a great degree of control over the information that they receive, as well as the potential for even greater control in the future as technology

develops.

`(3) The Internet and other interactive computer services offer a forum for a true diversity of political discourse, unique opportunities for cultural development, and myriad avenues for intellectual activity.

`(4) The Internet and other interactive computer services have flourished, to the benefit of all Americans, with a minimum of government regulation.

`(5) Increasingly Americans are relying on interactive media for a variety of political, educational, cultural, and entertainment services.

`(b) POLICY- It is the policy of the United States--

`(1) to promote the continued development of the Internet and other interactive computer services and other interactive media;

`(2) to preserve the vibrant and competitive free market that presently exists for the Internet and other interactive computer services, unfettered by Federal or State regulation;

`(3) to encourage the development of technologies which maximize user control over what information is received by individuals, families, and schools who use the Internet and other interactive computer services;

`(4) to remove disincentives for the development and utilization of blocking and filtering technologies that empower parents to restrict their children's access to objectionable or inappropriate online material; and

`(5) to ensure vigorous enforcement of Federal criminal laws to deter and punish trafficking in obscenity, stalking, and harassment by means of computer.

`(c) PROTECTION FOR `GOOD SAMARITAN' BLOCKING AND SCREENING OF OFFENSIVE MATERIAL-

`(1) TREATMENT OF PUBLISHER OR SPEAKER- No provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider.

`(2) CIVIL LIABILITY- No provider or user of an interactive computer service shall be held liable on account of--

`(A) any action voluntarily taken in good faith to restrict access to or availability of material that the provider or user considers to be obscene, lewd, lascivious, filthy, excessively violent, harassing, or otherwise objectionable, whether or not such material is constitutionally protected; or

`(B) any action taken to enable or make available to information content providers or others the technical means to restrict access to material described in paragraph (1).

`(d) EFFECT ON OTHER LAWS-

`(1) NO EFFECT ON CRIMINAL LAW- Nothing in this section shall be construed to impair the enforcement of section 223 of this Act, chapter 71 (relating to obscenity) or 110 (relating to sexual exploitation of children) of title 18, United States Code, or any other Federal criminal statute.

`(2) NO EFFECT ON INTELLECTUAL PROPERTY LAW- Nothing in this section shall be construed to limit or expand any law pertaining to intellectual property.

`(3) STATE LAW- Nothing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section. No cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section.

`(4) NO EFFECT ON COMMUNICATIONS PRIVACY LAW- Nothing in this section shall be construed to limit the application of the Electronic Communications Privacy Act of 1986 or any of the amendments made by such Act, or any similar State law.

`(e) DEFINITIONS- As used in this section:

`(1) INTERNET- The term `Internet' means the international computer network of both Federal and non-Federal interoperable packet switched data networks.

`(2) INTERACTIVE COMPUTER SERVICE- The term `interactive computer service' means any information service, system, or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

`(3) INFORMATION CONTENT PROVIDER- The term `information content provider' means any person or entity that is responsible, in whole or in part, for the creation or development of information provided through the Internet or any other interactive computer service.

`(4) ACCESS SOFTWARE PROVIDER- The term `access software provider' means a provider of software (including client or server software), or enabling tools that do any one or more of the following:

`(A) filter, screen, allow, or disallow content;

`(B) pick, choose, analyze, or digest content; or

`(C) transmit, receive, display, forward, cache, search, subset, organize, reorganize, or translate content.'.

SUBTITLE B--VIOLENCE

SEC. 551. PARENTAL CHOICE IN TELEVISION PROGRAMMING.

(a) FINDINGS- The Congress makes the following findings:

(1) Television influences children's perception of the values and behavior that are common and acceptable in society.

(2) Television station operators, cable television system operators, and video programmers should follow practices in connection with video programming that take into consideration that television broadcast and cable programming has established a uniquely pervasive presence in the lives of American children.

(3) The average American child is exposed to 25 hours of television each week and some children are exposed to as much as 11 hours of television a day.

(4) Studies have shown that children exposed to violent video programming at a young age have a higher tendency for violent and aggressive behavior later in life than children not so exposed, and that children exposed to violent video programming are prone to assume that acts of violence are acceptable behavior.

(5) Children in the United States are, on average, exposed to an estimated 8,000 murders and 100,000 acts of violence on television by the time the child completes elementary school.

(6) Studies indicate that children are affected by the pervasiveness and casual treatment of sexual material on television, eroding the ability of parents to develop responsible attitudes and behavior in their children.

(7) Parents express grave concern over violent and sexual video programming and strongly support technology that would give them greater control to block video programming in the home that they consider harmful to their children.

(8) There is a compelling governmental interest in empowering parents to limit the negative influences of video programming that is harmful to children.

(9) Providing parents with timely information about the nature of upcoming video programming and with the technological tools that allow them easily to block violent, sexual, or other programming that they believe harmful to their children is a nonintrusive and narrowly tailored means of achieving that compelling governmental interest.

(b) ESTABLISHMENT OF TELEVISION RATING CODE-

(1) AMENDMENT- Section 303 (47 U.S.C. 303) is amended by adding at the end the following:

`(w) Prescribe--

`(1) on the basis of recommendations from an advisory committee established by the Commission in accordance with section 551(b)(2) of the Telecommunications Act of 1996, guidelines and recommended procedures for the identification and rating of video programming that contains sexual, violent,

or other indecent material about which parents should be informed before it is displayed to children: [Italic->] Provided, [<-Italic] That nothing in this paragraph shall be construed to authorize any rating of video programming on the basis of its political or religious content; and

`(2) with respect to any video programming that has been rated, and in consultation with the television industry, rules requiring distributors of such video programming to transmit such rating to permit parents to block the display of video programming that they have determined is inappropriate for their children.'.

(2) ADVISORY COMMITTEE REQUIREMENTS- In establishing an advisory committee for purposes of the amendment made by paragraph (1) of this subsection, the Commission shall--

(A) ensure that such committee is composed of parents, television broadcasters, television programming producers, cable operators, appropriate public interest groups, and other interested individuals from the private sector and is fairly balanced in terms of political affiliation, the points of view represented, and the functions to be performed by the committee;

(B) provide to the committee such staff and resources as may be necessary to permit it to perform its functions efficiently and promptly; and

(C) require the committee to submit a final report of its recommendations within one year after the date of the appointment of the initial members.

(c) REQUIREMENT FOR MANUFACTURE OF TELEVISIONS THAT BLOCK PROGRAMS- Section 303 (47 U.S.C. 303), as amended by subsection (a), is further amended by adding at the end the following:

`(x) Require, in the case of an apparatus designed to receive television signals that are shipped in interstate commerce or manufactured in the United States and that have a picture screen 13 inches or greater in size (measured diagonally), that such apparatus be equipped with a feature designed to enable viewers to block display of all programs with a common rating, except as otherwise permitted by regulations pursuant to section 330(c)(4).'.

(d) SHIPPING OF TELEVISIONS THAT BLOCK PROGRAMS-

(1) REGULATIONS- Section 330 (47 U.S.C. 330) is amended--

(A) by redesignating subsection (c) as subsection (d); and

(B) by adding after subsection (b) the following new subsection (c):

`(c)(1) Except as provided in paragraph (2), no person shall ship in interstate commerce or manufacture in the United States any apparatus described in section 303(x) of this Act except in

accordance with rules prescribed by the Commission pursuant to the authority granted by that section.

`(2) This subsection shall not apply to carriers transporting apparatus referred to in paragraph (1) without trading in it.

`(3) The rules prescribed by the Commission under this subsection shall provide for the oversight by the Commission of the adoption of standards by industry for blocking technology. Such rules shall require that all such apparatus be able to receive the rating signals which have been transmitted by way of line 21 of the vertical blanking interval and which conform to the signal and blocking specifications established by industry under the supervision of the Commission.

`(4) As new video technology is developed, the Commission shall take such action as the Commission determines appropriate to ensure that blocking service continues to be available to consumers. If the Commission determines that an alternative blocking technology exists that--

`(A) enables parents to block programming based on identifying programs without ratings,

`(B) is available to consumers at a cost which is comparable to the cost of technology that allows parents to block programming based on common ratings, and

`(C) will allow parents to block a broad range of programs on a multichannel system as effectively and as easily as technology that allows parents to block programming based on common ratings,

the Commission shall amend the rules prescribed pursuant to section 303(x) to require that the apparatus described in such section be equipped with either the blocking technology described in such section or the alternative blocking technology described in this paragraph.'.

(2) CONFORMING AMENDMENT- Section 330(d), as redesignated by subsection (d)(1)(A), is amended by striking `section 303(s), and section 303(u)' and inserting in lieu thereof `and sections 303(s), 303(u), and 303(x)'.

(e) APPLICABILITY AND EFFECTIVE DATES-

(1) APPLICABILITY OF RATING PROVISION- The amendment made by subsection (b) of this section shall take effect 1 year after the date of enactment of this Act, but only if the Commission determines, in consultation with appropriate public interest groups and interested individuals from the private sector, that distributors of video programming have not, by such date--

(A) established voluntary rules for rating video programming that contains sexual, violent, or other indecent material about which parents should be informed

before it is displayed to children, and such rules are acceptable to the Commission; and

(B) agreed voluntarily to broadcast signals that contain ratings of such programming.

(2) EFFECTIVE DATE OF MANUFACTURING PROVISION- In prescribing regulations to implement the amendment made by subsection (c), the Federal Communications Commission shall, after consultation with the television manufacturing industry, specify the effective date for the applicability of the requirement to the apparatus covered by such amendment, which date shall not be less than two years after the date of enactment of this Act.

SEC. 552. TECHNOLOGY FUND.

It is the policy of the United States to encourage broadcast television, cable, satellite, syndication, other video programming distributors, and relevant related industries (in consultation with appropriate public interest groups and interested individuals from the private sector) to--

(1) establish a technology fund to encourage television and electronics equipment manufacturers to facilitate the development of technology which would empower parents to block programming they deem inappropriate for their children and to encourage the availability thereof to low income parents;

(2) report to the viewing public on the status of the development of affordable, easy to use blocking technology; and

(3) establish and promote effective procedures, standards, systems, advisories, or other mechanisms for ensuring that users have easy and complete access to the information necessary to effectively utilize blocking technology and to encourage the availability thereof to low income parents.

SUBTITLE C--JUDICIAL REVIEW

SEC. 561. EXPEDITED REVIEW.

(a) THREE-JUDGE DISTRICT COURT HEARING- Notwithstanding any other provision of law, any civil action challenging the constitutionality, on its face, of this title or any amendment made by this title, or any provision thereof, shall be heard by a district court of 3 judges convened pursuant to the provisions of section 2284 of title 28, United States Code.

(b) APPELLATE REVIEW- Notwithstanding any other provision of law, an interlocutory or final judgment, decree, or order of the court of 3 judges in an action under subsection (a) holding this title or an amendment made by this title, or any provision thereof, unconstitutional shall be reviewable as a matter of right by direct appeal to the Supreme Court. Any such appeal shall be filed not more than 20 days after entry of such judgment, decree, or order.

TITLE VI--EFFECT ON OTHER LAWS

SEC. 601. APPLICABILITY OF CONSENT DECREES AND OTHER LAW.

(a) APPLICABILITY OF AMENDMENTS TO FUTURE CONDUCT-

(1) AT&T CONSENT DECREE- Any conduct or activity that was, before the date of enactment of this Act, subject to any restriction or obligation imposed by the AT&T Consent Decree shall, on and after such date, be subject to the restrictions and obligations imposed by the Communications Act of 1934 as amended by this Act and shall not be subject to the restrictions and the obligations imposed by such Consent Decree.

(2) GTE CONSENT DECREE- Any conduct or activity that was, before the date of enactment of this Act, subject to any restriction or obligation imposed by the GTE Consent Decree shall, on and after such date, be subject to the restrictions and obligations imposed by the Communications Act of 1934 as amended by this Act and shall not be subject to the restrictions and the obligations imposed by such Consent Decree.

(3) MCCAW CONSENT DECREE- Any conduct or activity that was, before the date of enactment of this Act, subject to any restriction or obligation imposed by the McCaw Consent Decree shall, on and after such date, be subject to the restrictions and obligations imposed by the Communications Act of 1934 as amended by this Act and subsection (d) of this section and shall not be subject to the restrictions and the obligations imposed by such Consent Decree.

(b) ANTITRUST LAWS-

(1) SAVINGS CLAUSE- Except as provided in paragraphs (2) and (3), nothing in this Act or the amendments made by this Act shall be construed to modify, impair, or supersede the applicability of any of the antitrust laws.

(2) REPEAL- Subsection (a) of section 221 (47 U.S.C. 221(a)) is repealed.

(3) CLAYTON ACT- Section 7 of the Clayton Act (15 U.S.C. 18) is amended in the last paragraph by striking `Federal Communications Commission,'.

(c) FEDERAL, STATE, AND LOCAL LAW-

(1) NO IMPLIED EFFECT- This Act and the amendments made by this Act shall not be construed to modify, impair, or supersede Federal, State, or local law unless expressly so provided in such Act or amendments.

(2) STATE TAX SAVINGS PROVISION- Notwithstanding paragraph (1), nothing in this Act or the amendments made by this Act shall be construed to modify, impair, or supersede, or authorize the modification, impairment, or supersession of, any State or local law pertaining to taxation, except as provided in sections 622 and 653(c) of the Communications Act of 1934

and section 602 of this Act.

(d) COMMERCIAL MOBILE SERVICE JOINT MARKETING- Notwithstanding section 22.903 of the Commission's regulations (47 C.F.R. 22.903) or any other Commission regulation, a Bell operating company or any other company may, except as provided in sections 271(e)(1) and 272 of the Communications Act of 1934 as amended by this Act as they relate to wireline service, jointly market and sell commercial mobile services in conjunction with telephone exchange service, exchange access, intraLATA telecommunications service, interLATA telecommunications service, and information services.

(e) DEFINITIONS- As used in this section:

(1) AT&T CONSENT DECREE- The term `AT&T Consent Decree' means the order entered August 24, 1982, in the antitrust action styled United States v. Western Electric, Civil Action No. 82-0192, in the United States District Court for the District of Columbia, and includes any judgment or order with respect to such action entered on or after August 24, 1982.

(2) GTE CONSENT DECREE- The term `GTE Consent Decree' means the order entered December 21, 1984, as restated January 11, 1985, in the action styled United States v. GTE Corp., Civil Action No. 83-1298, in the United States District Court for the District of Columbia, and any judgment or order with respect to such action entered on or after December 21, 1984.

(3) MCCAW CONSENT DECREE- The term `McCaw Consent Decree' means the proposed consent decree filed on July 15, 1994, in the antitrust action styled United States v. AT&T Corp. and McCaw Cellular Communications, Inc., Civil Action No. 94-01555, in the United States District Court for the District of Columbia. Such term includes any stipulation that the parties will abide by the terms of such proposed consent decree until it is entered and any order entering such proposed consent decree.

(4) ANTITRUST LAWS- The term `antitrust laws' has the meaning given it in subsection (a) of the first section of the Clayton Act (15 U.S.C. 12(a)), except that such term includes the Act of June 19, 1936 (49 Stat. 1526; 15 U.S.C. 13 et seq.), commonly known as the Robinson-Patman Act, and section 5 of the Federal Trade Commission Act (15 U.S.C. 45) to the extent that such section 5 applies to unfair methods of competition.

SEC. 602. PREEMPTION OF LOCAL TAXATION WITH RESPECT TO DIRECT-TO-HOME SERVICES.

(a) PREEMPTION- A provider of direct-to-home satellite service shall be exempt from the collection or remittance, or both, of any tax or fee imposed by any local taxing jurisdiction on direct-to-home satellite service.

(b) DEFINITIONS- For the purposes of this section--

(1) DIRECT-TO-HOME SATELLITE SERVICE- The term `direct-to-home satellite service' means only programming transmitted or broadcast by satellite directly to the subscribers' premises without the use of ground receiving or distribution equipment, except at the subscribers' premises or in the uplink process to the satellite.

(2) PROVIDER OF DIRECT-TO-HOME SATELLITE SERVICE- For purposes of this section, a `provider of direct-to-home satellite service' means a person who transmits, broadcasts, sells, or distributes direct-to-home satellite service.

(3) LOCAL TAXING JURISDICTION- The term `local taxing jurisdiction' means any municipality, city, county, township, parish, transportation district, or assessment jurisdiction, or any other local jurisdiction in the territorial jurisdiction of the United States with the authority to impose a tax or fee, but does not include a State.

(4) STATE- The term `State' means any of the several States, the District of Columbia, or any territory or possession of the United States.

(5) TAX OR FEE- The terms `tax' and `fee' mean any local sales tax, local use tax, local intangible tax, local income tax, business license tax, utility tax, privilege tax, gross receipts tax, excise tax, franchise fees, local telecommunications tax, or any other tax, license, or fee that is imposed for the privilege of doing business, regulating, or raising revenue for a local taxing jurisdiction.

(c) PRESERVATION OF STATE AUTHORITY- This section shall not be construed to prevent taxation of a provider of direct-to-home satellite service by a State or to prevent a local taxing jurisdiction from receiving revenue derived from a tax or fee imposed and collected by a State.

TITLE VII--MISCELLANEOUS PROVISIONS

SEC. 701. PREVENTION OF UNFAIR BILLING PRACTICES FOR INFORMATION OR SERVICES PROVIDED OVER TOLL-FREE TELEPHONE CALLS.

(a) PREVENTION OF UNFAIR BILLING PRACTICES-

(1) IN GENERAL- Section 228(c) (47 U.S.C. 228(c)) is amended--

(A) by striking out subparagraph (C) of paragraph (7) and inserting in lieu thereof the following:

`(C) the calling party being charged for information conveyed during the call unless--

`(i) the calling party has a written agreement (including an agreement transmitted through electronic medium) that meets the requirements of paragraph (8); or

`(ii) the calling party is charged for the information in accordance with paragraph (9); or';

(B)(i) by striking `or' at the end of subparagraph (C) of such paragraph;

(ii) by striking the period at the end of subparagraph (D) of such paragraph and inserting a semicolon and `or'; and

(iii) by adding at the end thereof the following:

`(E) the calling party being assessed, by virtue of being asked to connect or otherwise transfer to a pay-per-call service, a charge for the call.'; and

(C) by adding at the end the following new paragraphs:

`(8) SUBSCRIPTION AGREEMENTS FOR BILLING FOR INFORMATION PROVIDED VIA TOLL-FREE CALLS-

`(A) IN GENERAL- For purposes of paragraph (7)(C)(i), a written subscription does not meet the requirements of this paragraph unless the agreement specifies the material terms and conditions under which the information is offered and includes--

`(i) the rate at which charges are assessed for the information;

`(ii) the information provider's name;

`(iii) the information provider's business address;

`(iv) the information provider's regular business telephone number;

`(v) the information provider's agreement to notify the subscriber at least one billing cycle in advance of all future changes in the rates charged for the information; and

`(vi) the subscriber's choice of payment method, which may be by direct remit, debit, prepaid account, phone bill, or credit or calling card.

`(B) BILLING ARRANGEMENTS- If a subscriber elects, pursuant to subparagraph (A)(vi), to pay by means of a phone bill--

`(i) the agreement shall clearly explain that the subscriber will be assessed for calls made to the information service from the subscriber's phone line;

`(ii) the phone bill shall include, in prominent type, the following disclaimer:

`Common carriers may not disconnect local or long distance telephone service for failure to pay disputed charges for information services.'; and

`(iii) the phone bill shall clearly list the 800 number dialed.

`(C) USE OF PINS TO PREVENT UNAUTHORIZED USE- A written

agreement does not meet the requirements of this paragraph unless it--

`(i) includes a unique personal identification number or other subscriber-specific identifier and requires a subscriber to use this number or identifier to obtain access to the information provided and includes instructions on its use; and

`(ii) assures that any charges for services accessed by use of the subscriber's personal identification number or subscriber-specific identifier be assessed to subscriber's source of payment elected pursuant to subparagraph (A)(vi).

`(D) EXCEPTIONS- Notwithstanding paragraph (7)(C), a written agreement that meets the requirements of this paragraph is not required--

`(i) for calls utilizing telecommunications devices for the deaf;

`(ii) for directory services provided by a common carrier or its affiliate or by a local exchange carrier or its affiliate; or

`(iii) for any purchase of goods or of services that are not information services.

`(E) TERMINATION OF SERVICE- On receipt by a common carrier of a complaint by any person that an information provider is in violation of the provisions of this section, a carrier shall--

`(i) promptly investigate the complaint; and

`(ii) if the carrier reasonably determines that the complaint is valid, it may terminate the provision of service to an information provider unless the provider supplies evidence of a written agreement that meets the requirements of this section.

`(F) TREATMENT OF REMEDIES- The remedies provided in this paragraph are in addition to any other remedies that are available under title V of this Act.

`(9) CHARGES BY CREDIT, PREPAID, DEBIT, CHARGE, OR CALLING CARD IN ABSENCE OF AGREEMENT- For purposes of paragraph (7)(C)(ii), a calling party is not charged in accordance with this paragraph unless the calling party is charged by means of a credit, prepaid, debit, charge, or calling card and the information service provider includes in response to each call an introductory disclosure message that--

`(A) clearly states that there is a charge for the call;

`(B) clearly states the service's total cost per minute and any other fees for the service or for any service to

which the caller may be transferred;

`(C) explains that the charges must be billed on either a credit, prepaid, debit, charge, or calling card;

`(D) asks the caller for the card number;

`(E) clearly states that charges for the call begin at the end of the introductory message; and

`(F) clearly states that the caller can hang up at or before the end of the introductory message without incurring any charge whatsoever.

`(10) BYPASS OF INTRODUCTORY DISCLOSURE MESSAGE- The requirements of paragraph (9) shall not apply to calls from repeat callers using a bypass mechanism to avoid listening to the introductory message: [Italic->] Provided, [<-Italic] That information providers shall disable such a bypass mechanism after the institution of any price increase and for a period of time determined to be sufficient by the Federal Trade Commission to give callers adequate and sufficient notice of a price increase.

`(11) DEFINITION OF CALLING CARD- As used in this subsection, the term `calling card' means an identifying number or code unique to the individual, that is issued to the individual by a common carrier and enables the individual to be charged by means of a phone bill for charges incurred independent of where the call originates.'.

(2) REGULATIONS- The Federal Communications Commission shall revise its regulations to comply with the amendment made by paragraph (1) not later than 180 days after the date of enactment of this Act.

(3) EFFECTIVE DATE- The amendments made by paragraph (1) shall take effect on the date of enactment of this Act.

(b) CLARIFICATION OF `PAY-PER-CALL SERVICES'-

(1) TELEPHONE DISCLOSURE AND DISPUTE RESOLUTION ACT- Section 204(1) of the Telephone Disclosure and Dispute Resolution Act (15 U.S.C. 5714(1)) is amended to read as follows:

`(1) The term `pay-per-call services' has the meaning provided in section 228(i) of the Communications Act of 1934, except that the Commission by rule may, notwithstanding subparagraphs (B) and (C) of section 228(i)(1) of such Act, extend such definition to other similar services providing audio information or audio entertainment if the Commission determines that such services are susceptible to the unfair and deceptive practices that are prohibited by the rules prescribed pursuant to section 201(a).'.

(2) COMMUNICATIONS ACT- Section 228(i)(2) (47 U.S.C. 228(i)(2)) is amended by striking `or any service the charge

for which is tariffed,'.

SEC. 702. PRIVACY OF CUSTOMER INFORMATION.

Title II is amended by inserting after section 221 (47 U.S.C. 221) the following new section:

`SEC. 222. PRIVACY OF CUSTOMER INFORMATION.

`(a) IN GENERAL- Every telecommunications carrier has a duty to protect the confidentiality of proprietary information of, and relating to, other telecommunication carriers, equipment manufacturers, and customers, including telecommunication carriers reselling telecommunications services provided by a telecommunications carrier.

`(b) CONFIDENTIALITY OF CARRIER INFORMATION- A telecommunications carrier that receives or obtains proprietary information from another carrier for purposes of providing any telecommunications service shall use such information only for such purpose, and shall not use such information for its own marketing efforts.

`(c) CONFIDENTIALITY OF CUSTOMER PROPRIETARY NETWORK INFORMATION-

`(1) PRIVACY REQUIREMENTS FOR TELECOMMUNICATIONS CARRIERS- Except as required by law or with the approval of the customer, a telecommunications carrier that receives or obtains customer proprietary network information by virtue of its provision of a telecommunications service shall only use, disclose, or permit access to individually identifiable customer proprietary network information in its provision of (A) the telecommunications service from which such information is derived, or (B) services necessary to, or used in, the provision of such telecommunications service, including the publishing of directories.

`(2) DISCLOSURE ON REQUEST BY CUSTOMERS- A telecommunications carrier shall disclose customer proprietary network information, upon affirmative written request by the customer, to any person designated by the customer.

`(3) AGGREGATE CUSTOMER INFORMATION- A telecommunications carrier that receives or obtains customer proprietary network information by virtue of its provision of a telecommunications service may use, disclose, or permit access to aggregate customer information other than for the purposes described in paragraph (1). A local exchange carrier may use, disclose, or permit access to aggregate customer information other than for purposes described in paragraph (1) only if it provides such aggregate information to other carriers or persons on reasonable and nondiscriminatory terms and conditions upon reasonable request therefor.

`(d) EXCEPTIONS- Nothing in this section prohibits a

telecommunications carrier from using, disclosing, or permitting access to customer proprietary network information obtained from its customers, either directly or indirectly through its agents--

`(1) to initiate, render, bill, and collect for telecommunications services;

`(2) to protect the rights or property of the carrier, or to protect users of those services and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, such services; or

`(3) to provide any inbound telemarketing, referral, or administrative services to the customer for the duration of the call, if such call was initiated by the customer and the customer approves of the use of such information to provide such service.

`(e) SUBSCRIBER LIST INFORMATION- Notwithstanding subsections (b), (c), and (d), a telecommunications carrier that provides telephone exchange service shall provide subscriber list information gathered in its capacity as a provider of such service on a timely and unbundled basis, under nondiscriminatory and reasonable rates, terms, and conditions, to any person upon request for the purpose of publishing directories in any format.

`(f) DEFINITIONS- As used in this section:

`(1) CUSTOMER PROPRIETARY NETWORK INFORMATION- The term `customer proprietary network information' means--

`(A) information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by any customer of a telecommunications carrier, and that is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and

`(B) information contained in the bills pertaining to telephone exchange service or telephone toll service received by a customer of a carrier;

except that such term does not include subscriber list information.

`(2) AGGREGATE INFORMATION- The term `aggregate customer information' means collective data that relates to a group or category of services or customers, from which individual customer identities and characteristics have been removed.

`(3) SUBSCRIBER LIST INFORMATION- The term `subscriber list information' means any information--

`(A) identifying the listed names of subscribers of a carrier and such subscribers' telephone numbers, addresses, or primary advertising classifications (as such classifications are assigned at the time of the

establishment of such service), or any combination of such listed names, numbers, addresses, or classifications; and

`(B) that the carrier or an affiliate has published, caused to be published, or accepted for publication in any directory format.'.

SEC. 703. POLE ATTACHMENTS.

Section 224 (47 U.S.C. 224) is amended--

(1) in subsection (a)(1), by striking the first sentence and inserting the following: `The term `utility' means any person who is a local exchange carrier or an electric, gas, water, steam, or other public utility, and who owns or controls poles, ducts, conduits, or rights-of-way used, in whole or in part, for any wire communications.';

(2) in subsection (a)(4), by inserting after `system' the following: `or provider of telecommunications service';

(3) by inserting after subsection (a)(4) the following:

`(5) For purposes of this section, the term `telecommunications carrier' (as defined in section 3 of this Act) does not include any incumbent local exchange carrier as defined in section 251(h).';

(4) by inserting after `conditions' in subsection (c)(1) a comma and the following: `or access to poles, ducts, conduits, and rights-of-way as provided in subsection (f),';

(5) in subsection (c)(2)(B), by striking `cable television services' and inserting `the services offered via such attachments';

(6) by inserting after subsection (d)(2) the following:

`(3) This subsection shall apply to the rate for any pole attachment used by a cable television system solely to provide cable service. Until the effective date of the regulations required under subsection (e), this subsection shall also apply to the rate for any pole attachment used by a cable system or any telecommunications carrier (to the extent such carrier is not a party to a pole attachment agreement) to provide any telecommunications service.'; and

(7) by adding at the end thereof the following:

`(e)(1) The Commission shall, no later than 2 years after the date of enactment of the Telecommunications Act of 1996, prescribe regulations in accordance with this subsection to govern the charges for pole attachments used by telecommunications carriers to provide telecommunications services, when the parties fail to resolve a dispute over such charges. Such regulations shall ensure that a utility charges just, reasonable, and nondiscriminatory rates for pole attachments.

`(2) A utility shall apportion the cost of providing space on a

pole, duct, conduit, or right-of-way other than the usable space among entities so that such apportionment equals two-thirds of the costs of providing space other than the usable space that would be allocated to such entity under an equal apportionment of such costs among all attaching entities.

`(3) A utility shall apportion the cost of providing usable space among all entities according to the percentage of usable space required for each entity.

`(4) The regulations required under paragraph (1) shall become effective 5 years after the date of enactment of the Telecommunications Act of 1996. Any increase in the rates for pole attachments that result from the adoption of the regulations required by this subsection shall be phased in equal annual increments over a period of 5 years beginning on the effective date of such regulations.

`(f)(1) A utility shall provide a cable television system or any telecommunications carrier with nondiscriminatory access to any pole, duct, conduit, or right-of-way owned or controlled by it.

`(2) Notwithstanding paragraph (1), a utility providing electric service may deny a cable television system or any telecommunications carrier access to its poles, ducts, conduits, or rights-of-way, on a non-discriminatory basis where there is insufficient capacity and for reasons of safety, reliability and generally applicable engineering purposes.

`(g) A utility that engages in the provision of telecommunications services or cable services shall impute to its costs of providing such services (and charge any affiliate, subsidiary, or associate company engaged in the provision of such services) an equal amount to the pole attachment rate for which such company would be liable under this section.

`(h) Whenever the owner of a pole, duct, conduit, or right-of-way intends to modify or alter such pole, duct, conduit, or right-of-way, the owner shall provide written notification of such action to any entity that has obtained an attachment to such conduit or right-of-way so that such entity may have a reasonable opportunity to add to or modify its existing attachment. Any entity that adds to or modifies its existing attachment after receiving such notification shall bear a proportionate share of the costs incurred by the owner in making such pole, duct, conduit, or right-of-way accessible.

`(i) An entity that obtains an attachment to a pole, conduit, or right-of-way shall not be required to bear any of the costs of rearranging or replacing its attachment, if such rearrangement or replacement is required as a result of an additional attachment or the modification of an existing attachment sought by any other

entity (including the owner of such pole, duct, conduit, or right-of-way).'.

SEC. 704. FACILITIES SITING; RADIO FREQUENCY EMISSION STANDARDS.

(a) NATIONAL WIRELESS TELECOMMUNICATIONS SITING POLICY- Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end the following new paragraph:

`(7) PRESERVATION OF LOCAL ZONING AUTHORITY-

`(A) GENERAL AUTHORITY- Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

`(B) LIMITATIONS-

`(i) The regulation of the placement, construction, and modification of personal wireless service facilities by any State or local government or instrumentality thereof--

`(I) shall not unreasonably discriminate among providers of functionally equivalent services; and

`(II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

`(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

`(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

`(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

`(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such

action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

`(C) DEFINITIONS- For purposes of this paragraph--

`(i) the term `personal wireless services' means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

`(ii) the term `personal wireless service facilities' means facilities for the provision of personal wireless services; and

`(iii) the term `unlicensed wireless service' means the offering of telecommunications services using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).'.

(b) RADIO FREQUENCY EMISSIONS- Within 180 days after the enactment of this Act, the Commission shall complete action in ET Docket 93-62 to prescribe and make effective rules regarding the environmental effects of radio frequency emissions.

(c) AVAILABILITY OF PROPERTY- Within 180 days of the enactment of this Act, the President or his designee shall prescribe procedures by which Federal departments and agencies may make available on a fair, reasonable, and nondiscriminatory basis, property, rights-of-way, and easements under their control for the placement of new telecommunications services that are dependent, in whole or in part, upon the utilization of Federal spectrum rights for the transmission or reception of such services. These procedures may establish a presumption that requests for the use of property, rights-of-way, and easements by duly authorized providers should be granted absent unavoidable direct conflict with the department or agency's mission, or the current or planned use of the property, rights-of-way, and easements in question. Reasonable fees may be charged to providers of such telecommunications services for use of property, rights-of-way, and easements. The Commission shall provide technical support to States to encourage them to make property, rights-of-way, and easements under their jurisdiction available for such purposes.

SEC. 705. MOBILE SERVICES DIRECT ACCESS TO LONG DISTANCE CARRIERS.

Section 332(c) (47 U.S.C. 332(c)) is amended by adding at the end

the following new paragraph:

`(8) MOBILE SERVICES ACCESS- A person engaged in the provision of commercial mobile services, insofar as such person is so engaged, shall not be required to provide equal access to common carriers for the provision of telephone toll services. If the Commission determines that subscribers to such services are denied access to the provider of telephone toll services of the subscribers' choice, and that such denial is contrary to the public interest, convenience, and necessity, then the Commission shall prescribe regulations to afford subscribers unblocked access to the provider of telephone toll services of the subscribers' choice through the use of a carrier identification code assigned to such provider or other mechanism. The requirements for unblocking shall not apply to mobile satellite services unless the Commission finds it to be in the public interest to apply such requirements to such services.'.

SEC. 706. ADVANCED TELECOMMUNICATIONS INCENTIVES.

(a) IN GENERAL- The Commission and each State commission with regulatory jurisdiction over telecommunications services shall encourage the deployment on a reasonable and timely basis of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms) by utilizing, in a manner consistent with the public interest, convenience, and necessity, price cap regulation, regulatory forbearance, measures that promote competition in the local telecommunications market, or other regulating methods that remove barriers to infrastructure investment.

(b) INQUIRY- The Commission shall, within 30 months after the date of enactment of this Act, and regularly thereafter, initiate a notice of inquiry concerning the availability of advanced telecommunications capability to all Americans (including, in particular, elementary and secondary schools and classrooms) and shall complete the inquiry within 180 days after its initiation. In the inquiry, the Commission shall determine whether advanced telecommunications capability is being deployed to all Americans in a reasonable and timely fashion. If the Commission's determination is negative, it shall take immediate action to accelerate deployment of such capability by removing barriers to infrastructure investment and by promoting competition in the telecommunications market.

(c) DEFINITIONS- For purposes of this subsection:

(1) ADVANCED TELECOMMUNICATIONS CAPABILITY- The term `advanced telecommunications capability' is defined, without regard to any transmission media or technology, as high-speed,

switched, broadband telecommunications capability that enables users to originate and receive high-quality voice, data, graphics, and video telecommunications using any technology.

(2) ELEMENTARY AND SECONDARY SCHOOLS- The term `elementary and secondary schools' means elementary and secondary schools, as defined in paragraphs (14) and (25), respectively, of section 14101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 8801).

SEC. 707. TELECOMMUNICATIONS DEVELOPMENT FUND.

(a) DEPOSIT AND USE OF AUCTION ESCROW ACCOUNTS- Section 309(j)(8) (47 U.S.C. 309(j)(8)) is amended by adding at the end the following new subparagraph:

`(C) DEPOSIT AND USE OF AUCTION ESCROW ACCOUNTS- Any deposits the Commission may require for the qualification of any person to bid in a system of competitive bidding pursuant to this subsection shall be deposited in an interest bearing account at a financial institution designated for purposes of this subsection by the Commission (after consultation with the Secretary of the Treasury). Within 45 days following the conclusion of the competitive bidding--

`(i) the deposits of successful bidders shall be paid to the Treasury;

`(ii) the deposits of unsuccessful bidders shall be returned to such bidders; and

`(iii) the interest accrued to the account shall be transferred to the Telecommunications Development Fund established pursuant to section 714 of this Act.'.

(b) ESTABLISHMENT AND OPERATION OF FUND- Title VII is amended by inserting after section 713 (as added by section 305) the following new section:

`SEC. 714. TELECOMMUNICATIONS DEVELOPMENT FUND.

`(a) PURPOSE OF SECTION- It is the purpose of this section--

`(1) to promote access to capital for small businesses in order to enhance competition in the telecommunications industry;

`(2) to stimulate new technology development, and promote employment and training; and

`(3) to support universal service and promote delivery of telecommunications services to underserved rural and urban areas.

`(b) ESTABLISHMENT OF FUND- There is hereby established a body corporate to be known as the Telecommunications Development Fund, which shall have succession until dissolved. The Fund shall maintain its principal office in the District of Columbia and shall be deemed, for purposes of venue and jurisdiction in civil actions, to be a resident and citizen thereof.

`(c) BOARD OF DIRECTORS-

`(1) COMPOSITION OF BOARD; CHAIRMAN- The Fund shall have a Board of Directors which shall consist of 7 persons appointed by the Chairman of the Commission. Four of such directors shall be representative of the private sector and three of such directors shall be representative of the Commission, the Small Business Administration, and the Department of the Treasury, respectively. The Chairman of the Commission shall appoint one of the representatives of the private sector to serve as chairman of the Fund within 30 days after the date of enactment of this section, in order to facilitate rapid creation and implementation of the Fund. The directors shall include members with experience in a number of the following areas: finance, investment banking, government banking, communications law and administrative practice, and public policy.

`(2) TERMS OF APPOINTED AND ELECTED MEMBERS- The directors shall be eligible to serve for terms of 5 years, except of the initial members, as designated at the time of their appointment--

`(A) 1 shall be eligible to service for a term of 1 year;

`(B) 1 shall be eligible to service for a term of 2 years;

`(C) 1 shall be eligible to service for a term of 3 years;

`(D) 2 shall be eligible to service for a term of 4 years; and

`(E) 2 shall be eligible to service for a term of 5 years (1 of whom shall be the Chairman).

Directors may continue to serve until their successors have been appointed and have qualified.

`(3) MEETINGS AND FUNCTIONS OF THE BOARD- The Board of Directors shall meet at the call of its Chairman, but at least quarterly. The Board shall determine the general policies which shall govern the operations of the Fund. The Chairman of the Board shall, with the approval of the Board, select, appoint, and compensate qualified persons to fill the offices as may be provided for in the bylaws, with such functions, powers, and duties as may be prescribed by the bylaws or by the Board of Directors, and such persons shall be the officers of the Fund and shall discharge all such functions, powers, and duties.

`(d) ACCOUNTS OF THE FUND- The Fund shall maintain its accounts at a financial institution designated for purposes of this section by the Chairman of the Board (after consultation with the Commission and the Secretary of the Treasury). The accounts of the Fund shall consist of--

`(1) interest transferred pursuant to section 309(j)(8)(C) of this Act;

`(2) such sums as may be appropriated to the Commission for

advances to the Fund;

`(3) any contributions or donations to the Fund that are accepted by the Fund; and

`(4) any repayment of, or other payment made with respect to, loans, equity, or other extensions of credit made from the Fund.

`(e) USE OF THE FUND- All moneys deposited into the accounts of the Fund shall be used solely for--

`(1) the making of loans, investments, or other extensions of credits to eligible small businesses in accordance with subsection (f);

`(2) the provision of financial advice to eligible small businesses;

`(3) expenses for the administration and management of the Fund (including salaries, expenses, and the rental or purchase of office space for the fund);

`(4) preparation of research, studies, or financial analyses; and

`(5) other services consistent with the purposes of this section.

`(f) LENDING AND CREDIT OPERATIONS- Loans or other extensions of credit from the Fund shall be made available in accordance with the requirements of the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and any other applicable law to an eligible small business on the basis of--

`(1) the analysis of the business plan of the eligible small business;

`(2) the reasonable availability of collateral to secure the loan or credit extension;

`(3) the extent to which the loan or credit extension promotes the purposes of this section; and

`(4) other lending policies as defined by the Board.

`(g) RETURN OF ADVANCES- Any advances appropriated pursuant to subsection (d)(2) shall be disbursed upon such terms and conditions (including conditions relating to the time or times of repayment) as are specified in any appropriations Act providing such advances.

`(h) GENERAL CORPORATE POWERS- The Fund shall have power--

`(1) to sue and be sued, complain and defend, in its corporate name and through its own counsel;

`(2) to adopt, alter, and use the corporate seal, which shall be judicially noticed;

`(3) to adopt, amend, and repeal by its Board of Directors, bylaws, rules, and regulations as may be necessary for the conduct of its business;

`(4) to conduct its business, carry on its operations, and have officers and exercise the power granted by this section in

any State without regard to any qualification or similar statute in any State;

`(5) to lease, purchase, or otherwise acquire, own, hold, improve, use, or otherwise deal in and with any property, real, personal, or mixed, or any interest therein, wherever situated, for the purposes of the Fund;

`(6) to accept gifts or donations of services, or of property, real, personal, or mixed, tangible or intangible, in aid of any of the purposes of the Fund;

`(7) to sell, convey, mortgage, pledge, lease, exchange, and otherwise dispose of its property and assets;

`(8) to appoint such officers, attorneys, employees, and agents as may be required, to determine their qualifications, to define their duties, to fix their salaries, require bonds for them, and fix the penalty thereof; and

`(9) to enter into contracts, to execute instruments, to incur liabilities, to make loans and equity investment, and to do all things as are necessary or incidental to the proper management of its affairs and the proper conduct of its business.

`(i) ACCOUNTING, AUDITING, AND REPORTING- The accounts of the Fund shall be audited annually. Such audits shall be conducted in accordance with generally accepted auditing standards by independent certified public accountants. A report of each such audit shall be furnished to the Secretary of the Treasury and the Commission. The representatives of the Secretary and the Commission shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Fund and necessary to facilitate the audit.

`(j) REPORT ON AUDITS BY TREASURY- A report of each such audit for a fiscal year shall be made by the Secretary of the Treasury to the President and to the Congress not later than 6 months following the close of such fiscal year. The report shall set forth the scope of the audit and shall include a statement of assets and liabilities, capital and surplus or deficit; a statement of surplus or deficit analysis; a statement of income and expense; a statement of sources and application of funds; and such comments and information as may be deemed necessary to keep the President and the Congress informed of the operations and financial condition of the Fund, together with such recommendations with respect thereto as the Secretary may deem advisable.

`(k) DEFINITIONS- As used in this section:

`(1) ELIGIBLE SMALL BUSINESS- The term `eligible small business' means business enterprises engaged in the telecommunications industry that have $50,000,000 or less in annual revenues, on average over the past 3 years prior to

submitting the application under this section.

`(2) FUND- The term `Fund' means the Telecommunications Development Fund established pursuant to this section.

`(3) TELECOMMUNICATIONS INDUSTRY- The term `telecommunications industry' means communications businesses using regulated or unregulated facilities or services and includes broadcasting, telecommunications, cable, computer, data transmission, software, programming, advanced messaging, and electronics businesses.'.

SEC. 708. NATIONAL EDUCATION TECHNOLOGY FUNDING CORPORATION.

(a) FINDINGS; PURPOSE-

(1) FINDINGS- The Congress finds as follows:

(A) CORPORATION- There has been established in the District of Columbia a private, nonprofit corporation known as the National Education Technology Funding Corporation which is not an agency or independent establishment of the Federal Government.

(B) BOARD OF DIRECTORS- The Corporation is governed by a Board of Directors, as prescribed in the Corporation's articles of incorporation, consisting of 15 members, of which--

(i) five members are representative of public agencies representative of schools and public libraries;

(ii) five members are representative of State government, including persons knowledgeable about State finance, technology and education; and

(iii) five members are representative of the private sector, with expertise in network technology, finance and management.

(C) CORPORATE PURPOSES- The purposes of the Corporation, as set forth in its articles of incorporation, are--

(i) to leverage resources and stimulate private investment in education technology infrastructure;

(ii) to designate State education technology agencies to receive loans, grants or other forms of assistance from the Corporation;

(iii) to establish criteria for encouraging States to--

(I) create, maintain, utilize and upgrade interactive high capacity networks capable of providing audio, visual and data communications for elementary schools, secondary schools and public libraries;

(II) distribute resources to assure equitable aid to all elementary schools and secondary schools in the State and achieve universal access to network technology; and

(III) upgrade the delivery and development of learning through

innovative technology-based instructional tools and applications;

(iv) to provide loans, grants and other forms of assistance to State education technology agencies, with due regard for providing a fair balance among types of school districts and public libraries assisted and the disparate needs of such districts and libraries;

(v) to leverage resources to provide maximum aid to elementary schools, secondary schools and public libraries; and

(vi) to encourage the development of education telecommunications and information technologies through public-private ventures, by serving as a clearinghouse for information on new education technologies, and by providing technical assistance, including assistance to States, if needed, to establish State education technology agencies.

(2) PURPOSE- The purpose of this section is to recognize the Corporation as a nonprofit corporation operating under the laws of the District of Columbia, and to provide authority for Federal departments and agencies to provide assistance to the Corporation.

(b) DEFINITIONS- For the purpose of this section--

(1) the term `Corporation' means the National Education Technology Funding Corporation described in subsection (a)(1)(A);

(2) the terms `elementary school' and `secondary school' have the same meanings given such terms in section 14101 of the Elementary and Secondary Education Act of 1965; and

(3) the term `public library' has the same meaning given such term in section 3 of the Library Services and Construction Act.

(c) ASSISTANCE FOR EDUCATION TECHNOLOGY PURPOSES-

(1) RECEIPT BY CORPORATION- Notwithstanding any other provision of law, in order to carry out the corporate purposes described in subsection (a)(1)(C), the Corporation shall be eligible to receive discretionary grants, contracts, gifts, contributions, or technical assistance from any Federal department or agency, to the extent otherwise permitted by law.

(2) AGREEMENT- In order to receive any assistance described in paragraph (1) the Corporation shall enter into an agreement with the Federal department or agency providing such assistance, under which the Corporation agrees--

(A) to use such assistance to provide funding and technical assistance only for activities which the Board of Directors of the Corporation determines are consistent with the corporate purposes described in subsection (a)(1)(C);

(B) to review the activities of State education

technology agencies and other entities receiving assistance from the Corporation to assure that the corporate purposes described in subsection (a)(1)(C) are carried out;

(C) that no part of the assets of the Corporation shall accrue to the benefit of any member of the Board of Directors of the Corporation, any officer or employee of the Corporation, or any other individual, except as salary or reasonable compensation for services;

(D) that the Board of Directors of the Corporation will adopt policies and procedures to prevent conflicts of interest;

(E) to maintain a Board of Directors of the Corporation consistent with subsection (a)(1)(B);

(F) that the Corporation, and any entity receiving the assistance from the Corporation, are subject to the appropriate oversight procedures of the Congress; and

(G) to comply with--

(i) the audit requirements described in subsection (d); and

(ii) the reporting and testimony requirements described in subsection (e).

(3) CONSTRUCTION- Nothing in this section shall be construed to establish the Corporation as an agency or independent establishment of the Federal Government, or to establish the members of the Board of Directors of the Corporation, or the officers and employees of the Corporation, as officers or employees of the Federal Government.

(d) AUDITS-

(1) AUDITS BY INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS-

(A) IN GENERAL- The Corporation's financial statements shall be audited annually in accordance with generally accepted auditing standards by independent certified public accountants who are certified by a regulatory authority of a State or other political subdivision of the United States. The audits shall be conducted at the place or places where the accounts of the Corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audits, and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(B) REPORTING REQUIREMENTS- The report of each annual

audit described in subparagraph (A) shall be included in the annual report required by subsection (e)(1).

(2) RECORDKEEPING REQUIREMENTS; AUDIT AND EXAMINATION OF BOOKS-

(A) RECORDKEEPING REQUIREMENTS- The Corporation shall ensure that each recipient of assistance from the Corporation keeps--

(i) separate accounts with respect to such assistance;

(ii) such records as may be reasonably necessary to fully disclose--

(I) the amount and the disposition by such recipient of the proceeds of such assistance;

(II) the total cost of the project or undertaking in connection with which such assistance is given or used; and

(III) the amount and nature of that portion of the cost of the project or undertaking supplied by other sources; and

(iii) such other records as will facilitate an effective audit.

(B) AUDIT AND EXAMINATION OF BOOKS- The Corporation shall ensure that the Corporation, or any of the Corporation's duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of any recipient of assistance from the Corporation that are pertinent to such assistance. Representatives of the Comptroller General shall also have such access for such purpose.

(e) ANNUAL REPORT; TESTIMONY TO THE CONGRESS-

(1) ANNUAL REPORT- Not later than April 30 of each year, the Corporation shall publish an annual report for the preceding fiscal year and submit that report to the President and the Congress. The report shall include a comprehensive and detailed evaluation of the Corporation's operations, activities, financial condition, and accomplishments under this section and may include such recommendations as the Corporation deems appropriate.

(2) TESTIMONY BEFORE CONGRESS- The members of the Board of Directors, and officers, of the Corporation shall be available to testify before appropriate committees of the Congress with respect to the report described in paragraph (1), the report of any audit made by the Comptroller General pursuant to this section, or any other matter which any such committee may determine appropriate.

SEC. 709. REPORT ON THE USE OF ADVANCED TELECOMMUNICATIONS SERVICES FOR MEDICAL PURPOSES.

The Secretary of Commerce, in consultation with the Secretary of Health and Human Services and other appropriate departments and agencies, shall submit a report to the Committee on Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate concerning the activities of the Joint Working Group on Telemedicine, together with any findings reached in the studies and demonstrations on telemedicine funded by the Public Health Service or other Federal agencies. The report shall examine questions related to patient safety, the efficacy and quality of the services provided, and other legal, medical, and economic issues related to the utilization of advanced telecommunications services for medical purposes. The report shall be submitted to the respective committees by January 31, 1997.

SEC. 710. AUTHORIZATION OF APPROPRIATIONS.

(a) IN GENERAL- In addition to any other sums authorized by law, there are authorized to be appropriated to the Federal Communications Commission such sums as may be necessary to carry out this Act and the amendments made by this Act.

(b) EFFECT ON FEES- For the purposes of section 9(b)(2) (47 U.S.C. 159(b)(2)), additional amounts appropriated pursuant to subsection (a) shall be construed to be changes in the amounts appropriated for the performance of activities described in section 9(a) of the Communications Act of 1934.

(c) FUNDING AVAILABILITY- Section 309(j)(8)(B) (47 U.S.C. 309(j)(8)(B)) is amended by adding at the end the following new sentence: `Such offsetting collections are authorized to remain available until expended.'.

Speaker of the House of Representatives.

Vice President of the United States and
President of the Senate.

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Procedures for Reviewing Requests for	)	WT Docket No. 97-192
Relief From State and Local Regulations	)	
Pursuant to Section 332(c)(7)(B)(v) of the	)	
Communications Act of 1934	)	

REPORT AND ORDER

Adopted: November 13, 2000 **Released: November 17, 2000**

By the Commission:

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I. INTRODUCTION

1. In this *Report and Order*, we address the issues raised in the Commission's Notice of Proposed Rulemaking regarding the Commission's review of requests for relief from impermissible State and local regulation of personal wireless service facilities based on the environmental effects of radiofrequency (RF) emissions.[1] Specifically, we provide that such requests under Section 332(c)(7)(B)(v) of the Communications Act of 1934, as amended,[2] shall

[1] Procedures for Reviewing Requests for Relief From State and Local Regulations Pursuant to Section 332(c)(7)(B)(v) of the Telecommunications Act of 1934, WT Docket No. 97-192, *Second Memorandum Opinion and Order and Notice of Proposed Rulemaking*, 12 FCC Rcd 13494, 13540-60, ¶¶ 115-54 (1997) (*RF Procedures Notice*), *aff'd Cellular Phone Taskforce v. FCC*, 205 F.3d 82 (2d Cir. 2000) (*Cellular Phone Taskforce*).

[2] 47 U.S.C. § 332(c)(7)(B)(v).

be filed as petitions for declaratory ruling, and we establish certain required and recommended procedures regarding the service of pleadings and comment periods in such proceedings. We believe that these procedures will facilitate the prompt resolution of petitions seeking relief from the Commission under Section 332(c)(7)(B)(v), while ensuring that State and local governments have an opportunity to respond to issues raised in the context of these proceedings.

2. We also conclude that the other issues raised in the *RF Procedures Notice* are best addressed through case-by-case adjudication, and we therefore terminate our consideration of these issues in the rulemaking context. In light of developments since the *RF Procedures Notice* was released, we now believe that binding rules globally resolving these issues are neither necessary nor appropriate. In particular, we note the recent release by the Commission and the Local and State Government Advisory Committee (LSGAC) of *A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance* (*Local Official's Guide*).[3] We expect that the *Local Official's Guide* will facilitate the common sense resolution of disputes regarding demonstrations of compliance with the Commission's RF emissions rules, without resort to litigation or other formal dispute resolution.

II. BACKGROUND

3. Section 704(a) of the Telecommunications Act of 1996[4] amended Section 332(c) of the Communications Act (the "Act") by adding a new Section 332(c)(7) entitled "Preservation of Local Zoning Authority."[5] Section 332(c)(7)(A) states that except as provided in Section 332(c)(7), nothing in the Communications Act shall "limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities."[6] Sections 332(c)(7)(B)(i)-(iii) provide that a State or local government: may not, in regulating the placement, construction and modification of personal wireless service facilities, unreasonably discriminate among providers of personal wireless services; may not regulate the placement, construction, and modification of such facilities in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services; must act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time; and must render any denial of a request to place, construct, or modify personal wireless service facilities by means of a written decision supported by substantial evidence contained in a written record.[7]

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[3] *A Local Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance* (June 2, 2000), available at <http://www.fcc.gov/wtb/siting> (*Local Official's Guide*). The LSGAC is a body of elected and appointed local, State, and tribal government officials appointed by the Chairman of the Commission. It provides advice and information to the Commission on key issues that concern local and State governments and communicates State and local government policy concerns regarding proposed Commission actions.

[4] Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (1996).

[5] 47 U.S.C. § 332(c)(7).

[6] *Id.* at § 332(c)(7)(A).

[7] *See id*. at § 332(c)(7)(B)(i)-(iii).

4. Section 332(c)(7)(B)(iv) provides that:

> No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.[8]

Claims alleging a violation of Section 332(c)(7)(B)(iv) are governed by somewhat different provisions than alleged violations of other provisions of Section 332(c)(7)(B). Pursuant to Section 332(c)(7)(B)(v), any person adversely affected by a State or local government's final action or failure to act that is inconsistent with any provision of Section 332(c)(7)(B) may file an action within 30 days in a court of competent jurisdiction.[9] As an alternative, however, "[a]ny person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief."[10]

5. On March 9, 1997, the Personal Communications Industry Association (PCIA) requested that the Wireless Telecommunications Bureau (WTB) initiate a proceeding to resolve several issues associated with Sections 332(c)(7)(B)(iv) and (v). Specifically, PCIA requested that the Commission develop policy guidelines that clearly describe under what circumstances State and local testing and documentation requirements related to the environmental effects of RF emissions become so onerous as to effectively constitute State and local regulation of these emissions.[11] On July 15, 1997, LSGAC submitted its Recommendation Number 5 concerning PCIA's letter.[12] LSGAC recommended that the Commission work with State and local governments and industry to develop a mutually acceptable RF testing and documentation system for adoption by State and local governments.[13]

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[8] *Id.* at § 332(c)(7)(B)(iv).

[9] *See id*. at § 332(c)(7)(B)(v).

[10] *Id.*

[11] *See* Letter from Jay Kitchen, President, Personal Communications Industry Association, to Michele F. Farquhar, Chief, and Rosalind Allen, Deputy Chief, Wireless Telecommunications Bureau (March 19, 1997) (*PCIA Letter*). PCIA further requested that we: (1) prohibit the presentation of evidence regarding the health effects of RF emissions at zoning board hearings absent an affirmative showing that the zoning applicant has failed to comply with federal standards; (2) promulgate streamlined procedures for processing petitions that request preemption of State and local rules that attempt to regulate RF emissions in a manner inconsistent with federal standards; and (3) propose procedures for filing and reviewing requests filed pursuant to Section 332(c)(7)(B)(iv)-(v) of the Communications Act for relief from State or local regulations of the placement, construction, or modification of personal wireless service facilities based either directly or indirectly on the environmental effects of RF emissions. *See id.* at 2.

[12] *See* Local and State Government Advisory Committee Recommendation Number 5 (submitted July 15, 1997), <http://www.fcc.gov/statelocal/recommendation5.html> (*LSGAC Letter*).

[13] We have incorporated the *PCIA Letter* and the *LSGAC Letter* into the record and will treat both letters as comments in this proceeding.

6. On August 25, 1997, we issued the *RF Procedures Notice*, which requested comments on proposals developed in response to the PCIA and LSGAC Letters, as well as related matters developed independently by Commission staff.[14] In particular, the *RF Procedures Notice* sought comment on the following issues: (1) procedures for filing and serving petitions for relief under Section 332(c)(7)(B)(v) with the Commission;[15] (2) standing to file petitions and participate in Commission proceedings under Section 332(c)(7)(B)(v),[16] and standing to seek review of final Commission and delegated authority actions taken pursuant to Section 332(c)(7)(B)(v);[17] (3) for purposes of proceedings under Section 332(c)(7)(B)(v), whether to establish a rebuttable presumption that personal wireless service facilities will comply with the Commission's RF emissions rules, and procedures for State or local governments or other interested parties to rebut the presumption; [18] (4) the definition of certain terms under Sections 332(c)(7)(B)(iv) and 332(c)(7)(B)(v);[19] and (5) what demonstration a State or local government may require of a carrier to show that a facility will comply with the Commission's rules concerning RF emissions.[20] Thirty-seven parties or groups of parties filed formal comments, and 34 parties filed reply comments.[21] In addition, the Commission received numerous *ex parte* communications, which were placed in the record for this proceeding. Although we do not individually list these *ex parte* communications, we have considered them in this proceeding.

III. DISCUSSION

A. Procedures for Filing, Serving, and Resolving Petitions

7. Background. In the *RF Procedures Notice*, we proposed that parties seeking relief from the Commission under Section 332(c)(7)(B)(v) shall file a request for declaratory ruling pursuant to Section 1.2 of the Commission's rules,[22] asking that the Commission review the State or local regulation and grant appropriate relief.[23] In addition, we proposed that a copy of the request be served on the State or local authority that took action or failed to take action against which relief is sought.[24]

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[14] *See RF Procedures Notice*, 12 FCC Rcd 13494.

[15] *See id.* at 13556-57, ¶ 149.

[16] *See id.* at 13557, ¶ 150.

[17] *See id.* at 13560, ¶ 153.

[18] *See id.* at 13557-60, ¶¶ 151-154.

[19] *See id.* at 13549-52, ¶¶ 135-141.

[20] *See id.* at 13552-56, ¶¶ 142-148.

[21] Commenters included personal wireless service providers and their representatives, State and local governments, and concerned citizens. A complete list of all of the formally commenting parties and the short forms by which they are cited is included in Appendix A. We grant the City of Fountain, Colorado's motion to consider late-filed comments, filed on November 14, 1997, and, accordingly, include the City as a party in Appendix A.

[22] 47 C.F.R. § 1.2.

[23] *See RF Procedures Notice*, 12 FCC Rcd at 13556, ¶ 149.

[24] *See id.* at 13557, ¶ 149.

8. On November 17, 1998, the Commission issued a public notice that established procedural guidelines for filing petitions for preemption of State or local government authority pursuant to Section 253 of the Act.[25] Among other things, the public notice states that the pleading cycle for petitions under Section 253 shall be approximately 30 days for oppositions and approximately 15 days for replies, but that the specific timeframe will be established by the relevant Bureau by public notice, and may be less than the approximate timeframe listed above if the Bureau finds that good cause exists.[26] In addition, the public notice directs petitioners to serve a copy of Section 253 petitions on each State or local government entity to which the petition applies and to reference such service in the petition.[27]

9. On November 9, 1999, the Commission issued a Memorandum Opinion and Order that, among other things, amended the Commission's *ex parte* rules to make the service requirement described in the preceding paragraph applicable to all petitions requesting preemption of State or local government authority (including petitions for declaratory ruling and petitions for rulemaking), and not only preemption petitions filed under Section 253.[28] In addition, the *Ex Parte Order* expanded this service requirement to include not only "those state and localities that are the subject of the petition" but also "those whose actions are identified as warranting preemption."[29]

10. Discussion. Commenters generally favor using the Commission's declaratory ruling process to consider petitions filed pursuant to Section 332(c)(7)(B)(v).[30] We agree that the Commission's declaratory ruling process is an efficient means of handling such petitions. Thus, we conclude that parties seeking relief from the Commission under Section 332(c)(7)(B)(v) shall file a request for declaratory ruling pursuant to Section 1.2 of the Commission's rules. In addition, we conclude that such petitions shall be subject to the Commission's procedures applicable to petitions for declaratory ruling,[31] with the exception of the pleading cycle guidelines and service rules set forth in the following paragraphs.

11. Section 1.45(b) of our rules, which generally governs oppositions to petitions for declaratory ruling, provides that "[o]ppositions to any motion, petition, or request may be filed

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[25] Suggested Guidelines for Petitions for Ruling under Section 253 of the Communications Act, *Public Notice*, 13 FCC Rcd 22970 (1998) (*Section 253 Procedures Public Notice*). Section 253 requires the Commission, subject to enumerated exceptions, to preempt the enforcement of any State or local statute, regulation, or legal requirement that prohibits or has the effect of prohibiting the ability of any entity to provide any interstate or intrastate telecommunications service. *See* 47 U.S.C. § 253.

[26] *See Section 253 Procedures Public Notice*, 13 FCC Rcd at 22973-74.

[27] *See id.* at 22974.

[28] *See* Amendment of 47 C.F.R. §1.1200 *et seq.* Concerning Ex Parte Presentations in Commission Proceedings, *Memorandum Opinion and Order*, 14 FCC Rcd 18831, 18838-39, ¶ 29 (1999) (*Ex Parte Order*).

[29] *Id.*

[30] *See, e.g.*, Ameritech Comments at 7; CCO Comments at 30-31; NATOA Reply at 17; Vermont Environmental Board Comments at 13.

[31] *See, e.g.*, 47 C.F.R. §§ 1.45 - 1.49 (filing procedures) and 47 C.F.R. § 1.1206(a)(3) (permit-but-disclose *ex parte* status).

within 10 days after the original pleading is filed."[32] Several commenters argue that 10 days is too short a period for State and local governments to respond to petitions filed pursuant to Section 332(c)(7)(B)(v), and believe 30 days would be a more appropriate period.[33] These commenters argue that proceedings addressing petitions for relief under Section 332(c)(7)(B)(v) are inherently fact-based, and 10 days is too short a time frame for State and local governments to gather the necessary facts.[34] We agree with this position, which is not opposed. We find that the pleading cycle guidelines set forth in the *Section 253 Procedures Public Notice* are equally appropriate for petitions for declaratory ruling that seek relief under Section 332(c)(7)(B)(v).[35] Specifically, we anticipate that the pleading cycle for petitions for declaratory ruling that seek relief under Section 332(c)(7)(B)(v) will be approximately 30 days for oppositions and approximately 15 days for replies. The specific pleading cycle for each petition will be established by the Wireless Telecommunications Bureau (Bureau) by public notice, and may vary from the approximate timeframe listed above if the Bureau finds that variation is appropriate.

12. We also find that petitions for declaratory ruling seeking relief under Section 332(c)(7)(B)(v) are similar to petitions seeking Commission preemption of State or local government authority, and should be subject to the *Ex Parte Order's* expanded service rules referenced in paragraph 9 above.[36] Accordingly, we amend the expanded service requirements in the *ex parte* rules to include petitioners seeking relief under Section 332(c)(7)(B)(v).[37] Thus, petitioners seeking relief under Section 332(c)(7)(B)(v) must serve a copy of such petitions not only on those State and local governments that are the subject of the petitions, but also on those State and local governments otherwise specifically identified in the petitions whose actions petitioners argue are inconsistent with federal law.[38] In addition, we recommend that, if a petition involves a local statute, regulation, ordinance, or legal requirement, the petitioner should serve the appropriate state entity, in addition to the appropriate local entity.[39] We also recommend that, subsequent to the filing and service of the initial petition, each party, including

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[32] 47 C.F.R. § 1.45(b).

[33] *See* NATOA Reply at 17-18; PCIA Comments at 10; US West Comments at 22; s*ee also* CCO Comments at 30-31 (45 days).

[34] *See* NATOA Reply at 18. Some commenters further contend that State and local governments will have to hire outside counsel in Washington, D.C. in order to effectively litigate these petitions and that State and local governments typically can only retain outside counsel with the prior approval of their legislative bodies, which typically meet infrequently and require such items to be placed on their agendas weeks in advance. *See* CCO Comments at 30-31; NATOA Reply at 17.

[35] *See Section 253 Procedures Public Notice*, 13 FCC Rcd at 22973; s*ee also* discussion *supra* para. 8.

[36] *See Ex Parte Order*, 14 FCC Rcd at 18838-39, ¶ 29; 47 C.F.R. § 1.1206 (Note 1 to paragraph (a)).

[37] The text of amended Note 1 to Section 1.1206(a) is set forth in Appendix B.

[38] Petitions that are not served on State or local governments in accordance with the procedures established in the *Ex Parte Order* will be dismissed without consideration as defective pleadings and treated as violating the *ex parte* rules (unless the Commission otherwise determines that the matter should be made part of the record under 47 C.F.R. § 1.1212(d) and the parties are so notified). *See Ex Parte Order*, 14 FCC Rcd at 18838-39, ¶ 29.

[39] *See Section 253 Procedures Public Notice*, 13 FCC Rcd at 22974 (recommending this procedure in the context of petitions for preemption of State or local government regulation under Section 253).

the petitioner and each respondent State or local government entity, should serve all other parties with a copy of its pleadings and any filing made pursuant to the Commission's *ex parte* rules.[40]

13. We believe that the procedural guidelines recommended in paragraph 11 above, the revision to the *Ex Parte Order's* expanded service requirements in paragraph 12, and other Commission rules generally applicable to petitions for declaratory ruling provide a fair and balanced approach to reviewing requests for relief under Section 332(c)(7)(B)(v). In particular, we believe that these procedures will facilitate the prompt resolution of petitions seeking relief from the Commission under Section 332(c)(7)(B)(v), while ensuring that State and local governments have an opportunity to respond to allegations raised against them in the context of these proceedings. We therefore decline to adopt further rules or guidelines suggested by commenters for filing, serving, and resolving petitions for relief under Section 332(c)(7)(B)(v).

14. For example, we decline to adopt the recommendation of several carriers that we impose a 30 day deadline for our own resolution of petitions filed under Section 332(c)(7)(B)(v).[41] While we understand the need to facilitate the build-out process and the need for carriers to have fast resolution of siting disputes in order to allow for faster build-out, we are not prepared to adopt a time limit for resolving petitions for relief under Section 332(c)(7)(B)(v) because we are concerned that doing so will not afford the Commission sufficient flexibility to account for the particular circumstances of each case. In addition, we decline to adopt CCO's proposal that copies of petitions filed with the Commission pursuant to Section 332(c)(7)(B)(v) should be served by hand on the affected State or local governments.[42] All documents that are required to be served on State or local governments under this order must be served in a manner that comports with our general rules governing service of process, which supplies a sufficient degree of notice to afford the affected parties an adequate opportunity to respond.[43] We decline to adopt the recommendation of some commenters that we impose default judgments against those State and local governments that fail to respond to petitions filed pursuant to Section 332(c)(7)(B)(v).[44] We do not believe that it is appropriate to limit our ability to render a decision in a Section 332(c)(7)(B)(v) proceeding on substantive grounds, even where a State or local government fails to respond to the petition. Moreover, we believe that it is unnecessary to routinely impose default judgements against State or local governments that fail to respond to Section 332(c)(7)(B)(v) petitions. Since a decision on a petition filed pursuant to Section 332(c)(7)(B)(v) will be largely factual, a State or local government's failure to respond to a Section 332(c)(7)(B)(v) petition will likely put it at a serious disadvantage, and we anticipate that unopposed petitions will be amenable to resolution relatively quickly.

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[40] *See id.* at 22974 (recommending this procedure in the context of petitions for preemption of State or local government regulation under Section 253).

[41] *See* PCIA Comments at 12; US West Reply at 22-23; PrimeCo Comments at 15-16; Southwestern Bell Reply at 4-5. *But see* NATOA Reply at 22-23 (asserting that proceedings addressing petitions for relief under Section 332(c)(7)(B)(v) will be inherently fact-based and, in some cases, may require more than 30 days for thorough consideration).

[42] *See* CCO Comments at 29-30.

[43] *See* 47 C.F.R. § 1.47.

[44] *See* US West Comments at 1; PrimeCo Comments at 17.

B. Demonstration of RF Compliance

15. Background. In the *RF Procedures Notice*, we sought comment on the extent to which localities are permitted to request personal wireless service providers to demonstrate compliance with the Commission's RF exposure guidelines.[45] Under Section 332(c)(7)(B)(iv), State and local regulation of personal wireless service facilities siting based on the environmental effects of RF emissions is preempted "to the extent that such facilities comply with the Commission's regulations concerning such emissions." This leaves unresolved the issue of what State and local governments can require as proof of compliance with the Commission's regulations.

16. The Commission and the LSGAC produced the *Local Official's Guid*e in response to misunderstandings between industry and local governments regarding this issue. The *Local Official's Guide* provides information and voluntary guidance to local governments to facilitate their ability to devise reasonable and effective procedures for assuring that antenna facilities located within their boundaries comply with Commission limits for human exposure to RF emissions. It provides a summary of the Commission's RF exposure guidelines and the Commission's procedures for ensuring compliance and enforcing its rules. It also provides guidance to local governments attempting to determine if a radio transmission facility may raise compliance concerns by helping local governments to recognize sites that do not raise compliance concerns. In addition, it provides information for initiating a Commission inquiry in instances where a facilities operator is unable to dispel a local government's concerns about compliance.

17. Discussion. Pursuant to Section 332(c)(7), and consistent with the Commission's general authority to regulate the operation of radio facilities,[46] State and local governments are broadly preempted from regulating the operation of personal wireless service facilities based on RF emission considerations. Thus, for example, a local government may not require a facility to comply with RF emissions or exposure limits that are stricter than those set forth in the Commission's rules, and it may not restrict how a facility authorized by the Commission may operate based on RF emissions or any other cause. We note that the Commission's plenary authority in this area has recently been upheld by the courts.[47] Thus, State or local authority with respect to personal wireless service facilities is limited to regulation of the placement, construction, and modification of such facilities. The sole question in this area posed by the *RF Procedures Notice* was the extent of a State or local government's authority, in the context of such regulation, to require a demonstration of compliance with our RF exposure guidelines.

18. We recognize that State and local governments have a legitimate interest in ascertaining that facilities will comply with the RF exposure limits set forth in our rules. We also recognize that certain requirements related to demonstrating compliance can be unnecessarily burdensome on carriers. Although the *Local Official's Guide* is not legally binding, we expect it will help produce a framework for local and State governments and

[45] *See RF Procedures Notice*, 12 FCC Rcd at 13552, ¶ 142.

[46] *See* 47 U.S.C. § 301.

[47] *See Cellular Phone Taskforce*, 205 F.3d at 95-96.

wireless service providers to work cooperatively on this issue. As a result of the *Local Official's Guide*, we expect that many disputes pertaining to demonstrations of compliance will be resolved by the parties in a manner that will allow personal wireless services to be deployed and delivered to consumers as rapidly as possible, while preserving the authority of State and local jurisdictions in land use matters and protecting the public health. Moreover, where there is a genuine question regarding a site's compliance with the RF exposure limits, Commission staff will promptly take all appropriate actions to ensure compliance.[48] In particular, if a local government were to make a Commission inquiry regarding a site's compliance with RF exposure limits in a case where compliance cannot be readily demonstrated by applying the principles set forth in the *Local Official's Guide*, we would require the operator of the facility to provide sufficient information to demonstrate compliance.[49] Therefore, we do not believe any binding rule governing demonstrations of compliance is necessary. To the extent that any party may argue in a properly filed case that a particular requirement to demonstrate compliance violates Section 332(c)(7), we will consider the issue in that context.

C. Other Issues

19. Background. In addition to the issues discussed in Sections III.A and III.B above, the *RF Procedures Notice* sought comment on: (1) who has standing to file petitions and participate in Commission proceedings under Section 332(c)(7)(B)(v),[50] and who has standing to seek review of final Commission and delegated authority actions taken pursuant to Section 332(c)(7)(B)(v);[51] (2) for purposes of proceedings under Section 332(c)(7)(B)(v), whether to establish a rebuttable presumption that personal wireless service facilities will comply with the Commission's RF emissions rules, and procedures for State or local governments or other interested parties to rebut the presumption; [52] and (3) the definition of certain terms under Sections 332(c)(7)(B)(iv) and 332(c)(7)(B)(v).[53] We received a number of comments on these issues from the personal wireless service industry, State and local governments, and concerned citizens.

20. Discussion. We conclude that it is not necessary to reach a global resolution of the remaining issues at this time. When we issued the *RF Procedures Notice*, we believed that advance resolution of many of the procedural and definitional issues would be helpful to parties,

[48] *See Local Official's Guide* at 10.

[49] The provision of such information is consistent with the operator's affirmative obligation to confirm compliance for all facilities that are not categorically excluded. *See* 47 C.F.R. § 1.1307(b). In addition, we note that an operator must evaluate and determine compliance for a facility that is otherwise categorically excluded if specifically requested to do so by the Commission. *See* 47 C.F.R. §§ 1.1307(c), 1.1307(d); *Local Official's Guide* at 7.

[50] *See RF Procedures Notice*, 12 FCC Rcd at 13557, ¶ 150.

[51] *See id.* at 13560, ¶ 153.

[52] *See id.* at 13557-60, ¶¶ 151-154.

[53] *See id.* at 13549-52, ¶¶ 135-141. We also note that the *RF Procedures Notice* referenced certain other issues, including the evidence that can be presented before local zoning boards, that were raised in the PCIA Letter. *See id.* at 13540, ¶ 115. To the extent such issues may be considered within the scope of the *RF Procedures Notice*, they are encompassed within the discussion below.

as well as to courts.[54] Subsequent developments, however, do not suggest the need for further guidance on these issues. Indeed, we have received only one petition for relief under section 332(c)(7)(B)(v), and that petition was withdrawn after the parties settled the underlying controversy.[55] Furthermore, although there have been numerous reported court decisions under Section 332(c)(7), only a small proportion of these decisions have involved RF emissions issues. There do not appear to be serious differences among courts in addressing these issues.[56] Under these circumstances, and given the complexity of these issues, we conclude that these issues are best addressed through case-by-case adjudication.

IV. PROCEDURAL MATTERS

A. Regulatory Flexibility Act

21. Final Regulatory Flexibility Certification. The *RF Procedures Notice* incorporated an Initial Regulatory Flexibility Analysis (IRFA) of the proposed rules pursuant to 5 U.S.C. § 605.[57] No comments were filed on the IRFA. Section 604 of the Regulatory Flexibility Act, as amended, requires a final regulatory flexibility analysis in a notice and comment rulemaking proceeding unless the Commission certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities."[58] The RFA generally defines "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."[59] In addition, the term "small business" has the same meaning as the term "small business concern" under the Small

[54] *See id.* at 13542, ¶ 118.

[55] *See* Petition of 360° Communications Company for Declaratory Ruling that Section 332(c)(7)(B)(iv) of the Communications Act Preempts State Court Actions Limiting the Construction of Cellular Facilities Based Upon Radio Frequency Emission Concerns, *Order*, 14 FCC Rcd 9172 (Com. Wir. Div. 1999) (*360° Communications Order*).

[56] *See, e.g., Goforth v. Smith*, 991 S.W.2d 579, 582-85 (Ark. 1999) (concluding that the Telecommunications Act precluded private common law actions, as well as state action, on the basis of RF emissions*); Smart SMR v. Borough of Fair Lawn*, 704 A.2d 127 (N.J. 1998) (finding that the zoning board was wrong in denying a tower application on the basis of community residents' belief that the Commission's RF emissions standard would not protect their health); *AWACS v. Newtown Township*, 702 A.2d 604 (Pa. Commw. Ct. 1997) (deciding that the Telecommunications Act preempts a local zoning board from considering the environmental effects of RF emissions); *Kapton v. Bell Atlantic NYNEX Mobile*, 700 A.2d 581 (Pa. Commw. Ct. 1997) (stating that a landowner suing over a 270 foot tower for multiple reasons, including electromagnetic field concerns, conceded that the Telecommunications Act preempts the field); *Westinghouse Electric Corp. v. Council of Township of Hampton*, 686 A.2d 905, 908 (Pa. Commw. Ct. 1996) (confirming the trial court's decision that RF concerns did not defeat the construction of a 150 foot tower by a wireless provider). *Cf. In re Freeman*, 975 F. Supp. 570, 574 (D. Vt. 1997), *aff'd sub nom in Freeman v. Burlington Broadcasters, Inc.*, 204 F.3d 311 (2d Cir. 2000) (acknowledging, in a case concerning RF interference, that the Telecommunications Act preempts consideration of RF emissions when considering the construction or modification of wireless facilities). *But see Sprint Spectrum, L.P. v. Township of Warren Planning Board*, 737 A.2d 715 (N.J. Superior Ct. App. Div. 1999) (holding that the board of health could inquire about RF emissions and require an explanation of the methodology of the RF study to ensure that the Commission's emissions standards are followed).

[57] *See RF Procedures Notice*, 12 FCC Rcd at 13586-91, Appendix D.

[58] 5 U.S.C. § 605(b).

[59] *Id.* at § 601(6).

Business Act.[60] A small business concern is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA).[61] The Commission believes, as discussed below, that the rule adopted in this proceeding will not have a significant economic impact on a substantial number of small entities.

22. As discussed above in paragraph 12 , the Commission is making one rule change in this *Report and Order*. Specifically, the Commission amends Note 1 to Section 1.1206(a) of the Commission's rules so that the expanded service requirements set forth in that note apply to petitions filed pursuant to Section 332(c)(7)(B)(v) (*i.e.*, petitions for relief from impermissible State and local regulation of personal wireless service facilities on the basis of RF emissions). Thus, petitioners seeking relief under Section 332(c)(7)(B)(v) must serve a copy of such petitions on those State and local governments that are the subject of the petitions as well as on those State and local governments otherwise specifically identified in the petitions whose actions petitioners argue are inconsistent with federal law. Given that the Commission has received only one petition for relief under section 332(c)(7)(B)(v),[62] we do not anticipate that numerous State and local governments will be the subject of such petitions or identified in such petitions. Thus, we do not expect that the service requirement adopted in this *Report and Order* will impose a significant burden of cost and time on petitioners, including petitioners that are small entities. We believe that this service requirement will facilitate the efficient resolution of petitions seeking relief under Section 332(c)(7)(B)(v). Moreover, we believe that this requirement will ensure that State and local governments, including those governments that are small entities, have an opportunity to participate in proceedings under Section 332(c)(7)(B)(v).

23. Accordingly, the Commission certifies, pursuant to Section 605(b) of the Regulatory Flexibility Act,[63] as amended by the Contract with America Advancement Act of 1996,[64] that the rule adopted in this *Report and Order* will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the *Report and Order*, including a copy of this final certification, in a report to Congress pursuant to the Small Business Regulatory Enforcement Fairness Act of 1996.[65] In addition, the *Report and Order* and this certification will be sent to the Chief Counsel for Advocacy of the Small Business Administration, and a summary will be published in the Federal Register.[66]

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[60] *Id.* at § 601(3) (incorporating by reference the definition of "small business concern" in the Small Business Act, 15 U.S.C. S § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

[61] Small Business Act, 15 U.S.C. § 632.

[62] That petition was withdrawn after the parties settled the underlying controversy. *See 360° Communications Order*, 14 FCC Rcd 9172; note 55 *supra*.

[63] *See* 5 U.S.C. § 605(b).

[64] Public Law No. 104-121, 110 Stat. 847 (1996).

[65] *See* 5 U.S.C. § 801(a)(1)(A).

[66] *See id.* at § 605(b).

B. Paperwork Reduction Act

24. This *Report and Order* contains a new information collection. Specifically, the *Report and Order* amends Note 1 to Section 1.1206(a) of the Commission's rules so that the expanded service requirements set forth in that note apply to petitions filed pursuant to Section 332(c)(7)(B)(v) (*i.e.*, petitions for relief from impermissible State and local regulation of personal wireless service facilities on the basis of RF emissions). Thus, petitioners seeking relief under Section 332(c)(7)(B)(v) must serve a copy of such petitions on those State and local governments that are the subject of the petitions as well as on those State and local governments otherwise specifically identified in the petitions whose actions petitioners argue are inconsistent with federal law.

25. As part of our continuing effort to reduce paperwork burdens, we invite the general public and the Office of Management and Budget (OMB) to take this opportunity to comment on the information collection contained in this Order, as required by the Paperwork Reduction Act of 1995.[67] Public and agency comments are due 60 days from publication of the summary of this *Report and Order* in the Federal Register, and OMB comments are due 60 days from that date. Comments should address: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the Commission, including whether the information shall have practical utility; (2) the accuracy of the Commission's burden estimates; (3) ways to enhance the quality, utility, and clarity of the information collected; and (4) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology.

26. In addition to filing comments with the Secretary, a copy of any comments on the information collections contained herein should be submitted to Judy Boley, Federal Communications Commission, Room 1-C804, 445 Twelfth Street, S.W., Washington, D.C. 20554, or via the Internet to jboley@fcc.gov, and to Edward C. Springer, OMB Desk Officer, Room 10236 New Executive Office Building, 725 Seventeenth Street, N. W., Washington, D.C. 20503, or via the Internet to edward.springer@omb.eop.gov.

V. CONCLUSION

27. As discussed above, we provide that requests filed under Section 332(c)(7)(B)(v) shall be filed as petitions for declaratory ruling, and we establish certain recommended procedures regarding the comment periods and the service of pleadings in such proceedings. We also amend Note 1 to Section 1.1206(a) of the Commission's rules so that the expanded service requirements set forth in that note apply to these proceedings. We believe that these procedures will ensure that petitions seeking relief under Section 332(c)(7)(B)(v) will be resolved efficiently, with an opportunity for all interested parties to participate. With respect to all other issues raised in the *RF Procedures Notice*, we terminate the present proceeding.

[67] Public Law No. 104-13.

VI. ORDERING CLAUSES

28. Pursuant to the authority contained in Sections 4(i), 303(r), and 332(c)(7) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 303(r), and 332(c)(7), IT IS ORDERED that this Report and Order is hereby ADOPTED.

29. IT IS FURTHER ORDERED that the rule amendment made by this Report and Order, and specified in Appendix B, SHALL BECOME EFFECTIVE 120 days after publication of a summary of the Report and Order in the Federal Register, pending OMB approval.

30. IT IS FURTHER ORDERED that the motion of the City of Fountain, Colorado, to consider late-filed comments is GRANTED.

31. IT IS FURTHER ORDERED that the Commission's Consumer Information Bureau, Reference Information Center, SHALL SEND a copy of this Report and Order, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION

Magalie Roman Salas
Secretary

Appendix A

Comments

Ad-Hoc Association of Parties Concerned About the Federal Communications Commission's Radiofrequency Health and Safety Rules (Ad-Hoc Association)
Ameritech Mobile Communications, Inc.
AT&T Wireless Services, Inc.
BellSouth Corporation
Bozeman City-County Planning Council
Cellular Phone Taskforce
Cellular Telecommunications Industry Association, Inc.
Concerned Communities and Organizations (CCO)
Cunningham, Scott R.
GTE Service Corporation
Haavind, Diane
Horowitz, Jean
Hutchins, Mark F.
Jefferson Parish, Louisiana
Local and State Government Advisory Committee (LSGAC)
Maddux, Dealy-Doe-Eyes
Mobile Services
National League of Cities and the National Association of Telecommunications Officers and Advisers (NATOA)
New York City Department of Information Technology and Telecommunications and New York City Department of Health
Occhiuto, David
Orange County, Florida
Ormond Beach, Florida
Palm Beach County, Florida
Personal Communications Industry Association (PCIA)
PrimeCo Personal Communications, L.P. (PrimeCo)
Rayner, Lucia
Romano, JoAnn and family
San Francisco, City and County of
San Juan County, Washington, Laura Arnold, Planning Director
San Juan County, Washington, Rhea Miller, Commissioner, District 3
San Juan County, Washington, Darcie L. Nielsen, Commissioner, District 1
Seattle City Council
Southwestern Bell Mobile Systems, Inc., Southwestern Bell Wireless, Inc., and Pacific Bell
Sprint Spectrum L.P. d/b/a Sprint PCS
US West, Inc.
Vermont Environmental Board
Vermont House of Representatives
Worsham, Michael

Replies to Comments

Ad Hoc Association
Airtouch Communications, Inc.
Ameritech Mobile Communications, Inc.
AT&T Wireless Services, Inc.
BellSouth Corporation
Bennett, Myrna
Bird, Stephen
Cape Cod Commission
Cellular Telecommunications Industry Association, Inc.
Concerned Communities and Organizations
Connecticut Siting Council and Richard Blumenthal, Attorney General of Connecticut
Emermen, Annie and Sidney
Ergotec Association, Inc.
Fountain, Colorado, City of
Fusion UV Systems
GTE Service Corporation
Hardwick (Vermont) Action Committee
Hurdiburg, Peter
Institute of Natural Therapies
Mobile Services
NATOA
Nextel Communications, Inc
Palm Beach County, Florida
PCIA
Powertel PCS, Inc.
PrimeCo
Southwestern Bell Mobile Systems, Inc., Southwestern Bell Wireless, Inc., and Pacific Bell
Sprint Spectrum L.P. d/b/a Sprint PCS
Tschudy, Richard L.
U.S. Congress Representative Bernard Sanders
U.S. Congress Senator Patrick Leahy
US West, Inc.
Vermont House of Representatives Majority Leader Paul A.Cillo
Vermont Representative David Deen
Whitehall, Ohio, City of

Appendix B

Final Rule

Part 1 of Title 47 of the Code of Federal Regulations is amended as follows:

Part 1 – PRACTICE AND PROCEDURE

1. The authority citation for Part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. 151, 154, 303, and 309(j) unless otherwise noted.

2. Section 1.1206 is revised to read as follows:

§ 1.1206 Permit-but-disclose proceedings.

(a) ***

Note 1 to paragraph (a): In the case of petitions for declaratory ruling that seek Commission preemption of state or local regulatory authority and petitions for relief under 47 U.S.C. § 332(c)(7)(B)(v), the petitioner must serve the original petition on any state or local government, the actions of which are specifically cited as a basis for requesting preemption. Service should be made on those bodies within the state or local governments that are legally authorized to accept service of legal documents in a civil context. Such pleadings that are not served will be dismissed without consideration as a defective pleading and treated as a violation of the ex parte rules unless the Commission determines that the matter should be entertained by making it part of the record under §1.1212(d) and the parties are so informed.

*****

RESOLUTION NO. ALUC-2025-01

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION OF THE COUNTY OF TRINITY

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION OF TRINITY COUNTY, FINDING HAYFORK MONOPINE WIRELESS COMMUNICATIONS FACILITY (P-24-14) CONSISTENT WITH THE AIRPORT LAND USE COMPATIBILITY PLAN (2009).

WHEREAS, the Airport Land Use Compatibility Plan (ALUCP) was adopted in 2009; and

WHEREAS, projects in Zone D that are over 70 feet in height, require review by the Airport Land Use Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Airport Land Use Commission of the County of Trinity based on substantial evidence in the record, makes the following findings:

1. The proposed project (P-24-14) is consistent with the ALUCP, based on the FAR 77 Document "No hazard to Air Navigation".
2. That this action of the Airport Land Use Commission is exempt from the California Environmental Quality Act (CEQA) based on 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; CEQA review will be conducted for the project P-24-14 and reviewed by the Planning Commission at a later date.
3. That it be conditioned that lighting is installed atop of cell tower in accordance with FAA Advisory circular 70/7460-1 M Change 1.

DULY PASSED AND ADOPTED this 13th day of November, 2025 by the Airport Land Use Commission of the County of Trinity by motion, second (Edwards/Fall), 4-0 by the following vote:

AYES: Fall, Edwards, Harper, Fleitz
NAYS:
ABSENT: Barrett
ABSTAIN:
RECUSE:

Carol Fall

CAROL FALL, CHAIR
Airport Land Use Commission
County of Trinity
State of California

ATTEST:

By: Drew Plebani

DREW PLEBANI
Clerk of the Airport Land Use Commission
Interim Planning Director

TRINITY COUNTY AIRPORT LAND USE COMMISSION

Regular Meeting
November 13, 2025 At 5:30 PM
Trinity County Library Conference Room
351 Main Street, Weaverville, CA

Commissioner Dist. 1 Carol Fall
Commissioner Dist. 2 Amelia Fleitz
Commissioner Dist. 3 Rory Barrett
Commissioner Dist. 4 Duncan McIntosh
Commissioner Dist. 5 Dan Harper
Commissioner AAC Anthony Edwards
Commissioner AAC vacant

AGENDA

Zoom Information

https://zoom.us/j/5950072851?pwd=RHp6TDhNajNJMVJHZFJlRmhacmJjUT09
Meeting ID: **595 007 2851**
Passcode: **267684**

One tap mobile
+1 669 900 9128,,7338092685# US (San Jose)
+1 346 248 7799,,7338092685# US (Houston)

TO ADDRESS THE COMMISSION: Members of the public may directly address the Airport Land Use Commission (ALUC) on any agenda item on the regular calendar during the Commission's consideration of that item. In addition, the ALUC provides members of the public with a Public Comment period, where the public may address the Commission on any matter not listed on the agenda that is within the subject matter jurisdiction of the ALUC. Pursuant to the Brown Act (Govt. Code Sect. 54950, et seq. Commission action or discussion cannot be taken on non-agenda matters, but the Commission may briefly respond to statements or questions and, if deemed necessary, refer the subject matter to the appropriate department for follow-up and/or to schedule the matter on a subsequent Commission agenda.

PRESENTATION OF DOCUMENTS: All items presented to the ALUC during a public hearing, including but not limited to letters, e-mails, petitions, photos, maps, or other kinds of information, shall become a permanent part of the record and must be submitted to the clerk/secretary of the Commission. It is advised that the presenter creates copies in advance for their own records. If you have documents to present to the members of the ALUC to review, please provide a minimum of 10 copies.

CALL TO ORDER

PUBLIC COMMENT

During the Public Comment period, members of the public may address the ALUC on any matter not listed on the agenda that is within the subject matter jurisdiction of the Airport Land Use Commission.

REGULAR CALENDAR

A. Airport Land Use Commission – Planning - Appoint Chair and Vice Chair for the Airport Land Use Commission

B. Airport Land Use Commission – Planning - Airport Land Use Compatibility Plan Determination for Verizon Wireless Conditional Use Permit P-24-14

ADJOURN

ALL INTERESTED PARTIES are encouraged and invited to submit written comments regarding a proposed action or be present at the public hearing to be heard regarding the action to being considered. To ensure consideration by the Airport Land Use Commission, all written material concerning the proposed project should be submitted to the **Trinity County Planning Division, 530 Main St., PO Box 2819, Weaverville, CA 96093. 530-623-1351, or by email to info.planning@trinitycounty.org**, as soon as possible, and no later than three days prior to the hearing. All items presented to the Airport Land Use Commission before or during the public hearing become part of the permanent record. Persons wishing to submit comments or appear before the Planning Commission are encouraged to first contact the staff planner listed for the project.

Copies of the applications, environmental documents, all reference documents, and staff reports associated with each project are available for review at the Trinity County Planning Division, 530 Main St., Weaverville, CA. Staff reports will also be available on the Internet at: https://trinitycoca.portal.civicclerk.com/

Please note that any challenge of the nature of the proposed action in court may be limited to addressing only those issues raised at the public hearing described in this notice, or in written correspondence delivered to the Airport Land Use Commission at, or prior to, the public hearing.

Staff Report

Department:	Community Development - Planning
Contact:	Drew Plebani
Phone:	530-623-1351
Item Title:	Appoint Chair and Vice Chair to the Airport Land U

Project Description:
Appoint Chair and Vice Chair to the Airport Land Use Commission

Summary:
Appoint Chair and Vice Chair

Staff Report:
Appoint Chair and Vice Chair

Departmental Recommendations:
Appoint Chair and Vice Chair

TRINTIY COUNTY AIRPORT LAND USE COMPATIBILITY PLAN

Airport Land Use Commission
Trinity County

Prepared by Tangella Corporation
Trinity Center, California

Adopted November 12, 2009

TRINTIY COUNTY AIRPORT LAND USE COMPATIBILITY PLAN

Airport Land Use Commission
Trinity County

Prepared by Tangella Corporation
Trinity Center, California

Adopted November 12, 2009

Trinity County Airport Land Use Commission

Keith Groves, Chairman
Ray Bushman
Donna Harman
Jim Jungwirth
Tom Miller
Hal Pflueger
Jack Razetto

Trinity County Airport Land Use Commission Staff

Rick Tippett, executive secretary, June 2009 to present
Jan Smith, senior environmental specialist
Jeanne Bonomini, senior planner
Carl Bonomini, past-executive secretary 2008-June 2009

Draft History

Public Review Draft, accepted June 5, 2009
Agency Review Draft, accepted July 9, 2009
Final Draft, accepted on November 12, 2009

Airport Influence Areas Adoption

Board of Supervisors Resolution No. 2009-069

Environmental Review

CEQA Notice of Exemption, signed on November 12, 2009

Plan Adoption

ALUC Resolution No. 2009-001

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1.0 Overview of the Plan

The basic function of airport land use compatibility plans is to promote compatibility between airports and the land uses that surround them. Compatibility plans serve as a tool for use by airport land use commissions in fulfilling their duty to review proposed development plans for airports and surrounding land uses.

Additionally, compatibility plans set compatibility criteria applicable to local agencies in their preparation or amendment of land use plans and ordinances. Compatibility plans are also applicable to landowners (including special district and other local government entities as well as private parties) in their design of new development.

1.1 Function and Applicability of the Plan

This *Airport Land Use Compatibility Plan* (ALUCP) is the first such plan adopted by Trinity County. Prior to this plan, the commission had to follow compatibility zoning and criteria in the examples in the *Airport Land Use Planning Handbook* published by the California Division of Aeronautics.

The plan is primarily concerned with land uses near the five public use airports in Trinity County:

- Hayfork Airport
- Hyampom Airport
- Ruth Airport
- Trinity Center Airport
- Weaverville Airport

Details regarding the purpose, scope, and applicability of the ALUCP are set forth in the policy chapter that follows.

1.2 Jurisdictions Affected

The influence area for each of the airports, as defined herein, generally extends 9,000 feet from the airport runways. The influence areas encompass lands within the government jurisdictions in Trinity County.

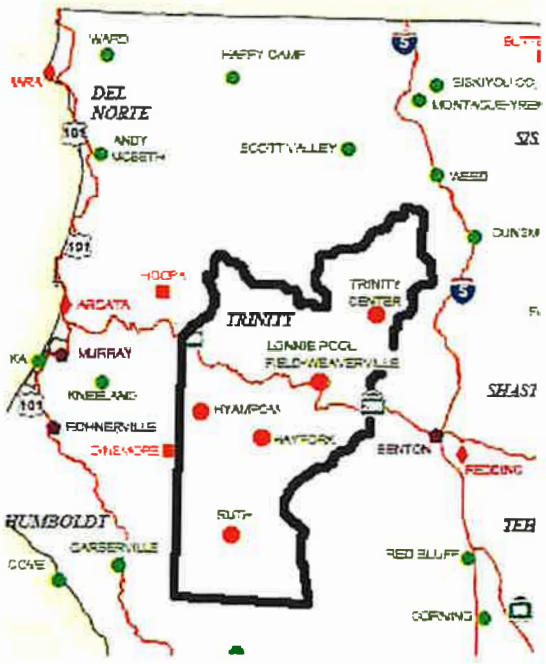
Additionally, portions of the airport influence area affect lands within the jurisdiction of the U.S. Forest Service and other federal agencies. Although the authority of the Trinity Airport Land Use Commission does not extend to federal lands, policies in the ALUCP address the importance of coordination on airport land use compatibility matters.

1.3 Geographic Coverage

This ALUCP covers the entire area of the County of Trinity located in northwestern California. To the extent that law precludes establishment of policy on federal land, such land is excluded from the area covered. There are no incorporated areas of Trinity County, and therefore, the Trinity County ALUC's purview is the entire county.

This ALUCP sets policies and procedures for land use compatibility around Trinity County's five public use airports:

- Hyampom
- Hayfork
- Ruth
- Trinity Center
- Weaverville



Trinity County, California

2.0 Statutory Requirements

2.1 Powers and Duties

Requirements for creation of airport land use commissions (ALUCs) were first established under the California State Aeronautics Act (Public Utility Code [PUC] Sections 21670 *et seq.*) in 1967. Although the law has been amended numerous times since then, the fundamental purpose of ALUCs to promote land use compatibility around airports has remained unchanged. As expressed in the present statutes, this purpose is:

> "...to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

The statutes give ALUCs two principal powers by which to accomplish this objective. First, ALUCs must prepare and adopt an airport land use plan. Secondly, they must review the plans, regulations, and other actions of local agencies and airport operators for consistency with that plan.

2.2 Limitations

Also explicit in the statutes are two limitations on the powers of ALUCs. Specifically, ALUCs have no authority over existing land uses (PUC Section 21674(a)) or over the operation of airports (PUC Section 21674(e)).

Neither of these terms is defined within the statutes, although the interpretation of their meaning is fairly standard throughout the state.

- **Existing Land Uses**—The precise wording of the Aeronautics Act is that the authority of ALUCs extends only to land in the vicinity of airports that is "not already devoted to incompatible uses." The working interpretation of this language is that ALUCs have no state-empowered authority over existing land uses. The question then becomes one of determining what conditions qualify a land use as existing.

  For airport land use planning purposes, a land use can generally be considered existing once the local agency has completed all discretionary actions on the project and only ministerial approvals remain. The notion of "vested rights" in a development project is also relevant to considerations of "existing" use.

  Note that the issue of what is "existing" applies at the time of adoption of this ALUCP. See the definitions in Appendix G "Glossary of ALUCP Terms" under the terms "Existing Land Use" and "Vested Rights."

- **Operation of Airports**—Any actions pertaining to how and where aircraft operate on the ground or in the air around an airport are clearly not within the jurisdiction of ALUCs to regulate. ALUC involvement with

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aircraft operations is limited to taking the operational characteristics into account in the development of land use compatibility plans. This limitation on the jurisdiction of ALUCs cannot, however, be taken to mean that they have no authority with respect to new development on airport property. For example, the law specifically requires ALUCs to review proposed airport master plans for consistency with the commission's plans. ALUCs also are generally conceded to have authority to review proposals for nonaviation development on airport property.

A third, less absolute limitation concerns the types of land use actions that are subject to ALUC review. The law emphasizes local general plans as the primary mechanism for implementing the compatibility policies set forth in an ALUC's plan. Thus, it is required by statute that Trinity County make its General Plan consistent with the ALUC plan (or overrule the commission.)

Once the County has taken this action to the satisfaction of the Airport Land Use Commission, the ALUC's authority to review projects is narrowly limited. The only actions for which review remains mandatory are proposed adoption or amendment of general plans, specific plans, zoning ordinances, and building regulations affecting land within an Airport Influence Area. For an ALUC to review individual projects, the local agency must agree to submit them.

2.3 Trinity County Airport Land Use Commission

State law provides two basic options regarding the structure of airport land use commissions: a standard format, or the designation of an existing body to serve as the ALUC.

Membership on Trinity County ALUC is structured in the standard manner as follows:

- Three members appointed by the County Board of Supervisors
- Three members appointed by the airport manager. These member must have an aviation background.
- A seventh member, representing the general public, appointed by the other six.

The county agency assigned to provide support staff to the ALUC is the Trinity County Planning Department. The Director of the Planning Department serves as the ALUC Executive Secretary.

2.4 Relationship of the ALUC to County Government

The fundamental relationship between the Trinity County Airport Land Use Commission and the government of Trinity County is set by the State Aeronautics Act.

The ALUC is not simply an advisory body for the Trinity County Board of Supervisors in the manner that the Planning Commissions is. Rather, the ALUC is more equivalent to a Local Agency Formation Commission (LAFCo).

Within the bounds defined by state law, the decisions of the ALUC are final and are independent of the Board of Supervisors. Decisions by the ALUC may be appealed to the Board of Supervisors, but the board can overrule the ALUC only by following a specified formal procedure and by developing specific findings as to why the ALUC should be overruled.

Another aspect of the relationship between the ALUC and county government concerns implementation of the ALUCP. As noted earlier, although the ALUC has the sole authority to adopt this plan and to conduct compatibility reviews, the authority and responsibility for implementing the compatibility policies rests with the county government. Actions that Trinity County can take to implement the ALUCP are outlined later in this chapter.

3.0 ALUC and ALUCP Policy Framework

The policies in Chapters 2 and 3 of this ALUCP are based upon two primary sources: state law and guidance, and county-approved layout plans for the respective airports.

3.1 State Law and Guidelines

Although state law spells out the powers and duties of airport land use commissions and many of the procedural aspects of airport land use compatibility planning, it does not contain explicit compatibility guidelines. Rather, the law refers to another document, the *Airport Land Use Planning Handbook* published by the California Division of Aeronautics. Specifically, the statutes say that, when preparing compatibility plans for individual airports, ALUCs shall "be guided by" the information contained in the Handbook.

The most recent edition of the *Handbook* was completed in January 2002 and is available for downloading from the Division of Aeronautics web site.

The *Airport Land Use Planning Handbook* is comprised of two major parts. The first part deals with the formation and operation of ALUCs, the preparation of compatibility plans, procedures for review of local actions, and the responsibilities of local agencies. Part II contains background information regarding noise and safety compatibility concepts and sets forth basic guidelines for land use compatibility criteria.

This guidance is intended to serve as the starting point for compatibility planning around individual airports. The *Handbook* is not regulatory in nature and does not constitute formal state policy.

An additional function of the *Airport Land Use Planning Handbook* is established elsewhere in California state law. The Public Resources Code (PRC) creates a tie between the *Handbook* and California Environmental Quality Act (CEQA) documents. Specifically, PRC Section 21096 requires that lead agencies must use the *Handbook* as "a technical resource" when assessing airport-related noise and safety impacts of projects located in the vicinity of airports.

3.2 Relationship to the Airport Master Plans and Layout Plans

Airport land use compatibility plans are distinct from airport master plans in function and content. In simple terms, the issues addressed by airport master plans are primarily on-airport whereas those of concern in a compatibility plan are off-airport.

The purpose of airport master plans is to assess the demand for airport facilities and to guide the development necessary to meet those demands. An airport master plan is prepared for and adopted by the agency that owns and/or operates the airport.

In contrast, the purpose of a compatibility plan is to assure that incompatible development does not occur on lands surrounding the airport. The responsibility for preparation and adoption of compatibility plans lies with each county's airport land use commission.

This distinction notwithstanding, the relationship between the two types of plans is close. Specifically, Public Utilities Code Section 21675(a) requires that ALUC plans be based upon a long-range airport master plan adopted by the airport owner/proprietor. If a current master plan does not exist for a particular airport, which is the case for Trinity County airports, an airport layout plan may be used subject to approval by the CalTrans.

Approval to use airport layout plans in lieu of a master plan was granted by CalTrans in February, 2009, see Section 4.0 "CalTrans Division of Aeronautics Letter of Approval" of Appendix B "References".

Dates of FAA approval of the Airport Layout Plans used for this *Airport Land Use Compatibility Plan* are contained in Section 3.0 "Trinity County Airport Layout Plans" of Appendix B "References".

3.3 Plan Review and Adoption Process

In addition to the involvement of the Trinity County ALUC and staff, contributions to the planning process have been provided by the communities and the Hayfork Community Plan committee.

During preparation of the draft plan, landowner and general public input to the planning process took place both in conjunction with regular ALUC meetings at which the plan was discussed and at public workshops. Kickoff workshops were held in each airport community during October 2008. Public workshops were then held monthly in Weaverville from November 2008 through July 2009.

In June 2009, a public review draft of the Plan was released for agency and public review and comment. The draft plan was the subject of a series of public workshops in each airport community during the month of June 2009.

A revision to the draft plan resulted from the comments received at the workshops and in writing from affected local jurisdictions, special districts, the general public, and others. The Agency Review Draft was completed in July 2009. CalTrans, FAA, and local agencies completed their reviews by the end of September, 2009. Only minor editorial changes were identified. Those changes were incorporated into the Final Draft.

In October 2009, the ALUC made a finding that adoption of the ALUCP does not cause either a direct or foreseeable indirect physical change in the environment, and therefore, the adoption of this ALUCP is not a "project" as defined by CEQA. The ALUC signed a CEQA Notice of Exemption upon adoption of the ALUCP.

As required by state statute, at the November 3, 2009 Trinity County Board of Supervisors meeting, the ALUC consulted with the Board regarding the definitions and implications of the Airport Influence Areas (AIAs). After this consultation, the Board approved a resolution adopting the AIAs from the Agency Review Draft for the five county airports. The AIAs in the final draft are identical to those defined in the Agency Review Draft.

At the November 12, 2009 regularly scheduled ALUC meeting, the ALUC formally adopted the Trinity County Airport Land Use Compatibility Plan.

4.0 Plan Implementation

4.1 General Plan Consistency

As noted above, state law requires each local agency having jurisdiction over land uses within an ALUC's planning area to modify its general plan and any affected specific plans to be consistent with the compatibility plan. The law says that the local agency must take this action within 180 days of when the ALUC adopts or amends its plan. The only other course of action available to local agencies is to overrule the ALUC by a two-thirds vote after first holding a public hearing and making findings that the agency's plans are consistent with the intent of state airport land use planning statutes.

A general plan does not need to be identical with the ALUC plan in order to be consistent with it. To meet the consistency test, a general plan must do two things:

- It must specifically address compatibility planning issues, either directly or through reference to a zoning ordinance or other policy document; and
- It must avoid direct conflicts with compatibility planning criteria.

Many community general plans pay little attention to the noise and safety factors associated with airport land use compatibility. Also, some of the designated land uses of property near an airport frequently are contrary to good compatibility planning. It is anticipated that the County may need to make some modification to its General Plan and/or other land use policy documents in order to meet the plan consistency requirements.

An initial assessment of the consistency between the current General Plan and the policies set forth in this ALUCP is contained in Appendix E, "General and Community Plan Consistency Analysis".

Compatibility planning issues can be reflected in a general plan in several ways:

- **Incorporate Policies into Existing General Plan Elements**—One method of achieving the necessary planning consistency is to modify existing general plan elements. For example, airport land use noise policies could be inserted into the noise element, safety policies could be placed into a safety element, and the primary compatibility criteria and associated maps plus the procedural policies might fit into the land use element. With this approach, direct conflicts would be eliminated and the majority of the mechanisms and procedures to ensure compliance with compatibility criteria could be fully incorporated into the general plan.
- **Adopt a General Plan Airport Element**—Another approach is to prepare a separate airport element of the general plan. Such a format may be advantageous when the county's general plan also needs to

address on-airport development and operational issues. Modification of other plan elements to provide cross referencing and eliminate conflicts would still be necessary.

- **Adopt Compatibility Plan as Stand-Alone Document**—Jurisdictions selecting this option would simply adopt as a local policy document the relevant portions of the ALUCP—specifically, Chapters 2 and 3 plus any background information they wish to include. Changes to the community's existing general plan would be minimal. Policy reference to the separate ALUCP document would need to be added and any direct land use or other conflicts with compatibility planning criteria would have to be removed. Limited discussion of compatibility planning issues could be included in the general plan, but the substance of most compatibility policies would appear only in the stand-alone document.
- **Adopt Airport Combining District or Overlay Zoning Ordinance**—This approach is similar to the stand-alone document except that the County would not explicitly adopt the Compatibility Plan as policy. Instead, the compatibility policies would be restructured as an airport combining or overlay zoning ordinance. A combining zone serves as an overlay of standard community-wide land use zones and modifies or limits the uses permitted by the underlying zone. Flood hazard combining zoning is a common example.

  An airport combining zone ordinance can serve as a convenient means of bringing various airport compatibility criteria into one place. The airport-related height-limit zoning that many jurisdictions have adopted as a means of protecting airport airspace is a form of combining district zoning. Noise and safety compatibility criteria, together with procedural policies, would need to be added to create a complete airport compatibility zoning ordinance.

  Other than where direct conflicts need to be eliminated from the general plan, implementation of the compatibility policies would be accomplished solely through the zoning ordinance. Policy reference to airport compatibility in the general plan could be as simple as mentioning support for the airport land use commission and stating that policy implementation is by means of the combining zone.

4.2 Project Referrals

In addition to the types of land use actions for which referral to the ALUC is mandatory in accordance with state law, the ALUCP specifies other land use projects that either must or should be submitted for review. These major land use actions are defined in Chapter 2.

Beginning when this plan is adopted by the Airport Land Use Commission and continuing until such time as the County has made the necessary modifications to its General Plan, all of these major land use actions are to be submitted to the commission for review. After the County has made its

General Plan consistent with the ALUCP, the ALUC requests that these major actions continue to be submitted on a voluntary basis. These procedures must be indicated in the General Plan or other implementing policy document in order for the General Plan to be considered fully consistent with the ALUCP.

5.0 Plan Content

The ALUCP is organized into four chapters and a set of appendices. The intent of this introductory chapter is to set the overall context of airport land use compatibility planning in general and for the Trinity County Airport Land Use Commission in particular.

The policies, tables and maps in Chapters 2 and Chapter 3 constitute the most important components of the plan. The policies establish compatibility criteria for future land use development in the airport environs. The policies also define the types of actions to be submitted for ALUC review and the procedures that the ALUC will follow in making compatibility determinations.

Chapter 4 and the appendices contain background and supporting information used in creation of the ALUCP.

The ALUCP contains several major elements:

- The existing and planned-for facilities at the airports that are relevant to preparing the ALUCP
- Appropriate noise, height, and safety restriction policies and land use compatibility standards
- Specific findings of compatibility or incompatibility with respect to existing land uses, proposed General Plan land uses, or existing zoning controls
- Specific actions that need to be taken to make the Trinity County General Plan and/or zoning ordinances consistent with the ALUCP.
- Establishment of an airport land use planning area, referred to as the Airport Influence Area (AIA), which sets the boundaries for application of ALUC policy. The ALUCP contains the relevant policies and guidelines for land use compatibility and specific findings of compatibility or incompatibility of land uses within the AIA.

  Of particular interest to the ALUC are areas "not already devoted to incompatible uses" and, more specifically, undeveloped lands within the AIA. The planning effort is focused on identifying these lands because the policies and standards of the plan are intended to control the compatibility of future development in these areas.

CHAPTER

2

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References and citations in this chapter are defined as follows:

- CBC refers to the California Building Code
- GC refers to the California Government Code
- PUC refers to the California Public Utilities Code, State Aeronautics Act
- *Handbook* refers to the CalTrans Airport Land Use Planning Handbook, January 2002 edition

1.0 Geographic Scope

Policy objective: Specify the geographical scope of this ALUCP within Trinity County.

As established by the Trinity County Airport Land Use Commission (ALUC), the geographic scope of this *Trinity County Airport Land Use Compatibility Plan* (ALUCP) encompasses:

- Airport Influence Areas

  The Airport Influence Areas for those facilities listed in Table 2-1 "Trinity County Facilities" are depicted on the respective Compatibility Map for each facility as presented in Chapter 3.

- New Airports or Heliports

  New facilities that may be proposed anywhere in the county that require an Airport Permit from CalTrans.

- Other Areas in the County

  Other lands, regardless of their locations in the county, on which certain land use characteristics could adversely affect the safety of aircraft flight in Trinity County. The specific uses of concern are identified in Policy 8.3 "Height Compatibility".

Airport Identifier	Airport Name	Community
F62	Hayfork Airport	Hayfork
H47	Hyampom Airport	Hyampom
T42	Ruth Airport	Ruth
O86	James Swett Field	Trinity Center
O54	Lonnie Pool Field	Weaverville

Table 2-1 Trinity County Facilities

2.0 Types of Airport Impacts

Policy objective: Identify the broad categories of compatibility concerns that underlie the policies defined herein. Certain airport impacts not addressed by the ALUCP are identified.

2.1 Principal Compatibility Concerns

The airport land use compatibility concerns of ALUCs fall under two broad headings identified in state law: noise and safety (PUC §21670(a)). However, for the purposes of formulating airport land use compatibility policies and criteria, further dividing these basic concerns into functional categories is more practical.

These categories are:

a) Noise: Mitigating the cumulative noise exposure from aircraft operations near an airport.

b) Overflight: Mitigating the impacts of routine aircraft flight over a community.

c) Safety: Minimizing the risks of aircraft accidents beyond the runway environment.

d) Airspace Protection: Limiting the heights of structures and other objects, and restricting other uses that potentially pose hazards to flight.

e) Wildlife hazards: Preventing development of wildlife attractions in the vicinity of airports.

2.2 Airport Impacts Not Considered

Other impacts sometimes created by airports (*e.g.*, air pollution, automobile traffic, *etc.*) are not addressed by these compatibility policies and are not subject to review by the Airport Land Use Commission. (*Handbook* Part I Chapter 2, page 2-9.)

Furthermore, in accordance with state law (PUC §21674(e)), neither this Plan nor the ALUC have authority over the operation of any airport (including where and when aircraft fly, airport security, and other such matters.)

3.0 Application of the ALUCP

Policy objective: The purpose of this Airport Land Use Compatibility Plan is to articulate procedures and criteria established in accordance with the California State Aeronautics Act (PUC §21670 *et seq.*) for use by the ALUC itself, the County, and other districts within the county.

3.1 The Trinity County Airport Land Use Commission

The Trinity County Airport Land Use Commission (ALUC)

a) Shall utilize the ALUCP when reviewing proposed land use development in Trinity County for compatibility with airport activity.

b) Shall utilize the ALUCP when evaluating certain types of airport development proposals, specified in Policy 4.0 "Types of Actions Reviewed", that also are subject to ALUC review and are addressed by the ALUCP.

3.2 The County of Trinity

Trinity County

a) Shall apply the ALUCP when modifying general plans, specific plans and zoning ordinances to be consistent with the ALUCP.

b) Shall consider ALUCP policies when making planning decisions regarding the proposed development of land within an Airport Influence Area.

c) Shall use the ALUCP as the basis for referring specified land use proposals to the ALUC for review. See Policy 4.0 "Types of Actions Reviewed".

3.3 Special Districts and School Districts

Special districts and school districts

a) Shall apply the ALUCP when creating plans and making other planning decisions regarding proposed facilities and other development within an Airport Influence Area.

b) Shall use the ALUCP as the basis for referring specified land use proposals to the Trinity County ALUC for review. See Policy 4.0 "Types of Actions Reviewed".

3.4 Incompatible Land Use

Local jurisdictions should encourage the conversion of land uses that are currently incompatible with this ALUCP to uses that are compatible, where feasible.

3.5 Conflicting guidelines or policies

In the case of conflicting guidelines or polices, the most restrictive guideline or policy shall be applied.

4.0 Types of Actions Reviewed

Policy objective: Identify land use actions that must be reviewed by the ALUC, and identify land use actions that should be reviewed by the ALUC in the best interests of the public.

4.1 Actions That Always Require ALUC Review

As required by state law, the following types of actions shall be referred to the ALUC or the Executive Secretary for determination of consistency with the ALUCP prior to approval by the local jurisdiction:

a) The adoption or approval of any amendment to a general or specific plan affecting the property within an Airport Influence Area (PUC §21676(b)).

b) The adoption or approval of a zoning ordinance or building regulation that (1) affects property within an Airport Influence Area, and (2) involves the types of airport impact concerns listed in Policy 2.0 "Types of Airport Impacts" (PUC §21676(b)).

c) Adoption or modification of the airport master plan or airport layout plan for an existing public-use facility (PUC §21676(c)).

d) Any proposal for expansion of an existing airport or heliport if such expansion will require an amended airport permit from the State of California (PUC §21664.5).

e) Any proposal for a new airport or heliport whether for public use or private use if the facility requires a state airport permit (PUC §21661.5).

4.2 Other Land Use Actions Subject to ALUC Review

In addition to the above types of land use actions for which ALUC review is mandatory by state law, other types of land use actions are subject to review under the following circumstances:

a) Until such time as

1) the ALUC finds that a Local Agency's general plan or specific plan is consistent with the ALUCP, or

2) the Local Agency has overruled the ALUC's determination of inconsistency,

state law provides that the ALUC may require the Local Agency to refer all actions, regulations, and permits involving land within an Airport Influence Area to the ALUC for review (PUC §21676.5(a)).

Only those actions that the ALUC elects not to review are exempt from this requirement.

ALUC policy is that only the major land use actions listed in Policy 4.3 "Major Land Use Actions" shall be submitted for review.

b) After a Local Agency has revised its general plan or specific plan to be consistent with the ALUCP (see Policy 5.2 "General and Specific Plan Consistency") or has overruled the ALUC, the ALUC no longer has authority under state law to require that all actions, regulations, and permits be referred for review (PUC §21676.5(b)).

However, the ALUC and the Local Agency can agree that the ALUC should continue to review individual projects in an advisory capacity.

The ALUC requests local agencies to continue to submit major land use actions as listed in Policy 4.3 "Major Land Use Actions". ALUC review of these types of projects can serve to enhance their compatibility with airport activity.

Note that:

1) Review of these actions is requested only if a review has not previously been conducted as part of a general plan, specific plan, or zoning ordinance action; or if sufficient project-level detail to enable a full assessment of compatibility was not available at the time of a previous review.

2) Because the ALUC acts in an advisory capacity when reviewing projects under these circumstances, local jurisdictions are not required to adhere to the overruling process if they elect to approve a project without incorporating design changes or conditions suggested by the ALUC.

c) Proposed redevelopment of a property for which the existing use is consistent with the general plan and/or specific plan, but nonconforming with the compatibility criteria set forth in this plan, shall be subject to ALUC review. See Policy 9.4 "Redevelopment".

d) Proposed land use actions covered by Paragraphs (a), (b), and (c) above shall initially be reviewed by the ALUC Executive Secretary. If the Executive Secretary determines that significant compatibility issues are evident, the proposal shall be forwarded to the ALUC for review and decision. The ALUC may authorize the Executive Secretary to approve proposed actions having no apparent compatibility issues of significance using the Delegated Actions list as defined under Policy 5.1.3, "Executive Secretary Delegation."

4.3 Major Land Use Actions

The scope or character of certain major land use actions, as listed below, is such that their compatibility with airport activity is a potential concern.

Even though these actions may be basically consistent with the local general plan or specific plan, sufficient detail may not be known to enable a full airport compatibility evaluation at the time that the general plan or specific plan is reviewed.

To enable better assessment of compliance with the compatibility criteria set forth herein, ALUC review of these actions may be warranted. The circumstances under which ALUC review of these actions is to be conducted are indicated in Policy 4.2 "Other Land Use Actions Subject to ALUC Review".

4.3.1 Land Uses Within Any Compatibility Zone

The ALUC shall review the following actions affecting land uses within any compatibility zone:

a) Proposed development agreements or amendments to such agreements.

b) Proposed residential development, including land divisions, consisting of five or more dwelling units or lots.

c) Any discretionary development proposal for projects having a building floor area of 20,000 square feet or greater unless only ministerial approval (*e.g.,* a building permit) is required.

d) Major capital improvements (*e.g.,* water, sewer, or roads) that would promote new uses in undeveloped or agricultural areas to the extent that such uses are not reflected in a previously reviewed general plan or specific plan.

e) Proposed land acquisition by a government entity for any facility accommodating a congregation of people (for example, a school or hospital).

f) Any off-airport, non-aviation use of land within Compatibility Zone A of any airport.

g) Proposals for new development (including buildings, antennas, and other structures) having a height of more than:

- 35 feet within Compatibility Zones B1 and C
- 70 feet within Compatibility Zones B2 and D
- 100 feet within Compatibility Zone E

See Policies 8.3.1 "FAR Part 77 Penetration", and 8.5.2 "ALUC Review of Height of Proposed Objects".

h) Any obstruction reviewed by the Federal Aviation Administration in accordance with Part 77 of the Federal Aviation Regulations that receives a finding of anything other than "not a hazard to air navigation." See Policy 8.3, "Height Compatibility."

i) Any project having the potential to create electrical or visual hazards to aircraft in flight, including:

- Electrical interference with radio communications or navigational signals;
- Lighting that could be mistaken for airport lighting;
- Glare in the eyes of pilots of aircraft using the airport; and
- Impaired visibility near the airport.

j) Projects having the potential to cause attraction of birds or other wildlife that can be hazardous to aircraft operations within the vicinity of an airport. See Policy 8.7 "Wildlife Compatibility".

4.3.2 Proposed Non-aviation Use of Airport Property

Proposed non-aviation development of airport property, if such development has not previously been included in an airport master plan or community general plan, shall be reviewed by the ALUC.

4.3.3 Tall Structures Anywhere in the County

Regardless of location within Trinity County, any proposal for construction or alteration of a structure (including antennas) taller than 200 feet above ground level (AGL) at the site shall be reviewed by the ALUC. See Policy 8.3.3 "Construction Taller than 200 Feet".

4.3.4 Other Actions

Any other proposed land use action, as determined by the local planning agency, involving a question of compatibility with airport activities.

5.0 Project Reviews Process

Policy objective: To provide an orderly and timely process for reviewing projects. To ensure the ALUC's inclusion in all projects that may affect public and aviation safety near an airport.

5.1 General Review Policies

Certain process elements apply to all forms of project review.

5.1.1 Timing of Project Submittal

Proposed actions listed in Policy 4.0 *should* be submitted to the ALUC at the earliest reasonable point in time so that the ALUC's (or ALUC Executive Secretary's) review can be duly considered by the local jurisdiction prior to formalizing its actions. The timing may vary depending upon the nature of the specific project. However, all project actions listed in Policy 4.0 *must* be submitted to the ALUC for review prior to final approval by the local government entity.

5.1.2 Public Input

Where applicable, the ALUC shall provide public notice and obtain public input in accordance with PUC §21675.2(d) before acting on any plan, regulation, or other land use proposal under consideration.

5.1.3 Executive Secretary Delegation

The ALUC may, from time to time, specify a set of land uses or project actions, called the Delegated Actions. These actions will have been deemed by the ALUC to have no apparent compatibility issues of significance. The Delegated Actions list shall be approved by resolution of the ALUC. The ALUC Executive Secretary is authorized by the ALUC to use the Delegated Actions list pursuant to Policy 4.2(d) "Other Land Use Actions Subject to ALUC Review".

5.2 General and Specific Plan Consistency

In order for a general or specific plan to be considered consistent with the ALUCP, the following process shall be followed:

5.2.1 Initial ALUC Review of General Plan Consistency

In conjunction with adoption or amendment of this ALUCP, the ALUC shall review the county general plan to determine its consistency with the ALUC's policies. See Appendix E, "General and Community Plan Consistency Analysis" for findings of consistency.

5.2.2 Subsequent Reviews

As indicated in Policy 4.1(b) "Actions That Always Require ALUC Review", prior to taking action on an amendment of a general plan or specific plan, or the addition or approval of a zoning ordinance or building regulation affecting an Airport Influence Area as defined herein, local agencies must submit the proposed plan, ordinance, or regulation to the ALUC for review.

Subsequent land use development actions that are consistent with applicable, previously reviewed, local plans, ordinances, and regulations are subject to ALUC review only under the conditions indicated in Policies 4.2 and 5.2.6.

5.2.3 Aligning the General and Specific Plans with the ALUCP

Pursuant to state law, within 180 days of the ALUC's adoption or amendment of the Airport Land Use Compatibility Plan, each Local Agency must amend its general plan and any applicable specific plan to be consistent with the ALUCP or, alternatively, adopt findings and overrule the ALUC in accordance with PUC §21676(b) and GC §65302.3.

Prior to taking action on a proposed amendment to bring a plan into consistency with the ALUCP, the Local Agency must submit a draft of the proposal to the ALUC for review and approval.

No direct conflicts can exist between the two plans. However, a general plan cannot be found inconsistent with the ALUCP because existing land use conflicts with the ALUC's compatibility criteria. Such an inconsistency is allowed only if the general plan includes policies setting limitations on expansion and reconstruction of nonconforming uses that are consistent with Policies 8.3.3 "Construction Taller than 200 Feet" and 9.2, "Reconstruction."

A general plan and/or implementing ordinance must include provisions ensuring long-term compliance with the compatibility criteria. For example, future reuse of a building must not result in a usage intensity that exceeds the applicable standard or other approved limit.

5.2.4 ALUC Action Choices

When reviewing a general plan, specific plan, zoning ordinance, or building regulation for consistency with the ALUCP, the ALUC has three choices of action:

a) Find the plan, ordinance, or regulation consistent with the ALUCP.

b) Find the plan, ordinance, or regulation consistent with the ALUCP subject to conditions and/or modifications that the ALUC may require. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed.

c) Find the plan, ordinance, or regulation inconsistent with the ALUCP. In making a finding of inconsistency, the ALUC shall note the specific conflicts or shortcomings upon which its determination is based.

5.2.5 Response Time

The ALUC must respond to a Local Agency's request for a consistency determination on a general plan, specific plan, zoning ordinance, or building regulation within 60 days from the date of referral (PUC §21676(d)).

The date of referral is deemed to be the date on which all applicable information is received by the ALUC Executive Secretary.

The 60-day review period may be extended if agreed upon in writing by the submitting agency or project applicant.

If the ALUC fails to make a determination within the 60-day period or agreed extension period, the proposed action shall be deemed consistent with the Compatibility Plan.

Regardless of ALUC action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws.

The referring agency shall be notified of the ALUC's action in writing.

5.2.6 ALUC Response to Notification of Proposed Overruling

If a Local Agency proposes to overrule an ALUC action regarding a community land use plan or ordinance, it must provide a 45-day notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (PUC §21676(a) and (b)).

The ALUC may authorize the Executive Secretary to respond as appropriate.

5.3 Major Land Use Actions

Review of major land use actions will follow these procedures:

5.3.1 Project Submittal Information

A proposed major land use action submitted to the ALUC (or to the ALUC Executive Secretary) for review shall include:

a) a completed, current edition of the "Application for Major Land Use Action Review" that includes at least the following information:

1) Property location data (assessor's parcel number, street address, subdivision lot number).

2) An accurately scaled map showing the relationship of the project site to the airport boundary and runways.

3) A description of the existing and proposed uses of the land in question.

4) The type of land use action being sought from the local jurisdiction (*e.g.*, zoning change, building permit, *etc.*).

5) For residential uses, an indication of the potential or proposed number of dwelling units per acre (including any secondary units on a parcel); or, for nonresidential uses, the number of people potentially occupying the total site or portions thereof at any one time.

6) If applicable, a detailed site plan showing ground elevations, the location of structures, open spaces, and water bodies, and the heights of structures and trees.

7) Identification of any characteristics that could create electrical interference, confusing lights, glare, smoke, or other electrical or visual hazards to aircraft flight.

8) Any environmental document (initial study, draft environmental impact report, *etc.*) that may have been prepared for the project.

9) Any staff reports regarding the project that may have been presented to Local Agency decision makers.

10) Other relevant information that the ALUC or its staff determine to be necessary to enable a comprehensive review of the proposal.

b) Any applicable review fees as established by the ALUC.

5.3.2 ALUC Executive Secretary's Choices

When reviewing major land use actions in accordance with Policy 4.2(d), the ALUC Executive Secretary has two choices of action:

a) Find that the proposed project does not contain characteristics likely to result in inconsistencies with the compatibility criteria set forth in this plan. Upon said finding, the Executive Secretary may approve the project if authorized per Policy 4.2, "Other Land Use Actions Subject to ALUC Review."

b) Find that the proposed project may be inconsistent with the ALUCP. The Executive Secretary shall forward any such project to the ALUC for a consistency determination.

5.3.3 ALUC Action Choices

When reviewing a major land use project proposal, the ALUC has three choices of action:

a) Find the project consistent with the ALUCP.

b) Find the project consistent with the ALUCP subject to compliance with such conditions as the ALUC may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (*e.g.,* the height of a structure).

c) Find the project inconsistent with the ALUCP. In making a finding of inconsistency, the ALUC shall note the specific conflicts upon which the determination is based.

5.3.4 Response Time

In responding to major land use actions submitted for review, the policy of the ALUC is that:

a) When a major land use action is submitted for review on a mandatory basis as required by Policy 4.2(a):

1) Reviews by the ALUC Executive Secretary shall be completed within 30 days of when a complete application is submitted.

2) Reviews of projects forwarded to the ALUC for a consistency determination shall be completed within 60 days of the date of project referral. (PUC 21675.2(a))

3) The date of referral is deemed to be the date on which all applicable project submittal information as listed in Policy Project Submittal Information is received by the ALUC Executive Secretary.

4) If the ALUC Executive Secretary or the ALUC fails to make a determination within the above time periods, the proposed action shall be deemed consistent with the compatibility plan pursuant to GC §65943(a).

b) When a major land use action is submitted on an optional basis in accordance with Policy 4.2(b), review by the ALUC Executive Secretary and/or the ALUC should be completed in a timely manner enabling the comments to be considered by decision-making bodies of the submitting agency.

c) Regardless of action or failure to act on the part of the ALUC Executive Secretary or the ALUC, the proposed action still must comply with other applicable local, state, and federal laws and regulations.

d) The referring agency shall be notified of the ALUC Executive Secretary's and/or the ALUC's action in writing.

5.3.5 ALUC Response to Notification of Proposed Overruling

If a Local Agency proposes to overrule an ALUC action regarding a major land use action for which ALUC review is mandatory, that agency must provide a 45-day notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (PUC §21676.5(a)).

The ALUC may authorize the Executive Secretary to respond as appropriate.

5.3.6 Subsequent Review

Once a project has been found consistent with the ALUCP, the project need not be referred for review at subsequent stages of the planning process (*e.g.,* for a use permit after a zoning change has been reviewed) unless:

a) Insufficient information was available at the time of the ALUC's original review of the project to assess whether the proposal would be fully in compliance with compatibility criteria (*e.g.,* the site layout and structure height might not be known at the time a general plan change or zoning amendment is requested).

b) The design of the project subsequently changes in a manner that reopens previously considered compatibility issues and could raise questions as to the validity of the earlier finding of compatibility. Proposed changes warranting a new review include, but are not limited to, the following:

1) An increase in the number of dwelling units, intensity of use (more people on the site), or other usage characteristics to levels exceeding the criteria set forth in this plan;

2) An increase in the height of structures or other design features such that the height limits established herein would be exceeded or exceeded by a greater amount than previously approved;

3) Major site design changes (such as incorporation of clustering or modifications to the configuration of open land areas proposed for the site) to the extent that site design was an issue in the initial project review; and/or

4) Any significant change to a proposed project for which a special exception was granted in accordance with Policy 9.7 "Other Special Conditions".

5.4 Airport Master Plans and Development Plans

Changes to an airport's infrastructure may affect compatible land use near the airport. The ALUC's inclusion in the review of airport landside projects is an important step in maintaining compatibility between the airport and surrounding land. (PUC §21676(c))

5.4.1 Project Submittal Information

An airport master plan, airport layout plan, or development plan submitted to the ALUC for review shall contain sufficient information to enable the ALUC to adequately assess the noise, safety, airspace protection, and overflight impacts of airport activity upon surrounding land uses.

A master plan or airport layout plan report should be submitted, if available.

a) At a minimum, information to be submitted shall include an Airport Layout Plan drawing of the proposed project.

b) Any applicable review fees as established by the ALUC shall accompany the application.

5.4.2 ALUC Action Choices for Plans of Existing Airports

When reviewing airport master plans or expansion plans for existing public-use airports, the ALUC has three action choices:

a) Find the airport plan consistent with the ALUCP.

b) Find the airport plan inconsistent with the ALUCP.

c) Modify the ALUCP (after a duly noticed public hearing) to reflect the assumptions and proposals in the airport plan.

5.4.3 ALUC Action Choices for Reviews of New Airports or Heliports

When reviewing proposals for new airports or heliports, the ALUC's choices of action are:

a) Approve the proposal as being consistent with the specific review policies listed in Policy 11.2 "Criteria for Proposed New Airports or Heliports".

b) Approve the proposal and adopt a Compatibility Plan for that facility. State law requires adoption of such a plan if the airport or heliport will be a public-use facility (PUC §21675(a)).

c) Disapprove the proposal on the basis that the noise, safety, airspace protection, and overflight impacts it would have on surrounding land uses are not adequately mitigated.

5.4.4 Response Time

The ALUC must respond to a Local Agency's submittal of an airport master plan or development plan within 60 days from the date of referral (PUC §21676(d)).

a) If the ALUC fails to make a determination within that period, the proposed action shall be deemed consistent with the ALUCP.

b) Regardless of ALUC action or failure to act, the proposed action must comply with other applicable local, state, and federal regulations and laws.

c) The referring agency shall be notified of the ALUC's action in writing.

5.4.5 ALUC Response to Notification of Proposed Overruling

If a Local Agency proposes to overrule an ALUC action regarding an airport master plan, airport layout plan or development plan, it must provide a 45-day notice to both the ALUC and the California Division of Aeronautics and these agencies then have 30 days in which to respond (PUC §21676(c)).

6.0 Review Fees

Policy objective: As allowed by state law, to fund the ALUC staff, direct expenses, and ALUCP updates. ALUC funding will reduce expenditures from the county general fund.(PUC §21671.5(f))

For the purpose of defraying costs for providing the service for which the fee or deposit is collected, the fees and deposits contained in this section shall accompany the respective submittal.

6.1 Filing Fees and Deposits

The ALUC will use a staff work study to determine appropriate fees for the following types of cases and other costs. A fee schedule will be published effective on January 1 of the subsequent year.

6.1.1 Types of Cases

Minor Cases: A fee shall be paid with the submittal. Minor cases involve projects within established airport planning boundaries that require review of one or more of the following: zone changes, zoning ordinance amendments, individual development projects, extensions or re-alignments of existing airport runways, or heliports or helistops regardless of their location.

Major Cases: A deposit, subject to adjustment to defray the actual cost of the review, shall be paid with the submittal. Major cases involve projects within established Airport Influence Area boundaries that require review of one or more of the following:

a) general plans or amendments thereto;

b) community plans or amendments thereto;

c) specific plans or amendments thereto;

d) airport master plans or airport layout plans; or

e) construction plans for new airports or heliports regardless of their location.

6.1.2 Subsequent Costs

For Major Cases, when the actual costs incurred by the ALUC staff exceed 80% of the deposit, the applicant will be charged a supplemental deposit as follows:

a) Each time the ongoing costs of processing the case reaches 80% of the deposit balance, the supplemental deposit will be charged.

b) There is no limit to the number of supplemental deposits that may be required prior to completion or withdrawal of the review case. At the

sole discretion of the applicant, the amount of an initial or supplemental deposit may exceed the minimum amounts specified in the current fee schedule, except that at no time shall such initial or supplemental deposit be less than specified in the fee schedule.

c) The final fee shall be based on actual costs incurred to review and process the case. Costs are computed and deducted monthly from the amount on deposit. The fee shall be considered final upon completion of the review process. If final costs do not exceed the amount on deposit, the unused portion shall be refunded to the applicant.

d) Should the application be withdrawn, costs to date shall be computed and the unused portion of the amount on deposit shall be refunded to the applicant.

e) If the County hires a consultant to assist in the review of material associated with the processing of an aviation case, those costs shall be considered actual costs, which shall be added to the staff costs.

f) Cost data used to determine fees shall be maintained by the Planning Department office and made available for public review while work is in progress and for three years following final action or withdrawal of the application.

g) Except as specified in (c) above, there shall be no refund of any portion of the fees collected pursuant to this section, after said fee has been processed for payment.

6.2 Annual Fee Adjustment

The fee for minor aviation cases shall be reviewed annually by the County Auditor-Controller. Beginning on January 1, 2010, and thereafter on each succeeding January 1st, the amount of the fee shall be adjusted based upon actual costs incurred by ALUC staff the prior year. However, no adjustment shall decrease the fees and no fee shall exceed the reasonable cost of providing services.

7.0 Primary Compatibility Criteria and Airport Influence Area

Policy objective: To define the dimensions and land use restrictions within Compatibility Zones and the Airport Influence Area.

7.1 Overview

The Airport Influence Area (AIA) defines the notion of the "vicinity of the airport." Many statutes and regulations, such as real estate disclosure law, refer to taking action within the vicinity of an airport. It is considered the land around an airport influenced or impacted in some way by the presence of the airport and the associated air traffic.

The Primary Compatibility Criteria matrix, Table 2-3, presents a summary of common compatibility criteria associated with each of the County airports. These criteria are to be used in conjunction with the compatibility map and policies for each airport as presented in Chapter 3 "Individual Airport Policies and Compatibility Maps".

For the purposes of reviewing proposed amendments to community land use plans and zoning ordinances, as well as in the review of most individual development proposals, the criteria in the Primary Compatibility Criteria matrix are anticipated to suffice.

However, certain complex land use actions may require more intensive review. The ALUC may refer to the supporting criteria, as listed in Policy 8.0 "Supporting Compatibility Criteria", to clarify or supplement its review of such actions.

Note: A Local Agency is not precluded from establishing land use policies and guidelines that are more restrictive than those described in this ALUCP.

7.2 Criteria Guidance

The principal source for airport land use compatibility planning is the January 2002 California Airport Land Use Planning Handbook (the *Handbook*) published by the California Department of Transportation, Division of Aeronautics (CalTrans). (PUC §21674.7)

7.3 Airport Influence Area

The ALUC shall establish an Airport Influence Area (AIA) for each airport in the county in consultation with the affected local jurisdiction. The ALUC recommends that the Trinity County Board of Supervisors adopt all of the AIAs.

The AIA encompasses those areas adjacent to an airport that could be impacted by noise levels exceeding the California Sate Noise Standards or where height restrictions are needed to prevent obstructions to navigable airspace, as outlined in FAA regulations. The AIA must include all compatibility zones.

The Airport Influence Area (AIA) for Trinity County airports is delineated by the outer edge of the Federal Aviation Regulations (FAR) Part 77 conical surface unless specified otherwise in Chapter 3 for a particular airport. Land use planning areas within the AIA consist of specific compatibility zones.

See Chapter 3 for individual airport AIA maps.

7.4 Compatibility Zones

There are six types of compatibility zones used at Trinity County airports.

A summary of zone risk characteristics is provided in Table 2-2 "Compatibility Zone Factors" on page 2-35.

Guidelines for land use within each zone is summarized in Table 2-3 "Primary Compatibility Criteria" on page 2-36.

Figure 2-1 "Generalized Compatibility Zone Dimensions" provides the standard dimensions of the Compatibility Zones except for the RPZ (which is defined in Policy 7.4.2.) Figure 2-2 "Generalized Compatibility Zones for a Two-sided Traffic Pattern" and Figure 2-3 "Generalized Compatibility Zones for a One-sided Traffic Pattern" provide graphical representations of the standard zone layouts. The standard dimensions specified in this section are applied to each airport unless overridden for a specific airport in Chapter 3.

7.4.1 Airport Property

Notwithstanding Policy 4.3.2 "Proposed Non-aviation Use of Airport Property", all property within the boundaries of an airport is controlled by the Airport Master Plan and is, therefore, excluded from the provisions of this *Airport Land Use Compatibility Plan.*

7.4.2 Zone A - Runway Protection Zone and Object Free Area

Location: Runway Protection Zone (RPZ) and Object Free Area (OFA)

Relative Risk Level: Very High

Dimensions: Compatibility Zone A includes at least all RPZs and the runway OFA. A typical RPZ for an A-I utility airport with a runway less than 4,000 feet and a visual approach is 250 feet by 450 feet by 1,000 feet long. RPZs extend outward beginning 200 feet from the runway end or landing threshold. For this type of runway, the OFA is 250 feet wide and extends 240 feet beyond the end of the runway.

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The dimensions of these areas as well as the definition of an "A-I utility airport" are defined in the *Airport Design Advisory Circular* (AC 150/5300-13) and FAR Part 77, and are shown on the individual County-approved Airport Layout Plan diagrams contained in Chapter 4.

RPZs are trapezoidal areas at each end of the runway that have a critical need for protection from incompatible land uses. In some cases, multiple RPZs can exist at a runway end; see Policy 7.6, "Runways With Multiple RPZs."

Zone A is intended to provide a clear area that is free of above-ground construction and structures. This zone is closest to the individual runway ends and sides.

Land uses that are prohibited in Zone A include:

- Fuel storage facilities
- Residential structures (homes, condominiums, apartments, and manufactured housing parks)
- Places of public assembly (places of worship, schools, hospitals, office buildings, shopping centers, or other uses with similar concentrations of people)

Where the County does not own or control the entire Zone A, and where it has been determined to be impractical to purchase the property, the Advisory Circular's RPZ land use standards should be consulted to determine the appropriate recommendations for the portion not owned by the County. If residential structures are currently located within Zone A, the airport should attempt to acquire the property. However, if this option is impractical, the County should consider an avigation easement to provide control over the RPZ area.

7.4.3 Zone B1 - Inner Approach/Departure Area

Location: Compatibility Zone B1 lies immediately beyond the runway, and it surrounds the RPZ(s) and the last 1000 feet of runway.

Relative Risk Level: High

Dimensions: Zone B1 is centered on the extended runway centerline. The sides of the zone are parallel lines 500 feet each side of the extended runway centerline. The outer edge is an arc created by swinging a 3000-foot radius emanating from a point on the runway centerline 1,200 feet from the inner edge of the respective RPZ. The Zone B1 inner edges are line segments of radii, emanating from the same point used for the outer arc, between Zone A and the sides of Zone B1, and 30 degrees each side of the centerline.

Zone B1 is a critical airport overlay zone that reflects the approach and departure areas for each runway at an airport. Airplane approach profiles often terminate 1,000 feet down a runway (the "aiming point"); and on takeoff, light aircraft often become airborne and begin turns well before the end of a runway. Therefore, Zone B1 begins near that point.

Zone B1 includes area where aircraft are commonly below 400 feet above the ground level (AGL.)

Land use applications in Zone B1 typically require additional review to maintain compliance with land use guidelines that limit concentrations of people, wildlife attractants, visual obstructions, tall structures, and noise sensitive developments. For example, residential developments should be largely precluded from this area.

7.4.4 Zone B2 - Extended Approach/Departure Area and Turning Areas

Location: The extended approach and departure areas lie beyond Zone B1. Turning areas are adjacent to Zone B1.

Relative Risk Level: Moderate to Low

Dimensions: Zone B2 is comprised of two areas: the *extended approach/ departure area* and the *turning areas*. The extended approach/departure area is centered on the extended runway centerline and is 1,000 feet wide. The sides are parallel lines, the outer edge is a line 3,500 feet from the end of the runway, and the inner edge is the outer arc of Zone B1. The turning area consists of two segments, one on either side of Zone B1. The segments are formed by extending the 30 degree radii from Zone B1 out to 3,000 feet from the center point, and extending the arc from Zone B1 to intersect the 30 degree radii.

The purpose of Zone B2 is to apply a stronger safety restriction to those area of the common traffic pattern that have a higher accident risk. Zone B2 must be free of airspace obstructions.

The turning area encompasses the base leg of the traffic pattern as commonly flown. In the turning area, aircraft are maneuvering—climbing, descending, turning—at low altitude. Both portions of Zone B2 are subject to high levels of aircraft noise on departure.

For airports where the traffic pattern exists on only one side of the runway, the turning areas on the opposite side of the runway are eliminated.

Land uses allowed in Zone B2 should not congregate people, generate visual obstructions, attract wildlife hazards, nor include tall structures. Noise sensitive developments should be discouraged.

7.4.5 Zone C - Runway Sideline

Location: The sideline areas parallel the runway on either side of the runway.

Relative Risk Level: Low to Moderate

Dimensions: Zone C extends laterally from Zone A to 500 feet from the runway centerline, and abuts Zone B1 at either end of the runway.

The purpose of Zone C is to provide an area relatively free of obstructions in close proximity to the runway side environs. This area is essentially a buffer between the runway and the area where a standard airport traffic pattern is located.

Within this area consideration should be given to the potential for aircraft loss of control on the runway or immediately after taking off, especially by twin-engine aircraft.

Land uses allowed in Zone C should not congregate people, generate visual obstructions, attract wildlife hazards, nor include tall structures. Noise sensitive developments should be discouraged as well because this area will experience engine-run-up and general operational noise from the aircraft during takeoff and landing.

7.4.6 Zone D - Primary Traffic Pattern

Location: Compatibility Zone D generally contains the common aircraft flight path.

Relative Risk Level: Low

Dimensions: Zone D includes the area outside Zones B1, B2 and C, and inside the perimeter defined by swinging arcs with radii of 4,500 feet from points 500 feet from each end of the runway on the extended runway centerline. The arcs are connected by lines parallel to, and 4,500 feet on either side of the runway.

Zone D has a substantial number of aircraft over-flights within its boundary during approaches and departures at an airport. The outer boundary of Zone D is defined to include the area where aircraft are commonly operating at traffic pattern altitudes. See Figure 2-1 "Generalized Compatibility Zone Dimensions" and Figure 2-2, "Generalized Compatibility Zones for a Two-sided Traffic Pattern." For runways having an established traffic pattern only on one side, the shape of the zone is modified accordingly. See Figure 2-3, "Generalized Compatibility Zones for a One-sided Traffic Pattern."

Zone D should be clear of all uses that may generate visual distractions, wildlife attractants, or tall structures because aircraft typically operate at lower altitudes and slower air speeds in this area. Land uses that encourage large congregations of people should also be discouraged.

Zone D is not typically impacted by high noise levels. However, an individual may notice the noise of overflight and perceive that a single event is louder than generally considered objectionable. Certain non-residential uses, such as music concerts, may find any overflight objectionable. Little can be done to mitigate noise impacts for the property owner; therefore, residential development or outdoor uses should be considered with care in Zone D.

7.4.7 Zone E - Other Airport Environs

Location: Compatibility Zone E includes area not normally under the flight path of low-altitude aircraft, but which should still have minor restrictions due its proximity to the airport. (See Policy 7.5 "Single-sided Traffic Patterns".)

Relative Risk Level: Low.

Dimensions: Zone E has the same dimensions as Zone D. Typically, a standard Zone D is divided into a partial Zone D and a Zone E due to traffic patterns. See Figure 2-3, "Generalized Compatibility Zones for a One-sided Traffic Pattern."

Zone E has the least number of land use restriction considerations. This zone is intended to preclude the development of any land uses that may generate concerns related to significant height limitations, wildlife attractants, and visual distractions. Concentrations of people and noise-sensitive land uses should also be evaluated to ensure compatibility within the airport's environs.

7.5 Single-sided Traffic Patterns

Based on guidance from the *Handbook*, the ALUC has determined that it is unnecessary to provide a full-size Zone D at a single-runway airport on the side opposite to the traffic pattern. Consequently, this ALUCP defines a Zone E to be used at such airports.

Zone E replaces a portion of Zone D generally with an area the same shape as the replaced portion. The dividing line between Zone D and Zone E is the extension of the edge of Zone B2 extended approach area on the side away from the traffic pattern. This Zone B2 edge extension continues outward until it intersects Zone D.

This definition of the dividing line between Zones D and E applies even if Zone B2 is non-standard unless this policy is overridden at a particular airport.

7.6 Runways With Multiple RPZs

Sometimes multiple Runway Protection Zones are defined at the end of a runway. This typically occurs when there is a displaced threshold, but can also occur if a runway has a planned extension.

When there is a displaced threshold:

- one RPZ is defined relative to the threshold to protect arriving aircraft, and
- a second RPZ is defined relative to the end of the runway to protect aircraft departing in the opposite direction.

The RPZs normally begin 200 feet from the end of a runway or from a threshold. Therefore, when there are two RPZs off one end of a runway, the outer RPZ will be displaced from the inner RPZ by exactly the same amount as the threshold is displaced from the runway end.

If additional RPZs are defined due to runway extensions shown in the ALP, they will be defined similarly from the planned end of the extension.

With multiple RPZs, Zone A is defined to include all RPZs, and the outer corners of the innermost RPZ will be connected to the outer corners of the outermost RPZ by straight lines. The small additional area thus defined will be included in Zone A.

7.7 Residential Development

The following criteria shall be applied to evaluation of the compatibility of proposed residential development.

a) Any subdivision of land for residential uses within Compatibility Zones A, B1, B2, C, and D shall not result in a density greater than that indicated in Table 2-3 "Primary Compatibility Criteria".

   1) Secondary units, as defined by state law, shall be included in density calculations.

   2) Clustering of development shall be limited in accordance with Policy 8.4.7 "Limitations on Clustering".

Within Compatibility Zone D, local land use jurisdictions have two options. The basic option is to limit densities to no more than 4 dwelling units per acre.

Additionally, a high-density option is provided. This option requires that densities be a minimum of 8 dwelling units per acre (*i.e.,* an average parcel size less than 0.125 gross acres). See Table 2-2 "Compatibility Zone Factors" for an explanation of the rationale behind these options.

a) Other development conditions as also listed in Table 2-3 apply to sites within certain compatibility zones.

b) Mixed use development in which residential uses are proposed to be located in conjunction with nonresidential uses in the same or adjoining buildings on the same site shall be treated as nonresidential development. The occupancy of the residential portion shall be added

to that of the nonresidential portion and evaluated with respect to the nonresidential usage intensity criteria below.

This mixed-use development policy is intended for dense, urban-type developments where the resultant ambient noise levels are relatively high (*e.g.,* in Weaverville.) The policy is not intended to apply to projects in which the residential component is isolated from the nonresidential uses of the site.

Noise attenuation and other requirements that may be specifically relevant to residential uses shall still apply.

7.8 Nonresidential Development

The compatibility of nonresidential development shall be assessed primarily with respect to its usage intensity (the number of people per acre) and the noise-sensitivity of the use. Additional criteria listed in Table 2-3 "Primary Compatibility Criteria" shall also apply.

a) The total number of people permitted on a project site at any time, except for rare special events, must not exceed the indicated usage intensity times the gross acreage of the site.

   1) Usage intensity calculations shall include all people (*e.g.,* employees, customers, visitors, *etc.*) who may be on the property at any single point in time, whether indoors or outside.

   2) Rare special events are ones (such as an air show at an airport) for which a facility is not designed and normally not used and for which extra safety precautions can be taken as appropriate.

b) No single acre of a project site shall exceed the number of people per acre indicated in Policy 8.4.7(b) "Limitations on Clustering" and listed in Table 2-3 "Primary Compatibility Criteria" unless special risk reduction building design measures are taken as described in Policy 8.4.11 "Risk Reduction Through Building Design".

c) The noise exposure limitations cited in Policy 8.2 "Noise Compatibility" and listed in Table 2-4 "Noise Compatibility Criteria"shall be the basis for assessing the acceptability of proposed nonresidential land uses relative to noise impacts. The ability of buildings to satisfy the interior noise level criteria noted in Policy 8.2.5 "Interior Noise Levels" shall also be considered.

7.9 Prohibited Uses

Regardless of usage intensity, certain types of uses are deemed unacceptable within portions of an Airport Influence Area. See Policy 8.4.10 "Land Uses of Special Concern" and Table 2-3 "Primary Compatibility Criteria".

In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones if they do not meet the usage intensity criteria.

7.10 Other Development Conditions

All types of proposed development shall be required to meet the additional conditions listed in Table 2-3 "Primary Compatibility Criteria" for the respective compatibility zone where the development is to be located. Among these conditions are the following:

a) Avigation Easement Dedication: See Policy 8.5.3.

b) Deed Notice: See Policy 8.6.3.

c) Real Estate Disclosure: See Policy 8.6.2.

d) Noise Level Reduction: See Policy 8.2.5.

e) Airspace Review: See Policy 8.5.2.

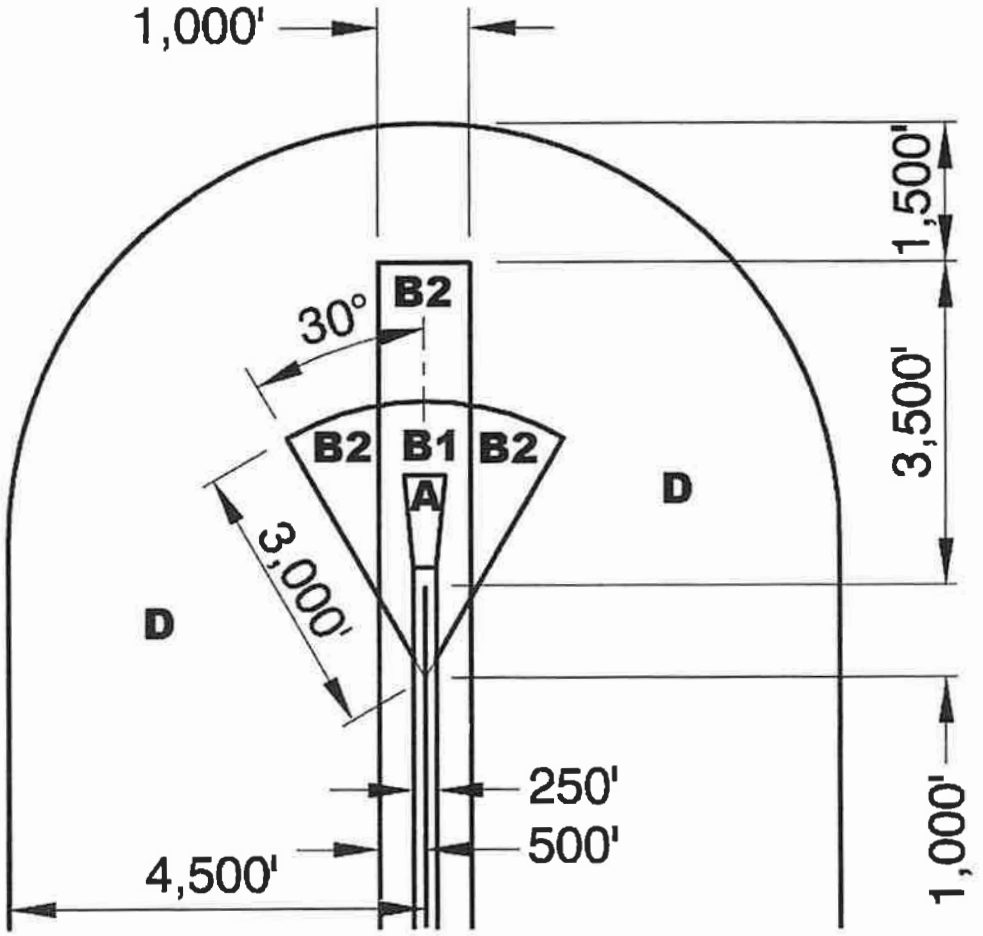


Figure 2-1 General Compatibility Zone Dimensions

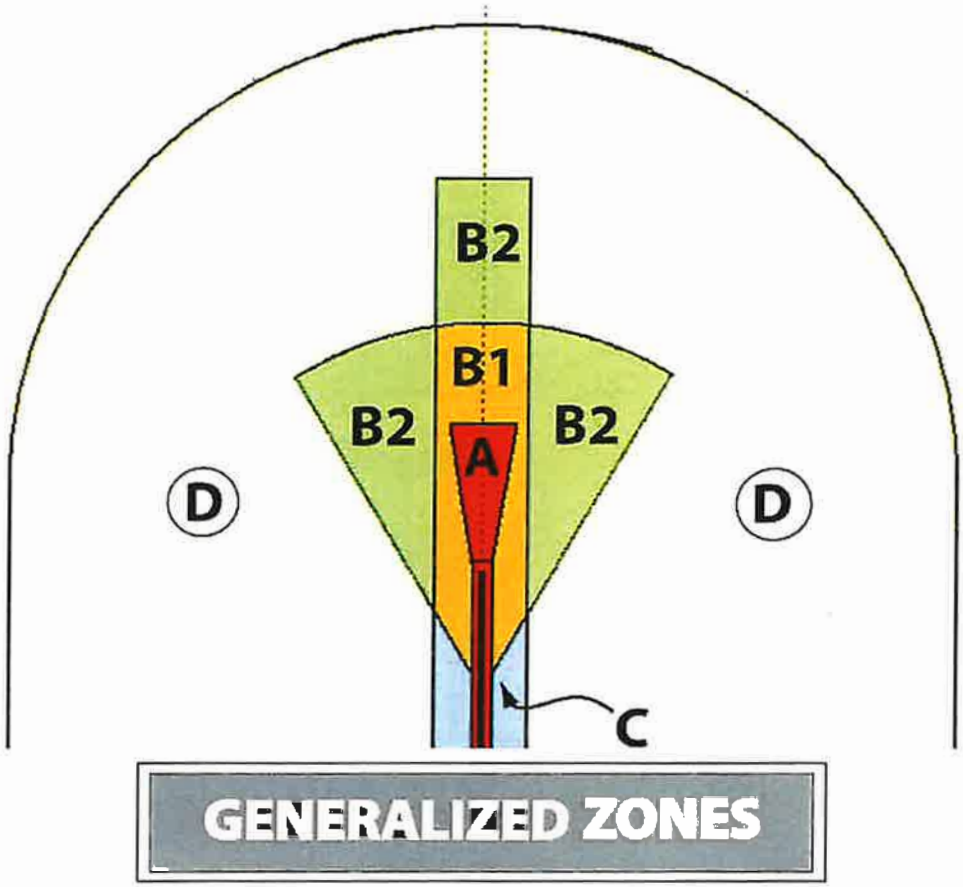




Figure 2-2 Generalized Compatibility Zones for a Two-sided Traffic Pattern

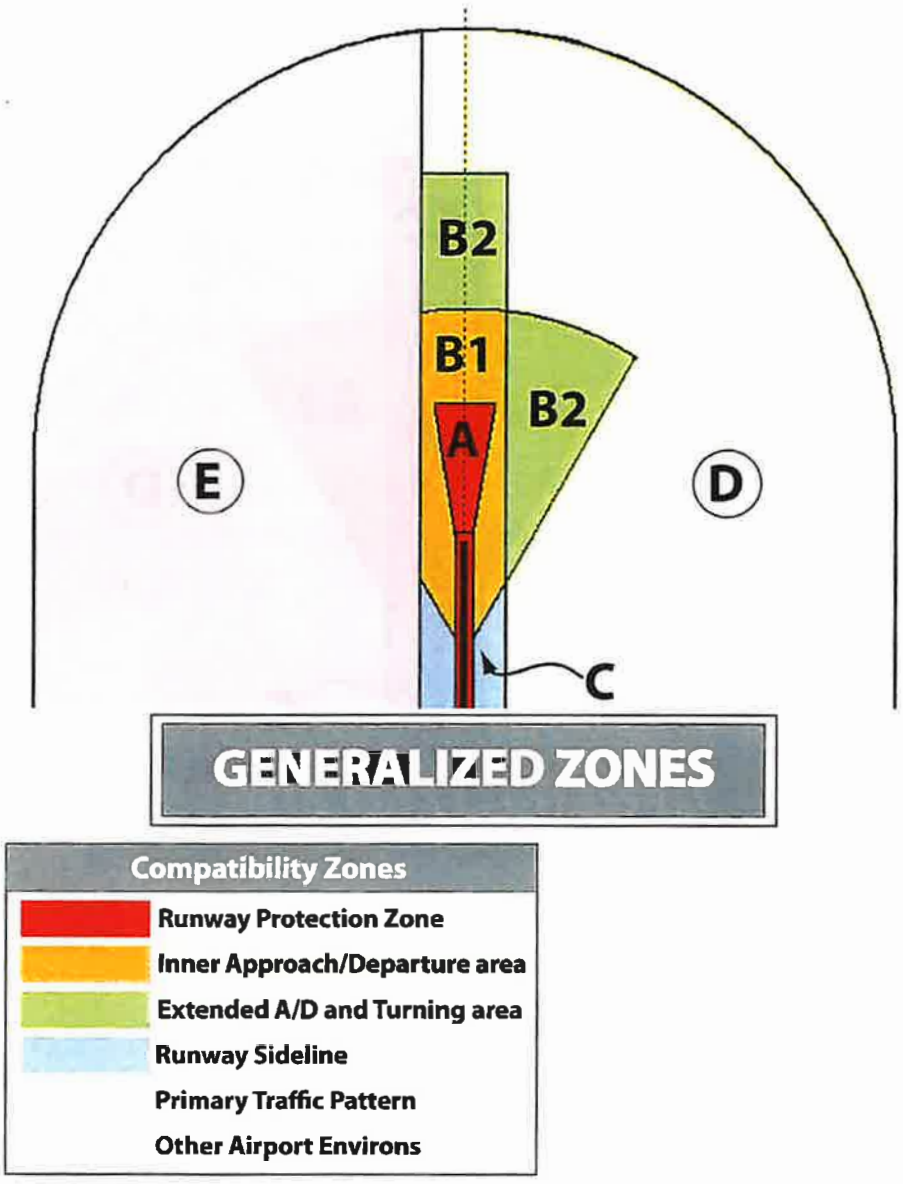


Figure 2-3 Generalized Compatibility Zones for a One-sided Traffic Pattern

Zone	Noise and Overflight Factors		Safety and Airspace Protection Factors	
	Noise Impact	Overflight Factors	Relative Risk Level (% of accidents)	Nature of Accident Risk[1]
A *Runway Protection Zone and Object Free Area*	Very High	• Contains the 65-CNEL contour. • Exposed to loud overflight of departing aircraft.	Very High - 39%	• Landing undershoots and overshoots; overruns on aborted takeoffs; loss of control on takeoff.
B1 *Inner Approach/ Departure Area*	High	• Generally contains the 60-CNEL contour. • Single-event aircraft noise sufficient to disrupt wide range of land use activities including indoors if windows open.	High - 22%	• Aircraft at low altitude with limited directional options in emergencies, typically below 200-400 feet on approach, engine at maximum stress on takeoff with essentially no chance of turning back to the airport.
B2 *Extended Approach/ Departure Area and Turning Area*	Moderate	• Aircraft typically below 1,000 feet above ground on arrival and departure. • Individual events occasionally loud enough to intrude upon indoor activities; may disrupt noise-sensitive outdoor activities such as music concerts.	Moderate - 6%	• Includes areas where aircraft turn from base to final approach legs of standard pattern and descend toward runway. • On departure, normally complete transition from takeoff power and flap settings to climb configuration and begin turns
C *Runway Sideline*	Moderate to High	• Generally contains the 60-CNEL contour. • Exposed to loud single-event from takeoffs and jet thrust-reverse on landing; also from pre-flight run-ups and extended idling on the ramp.	Low to Moderate - 5%	• Area not normally overflown by aircraft; primary risk is with aircraft (especially twins) losing directional control on takeoff.
D *Primary Traffic Pattern*	Moderate	• Aircraft at or above traffic pattern altitude. • More concern with respect to individual loud events than with cumulative noise contours. • Outdoor events, such as music concerts, may be affected by single events or repetitive overflight. • Residential density criteria for this zone provide two options on the basis that noise concerns can be minimized either by limiting number of dwelling units in affected areas or by allowing high-density development that tends to have comparatively high ambient noise levels.	Low - 18%	• Aircraft at traffic pattern altitude • Risk concern is primarily with uses for which potential consequence are severe (e.g., very busy day, high intensity of activity in a confined area) • Significant percentage of accidents, but spread over a wide area.
E *Other Airport Environs*	Low	• Occasional overflights intrusive to some outdoor activities	Low	• Risk concerns only with uses for which potential consequences are severe.

Table 2-2 Compatibility Zone Factors

1.Accident rates are based on the CalTrans *Handbook*

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Zone	Location	Maximum Densities / Intensities				Req'd Open Land[3]	Additional Comments	
		Residential (du/ac)[1]	Other Uses (People/ac)[2]				Prohibited Uses[4]	Other Development Conditions[5]
			Avg[6]	Single Acre[7]	with Bonus[8]			
A	Runway Protection Zone, and Object Free Area	0	10	10	10	All remaining land	• All structures except ones with location set by aeronautical function • Assemblages of people • Objects exceeding FAR Part 77 height limits • Storage of hazardous materials • Hazards to flight[9]	• Avigation easement dedication
B1	Inner Approach / Departure area	.1 (10-acre parcel)	40	80	60	30%	• Children's schools, day care centers, libraries • Hospitals, nursing homes • Noise-sensitive outdoor nonresidential use[16] • Critical community infrastructure facilities[13] • Above ground bulk storage of hazardous materials[10] • Hazards to flight[9] • Bldgs with >2 above-ground habitable floors	• Aviation easement dedication • Locate structures maximum distance form extended runway centerline • Maximum of 45db CNEL in residential and office buildings[11] • Airspace review required for objects >35 feet tall[12]
B2	Extended Approach / Departure area, and Turning areas	.4 (2.5 acre parcel)	60	120	120	20%	• Children's schools, day care centers, libraries • Hospitals, nursing homes • Highly noise-sensitive uses • Hazards to flight[9] • Bldgs with >2 above-ground habitable floors	• Aviation easement dedication • Locate structures maximum distance from extended runway centerline • Maximum of 45db CNEL in residential and office buildings[11] • Airspace review required for objects >70 feet tall[12]
C	Runway Sideline	.2 (5-acre parcel)	80	160	160	30%	Same as B1	Same as B1
D	Primary Traffic Pattern	Single Family: 4 du/ac Multi-[18] Family: ≥8 du/ac	150	450	300	10%	• Noise-sensitive outdoor nonresidential use[16] • Hazards to flight[9]	• Deed notice required • Airspace review required for objects >70 feet tall[14] • Children's schools, hospitals, nursing home discouraged[15]
E	Other Airport Environs	No limit		No limit[17]		No Req't	• Hazards to flight[9]	• Airspace review required for objects >150 feet tall[14] • Major spectator-oriented sports stadiums, amphitheaters, concert halls discouraged beneath principal flight tracks[17]

Table 2-3 Primary Compatibility Criteria

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Primary Criteria Footnotes:

1 Residential development should not contain more than the indicated number of dwelling units (both primary and secondary) per gross acre. Clustering of units is encouraged. See Policy 8.4.7 "Limitations on Clustering".

2 Usage calculations shall include all people who may be on the property (e.g., employees, customers/ visitors, etc.) both indoors and outside. These criteria are intended as general planning guidelines to aid in determining the acceptability of proposed land uses.

3 Open land requirements are intended to be applied with respect to an entire zone. This is typically accomplished as part of a community general plan or a specific plan, but may also apply to large (10 acres or more) development projects. See supporting compatibility policies on safety for a definition of open land. Policy 8.4.6 "Open Space Requirement"

4 The uses listed here are ones that are explicitly prohibited regardless of whether they meet the intensity criteria. In addition to these explicitly prohibited uses, other uses will normally not be permitted in the respective compatibility zones because they do not meet the usage intensity criteria.

5 Airport proximity and the existence of aircraft overflights should be disclosed as part of all real estate transactions involving property within an Airport Influence Area. Easement dedication and deed notice requirements apply only to new development.

6 The total number of people permitted on a project site at any time, except rare special events, must not exceed the indicated usage intensity times the gross acreage of the site. Rare special events are ones (such as an air show at the airport) for which a facility is not designed and normally not used, and for which extra safety precautions can be taken as appropriate.

7 Clustering of nonresidential development is permitted. However, no single acre of a project site shall exceed the indicated number of people per acre. See Policy 8.4.7 "Limitations on Clustering"

8 An intensity bonus may be allowed if the building design includes features intended to reduce risks to occupants in the event of an aircraft collision with the building. See policy 8.4.11 "Risk Reduction Through Building Design".

9 Hazards to flight include physical, visual, and electric forms of interference with the safety of aircraft operations. Land use development that may cause the attraction of birds to increase is prohibited. See policies in Policy 8.5 "Airspace Protection Compatibility" and 8.7 "Wildlife Compatibility".

10 Storage of aviation fuel and other aviation-related flammable materials on the airport is exempted from this criterion. Storage of up to 6,000 gallons of nonaviation flammable materials is also exempted. See Policy8.4.10 "Land Uses of Special Concern".

11 See the supporting compatibility policy on interior noise, Policy 8.2.5 "Interior Noise Levels"

12 Objects up to the specified height are permitted. However the FAA may require marking and lighting of certain objects. See Policy 8.5.2 "ALUC Review of Height of Proposed Objects".

13 Critical community facilities including power plants, electrical substations, and public communications facilities. See Policy 8.4.10(d).

14 This height criteria is for general guidance. Shorter objects normally will not be airspace obstructions unless situated at a ground elevation well above that of the airport. Taller objects may be acceptable if determined not to be obstructions. See policies in 8.3 "Height Compatibility".

15 Discouraged uses should generally not be permitted unless no feasible alternative is available.

16 Examples of highly noise-sensitive outdoor nonresidential uses that should be prohibited include amphitheaters and drive-in theaters. Caution should be exercised with respect to uses such as poultry farms and nature preserves.

17 Although no explicit upper limit on usage intensity is defined for Zone E, land uses of the types listed--uses that attract very high concentrations of people in confined areas-are discouraged in locations below or near the principal arrival and departure flight tracks. This limitation notwithstanding, no use shall be prohibited in Zone E if its usage intensity is such that it would be permitted in Zone D.

18 Two options are provided for residential densities in Zone D. Option 1 has a density limit of 4 dwelling units per acre (*i.e.*, an average parcel size of 1/4 gross acre). Option 2 requires that the density be a *minimum* of 8 dwelling units per acre (*i.e.*, multifamily). The choice between these two options is at the discretion of the local land use jurisdiction. See Table 2-2 for an explanation of the rationale. All other criteria for Zone D apply to both options.

Table 2-3 "Primary Compatibility Criteria" (continued)

8.0 Supporting Compatibility Criteria

8.1 Special Provisions for Compatibility Zone A

Policy objective: To meet FAA guidance that the Runway Protection Zone be free of objects not directly associated with the air navigation or aircraft ground maneuvering purposes (FAA AC 150/5300-13 Paragraphs 212 and 307).

In accordance with FAA guidance, the basic compatibility criteria for Compatibility Zone A (the Runway Protection Zones and within the runway Obstacle Free Area), as listed in Table 2-3, preclude most uses, including any new structures and uses having an assemblage of people.

In instances where the affected property is privately owned and the County does not intend to acquire property interests, the following uses shall be considered acceptable:

a) Within the runway object free area (OFA): No uses except FAA-approved uses related to aeronautical functions.

b) Within the extended runway object free area:

- Roads
- Farm crops that do not attract birds

c) Outside the runway object free area and extended runway object free area.

- Uses listed in Paragraph (b)
- Surface automobile parking
- Other uses not in structures and not exceeding a usage intensity of 10 people per any single acre

The acceptability of uses not listed shall be consistent with FAA guidance and the ALUC determination shall be made in consultation with the FAA and the County.

8.2 Noise Compatibility

Policy objective: To avoid establishment of noise-sensitive land uses in the portions of airport environs that are exposed to significant levels of aircraft noise.

8.2.1 Determining Specific Land Use Consistency

In addition to the other guidelines and policies herein, the Noise Compatibility Guidelines presented in Table 2-4 "Noise Compatibility Criteria"shall be used to determine if a specific land use is consistent with this ALUCP.

Land Use Category (by noise sensitivity)	CNEL (dB) <60	60-65	>65
Residential / Lodging /Care			
Single-family, Nursing, Mobile homes	+	–	– –
Retirement homes, Multi-family, Intermediate care facilities, hospitals	+	o (45db)	– –
Hotels, motels, other transient lodging	+	o (45 db)	o (45db)
Public			
Schools, libraries	o	–	– –
Churches, auditoriums, concert halls	– (45db)	o (45db)	– –
Transportation, parking, cemeteries	++	++	o
Commercial and Industrial			
Offices, retail trade	+	o	–
Service commercial, wholesale trade, warehousing, light industrial	++	+	o
General manufacturing, utilities, extractive industry	++	++	+
Agricultural and Recreational			
Cropland	++	++	++
Livestock breeding	++	o	o
Parks, playgrounds, zoos	+	+	o
Golf courses, riding stables, water recreation	++	+	o
Outdoor spectator sports	+	+	o
Amphitheaters	o	–	– –

	Land Use Acceptability	Interpretations/Comments
++	Clearly Acceptable	The activities associated with the specified land use can be carried out with essentially no interference from the noise exposure.
+	Normally Acceptable	Noise is a factor to be considered. Conventional construction methods will eliminate most noise intrusions upon indoor activities.
o	Marginally Acceptable	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 that provide sufficient noise attenuation are used. Required decibel levels may be indicated. Under other circumstances, the land use should be discouraged.
—	Normally Unacceptable	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 that have conventionally constructed structures and/or involve outdoor activities that would be disrupted by noise should generally avoided.
– –	Clearly Unacceptable	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.

Table 2-4 Noise Compatibility Criteria

8.2.2 Evaluating Noise Impact

Unless otherwise indicated in the airport-specific policies listed in Chapter 3, the maximum Community Noise Equivalent Level (CNEL) considered normally acceptable for new residential land uses in the vicinity of the airports covered by this ALUCP is 60 dB for all airports.

8.2.2.1 Residential Construction within the 65db CNEL contour

No residential construction shall be permitted within the 65 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound levels will be less than 45 dB CNEL and there are no outdoor patios or outdoor activity areas associated with the residential project. All property owners within the 65 dB CNEL contour boundary who rent or lease their property for residential use shall include in their rental/lease agreement with the tenant, a statement advising that they (the tenants) are living within a high noise area and the exterior noise level is predicted to be greater than 65 dB CNEL.

8.2.2.2 Residential Construction within the 60db CNEL contour

Residential construction will not be permitted within the 60 dB CNEL contour boundary unless it can be demonstrated that the resulting interior sound level will be no greater than 45 dB CNEL.

8.2.2.3 Non-Residential Construction within the Noise Contours

Noise level compatibility standards for other types of land uses shall be applied in the same manner as the above residential noise level criteria. Table 2-4 "Noise Compatibility Criteria" presents acceptable noise levels for other land uses in the vicinity of the airport.

8.2.3 Noise Contours

The CNEL method of representing noise levels shall be used to determine if a specific land use is consistent with the ALUCP.

The evaluation of airport/land use noise compatibility shall consider both the current and future CNEL contours of each airport as depicted in Chapter 4, "Airport Data" of this ALUCP.

8.2.4 Application of Noise Contours

The locations of CNEL contours are among the factors used to define compatibility zone boundaries and criteria. Because of the inherent variability of flight paths and other factors that influence noise emissions, the depicted contour boundaries are not absolute determinants of the compatibility or incompatibility of a given land use on a specific site or a portion thereof.

Noise contours can only quantify noise impacts in a general manner. Except on large parcels or blocks of land (sites large enough to have 3 dB or more of variation in CNELs), they should *not* be used as site design criteria. (Note, though, that the airport noise contours set forth in this ALUCP are to be used as the basis for determining compliance with interior noise level criteria as listed in Policy 8.2.2.)

8.2.5 Interior Noise Levels

Land uses for which interior activities may be easily disrupted by noise shall be required to comply with the following interior noise level criteria.

a) The maximum, aircraft-related, interior noise level that shall be considered acceptable for land uses near airports is 45 dB CNEL in:

- Any habitable room of single- or multi-family residences
- Hotels and motels
- Hospitals and nursing homes
- Churches, meeting halls, theaters, and mortuaries;
- Office buildings
- Schools, libraries, and museums

b) The noise contours depicted in Chapter 4 of this ALUCP for each airport shall be used in calculating compliance with these criteria. The calculations should assume that windows are closed.

c) When reviewed as part of a general plan or zoning ordinance amendment, or as a major land use action, evidence that proposed structures will be designed to comply with the above criteria shall be submitted to the ALUC under the following circumstances:

1) Any mobile home situated within an airport's 60 dB CNEL contour.

2) Any single- or multi-family residence situated within an airport's 60-dB CNEL contour.

3) Any hotel or motel, hospital, nursing home, church, meeting hall, office building, mortuary, school, library, or museum situated within an airport's 65 dB CNEL contour.

8.3 Height Compatibility

Policy objective: The objective of height compatibility criteria is to avoid development of land uses, which, by posing hazards to flight, can increase the risk of an accident occurring.

8.3.1 FAR Part 77 Penetration

Any structure or object that penetrates the Federal Aviation Regulations Part 77, Objects Affecting Navigable Airspace, (FAR Part 77) surfaces shall be considered an incompatible land use.

8.3.2 FAA Notification of Construction

Any project that may exceed a FAR Part 77 surface must notify the Federal Aviation Administration (FAA) as required by FAR Part 77, Subpart B on FAA Form 7460-1, Notice of Proposed Construction or Alteration. (Notification to the FAA under FAR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the FARs.)

A copy of the FAA Form 7460-1 package submitted to the FAA and any FAA response shall be included in the project submission to the ALUC.

8.3.3 Construction Taller than 200 Feet

The applicant for any proposed project anywhere in the County (*i.e.*, not just within any AIA) for construction or alteration of a structure (including antennas) higher than 200 feet above ground level shall:

a) Submit to the FAA a completed copy of FAA Form 7460-1, Notice of Proposed Construction or Alteration. A copy of the submitted form shall be submitted to the Trinity County ALUC as well as a copy of the FAA's response to this form.

b) Comply with FAR 77.13(a)(1) and shall be determined inconsistent if deemed to be a hazard by the FAA or if the ALUC determines that the project has any impact on normal aircraft operations or would increase the risk to aircraft operations.

8.4 Safety Compatibility

Policy objective: The objective of safety compatibility criteria is to minimize the risks associated with potential aircraft accidents. These considerations include the safety of people on the ground and the safety of aircraft occupants.

8.4.1 Overview

Land uses of particular concern are those in which the occupants have reduced effective mobility or are unable to respond to emergency situations. In particular,

a) Risks both to people and property in the vicinity of an airport and to people on board the aircraft shall be considered.

b) The most stringent land use controls shall be applied to the areas with the greatest potential risks.

c) The principal means of reducing risks to people on the ground is to restrict land uses so as to limit the number of people who might gather in areas most susceptible to aircraft accidents. The usage intensity criteria cited in Table 2-3 reflect the risks associated with various locations in the environs of the airports in the county. The challenge in

applying the "people per acre" criteria in Table 2-3 is that Building and Planning Departments typically do not use that metric. For guidance on converting the more common methods of determining intensity to people per acre, see Appendix C of the *Handbook*.

8.4.2 Safety Compatibility Guidance

The policies in this chapter and the Safety Zone Compatibility Guidelines presented in Table 2-4 shall be used to determine if a specific land use is consistent with the ALUCP. Safety impacts shall be evaluated according to the Airport Safety Zones presented in Chapter 3 "Individual Airport Policies and Compatibility Maps".

8.4.3 Schools, Hospital, Nursing Homes, and Similar Uses

Schools, hospitals, nursing homes, and other uses in which the majority of occupants are children, elderly, and/or disabled shall be prohibited within Compatibility Zones A, B1, B2, and C as shown in Table 2-3.

These uses should also be discouraged in Compatibility Zone D.

8.4.4 High Concentrations of People

Amphitheaters, sports stadiums and other very high concentrations of people shall be prohibited within Compatibility Zone A, B1, B2, and C as defined in Table 2-3. Consideration should be given to outdoor noise-sensitive uses in Zone D.

8.4.5 Fuel and Other Hazardous Material Storage

Storage of fuel or other hazardous materials shall be prohibited in Compatibility Zone A.

Above ground storage of fuel or other hazardous materials shall be prohibited in Compatibility Zone B1.

Beyond these zones, storage of fuel or other hazardous materials not associated with aircraft use should be discouraged.

8.4.6 Open Space Requirement

In the event that a light aircraft is forced to land away from an airport, the risks to the people on board can best be minimized by providing as much open land area as possible within the airport vicinity. This concept is based upon the fact that the majority of light aircraft accidents and incidents occurring away from an airport runway are controlled emergency landings in which the pilot has reasonable opportunity to select the landing site.

The requirements for open space specified in Table 2-3 is as follows:

a) To qualify as open space, an area should be:

1) Free of most structures and other major obstacles such as walls, large trees or poles (greater than 4 inches in diameter, measured 4 feet above the ground), and overhead wires, and

2) Have minimum dimensions of approximately 75 feet by 300 feet.

b) Roads and automobile parking lots are acceptable as open land areas if they meet the above criteria.

c) Open land requirements for each compatibility zone are to be applied with respect to the entire zone. Individual parcels may be too small to accommodate the minimum-size open area requirement. Consequently, the identification of open land areas shall initially be accomplished at the general plan or specific plan level or as part of large (10 acres or more) development projects.

d) Clustering of development (subject to the limitations in Policy 8.4.7) and providing contiguous landscaped and parking areas are encouraged as means of increasing the size of open space areas.

e) Building envelopes and the airport compatibility zones should be indicated on all development plans and tentative maps for projects located within the Airport Influence Areas covered by this ALUCP. Portraying this information is intended to assure that individual development projects provide the open space areas identified in the applicable general plan, specific plan, or other large-scale plan.

In addition, a clear path must exist that allows aircraft to reach the open space. Structures or trees that would create a problem for an aircraft attempting a controlled emergency landing in a compatibility zone open area are not permitted.

8.4.7 Limitations on Clustering

Policy 8.4.6(d) notwithstanding, limitations shall be set on the maximum degree of clustering or usage intensity acceptable within a portion of a large project site. Clustering criteria are intended to limit the number of people at risk in a concentrated area.

a) Clustering of new residential development shall be limited as follows:

1) Within Compatibility Zone A, clustering is not applicable.

2) Within Compatibility Zones B1, B2, C, and D, buildings shall be located as far as practical from the extended runway centerline and normal aircraft flight paths.

b) Unless special design measures as listed in Policy 8.4.11 are utilized, usage intensity of new nonresidential development shall be limited as follows:

1) Within Compatibility Zone A, clustering is not applicable.

2) Within Compatibility Zone B1, uses shall be limited to a maximum of 80 people per any individual acre (*i.e.,* a maximum of double the average intensity criterion set in Table 2-3). Theaters, restaurants, most shopping centers, motels, intensive manufacturing or office uses, and other similar uses typically do not comply with this criterion.

3) Within Compatibility Zone B2, uses shall be limited to a maximum of 120 people per any individual acre (*i.e.,* a maximum of double the average intensity criterion set in Table 2-3). Theaters, major shopping centers (500,000 or more square feet), large motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.

4) Within Compatibility Zone C, uses shall be limited to a maximum of 160 people per any individual acre (*i.e.,* a maximum of double the average intensity criterion set in Table 2-3). Theaters, fast-food establishments, high-intensity retail stores or shopping centers, motels and hotels with conference facilities, and similar uses typically do not comply with this criterion.

5) Within Compatibility Zone D, uses shall be limited to a maximum of 300 people per any individual acre (*i.e.,* a maximum of triple the average intensity criterion set in Table 2-3.)

c) For the purposes of the above policies, the one-acre areas to be evaluated shall be rectangular (reasonably close to square, not elongated or irregular) in shape.

d) In no case shall a proposed development be designed to accommodate more than the total number of dwelling units per acre (for residential uses) or people per acre (for nonresidential uses) indicated in Table 2-3 times the gross acreage of the project site. A project site may include multiple parcels.

8.4.8 Restrictions in all Compatibility Zones

The following uses shall be prohibited in all Airport Safety Zones:

a) Any use that would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.

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b) Any use that would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

c) Any use that would generate smoke or water vapor, or which would attract large concentrations of birds, or which may otherwise negatively affect safe air navigation within the area.

d) Any use that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation, or airborne or ground-based communication or navigation equipment.

8.4.9 Safety Policy Variance

In exceptional cases, a variance can be granted, at the discretion of the ALUC, on the basis of mitigation measures proposed by the applicant that would result in the final project improving the overall safety in the safety zones in comparison to the situation existing prior to the project.

An example of such a possible mitigation is the removal of existing incompatible structures in exchange for constructing less incompatible structures. The following conditions must be met for this variance to be granted:

a) There must be a clear, demonstrable net improvement in safety.

b) The mitigation must provide a permanent improvement in safety. For instance, in the example above, the removed structures could not be replaced by other structures at a later date.

8.4.10 Land Uses of Special Concern

Certain types of land uses represent special safety concerns irrespective of the number of people associated with those uses.

Land uses of particular concern include:

a) Uses Having Vulnerable Occupants: Uses in which the occupants have reduced effective mobility or are unable to respond to emergency situations shall be prohibited within all Compatibility Zones except Zone D and E.

These uses include children's schools and day care centers (with 7 or more children), hospitals, nursing homes, and other uses in which the majority of occupants are children, elderly, and/or handicapped.

This general policy may be superseded by airport specific policies (see Chapter 3).

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Hospitals are medical facilities that include provision for overnight stays by patients. Medical clinics (as opposed to hospitals) are permitted in Compatibility Zone D and E provided that these facilities meet the maximum intensity standards listed in Table 2-3 "Primary Compatibility Criteria".

b) Multi-story Buildings: In the event of an emergency resulting from an aircraft accident, low-rise buildings can be more readily evacuated than those with more floors.

On this basis, the following limitations are established:

Within Compatibility Zone A, new occupied structures are not permitted.

Within Compatibility Zones B1, B2, and C, new buildings shall be limited to no more than two occupied floors above ground.

c) Hazardous Materials Storage: Construction of facilities for the manufacture or storage of fuel, explosives, and other hazardous materials within the airport environs is restricted as follows:

1) Within Compatibility Zone A and B1, manufacture or storage of any such substance is prohibited.

2) Within Compatibility Zones B2 and C, only the following are permitted:

i) Fuel or hazardous substances stored in underground tanks.

ii) On-airport storage of aviation fuel and other aviation-related flammable materials.

iii) Above ground storage of less than 6,000 gallons of non-aviation flammable materials (this limit coincides with a break-point used in the Uniform Fire Code to distinguish between different classes of tanks).

3) Within Compatibility Zones D and E, manufacture or storage of hazardous materials other than the types listed in (2) above is prohibited unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.

d) Critical Community Infrastructure: Construction of power plants, electrical substations, water purification or treatment plants, public communications facilities, and other critical community infrastructure shall be restricted as follows:

1) Within Compatibility Zone A, all such uses are prohibited.

2) Within Compatibility Zone B1, such uses are prohibited unless no other feasible alternative site exists and the facility is designed in a manner that minimizes its susceptibility to damage from an aircraft accident.

8.4.11 Risk Reduction Through Building Design

The number of people permitted to occupy a single nonresidential building may be increased to the Bonus intensities specified in Table 2-3 "Primary Compatibility Criteria" if special measures are taken to reduce the risks to building occupants in the event that the building is struck by an aircraft.

This "intensity bonus" is not applicable within Compatibility Zone A (no buildings are permitted) or Zone E (densities and intensities are not limited.)

Building design features that would enable application of an intensity bonus include, but are not limited to, the following:

- Using concrete walls
- Limiting the number and size of windows
- Upgrading the strength of the building roof
- Avoiding skylights
- Enhancing the fire sprinkler system
- Limiting buildings to a single story
- Increasing the number of emergency exits

Project proponents who wish to request an intensity bonus must include appropriate details of the building design along with their project review application. Intensity bonuses shall be considered and approved by the ALUC on a case-by-case basis.

8.5 Airspace Protection Compatibility

Policy objective: In conjunction with regulations established by local land use jurisdictions and the state government, to ensure that hazardous obstructions to the navigable airspace do not occur.

8.5.1 Overview

Tall structures, trees, and other objects, particularly when located near airports or on high terrain, may constitute hazards to aircraft in flight. Federal regulations establish the criteria for evaluating potential obstructions. These regulations also require that the Federal Aviation Administration be notified of proposals for creation of certain such objects.

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The FAA conducts "aeronautical studies" of these objects and determines whether they would be hazards, but it does not have the authority to prevent their creation.

The criteria for limiting the height of structures, trees, and other objects in the vicinity of an airport shall be based upon:

- Part 77, Subpart C, of the Federal Aviation Regulations (FAR 77);
- The United States Standard for Terminal Instrument Procedures (FAA Order 8260.3B - TERPS); and
- Applicable airport design standards published by the Federal Aviation Administration (*e.g.*, Advisory Circular 150/5300-13 "Airport Design").

Airspace plans depicting the critical areas for airspace protection around each of the airports covered by this ALUCP are depicted in Chapter 4.

8.5.2 ALUC Review of Height of Proposed Objects

Based upon FAA criteria, proposed objects that would exceed the heights indicated below for the respective compatibility zones potentially represent airspace obstructions issues.

Development proposals that include any such objects shall be reviewed by the ALUC. Objects of lesser height normally would not have a potential for being airspace obstructions and therefore do not require ALUC review with respect to airspace protection criteria (noise, safety, and overflight concerns may still be present). Caution should be exercised, however, with regard to any object more than 35 feet high proposed to be located on a site that is substantially higher than surrounding terrain.

Except where the height of a a proposed object is within 20 feet of a Part 77 surface, which shall always require ALUC review, the following applies to development within an Airport Influence Area:

a) Within Compatibility Zone A:

1) (1) The height of all objects shall be limited in accordance with applicable Federal Aviation Administration criteria including FAR Part 77, TERPS, and/or airport design standards.

b) Within Compatibility Zones B1 and C:

1) Objects up to 35 feet tall are acceptable and do not require ALUC review for the purposes of height factors.

2) ALUC review is required for any proposed object taller than 35 feet.

3) Federal Aviation Administration review may be necessary for proposed objects adjacent to the runway edges and the FAA may require marking and lighting of certain objects (the affected areas are generally on airport property).

c) Within Compatibility Zones B2 and D:

1) Generally, there is no concern with regard to any object up to 70 feet tall unless it is located on high ground or it is a solitary object (*e.g.*, an antenna) more than 35 feet taller than other nearby objects.

d) Within Compatibility Zone E:

1) Generally, there is no concern with regard to any object up to 150 feet tall unless it is located on high ground or it is a solitary object (*e.g.*, an antenna) more than 35 feet above the ground.

Notwithstanding the foregoing, all projects where the ground either penetrates a FAR Part 77 surface or comes within 35 feet of such a surface shall be reviewed by the ALUC.

8.5.3 Avigation Easement Dedication

The local jurisdiction shall require the owner of any property proposed for development within Compatibility Zones A, B1, B2, and C to dedicate an avigation easement to the airport sponsor per Policy 10.1, "Avigation Easements."

8.5.4 FAA Notification

Proponents of a project involving objects that may exceed a Part 77 surface must notify the Federal Aviation Administration as required by FAR Part 77, Subpart B, and by PUC §21658 and §21659. (Notification to the Federal Aviation Administration under FAR Part 77, Subpart B, is required even for certain proposed construction that does not exceed the height limits allowed by Subpart C of the regulations. Refer to the FAR for the specific FAA notification requirements.)

a) Local jurisdictions shall inform project proponents of the requirements for notification to the Federal Aviation Administration.

b) The requirement for notification to the Federal Aviation Administration shall not necessarily trigger an airport compatibility review of an individual project by the Airport Land Use Commission if the project is otherwise in conformance with the compatibility criteria established herein.

c) FAA review is required for any proposed structure more than 200 feet above the surface level of its site. All such proposals also shall be submitted to the ALUC for review regardless of where in the county they would be located.

d) Any project submitted to the ALUC for airport land use compatibility review for reason of height-limit issues shall include a copy of FAR

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Part 77 notification to the Federal Aviation Administration and the FAA findings if available.

8.6 Overflight Compatibility

Policy objective: To notify current and future property owners about the presence of overflights near airports so that they can make more informed decisions regarding acquisition, lease or use of property in the affected areas. Overflight compatibility is particularly important with regard to residential land uses.

8.6.1 Overview

Noise from individual operations, especially by comparatively loud aircraft, can be intrusive and annoying in locations beyond the limits of the mapped noise contours. Sensitivity to aircraft overflights varies from one person to another.

8.6.2 State Law Requirements Regarding Real Estate Transfer Disclosure

Effective January 1, 2004, California statutes (Business and Professional Code §11010(b)(12) and Civil Code §1102.6, §1103.4, and §1353) require as part of residential real estate transactions that information be disclosed regarding whether the property is situated within an Airport Influence Area.

With certain exceptions, these state requirements apply both to the sale or lease of newly subdivided lands and to the sale of existing residential property.

The statutes define an *airport influence area* as "the area in which current or future airport-related noise, overflight, safety, or airspace protection factors may significantly affect land uses or necessitate restrictions on those uses as determined by an airport land use ALUC." The Airport Influence Area for each of the airports in Trinity County subject to this ALUCP is indicated on that airport's compatibility map contained in Chapter 3.

Where disclosure is required, the following statement shall be provided:

> NOTICE OF AIRPORT IN VICINITY: This property is presently located in the vicinity of an airport, within what is known as an Airport Influence Area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

For the purposes of this ALUCP, the above real estate disclosure provisions of state law shall continue in effect as Airport Land Use Commission policy with respect to new development even if the law is rescinded. Furthermore, Trinity County should adopt a policy designating the Airport Influence Area as the area wherein disclosure of airport influences is required in conjunction with the transfer of residential real estate.

8.6.3 Deed Notices

In addition to the preceding real estate transfer disclosure requirements, a deed notice shall be recorded for each parcel associated with any discretionary land use action affecting property within compatibility zones as specified in Table 2-3 "Primary Compatibility Criteria" per Policy 10.2, "Recorded Deed Notices."

8.6.4 Land Use Conversion

The compatibility of uses in the Airport Influence Areas shall be preserved to the maximum feasible extent. Particular emphasis should be placed on preservation of existing agricultural and open space uses.

a) The conversion of land from existing or planned agricultural, open space, industrial, or commercial use to residential uses within Compatibility Zones A, B1, B2, and C is strongly discouraged.

b) In Compatibility Zone D, general plan amendments (as well as other discretionary actions such as rezoning, subdivision approvals, use permits, *etc.*) that would convert land to residential use or increase the density of residential uses should be subject to careful consideration of overflight impacts.

8.7 Wildlife Compatibility

Policy objective: To minimize the creation of wildlife attractions near airports.

Any proposed use that creates an increased attraction for large flocks of birds is discouraged. (Refer to FAA Order 5200.5A, *Waste Disposal Sites on or Near Airports* and Advisory Circular 150/5200-33, *Hazardous Wildlife Attractants On or Near Airports.)*

8.7.1 Waste Disposal Landfills

Landfills are prohibited within 5,000 feet of any runway.

8.7.2 Agricultural Uses

There is no limitation on types of crops.

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Confined livestock operations (*i.e.,* feedlots, dairy operations, hog or chicken production facilities, or egg laying operations) that require a Use Permit are prohibited in Zones, A, B1, B2 and C.

8.7.3 Water Impoundments

ALUC policy with respect to water impoundments follows:

a) No new or expanded water impoundments of one-quarter acre in size or larger are permitted within 5,000 feet from the end or edge of a runway.

b) The establishment of a new water impoundment one-quarter acre in size or larger within 5,000 to 10,000 feet from the edge or end of a runway may be permitted only upon determination that such water impoundment, with reasonable and practicable mitigation measures, is not likely to result in a significant increase in hazardous movements of birds feeding, watering or roosting in areas across runways or approach surfaces.

For water impoundments individually or cumulatively exceeding five (5) acres in size on the subject property, the applicant shall prepare a draft bird strike study per FAA guidelines.

Note: FAA Part 77 discourages water impoundments within 50,000 feet of a runway within an approach surface.

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9.0 Special Conditions

Certain non-conforming situations arise that require further consideration. These conditions that arise from uses that exist at the time the ALUCP is adopted include:

- Existing residential or non-residential use
- Reconstruction of damaged structures
- Infill of vacant property
- Redevelopment of existing structures within the same use or a different use category

9.1 Nonconforming uses

Policy objective: To specify nonconforming existing use projects that may be undertaken without additional ALUC review.

Existing uses (including a parcel or building) not in conformance with this ALUCP are subject to the following restrictions:

9.1.1 Nonconforming residential uses

A nonconforming single-family residence may be reconstructed (see Policy 9.2 "Reconstruction") or expanded in building size provided that the reconstruction or expansion does not increase the number of dwelling units. For example, a bedroom could be added to an existing residence, but, subject to Policy 9.5 "Development by Right", an additional dwelling unit could not be built.

A nonconforming multi-family use may be reconstructed in accordance with Policy 9.2, but not expanded in number of dwelling units or floor area of the building.

No ALUC review of these improvements is required. However, the noise attenuation and avigation easement dedication requirements set by Policies 7.0 and 8.0 apply.

9.1.2 Nonconforming nonresidential uses

A nonconforming nonresidential use may be continued, leased, or sold and the facilities may be maintained, altered, or, if required by state law, reconstructed (see Policy 9.2) provided that neither the portion of the site devoted to the nonconforming use nor the building's floor area are expanded and that the usage intensity is not increased above the levels existing at the time of adoption of this ALUCP.

No ALUC review of such changes is required. However, the sound attenuation and avigation easement dedication requirements set by Policies 7.0 and 8.0 apply.

9.2 Reconstruction

Policy objective: To specify the conditions under which reconstruction of a nonconforming use can be approved.

Reconstruction as used in this ALUCP is the rebuilding of a legally established structure located in any of the safety zones, to its original condition after it has been damaged (typically due to fire or earthquake damage.) "Original condition" means the same or lesser footprint, height and intensity of use.

Reconstruction projects may be approved under the following policies:

9.2.1 Rebuilding Criteria

An existing, nonconforming development that has been fully or partially destroyed as the result of a calamity may be rebuilt only under the following conditions:

a) Nonconforming residential uses may be rebuilt provided that:

1) reconstruction does not result in more dwelling units than existed on the parcel at the time of the damage,

2) the reconstructed dwelling is no larger than twice the square footage of the dwelling at the time of adoption of this ALUCP,

3) the reconstructed dwelling has no more bedrooms than the dwelling had at the time of adoption of this ALUCP,

4) the reconstructed dwelling meets all height requirements of Policies 7.0 and 8.0.

b) A nonconforming nonresidential development may be rebuilt provided that the reconstruction does not increase the floor area of the previous structure or result in an increased intensity of use.

c) Reconstruction under Paragraphs (a) or (b) above must begin within 60 months of the date the damage occurred.

d) The above exceptions do not apply within Compatibility Zone A or where such reconstruction would be in conflict with a county or city general plan or zoning ordinance.

e) Reconstruction must not result in a reduction of open space.

f) Nothing in the above policies is intended to preclude work required for normal maintenance and repair.

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9.2.2 Reconstruction and Avigation Easements

Reconstruction projects that are not subject to a previous avigation easement shall not be required to provide an avigation easement as a condition for approval except as required by Policy 9.2.4, "Increase in Structure Size and/or Intensity Variance."

9.2.3 Interior Noise Insulation

Residential reconstruction projects must include noise insulation to assure interior noise levels of less than 45 dB CNEL (CBC §1208A).

9.2.4 Increase in Structure Size and/or Intensity Variance

An application for reconstruction increasing the structure's internal square footage, footprint square footage, height, and/or intensity of use may be approved if the ALUC determines that such increase will have no adverse impact beyond that which existed with the original structure.

However, a project approved under this policy shall require the property owner to provide an avigation easement to the jurisdiction operating the airport (see Policy 10.1.)

9.3 Infill Development

Policy objective: To specify the conditions under which infill development in a safety zone can be approved.

Infill as used in this ALUCP is defined as the development of vacant or underutilized properties largely surrounded by existing development, especially development that is similar in character.

Except in Compatibility Zone A, where development not in conformance with the criteria set forth in this ALUCP already exists, additional infill development of similar land uses may be allowed to occur even if such land uses are to be prohibited elsewhere in the zone, subject to the following:

9.3.1 Criteria

a) A parcel can be considered for *infill* development if it meets *all* of the following criteria plus the applicable provisions of either (b) or (c) below:

1) The parcel size is no larger than 10.0 acres.

   Criterion objective: To control the size of projects that can be approved without ALUC review.

2) At least 65% of the site's perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than, those proposed.

   Criterion objective: To ensure that infill development is of like kind.

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3) The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.

   Criterion objective: To prevent the increase of area with nonconforming uses.

4) Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (*e.g.*, through use permits, density transfers, addition of second units on the same parcel, height variances, or other strategy) are prohibited.

   Criterion objective: To control nonconforming use, *i.e.*, if the existing surrounding residential density is 1 du per 2 acres, then 1 du per acre would not be allowed.

5) The area to be developed cannot previously have been set aside as open space in accordance with policies contained in this ALUCP unless replacement open space is provided within the same compatibility zone.

   Criterion objective: To preserve open space for in-flight emergencies.

b) For residential development, the average development density of the site shall not exceed the lesser of:

   1) The average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel; or

   2) Double the density permitted in accordance with the criteria for that location as indicated in Table 2-3, "Primary Compatibility Criteria."

   Criterion objective: To provide a cap in increased nonconforming density.

c) For nonresidential development, the average usage intensity of the site's proposed use shall not exceed the lesser of:

   1) The average intensity of all existing uses that lie fully or partially within a distance of 300 feet from the boundary of the proposed development; or

   2) Double the intensity permitted in accordance with the criteria for that location as indicated in Table 2-3, "Primary Compatibility Criteria."

   Criterion objective: To provide a cap in increased nonconforming intensity.

d) The single-acre and risk-reduction design density and intensity multipliers described in Policies 8.4.7 and 8.4.11 and listed in Table 2-3 are applicable to infill development.

Criterion objective: To provide consistency with, and encourage, development that implements mitigation to the inherent safety risks associated with development in safety zones.

e) Infill development on some parcels shall not enable additional parcels to then meet the qualifications for infill. Parcels eligible for infill shall be determined just once.

Within 60 days of the adoption of this ALUCP, the Planning Department shall identify parcels in the general plan or specific plans eligible for infill development. After ALUC review, the ALUC shall adopt the final list by resolution.

Criterion objective: To control expansion of infill areas based upon approval of prior infill projects. The 60-day time period is intended to gain ALUC approval of a final list in time for any relevant changes to be adopted in the general plan within the statutory 180 period.

9.3.2 Infill Project Guidance

Infill projects must comply with all safety policies and guidelines of this ALUCP.

Infill projects must comply with the noise attenuation and avigation easement dedication requirements set by Policies 7.0, 8.0, and 10.0 in this chapter.

9.4 Redevelopment

Policy objective: To specify conditions applicable to development of nonconforming land uses in locations with existing nonconforming land use.

For the purposes of this ALUCP, redevelopment is defined as development of a new use (not necessarily a new type of use) to replace an existing use at a density or intensity that may vary from the existing use. Redevelopment projects are subject to the provisions of the ALUCP to the same extent as other forms of proposed development.

In particular, proposed redevelopment of a property for which the existing use is consistent with the general plan and/or specific plan, but nonconforming with the compatibility criteria set forth in this ALUCP, shall be subject to ALUC review pursuant to Policy 4.2(c).

(Also see Policies 9.1 "Nonconforming uses" and 9.2 "Reconstruction".)

9.5 Development by Right

Policy objective: To clarify that the ALUCP does not supersede development rights otherwise conferred by law at the time of this ALUCP adoption.

a) Nothing in these policies prohibits the following if vested rights exist at the time of ALUCP adoption:

1) Other than in Compatibility Zone A, construction of a single-family home, including a second unit as defined by state law, on a legal lot of record if such use is permitted by local land use regulations.

2) Construction of other types of uses if local government approvals qualify the development as effectively existing (see Glossary definition for Existing Use.)

3) Lot line adjustments provided that new developable parcels would not be created and the resulting gross density or intensity of the affected property would not exceed the applicable criteria indicated in Table 2-3 "Primary Compatibility Criteria".

b) The noise attenuation and avigation easement dedication requirements set by Policies 7.0, 8.0, and 10.0 in this chapter shall apply to development permitted under this policy.

9.6 Parcels Lying within Two or More Compatibility Zones

Policy objective: To clarify how a parcel is considered when it lies partially within multiple zones.

For the purposes of evaluating consistency with the compatibility criteria set forth herein, any parcel that is split by compatibility zone boundaries shall be considered as if it were multiple parcels divided at the compatibility zone boundary line.

However, the density or intensity of development allowed within the more restricted portion of the parcel can (and is encouraged to) be transferred to the less restricted portion. This transfer of development is permitted even if the resulting density or intensity in the less restricted area would then exceed the limits that would otherwise apply within that compatibility zone.

9.7 Other Special Conditions

Policy objective: Allow a special condition at one airport to enable approval of a normally incompatible use without creating a precedent at other sites or airports.

The compatibility criteria set forth in this ALUCP are intended to be applicable to all locations within each Airport Influence Area. However, it is recognized that there may be specific situations where a normally incompatible use can be considered compatible because of terrain, specific location, or other extraordinary factors or circumstances related to the site.

After due consideration of all the factors involved in such situations, the ALUC may find a normally incompatible use to be acceptable with these considerations:

a) In reaching such a decision, the ALUC shall make specific findings as to why the exception is being made and that the land use will not create a safety hazard to people on the ground or aircraft in flight nor result in excessive noise exposure for the proposed use. Findings also shall be made as to the nature of the extraordinary circumstances that warrant the policy exception.

b) The burden for demonstrating that special conditions apply to a particular development proposal rests with the project proponent and/ or the referring agency, not with the ALUC.

c) The granting of a special conditions exception shall be considered site specific and shall not be generalized to include other sites.

d) Special conditions that warrant general application in all or part of the AIA of one airport, but not at other airports, are set forth in Chapter

e) "Individual Airport Policies and Compatibility Maps" of this ALUCP.

10.0 Buyer Awareness Programs

Policy objective: Specify the various buyer awareness measures that shall be applied in various compatibility zones as specified in Table 2-3.

Buyer awareness is an umbrella category for several measures whose objective is to ensure that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property.

Buyer awareness programs include:

- avigation easements
- deed notices
- real estate disclosures

Easement dedication and deed notice requirements indicated for specific compatibility zones apply only to new development and to reuse if discretionary approval is required.

10.1 Avigation Easements

Avigation easements go beyond mere buyer awareness by setting limitations on the heights of structures and other objects on the affected property. An avigation easement thus conveys to the airport owner not only rights associated with aircraft overflight of the property, but also the right to limit the height of objects and, after reasonable notice, the right to access the property in order to assure compliance with those limitations.

Within zones as specified in Table 2-3 "Primary Compatibility Criteria", the owners of properties, which are the subjects of applications for land use or limited land use decisions, shall dedicate an avigation easement to the airport sponsor as a condition of obtaining such approval or permits for:

- building permits for new residential, commercial, industrial, institutional or recreational buildings or structures intended for inhabitation or occupancy by humans or animals;
- encroachment permits or through-the-fence permits providing access to an airport; and/or
- expansions of such buildings or structures by the lesser of 50% or 1,000 square feet.

The avigation easement shall convey:

a) A right-of-way for free and unobstructed passage of aircraft through the airspace over the property at any altitude above a surface specified in the easement (usually set in accordance with FAR Part 77 criteria).

b) A right to subject the property to noise, vibrations, fumes, dust, and fuel particle emissions associated with normal airport activity.

c) A right to prohibit the erection or growth of any structure, tree, or other object that would enter the acquired airspace.

d) A right-of-entry onto the property, with proper advance notice, for the purpose of removing, marking, or lighting any structure or other object that enters the acquired airspace.

e) A right to prohibit electrical interference, glare, misleading lights, visual impairments, and other hazards to aircraft flight from being created on the property.

An example of an avigation easement is provided in Appendix F.

The avigation easement shall be in a form acceptable to the airport sponsor and shall be signed and recorded in the deed records of the County. The avigation easement shall allow unobstructed passage for aircraft and ensure safety and use of the airport for the public.

Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits.

10.2 Recorded Deed Notices

A deed notice is an official statement that is recorded in county records as part of a tentative or final subdivision map prepared at the time a parcel is subdivided. As used for airport compatibility planning, the purpose of a deed notice is to disclose that the property is subject to routine overflights and associated nose and other impacts by aircraft operations at a nearby airport.

A deed notice shall be recorded for each parcel associated with any discretionary land use action affecting property within compatibility zones as specified in Table 2-3, "Primary Compatibility Criteria." Discretionary actions include zoning changes, subdivisions, *etc.*

An example of a deed notice is provided in Appendix F.

Note that the avigation easement required by Policy 10.1 to be dedicated in conjunction with development in certain zones serves as a deed notice in those locations.

10.3 Real Estate Disclosure

A less definitive, but more all-encompassing buyer awareness measure is the establishment, by the ALUC and local jurisdictions, of a policy indicating that information about an Airport Influence Area should be disclosed to prospective buyers of all airport-vicinity properties prior to the transfer of title.

The advantage of this type of program is that it applies to previously existing land uses as well as to new development. This requirement already exists in California state real estate law (see discussion at Policy 8.6.2 "State Law Requirements Regarding Real Estate Transfer Disclosure"), but it can be reinforced by local policy.

A real estate disclosure policy can be included as a component of an airport compatibility zone ordinance. Additionally, notification describing the Airport Influence Area and discussing its significance could be formally sent to all local real estate brokers and title companies. Having received this information, the brokers would be obligated by state law to pass it along to prospective buyers.

As part of real estate transactions involving residential property within an Airport Influence Area, information regarding airport proximity and the existence of aircraft overflights must be disclosed. At a minimum, the area covered by a real estate disclosure program shall include the Airport Influence Area.

An example of a real estate disclosure form is provided in Appendix F.

11.0 Compatibility Criteria for Airport Development Actions

Policy objective: Identify the ALUC review required when the County plans projects at existing facilities, or plans for a new facility.

ALUC review may be required to determine if County projects or plans at airport or heliport facilities are consistent with this ALUCP, or would be consistent with land use where the project is planned.

11.1 Criteria for Master or Development Plans of Existing Airports

11.1.1 Substance of Review

When reviewing airport master plans, airport layout plans or development plans for existing airports, the ALUC shall determine whether activity forecasts or proposed facility development identified in the plan differ from the forecasts and development assumed for that airport in this Airport Land Use Compatibility Plan.

Attention should specifically focus on:

a) Activity forecasts that are: (1) significantly higher than those in this Plan; or that (2) include a higher proportion of larger or noisier aircraft.

b) Proposals to: (1) construct a new runway or helicopter takeoff and landing area; (2) change the length, width, or landing threshold location of an existing runway; or (3) establish an instrument approach procedure.

11.1.2 Noise Impacts of New or Expanded Airports or Heliports

Any proposed construction of a new airport or heliport or expansion of facilities at an existing airport or heliport that would result in a significant increase in cumulative noise exposure (measured in terms of CNEL) shall include measures to reduce the exposure to a less-than significant level.

For the purposes of this plan (see the *Handbook* Part II Chapter 7, page 7-40), a noise increase shall be considered significant if:

a) In locations having an existing ambient noise level of less than 60 dB CNEL, the project would increase the noise level by 5.0 dB or more.

b) In locations having an existing ambient noise level of between 60 and 65 dB CNEL, the project would increase the noise level by 3.0 dB or more.

c) In locations having an existing ambient noise level of more than 65 dB CNEL, the project would increase the noise level by 1.5 dB or more.

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11.1.3 Consistency Determination

The ALUC shall determine whether the proposed airport plan or development plan is consistent with this ALUCP.

The ALUC shall base its determination of consistency on;

a) Findings that the forecasts and development identified in the airport plan would not result in greater noise, overflight, and safety impacts or height restrictions on surrounding land uses than are assumed in the ALUCP.

b) A determination that any non-aviation development proposed for locations within the airport boundary (excluding federal- or state-owned property) will be consistent with the compatibility criteria and policies indicated in this Plan with respect to that airport.

11.2 Criteria for Proposed New Airports or Heliports

In the event that a new airport or heliport is proposed, it is necessary to understand the land use compatibility surrounding the new facility.

11.2.1 Substance of Review

In reviewing proposals for new airports and heliports, the ALUC shall focus on the noise, safety, airspace protection, and overflight impacts upon surrounding land uses.

a) Other types of environmental impacts (*e.g.,* air quality, water quality, natural habitats, vehicle traffic, *etc.*) are not within the scope of ALUC review.

b) The ALUC shall evaluate the adequacy of the proposed facility design (in terms of federal and state standards) only to the extent that the design affects surrounding land use.

c) The ALUC must base its review on the proposed airfield design. The ALUC does not have the authority to require alterations to the airfield design.

11.2.2 Airport/Land Use Relationship

The review shall examine the relationships between existing and planned land uses in the vicinity of the proposed airport or heliport and the impacts that the proposed facility would have upon these land uses.

a) Questions to be considered should include:

1) Would the existing or planned land uses be considered incompatible with the airport or heliport if the latter were already in existence?

2) What measures are included in the airport or heliport proposal to mitigate the noise, safety, airspace protection, and overflight impacts on surrounding land uses?

3) Such measures might include:

- Location of flight tracks so as to minimize the impacts
- Other operational procedures to minimize impacts
- Acquisition of property interests (fee title or easements) on the impacted land.

b) The noise impact assessment criteria listed in Policy 11.1.2 "Noise Impacts of New or Expanded Airports or Heliports" with respect to airport expansion projects shall also be considered with regard to the review of new airport development.

11.3 Projects on Airport Property

A project on airport property is exempt from the policies of this ALUCP if the project is directly related to airport operations (examples: terminals, FBOs, fuel storage, passenger and employee parking).

The policies of this ALUCP apply to all land uses on airport property that are not directly related to airport operations (examples: commercial non-aviation uses, athletic fields).

In the case of mixed use, the primary use of the project shall be used to determine if the project is exempt, for example:

- A terminal building would be considered related to airport operations even though it also provided retail food and product sales.
- A commercial office complex would not be considered related to airport operations even though some of the office space might be used for airport administration.

In cases of uncertainty, the ALUC is available to help determine if a land use is or is not directly related to airport operations.

This policy does not relieve the airport sponsor of its other obligations to the ALUC, such as providing Airport Master Plan and Airport Layout Plan updates for ALUC review.

CHAPTER

3

INDIVIDUAL AIRPORT POLICIES AND COMPATIBILITY MAPS

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1.0 Chapter Overview

The policies and maps presented in this chapter provide the connection between the countywide compatibility criteria and the specific features and surrounding geography of each individual airport.

Included for each airport is the overall compatibility map that works in conjunction with the Primary Compatibility Criteria matrix (see Chapter 2, Table 2-3, "Primary Compatibility Criteria.") Maps of the noise contours and airspace protection (height limit) surfaces, along with the Airport Layout Plans, are found in Chapter 4. The airspace protection surfaces are as defined by Federal Aviation Regulations Part 77 for the respective airport.

At some airports, special conditions, as provided for in countywide policy, may be acknowledged by the Airport Land Use Commission in adoption of this ALUCP. These special conditions result in establishment of compatibility zone boundaries and/or compatibility criteria different from standard zones and criteria.

Where any such additional policies have been adopted for a particular airport, they are listed in this chapter. These special policies are not to be generalized or considered as precedent applicable to other locations addressed by this plan. For most airports, no special policies are noted and the countywide policies prevail.

References to "standard zone definitions" mean that the dimensions and definitions of Chapter 2, Policy 7.4 "Compatibility Zones" apply.

2.0 Hayfork Airport

2.1 Compatibility Map Delineation

2.1.1 Compatibility Map

The Compatibility Map for Hayfork Airport is presented in Figure 3-1 and is to be used in conjunction with the criteria set forth in Chapter 2, Table 2-3.

2.1.2 Boundary Determinants

Hayfork Airport has a single-sided traffic pattern and therefore the considerations discussed in Chapter 2, Policy 7.5 "Single-sided Traffic Patterns" apply.

All section references are based on the MD meridian for Hayfork zones.

Compatibility zone boundaries are defined as follows:

2.1.2.1 Zone A

Zone A has the standard Zone A definition.

2.1.2.2 Zone B1

The west portion of Zone B1 (*i.e.,* Runway 7 inner approach zone) is a standard shape except that its northern boundary is modified as follows:

- The boundary coincides with the airport property line between the 30 degree radius defining its inner edge and the western edge of the Highway 3 easement.
- The zone boundary follows the western edge of the state highway property boundary north to a point 500 feet from the extended runway centerline.
- From that point, the zone boundary runs westerly at the standard 500 foot offset from the extended runway centerline.

The east portion of Zone B1 (*i.e.,* Runway 25 inner approach zone) is a standard shape except that its southern boundary is modified as follows:

- The boundary coincides with the southern section boundary of Township 31N, Range 12W, Section 12 between the 30-degree radius and the outer arc of the zone.

2.1.2.3 Zone B2

The west portion of Zone B2 (*i.e.,* Runway 7 extended approach and turning areas) is a standard shape except that the southern boundary of the turning area coincides with the boundary of Zone B1.

The east portion of Zone B2 (*i.e.,* Runway 25 extended approach and turning areas) is a standard shape except that the southern boundary of the extended approach area coincides with the southern section boundaries of Township 31N, Range 12W, Section 12 and Township 31N, Range 11W, Section 7.

2.1.2.4 Zone C

The northern portion of Zone C is defined as follows:

- The zone extends laterally northward from Zone A and is bounded by Zone B1 at the east and west ends of Zone C.
- The outer boundary of Zone C extends from its northwestern corner at the point where Zones B1 and B2 meet on the 30 degree radius eastward along the airport property line.
- The Zone C boundary turns north and proceeds along the eastern section boundary of Township 31N Range 12W, Section 11 to a point 500 feet from the runway centerline.
- From that point, the Zone C boundary proceeds easterly parallel to, and 500 feet from, the runway centerline to the point where it meets the east portion of Zone B1.

The southern portion of Zone C is defined as follows:

- The zone extends laterally southward from Zone A and is bounded by Zone B1 at the east and west ends of Zone C.
- The outer boundary of Zone C begins at the point where the southwest 30-degree radius line of the western portion of Zone B1 intersects the southern section boundary of Township 31N, Range 12W, Section 11. This boundary is approximately the south edge of Old Morgan Hill Road.
- The boundary of Zone C proceeds easterly along section lines until it intersects the southeast 30-degree radius.

2.1.2.5 Zones D and E

Because Hayfork Airport has one-sided traffic, only the northern portion of Zone D exists.

Zone D is of standard dimensions where it exists.

The remaining southern portion of a standard Zone D is replaced by a Zone E. The dividing lines between Zones D and E are as specified in Chapter 2, Policy 7.5, "Single-sided Traffic Patterns.".

2.2 Airport Influence Area

Hayfork Airport has a standard Airport Influence Area as defined in Chapter 2, Policy 7.3 "Airport Influence Area".

2.3 Additional Compatibility Policies

None are defined.

2.4 Maps

This section contains these Hayfork maps:

- Compatibility Zone Map, Figure 3-1 "Hayfork Airport Compatibility Zone Map"
- AIA Map, Figure 3-2 "Hayfork Airport Influence Area"

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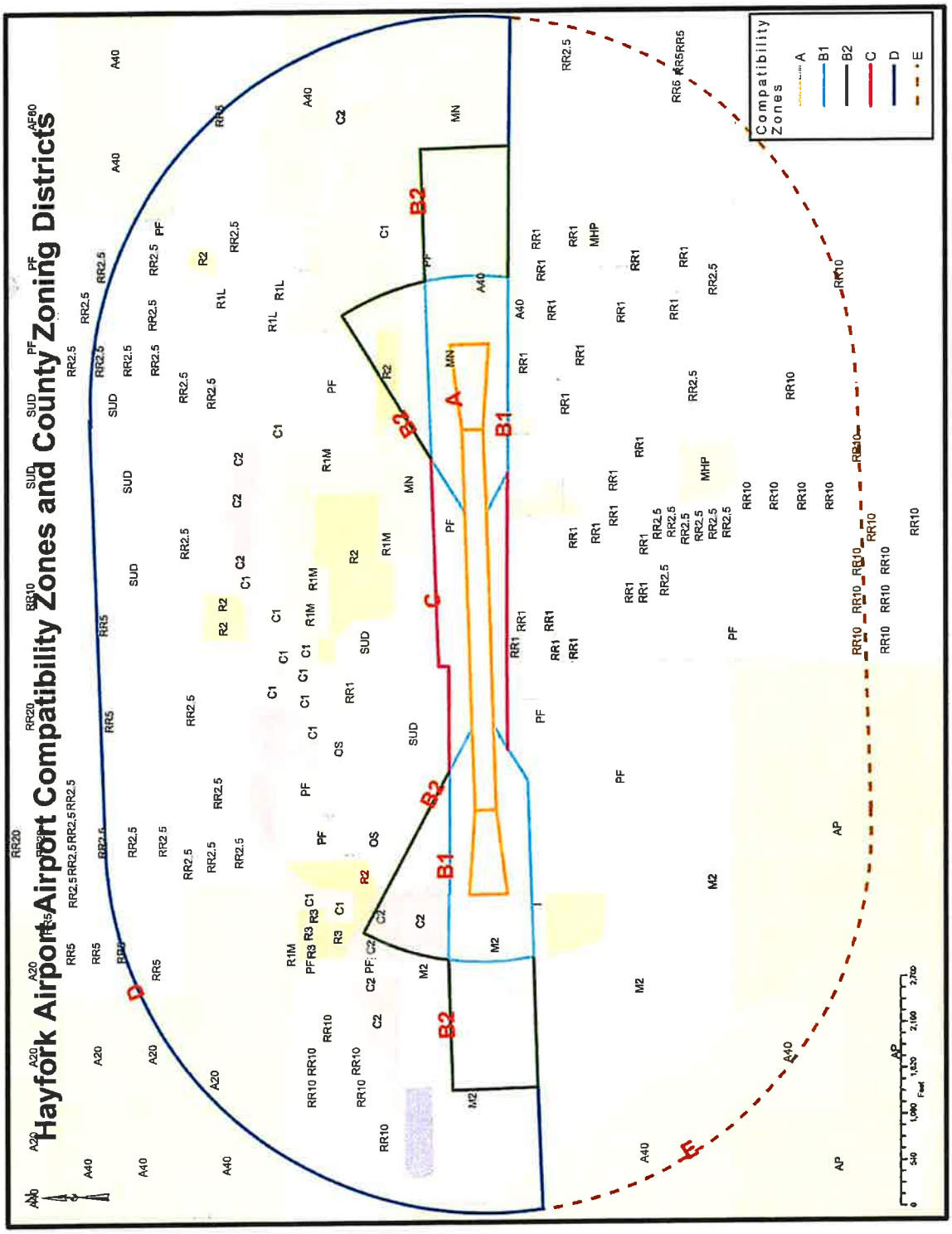


Figure 3-1 Hayfork Airport Compatibility Zone Map

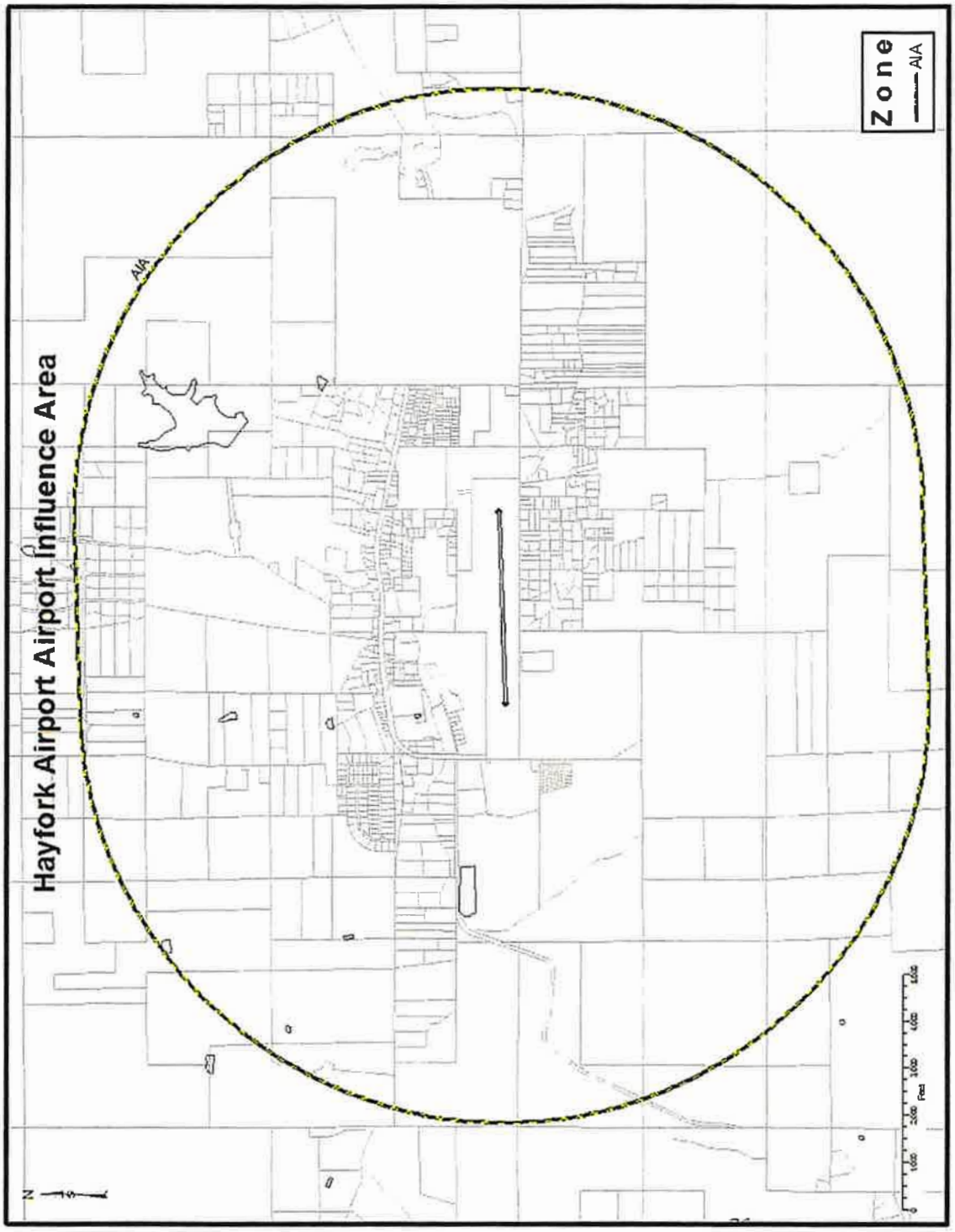


Figure 3-2 Hayfork Airport Influence Area

3.0 Hyampom Airport

3.1 Compatibility Map Delineation

3.1.1 Compatibility Map

The Compatibility Map for Hyampom Airport is presented in Figure 3-3 and is to be used in conjunction with the criteria set forth in Chapter 2, Table 2-3.

3.1.2 Boundary Determinants

Hyampom Airport has a single-sided traffic pattern and therefore the considerations discussed in Chapter 2, Policy 7.5 "Single-sided Traffic Patterns" apply.

Compatibility zone boundaries are defined as follows:

3.1.2.1 Zone A

Zone A has the standard Zone A definition with the following exception

- as long as Runway 32 has a displaced threshold, Zone A will include the area of both the Runway 32 arrival RPZ as well as the Runway 14 departure RPZ consistent with Chapter 2, Policy 7.6, "Runways With Multiple RPZs."
- If the displaced threshold is removed from Runway 32, Zone A will revert to the standard definition with a single RPZ.

3.1.2.2 Zone B1

The northwest portion of Zone B1 has the standard definition.

The southeast portion of Zone B1 is similar to standard dimensions except that because multiple RPZs exist for this zone,

- to determine the point from which the 30-degree radii radiate, the Runway 32 approach RPZ is used, and
- to determine the center point used for the 3000-foot radii from which the outer arc is swung, the departure RPZ for Runway 14 is used.

If the displaced threshold is removed from Runway 32, the southeast portion of Zone B1 will revert to the standard definition with a single RPZ.

3.1.2.3 Zone B2

The northwest portion of Zone B2 has standard dimensions.

The southeast portion of Zone B2 is similar to standard dimensions except that

- because multiple RPZs exist for this zone, the turning area is extended due to the increased size of Zone B1,
- the 30-degree radius and the Zone B2 turning area arc are connected by a straight line parallel to, and 1,500 feet from, the extended runway centerline.
- If the displaced threshold is removed from Runway 32, Zone B2 will revert to the standard definition with a single RPZ.

3.1.2.4 Zone C

Zone C has the standard Zone C definition.

3.1.2.5 Zones D and E

Because Hyampom Airport has one-sided traffic, only the southwestern portion of Zone D exists.

Zone D is of standard dimensions where it exists.

The remaining northeastern portion of a standard Zone D is classified as Zone E. The dividing lines between Zones D and E are as specified in Chapter 2, Policy 7.5, "Single-sided Traffic Patterns."

3.2 Airport Influence Area

Hyampom Airport has a standard Airport Influence Area as defined in Chapter 2, Policy 7.3 "Airport Influence Area".

3.3 Additional Compatibility Policies

None are defined.

3.4 Maps

- Compatibility Zone Map, Figure 3-3 "Hyampom Airport Compatibility Zone Map"
- AIA Map, Figure 3-4 "Hyampom Airport Influence Area"

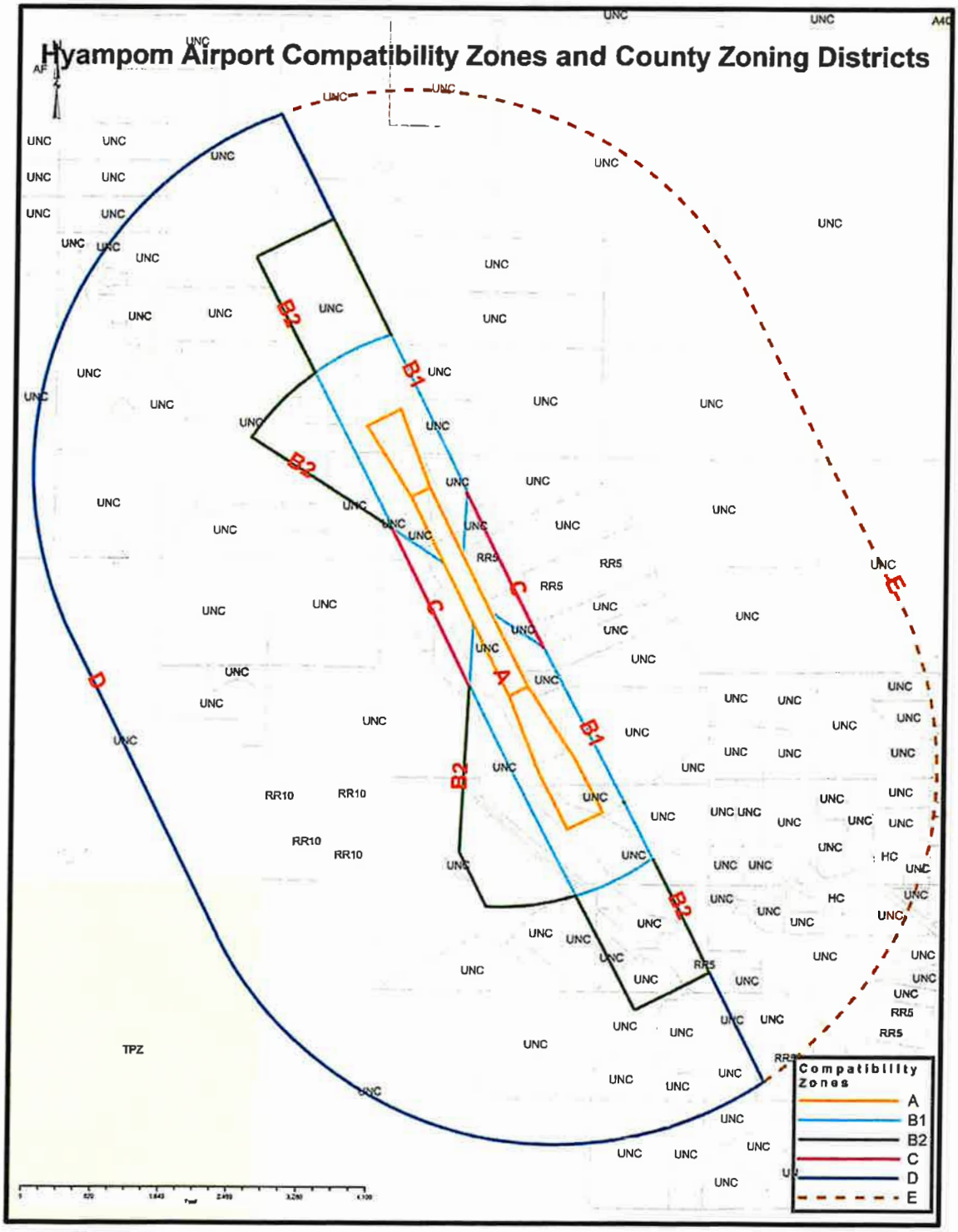


Figure 3-3 Hyampom Airport Compatibility Zone Map

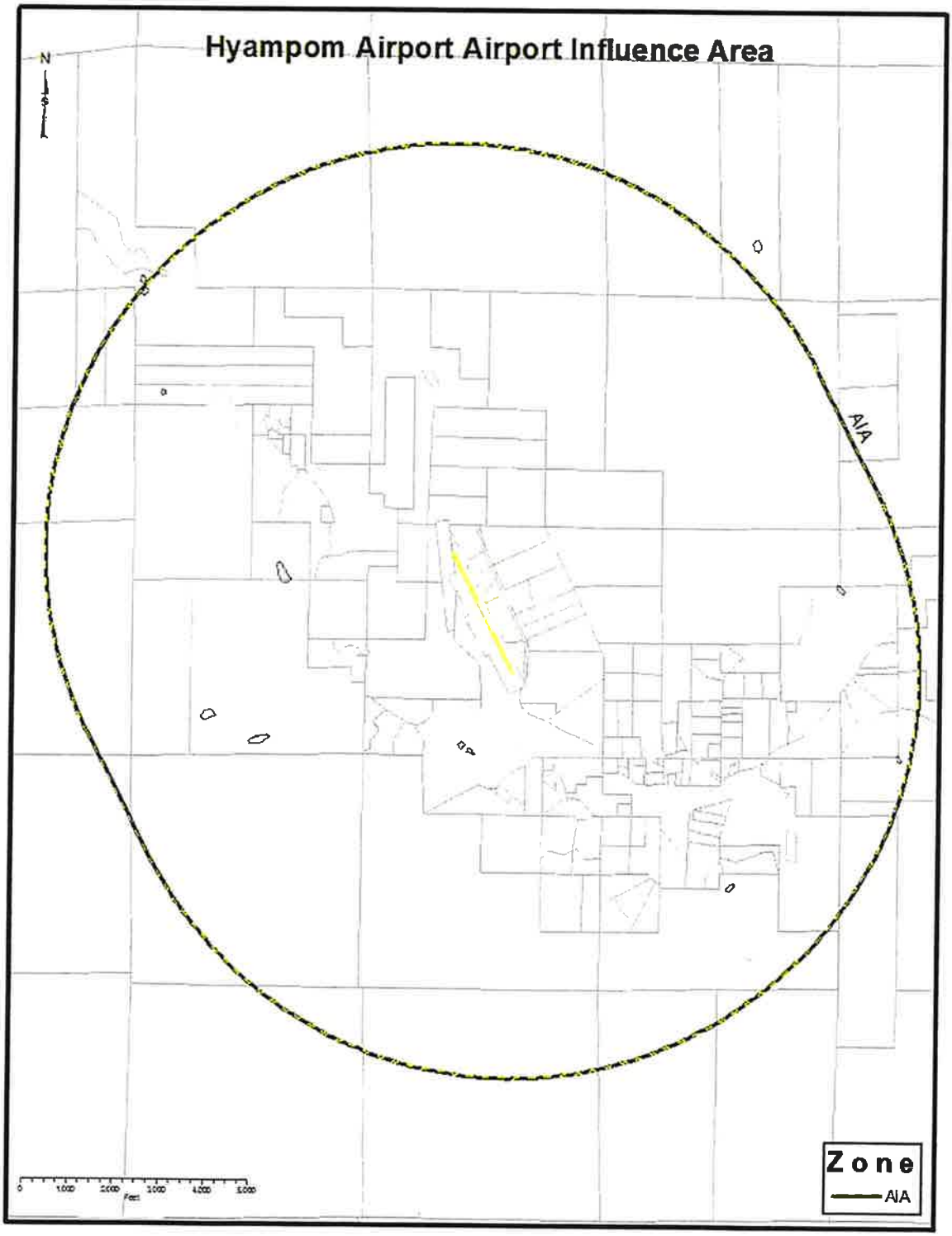


Figure 3-4 Hyampom Airport Influence Area

4.0 Ruth Airport

4.1 Compatibility Map Delineation

4.1.1 Compatibility Map

The Compatibility Map for Ruth Airport is presented in Figure 3-5 and is to be used in conjunction with the criteria set forth in Chapter 2, Table 2-3.

4.1.2 Boundary Determinants

Compatibility zone boundaries are defined as follows:

4.1.2.1 Zone A

Zone A has the standard Zone A definition.

4.1.2.2 Zone B1

Zone B1 has the standard Zone B1 definition.

4.1.2.3 Zone B2

Zone B2 has the standard Zone B2 definition.

4.1.2.4 Zone C

Zone C has the standard Zone C definition.

4.1.2.5 Zones D

Zone D has the standard Zone D definition.

4.2 Airport Influence Area

Ruth Airport is located in a steep valley. Pilots often fly final approach to Runway 31 by turning around hills and following the river. Upon departure, pilots often follow the river northwest after initial climbout, due to rising terrain in the area. Because of the nature of the terrain, and the traffic down the river, the potential for noise exists down river from the airport.

Therefore, the Ruth Airport Influence Area is defined as the area inside Zone D plus the area defined as follows:

Using the Humboldt Meridian for all section references in this paragraph, beginning at the point where Zone D intersects the southern section boundary of Township 3S, Range 8E, Section 7, then:

- proceed west along the section boundary to its southwest corner, then
- proceed north along the section boundary to its northwest corner, then

- proceed north along the western boundary of Township 2S, Range 8E, Section 6 to its northwest corner, then
- proceed east along the northern boundaries of Township 2S, Range 8E, Sections 6 and 5 to the northeast corner of Township 2S, Range 8E, Section 5, then
- proceed due south along section boundaries until intersecting Zone D.

4.3 Additional Compatibility Policies

None are defined.

4.4 Maps

- Compatibility Zone Map, Figure 3-5 "Ruth Airport Compatibility Zones"
- AIA Map, Figure 3-6 "Ruth Airport Influence Area"

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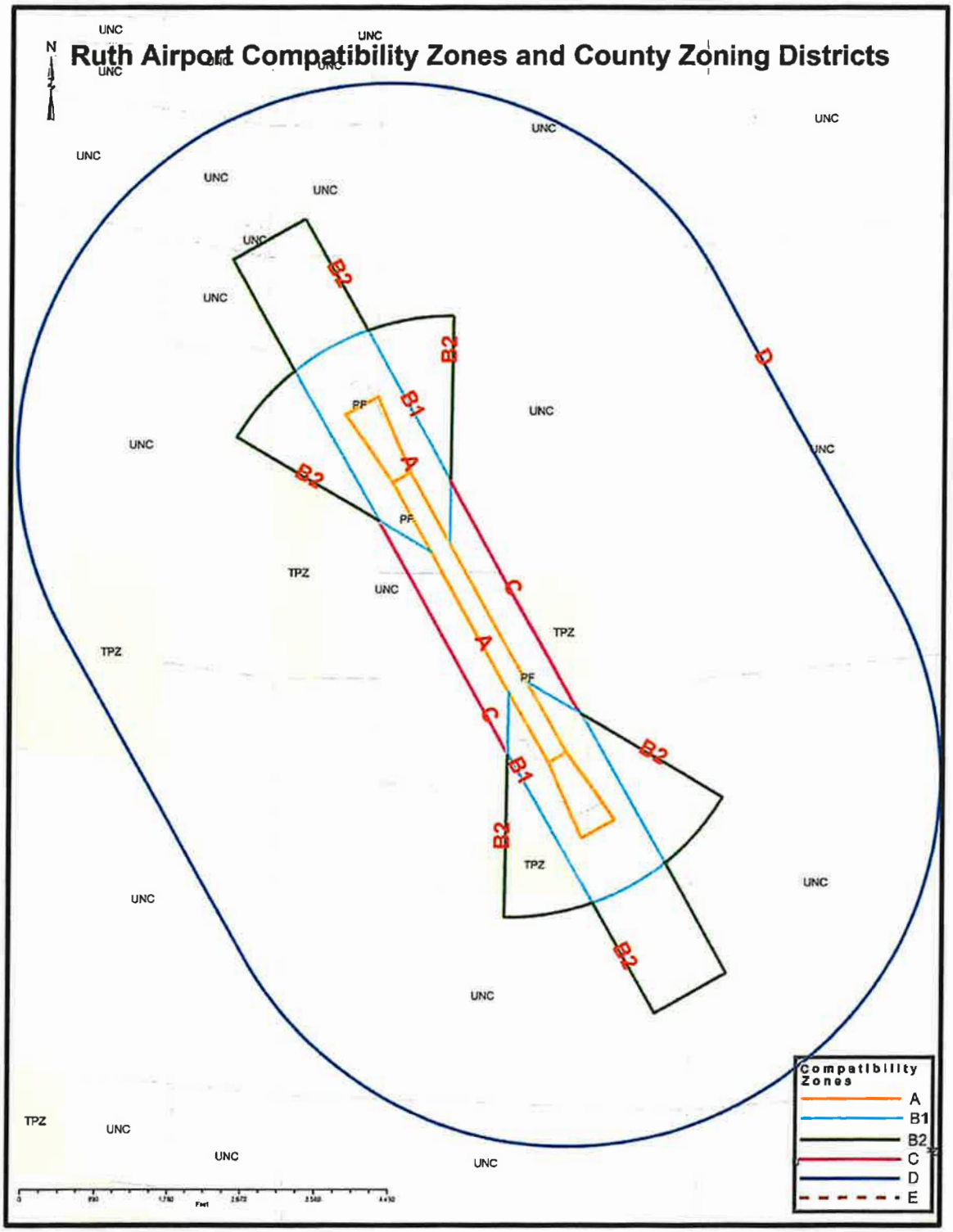


Figure 3-5 Ruth Airport Compatibility Zones

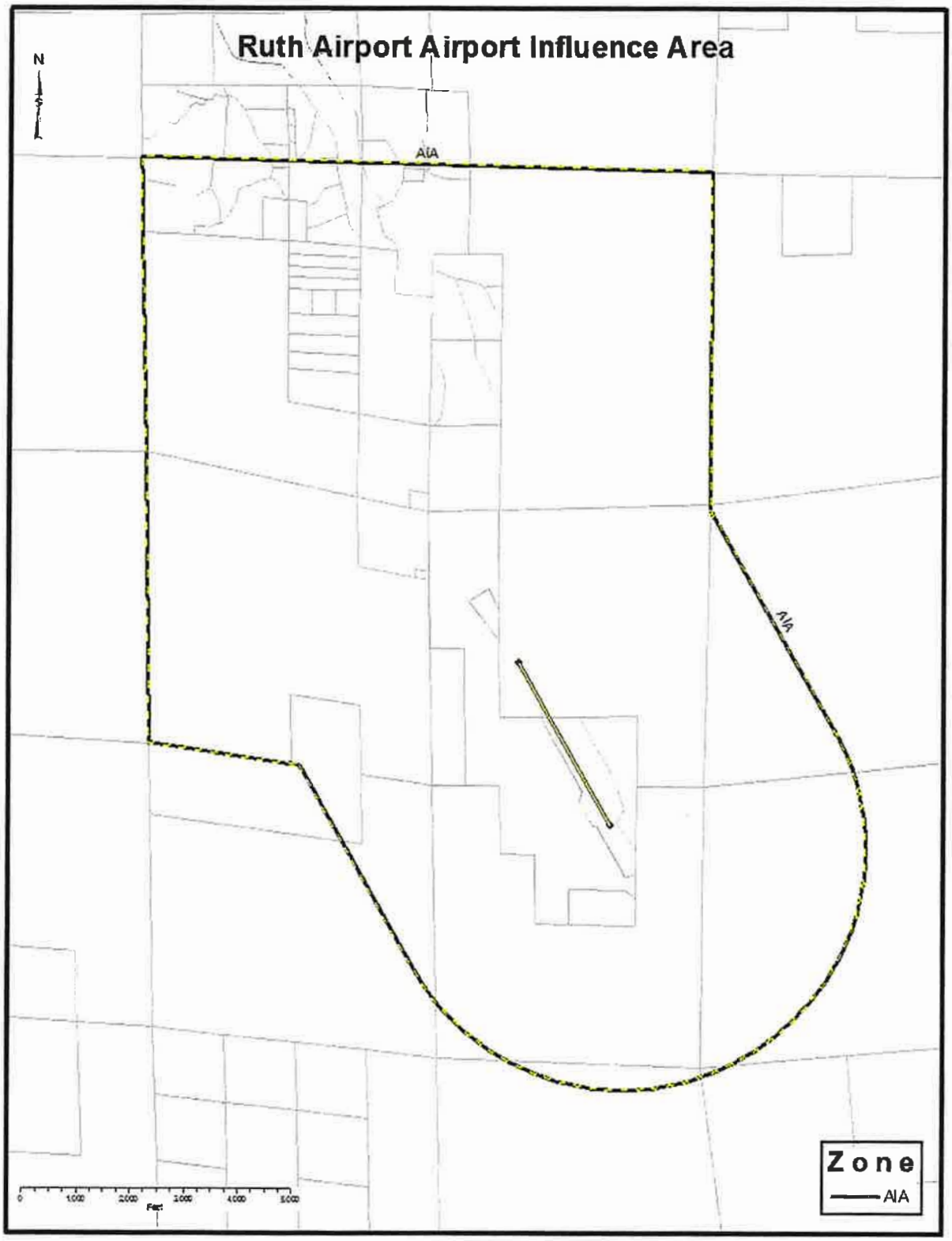


Figure 3-6 Ruth Airport Influence Area

5.0 Trinity Center Airport

5.1 Compatibility Map Delineation

5.1.1 Compatibility Map

The Compatibility Map for Trinity Center Airport is presented in Figure 3-7 and is to be used in conjunction with the criteria set forth in Chapter 2, Table 2-3.

5.1.2 Boundary Determinants

Trinity Center Airport has a single-sided traffic pattern and therefore the considerations discussed in Chapter 2, Policy 7.5, "Single-sided Traffic Patterns." apply.

Compatibility zone boundaries are defined as follows:

5.1.2.1 Zone A

Zone A has the standard Zone A definition with the following exceptions:

- as long as Runway 14 has a displaced threshold, Zone A will include the area of both the Runway 14 arrival RPZ as well as the Runway 32 departure RPZ consistent with Chapter 2, Policy 7.6, "Runways With Multiple RPZs.",
- as long as Runway 32 has a displaced threshold, Zone A will include the area of both the Runway 32 arrival RPZ as well as the Runway 14 departure RPZ consistent with Chapter 2, Policy 7.6, "Runways With Multiple RPZs.", and
- because the Trinity Center Airport Layout Plan includes a runway extension to the southeast, an RPZ has been created for the future runway based on the ultimate runway end. Zone A includes the area of the future RPZ consistent with Chapter 2, Policy 7.6, "Runways With Multiple RPZs."

5.1.2.2 Zone B1

The northwest portion of Zone B1 is similar to standard dimensions except that because multiple RPZs exist for this zone,

- to determine the point from which the 30-degree radii radiate, the Runway 14 approach RPZ is used, and
- to determine the center point used for the 3,000-foot radii from which the outer arc is swung, the departure RPZ for Runway 32 is used.

Furthermore, the northwest portion of Zone B1 is modified as follows on the southwest side of the runway:

- From the point where the 30-degree radius intersects the property boundary of the airport, the zone boundary follows the airport boundary northwesterly to the point where the airport boundary first intersects the county property containing Lakeview Drive.
- The zone boundary then follows southern boundary of the county property containing Lakeview Drive in a straight line until that line intersects the radius.

The southeast portion of Zone B1 is similar to standard dimensions except that because multiple RPZs exist for this zone,

- to determine the point from which the 30-degree radii radiate, the Runway 32 approach RPZ is used, and
- to determine the center point used for the 3,000-foot radii from which the outer arc is swung, the ultimate runway RPZ is used.

5.1.2.3 Zone B2

The northwest portion of Zone B2 is similar to standard dimensions except that because multiple RPZs exist for this zone, the turning area is extended due to the increased size of Zone B1:

- the 30-degree radius and the Zone B1 outer arc are connected by a straight line parallel to, and 1,500 feet from, the extended runway centerline.

The southeast portion of Zone B2 is similar to standard dimensions except that because multiple RPZs exist for this zone, the turning area is extended due to the increased size of Zone B1

- the 30-degree radius and the Zone B2 turning area arc are connected by a straight line parallel to, and 1,500 feet from, the extended runway centerline.

5.1.2.4 Zone C

Zone C has the standard Zone C definition except that the outer (west-southwestern) boundary of the portion of Zone C west of the runway is modified as follows:

- The southwest corner of Zone C begins a standard 500 feet from the runway centerline on the 30-degree radius where it meets Zone B1.
- The Zone C boundary parallels the runway centerline to the point where it intersects the ultimate boundary of the airport as shown in the Trinity Center ALP airport layout drawing dated June 27, 2007.

- From that point, the zone boundary proceeds northwest in a straight line to join the western edge of the county-owned property containing Lakeview Drive until that straight line intersects the northwest 30-degree radius.

The northern boundary of the portion of Zone C west of the runway is modified to follow the boundary of Zone B1 between the airport boundary and the point where Zone B1 intersects the 30-degree radius.

5.1.2.5 Zones D and E

Because Trinity Center Airport has one-sided traffic, only the northeastern portion of Zone D exists.

Zone D is of standard dimensions where it exists.

The remaining southwestern portion of a standard Zone D is classified as Zone E. The dividing lines between Zones D and E are as specified in Chapter 2, Policy 7.5, "Single-sided Traffic Patterns."

5.2 Airport Influence Area

Trinity Center Airport has a standard Airport Influence Area as defined in Chapter 2, Policy 7.3 "Airport Influence Area".

5.3 Additional Compatibility Policies

5.3.1 Modified Transitional Slope

Trinity Center airport operates under a California Department of Transportation Division of Aeronautics (CalTrans) permit that provides a variance on the west side of the airport. The variance specifies that the transition surface on the west side rises at a slope of 4:1 rather than 7:1.

Nevertheless, the standard criteria of Zones B1, C and E apply.

5.4 Maps

- Compatibility Zone Map, Figure 3-7 "Trinity Center Airport Compatibility Zones"
- AIA Map, Figure 3-8 "Trinity Center Airport Influence Area"

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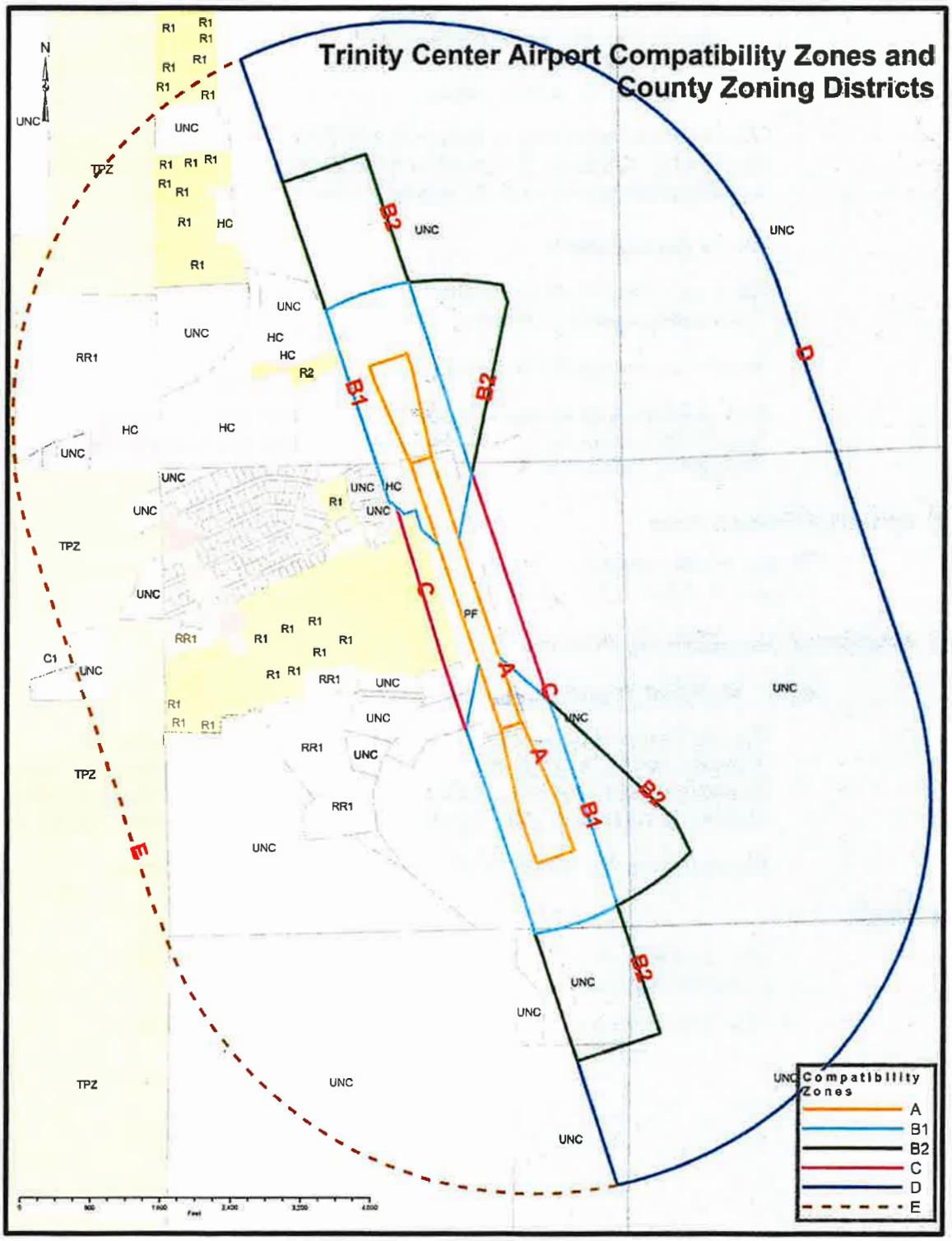


Figure 3-7 Trinity Center Airport Compatibility Zones

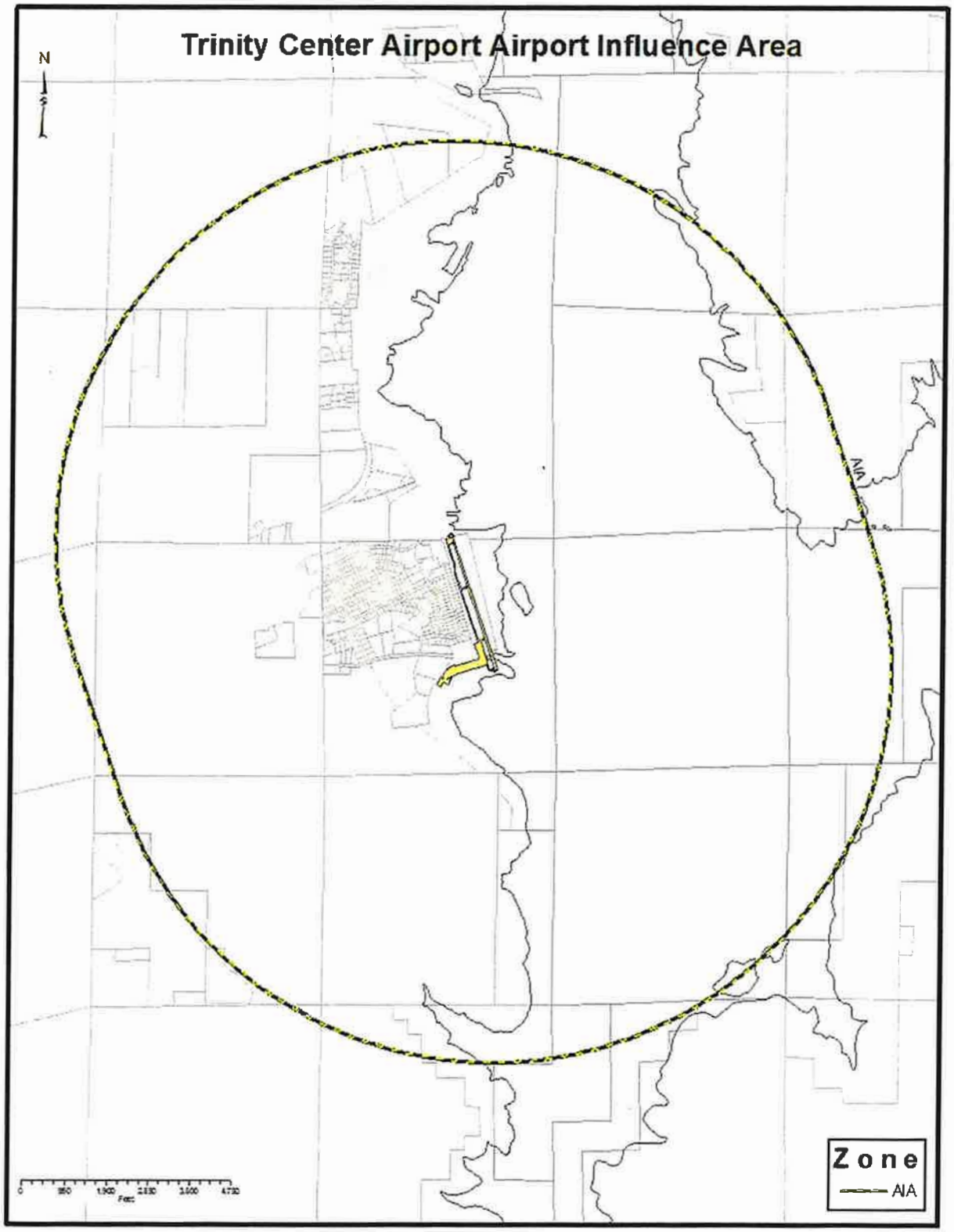


Figure 3-8 Trinity Center Airport Influence Area

6.0 Weaverville Airport

6.1 Compatibility Map Delineation

6.1.1 Compatibility Map

The Compatibility Map for Weaverville Airport is presented in Figure 3-9 and is to be used in conjunction with the criteria set forth in Chapter 2, Table 2-3.

6.1.2 Boundary Determinants

Weaverville Airport has a "one-way runway." The airport operates under a CalTrans permit that restricts operations to one way, that is, landings are allowed only on Runway 36 and takeoffs are allowed only on Runway 18. Both runways use a standard, left-hand traffic pattern.

Due to the very unique nature of "one-way runway" operations, the Compatibility Zones at Weaverville have been adjusted to reflect traffic as it actually is flown by pilots. The risk of safety and noise concerns to the north of the airport is reduced due to the lack of low-level overflight. The risks have not been completely eliminated by the one-way nature of traffic, but are significantly reduced.

Therefore, the Compatibility Zones have been modified to reflect the risk that actually exists in the area off the north end of the runway. Because there are no arrivals on Runway 18 or departures on Runway 36, there is no Runway Protection Zone on the north end, as shown on the Weaverville ALP. Zones B1 and B2 have been modified to replace the Zone A that would exist were there an RPZ, and to reflect only the risks of a landing overrun or a higher level go-around on approach to Runway 36.

Zone D has been enlarged to reflect the proximity of the airport to the major portion of the town of Weaverville and the nature of traffic flow dictated by terrain and the one-way runway. The ALUC has noted the flight paths actually flown by many pilots entering the pattern on a left base leg. Given the actual traffic pattern, Zone D has been extended to mitigate additional development that might create safety or noise concerns.

Compatibility zone boundaries are defined as follows:

6.1.2.1 Zone A

Consistent with Chapter 2, Policy 7.4.2 "Zone A - Runway Protection Zone and Object Free Area", Zone A includes the Object Free Area (OFA) and the RPZs.

Due to the displaced threshold for Runway 36, there are two RPZs at the south end of the airport: the Runway 36 Approach RPZ and the Runway 18 Departure RPZ. Zone A is modified to include the two RPZs off the

south end of the runway consistent with Chapter 2, Policy 7.6, "Runways With Multiple RPZs."

Because there is no RPZ off the north end of the airport, Zone A extends 240 feet beyond the end of Runway 36 consistent with the definition of the OFA.

6.1.2.2 Zone B1

The northern portion of Zone B1 is modified in shape and location generally to replace the portion of Zone A normally attributed to an RPZ. The north Zone B1 is a trapezoid that begins adjacent to Zone A (the northern boundary of the OFA) and is 250 feet wide at that point. The outer edge of the north Zone B1 is 450 feet wide, and is located 1000 feet from the OFA. Thus, the north Zone B1 has the same dimensions as an RPZ, but is located 240 feet, rather than 200 feet, from the runway end

The southern portion of Zone B1 is similar to standard dimensions except that because multiple RPZs exist for this zone,

- to determine the point from which the 30-degree radii radiate, the Runway 36 approach RPZ is used, and
- to determine the center point used for the 3,000-foot radii from which the outer arc is swung, the departure RPZ for Runway 18 is used.

6.1.2.3 Zone B2

The northern portion of Zone B2 is an equilateral triangle with 3,000-foot sides:

- it is symmetrically oriented with respect to the extended runway centerline,
- it has one vertex located on the runway centerline 1,000 feet from the end of Runway 18, and
- it excludes the areas in Zone A and Zone B1.

The southern portion of Zone B2 is similar to standard dimensions except that because multiple RPZs exist for this zone, the turning area is extended due to the increased size of Zone B1:

- the 30-degree radius and the Zone B2 turning area arc are connected by straight lines parallel to, and 1,500 feet from, the extended runway centerline.

6.1.2.4 Zone C

Zone C has the standard Zone C definition.

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6.1.2.5 Zones D

Zone D includes the area outside Zones B1, B2 and C, and inside the perimeter defined by swinging an arc with a radius of 5,000 feet from a point on the runway centerline at the north end of Runway 36, and an arc with a radius of 5,000 feet from a point 4,000 feet from the south end of Runway 18 on the extended runway centerline. The arcs are connected by lines parallel to, and 5,000 feet on either side of the runway centerline.

6.2 Airport Influence Area

Weaverville Airport has a standard Airport Influence Area as defined in Chapter 2, Policy 7.3 "Airport Influence Area".

6.3 Additional Compatibility Policies

6.3.1 Airport Structures

Existing structures and the uses thereof on the airport property east of the runway as of the date of adoption of this ALUCP are deemed to be compatible uses.

6.3.2 Modified Transition Slope

The Weaverville airport has been issued a variance for the transition slope on the east side of the airport. The transition slope effectively terminates 175 feet from the runway centerline.

Nevertheless, the standard criteria of Zones B1, B2, C and D apply.

6.4 Maps

- Compatibility Zone Maps, Figure 3-9 "Weaverville Airport Compatibility Zones - View 1" and Figure Figure 3-10 "Weaverville Compatibility Zones - View 2"
- AIA Map, Figure 3-11 "Weaverville Airport Influence Area"

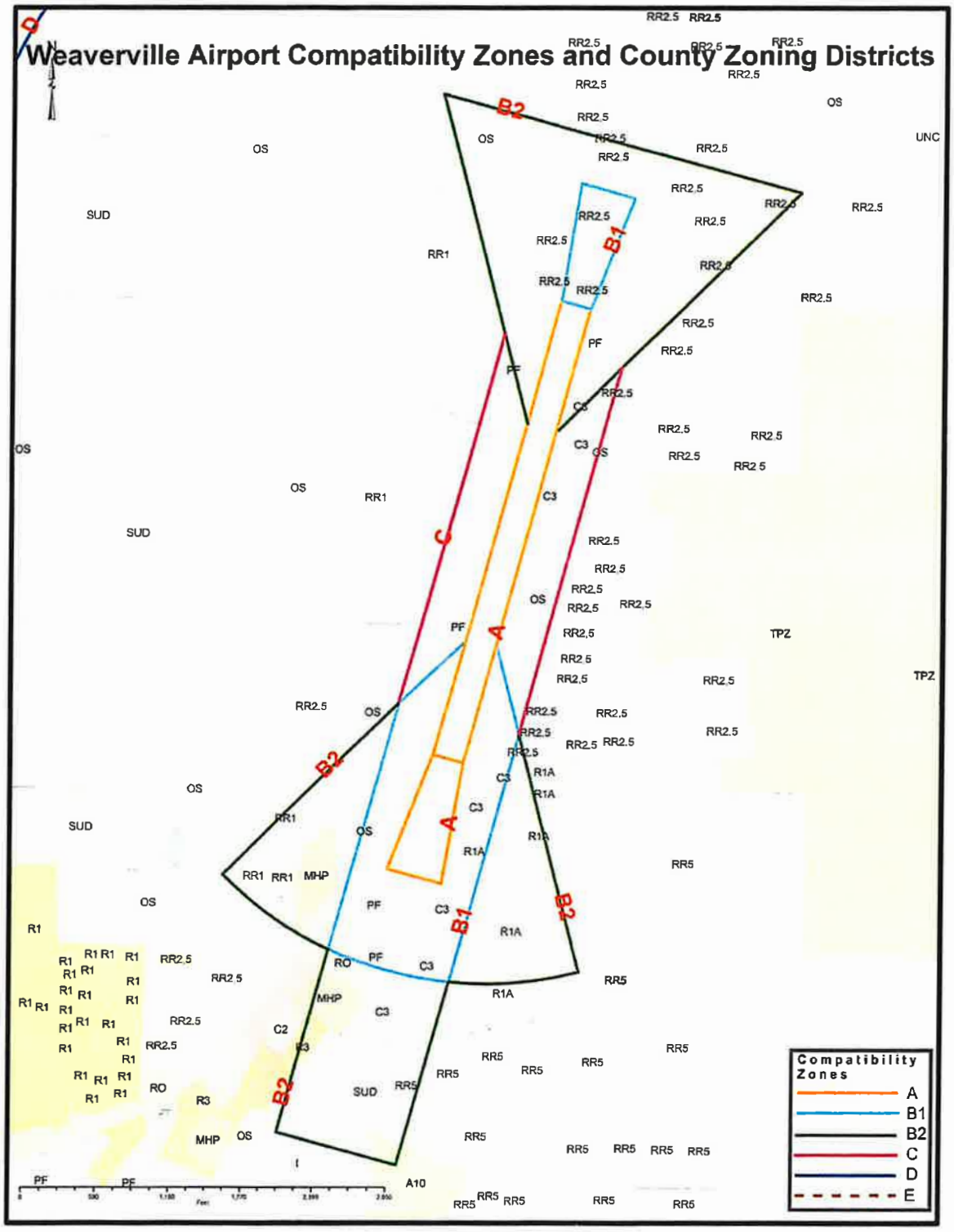


Figure 3-9 Weaverville Airport Compatibility Zones - View 1

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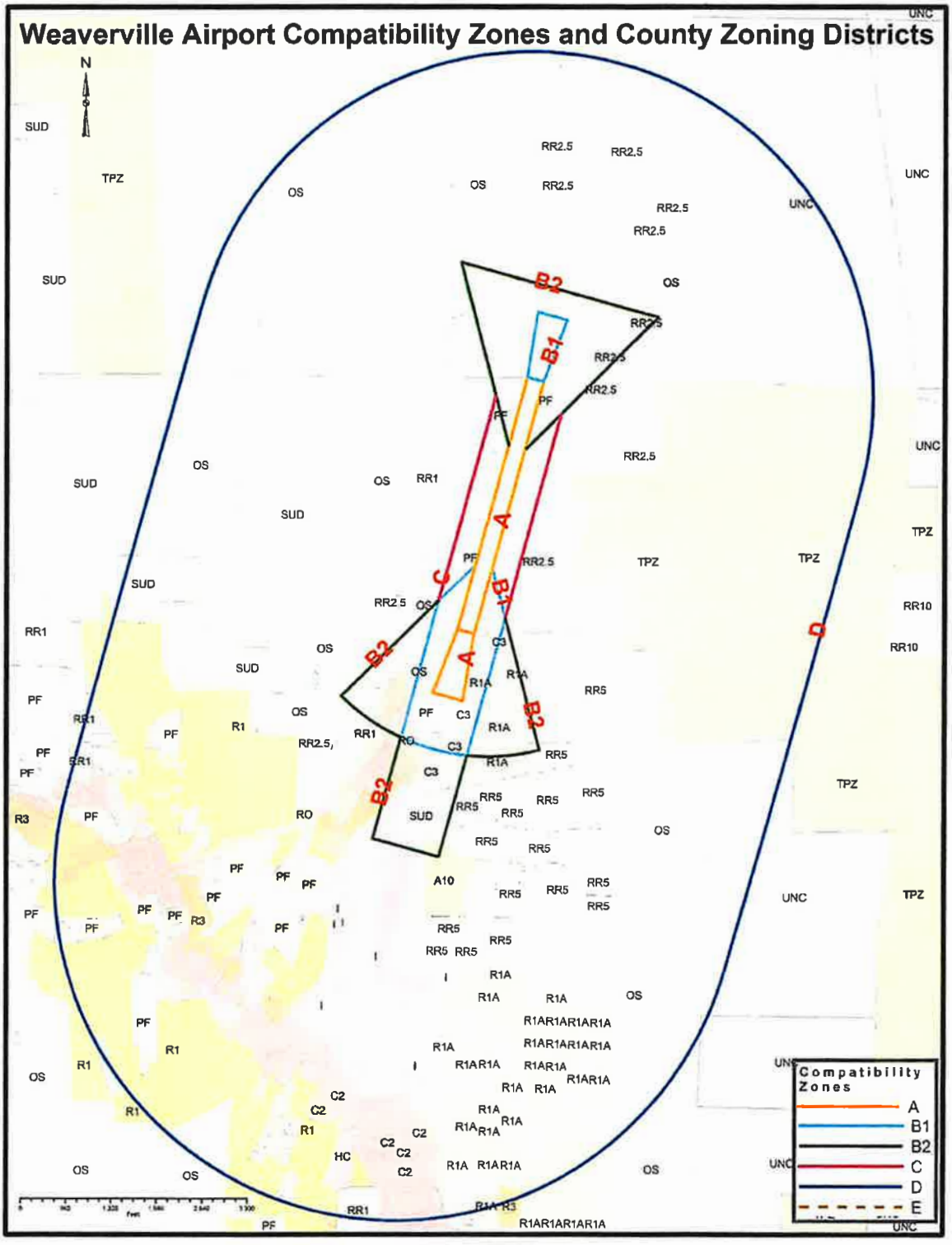


Figure 3-10 Weaverville Compatibility Zones - View 2

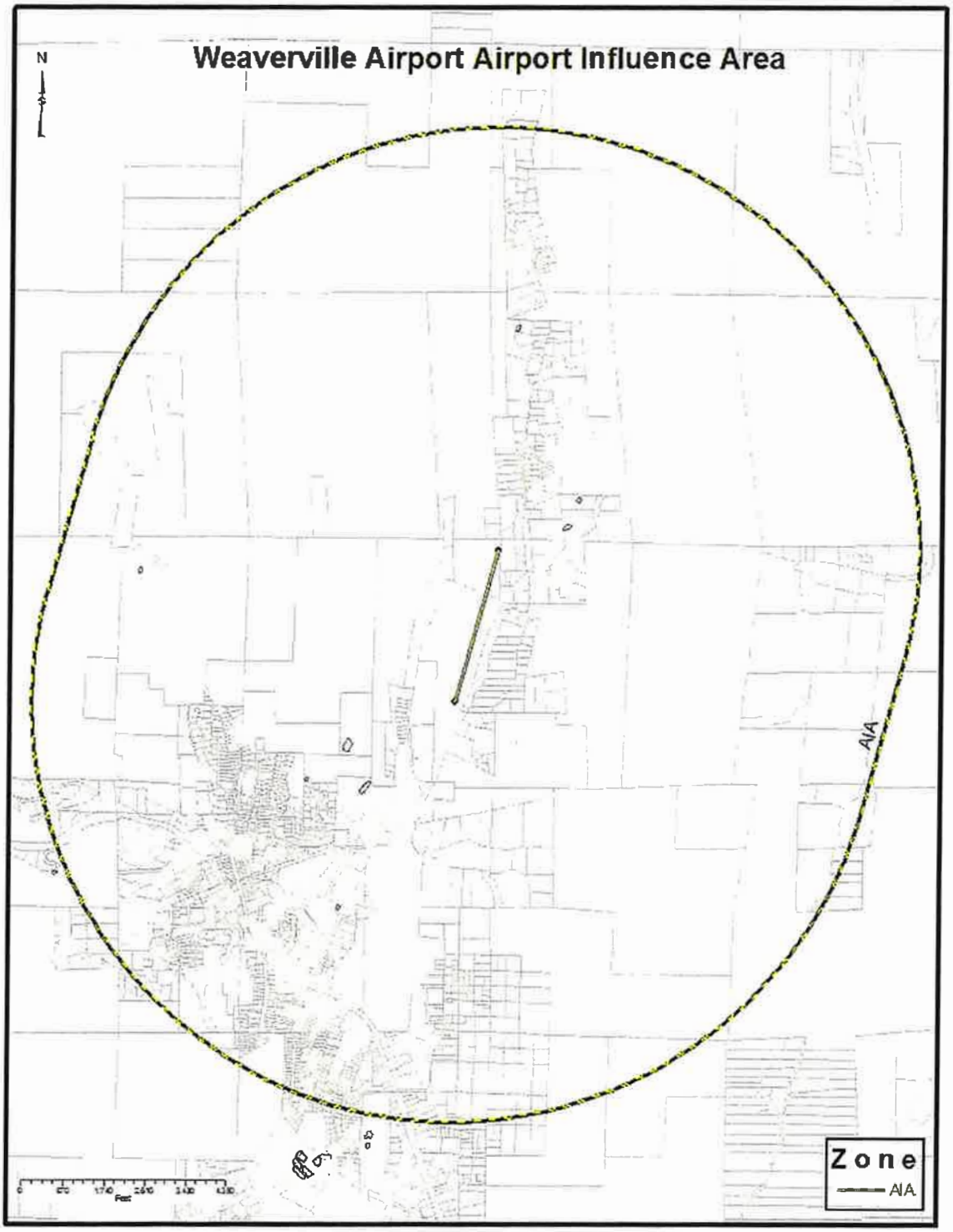


Figure 3-11 Weaverville Airport Influence Area

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CHAPTER

4

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1.0 Overview

This chapter contains background data regarding the airports in Trinity County. The airport configurations, activity levels, and other data presented here serves as the basis for the compatibility maps adopted by the Trinity County Airport Land Use Commission (ALUC).

The material herein is provided for informational purposes — it has not been adopted by the ALUC.

For each airport, a series of exhibits provides data about the airport and its environs. The specific exhibits included differ slightly from one airport to another, but the typical information included is as follows:

- Description of airport features
- Copy of latest airport layout plan drawings, with current and future noise impact contours
- Data regarding current and future aircraft activity
- Overflight map illustrating the various noise and safety factors that serve to define the airport's compatibility zone boundaries

CalTrans approved use of the airport layout plans in lieu of master plans as the basis for this compatibility planning. See the CalTrans letter in Section 4.0 "CalTrans Division of Aeronautics Letter of Approval" of Appendix B "References".

The airport layout plans show:

- the current layout of the airport
- future airport projects
- Part 77 surfaces
- noise contours
- airport data

1.1 Common Airport Information

The following data are common to all Trinity County airports:

- Classified as General Aviation airport
- No commercial aviation activity
- No two-way communication equipment for air-to-ground
- No fuel facility. Weaverville does have a small, private fuel storage tank.
- No rescue or fire-fighting services. However, during the wildfire season, fire-fighting aircraft and equipment are often based at one or more airports.
- No instrument approaches

2.0 Overview of Trinity County

Trinity County is situated in the remote mountains of Northern California and covers approximately 3,222 square miles. The predominant features of Trinity County include the Trinity River, Trinity Lake, and the Trinity Alps.

Approximately 72 percent of the county land is in state and federal ownership, including a large portion of the Trinity National Forest, Six Rivers National Forest, and the Shasta Trinity National Recreation Area.

Of the roughly 28 percent of county land in private hands, approximately 15 percent is industrial timber lands, while the remaining 13 percent of land is in mainly agricultural, commercial, and residential uses.

Trinity County is bordered to the east by northern Sacramento Valley, to the west by California's Redwood Coast, and lies adjacent to the Trinity Alps Wilderness Area. This 517,000-acre area is the second largest designated wilderness in the State of California and spans three national forest boundaries. There are also two designated Wild and Scenic Rivers within the wilderness: New River and Trinity River

The Shasta-Trinity National Forest is located to the west, between the interior Coast Range and the Cascade Range. The Forest lies within portions of Humboldt, Modoc, Shasta, Siskiyou, and Trinity Counties. Elevations range from 1,000 feet along the southern and eastern edges of the Forest to 14,162 feet at the summit of Mt. Shasta.

Trinity County's population is projected to reach 20,100 by 2026, which represents an average annual growth rate of 1.4 percent. The state's population is projected to grow at an average annual rate of 1.6 percent during the forecast period, reaching an estimated 53.1 million residents by the year 2026.

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3.0 Hayfork Airport

Hayfork Airport is located approximately 17 nm southwest of the county seat of Weaverville. Hayfork is the only Trinity County airport that is permitted for night operations.

Hayfork Airport, which was developed in 1969, is one of five general aviation airports operated by Trinity County, providing valuable aviation access to the southern portion of the county.

3.1 Airport Planning

A current Master Plan for Hayfork Airport is not available.

The Hayfork Airport Layout Plan was conditionally approved by the FAA in August 2008. The current layout plan is included at the end of this section.

3.2 Airport Feature Summary

- **Runways and Taxiways** -- Hayfork Airport is served by a single runway. Runway 7-25 is oriented in an east-west direction and is paved with asphalt. The runway is 4,115 feet in length and 60 feet in width. There is a parallel taxiway for the eastern 2/3 of the runway.
- **Airfield Lighting/Pavement Markings** -- The location of the airport at night is universally identified by a rotating beacon. The runway has medium intensity runway lights and basic markings.
- **Weather and Communication Aids** -- Hayfork Airport does not have weather reporting equipment or two-way communication.

3.3 Aviation Activity

Details about based aircraft and airport operations forecast are contained in the narrative section of the *2008 Hayfork Airport Layout Plan.* Hayfork is a low-use General Aviation airport. See a supporting statement letter in Appendix B: Section 5.0 "Coffman Associates, Hayfork Operations Letter".

Based Aircraft - The preferred planning forecast for Hayfork Airport is a mid-range of all the forecasts calculated by Coffman Associates and yields eight based aircraft by 2011; nine based aircraft by 2016; and 11 based aircraft by 2026.

Aircraft Operations - As detailed by Coffman Associates, the current operations and forecast for peak periods at Hayfork are:

		FORECAST
General Aviation Operations	**2006**	**2026**
Annual	1,500	2,750
Peak Month	150	275
Busy Day	6	11
Normal (Design) hour	1	1

3.4 Noise and Overflight

The compatibility of existing and planned land uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts. Typically, significant impacts will occur over noise-sensitive areas within the 65 CNEL noise contour.

Specific to this airport:

- Hayfork Airport is bounded by a mixture of residential, commercial, and open land. The county fairgrounds are located to the immediate southwest.
- Noise contours are included on the Airport Layout Plan (ALP). The noise contours are contained on airport property.
- No noise-sensitive land uses are contained within the 65 CNEL.

An overflight diagram is included in this section.

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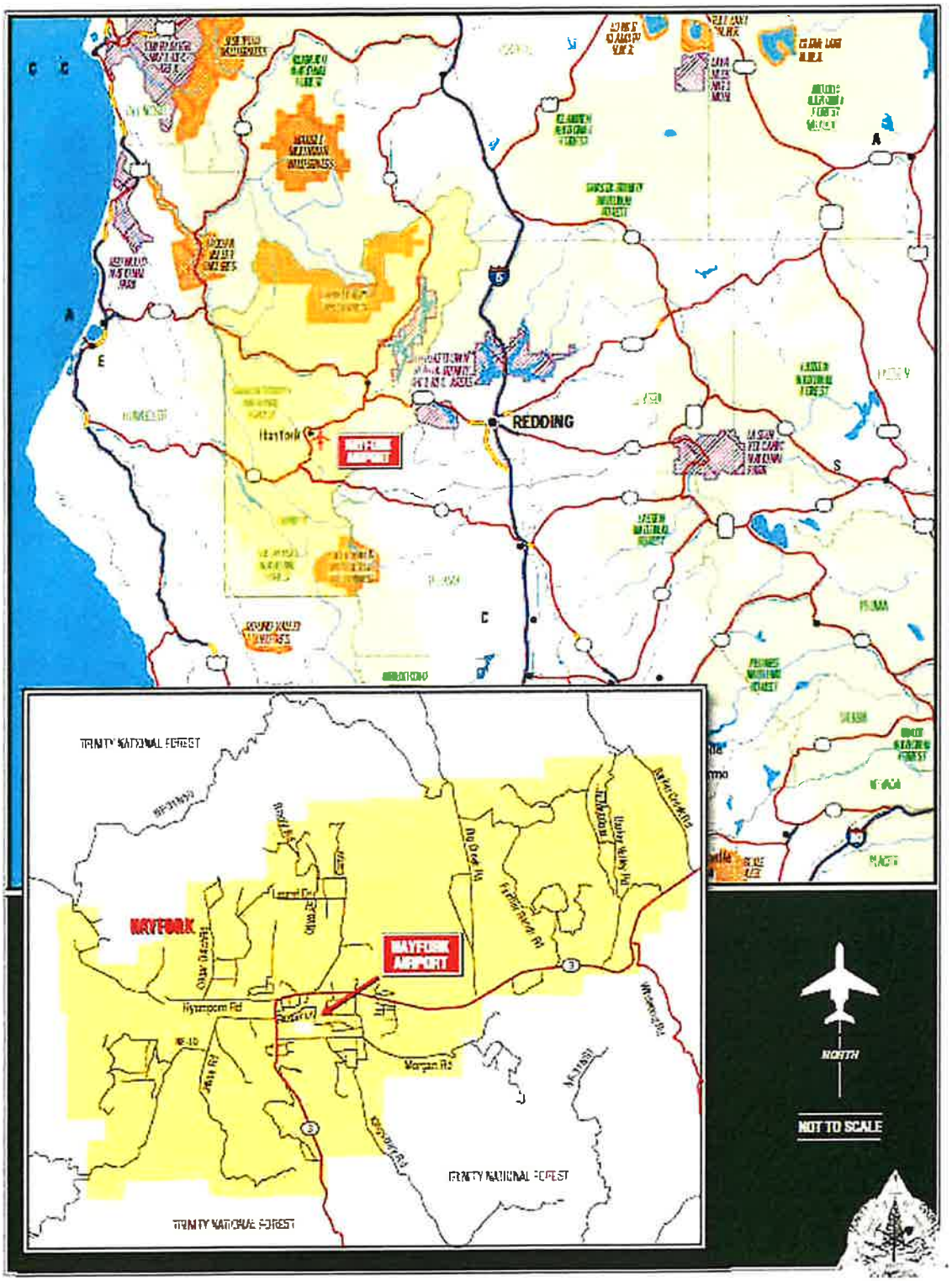


Figure 4-1 Hayfork Area Map

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Hayfork Airport – F62

(source: FAA Master Record and 2008 Hayfork Airport Layout Plan)

FAA Design Criteria
Airport Reference Code: A-1 (small aircraft exclusively)
No single aircraft contributes to 500 annual operations
Critical design aircraft: Mitsubishi MU-2

Location
Lat/Long: 40-32-49.518N / 123-10-54.103W
40-32.8253N / 123-10.901717W
40.547088 / -123.1816953
Elevation: 2333.1 ft. / 711.13 m
Variation: 17E (1985)
Mean maximum temp of hottest month: 94 degrees
From city: 1 mile S of HAYFORK, CA
Time zone: UTC -8 (UTC -7 during DST)
Zip code: 96041



Airport Operations

Airport use: Open to the public
Control tower: no
ARTCC: OAKLAND CENTER
FSS: RANCHO MURIETA FLIGHT SERVICE STATION
NOTAMs facility: RIU (NOTAM-D service available)
Attendance: UNATNDD
Pattern altitude: 3333 ft. MSL
Wind indicator: yes
Segmented circle: yes

Airport Communications

CTAF/UNICOM: 122.8

Airport Services

Parking: tiedowns
Airframe service: NONE
Powerplant service: NONE
Bottled oxygen: NONE
Bulk oxygen: NONE

Runway Information --- Runway 07/25
Dimensions: 4115 x 60 ft. / 1254 x 18 m
Surface: asphalt, in good condition
Lighting: Medium intensity runway lights, airport beacon

	RUNWAY 07	RUNWAY 25
Gradient:	0.4%	0.4%
Traffic pattern:	left	right
Markings:	basic, in average condition	basic, in average condition
Runway end identifier lights:	no	no
Obstructions:	60 ft. tree, 2240 ft. from runway, 200 ft. right of centerline, 34:1 slope to clear	125 ft. tree, 2180 ft. from runway, 220 ft. left of centerline, 15:1 slope to clear

Airport Operational Statistics – forecast 2026
Aircraft based on the field: 6
Annual aircraft operations: 1,500
70% transient general aviation
30% local general aviation

Additional Remarks
- HIGH TERRAIN SURROUNDS THE ARPT.

- NOISE ABATEMENT PROCEDURES IN EFFECT N, NE & S OF ARPT. INTERMITTENTLY CLOSED WINTERS DUE TO SNOW.

Instrument Procedures
There are no published instrument procedures

Figure 4-2 Hayfork Data Sheet

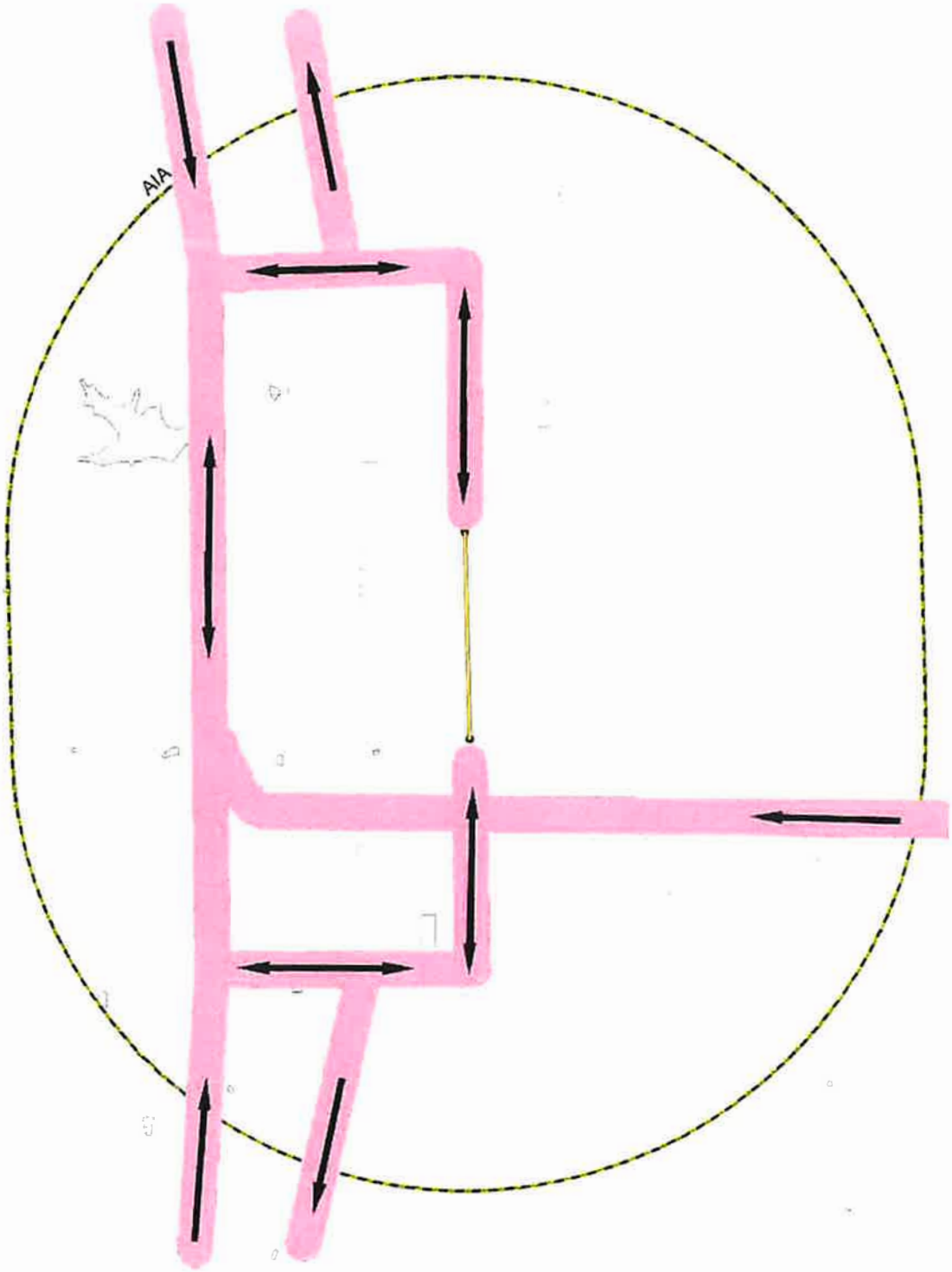


Figure 4-3 Hayfork Overflight Diagram

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Figure 4-4 Hayfork Airport Layout Plan

Following is the April 2008 FAA conditionally approved layout plan for Hayfork Airport.

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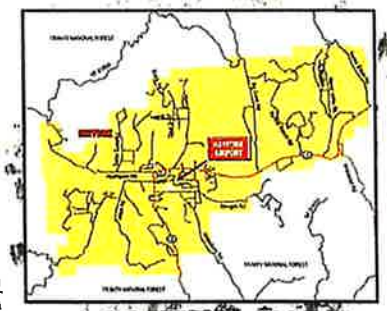
AIRPORT LAYOUT PLANS

FOR

HAYFORK AIRPORT

Prepared for

Trinity County, California



LOCATION MAP

Date of Photo: September, 2004

INDEX OF DRAWINGS

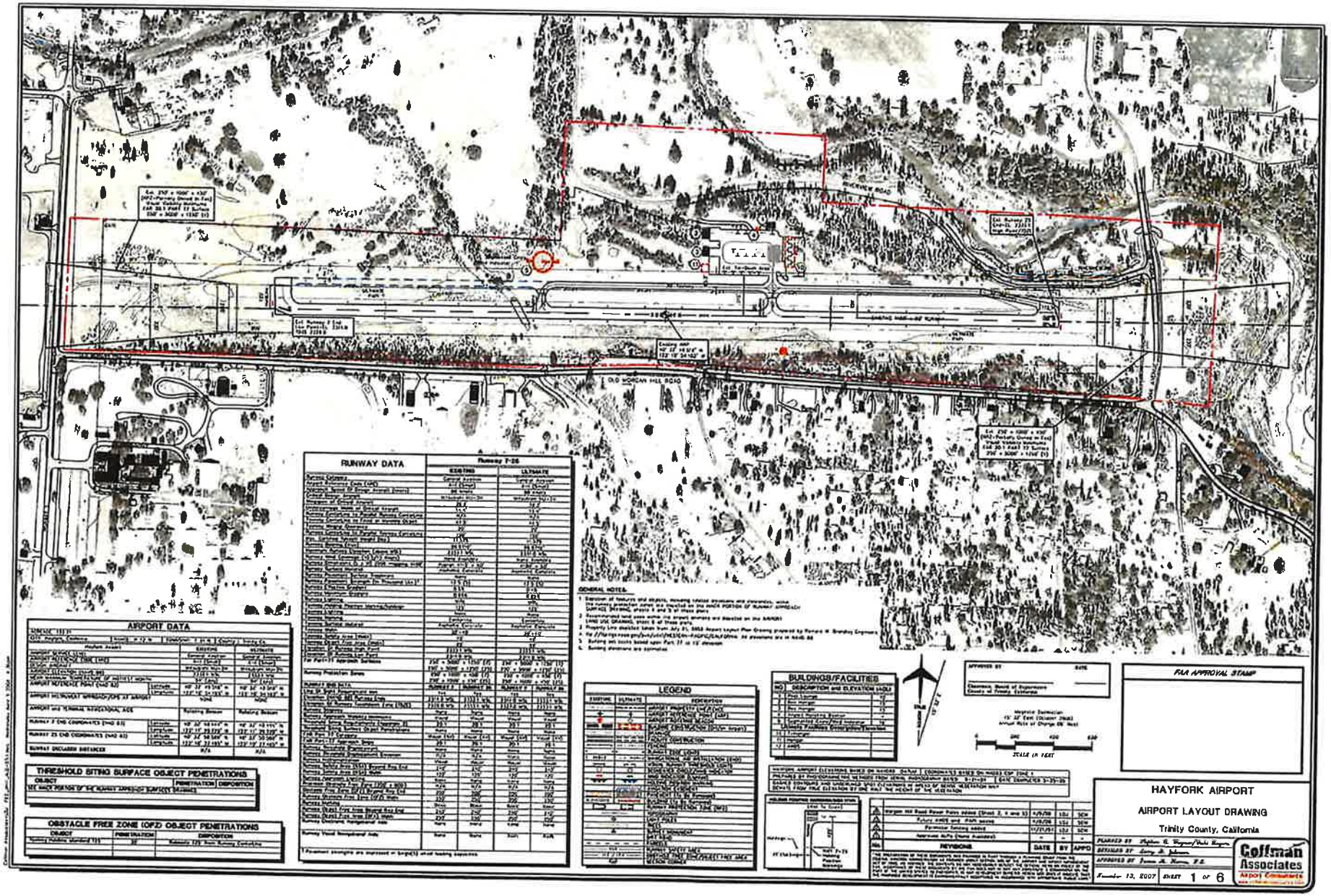
1. AIRPORT LAYOUT DRAWING
2. AIRPORT AIRSPACE DRAWING
3. APPROACH SURFACE PROFILES
4. INNER PORTION OF RUNWAY 7 APPROACH SURFACE DRAWING
5. INNER PORTION OF RUNWAY 25 APPROACH SURFACE DRAWING
6. AIRPORT LAND USE DRAWING

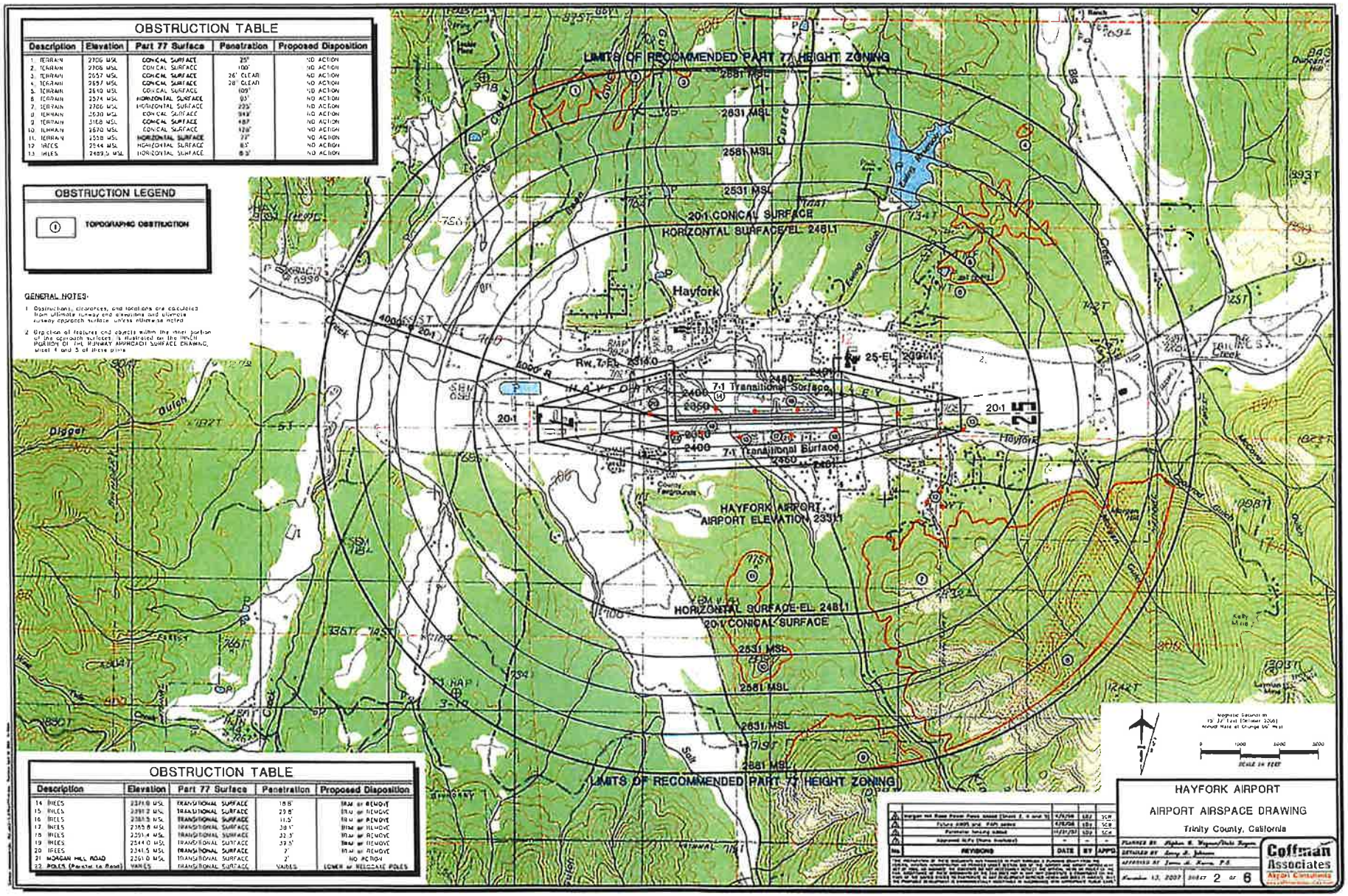
Coffman Associates
Airport Consultants



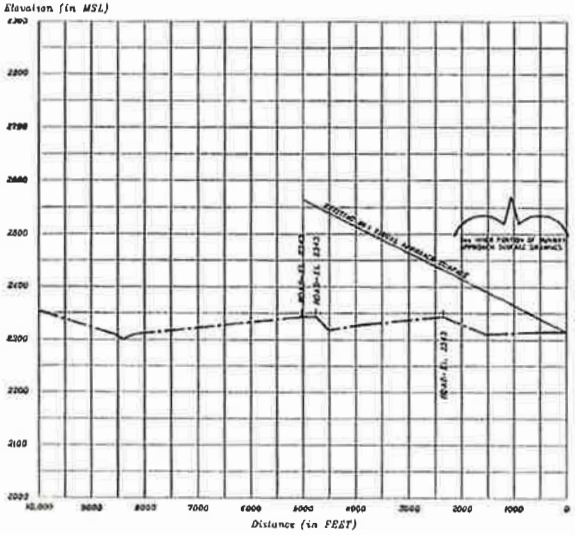
VICINITY MAP

APRIL 2008

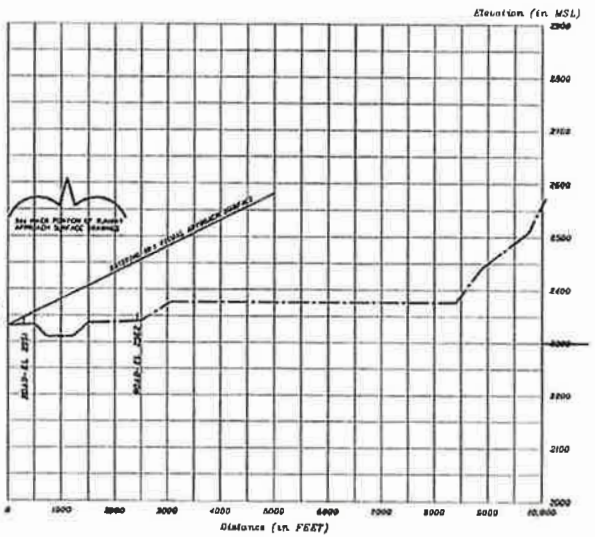

OLD MORGAN HILL ROAD
RUNWAY DATA
AIRPORT DATA
THRESHOLD SITING SURFACE OBJECT PENETRATIONS
OBSTACLE FREE ZONE (OFZ) OBJECT PENETRATIONS
GENERAL NOTES
LEGEND
BUILDINGS/FACILITIES
HAYFORK AIRPORT
AIRPORT LAYOUT DRAWING
Trinity County, California
FAA APPROVAL STAMP
Coffman Associates


OBSTRUCTION TABLE
Description | Elevation | Part 77 Surface | Penetration | Proposed Disposition
1. TERRAIN | 2706 MSL | CONICAL SURFACE | 25' | NO ACTION
2. TERRAIN | 2706 MSL | CONICAL SURFACE | 100' | NO ACTION
3. TERRAIN | 2657 MSL | CONICAL SURFACE | 26' CLEAR | NO ACTION
4. TERRAIN | 2697 MSL | CONICAL SURFACE | 28' CLEAR | NO ACTION
5. TERRAIN | 2610 MSL | CONICAL SURFACE | 109' | NO ACTION
6. TERRAIN | 2574 MSL | HORIZONTAL SURFACE | 93' | NO ACTION
7. TERRAIN | 2706 MSL | HORIZONTAL SURFACE | 225' | NO ACTION
8. TERRAIN | 2630 MSL | CONICAL SURFACE | 94' | NO ACTION
9. TERRAIN | 2768 MSL | CONICAL SURFACE | 48' | NO ACTION
10. TERRAIN | 2670 MSL | CONICAL SURFACE | 128' | NO ACTION
11. TERRAIN | 2558 MSL | HORIZONTAL SURFACE | 77' | NO ACTION
12. WIRES | 2544 MSL | HORIZONTAL SURFACE | 63' | NO ACTION
13. WIRES | 2489.0 MSL | HORIZONTAL SURFACE | 8.3' | NO ACTION
OBSTRUCTION LEGEND
1 TOPOGRAPHIC OBSTRUCTION
GENERAL NOTES:
1. Obstructions, clearances, and locations are calculated from ultimate runway end elevations and ultimate runway approach surface unless otherwise noted.
2. Depiction of features and objects within the inner portion of the approach surfaces is illustrated on the INNER PORTION OF THE RUNWAY APPROACH SURFACE DRAWING, sheet 4 and 5 of these plans.
LIMITS OF RECOMMENDED PART 77 HEIGHT ZONING
2581 MSL
2631 MSL
20:1 CONICAL SURFACE
HORIZONTAL SURFACE/EL 2481.1
Hayfork
Rw. 7-Fl. 2314.0
25-EL 2301.1
7:1 Transitional Surface
2400
2350
HAYFORK AIRPORT
AIRPORT ELEVATION 2331.1
HORIZONTAL SURFACE-EL 2481.1
20:1 CONICAL SURFACE
OBSTRUCTION TABLE
Description | Elevation | Part 77 Surface | Penetration | Proposed Disposition
14. WIRES | 2371.0 MSL | TRANSITIONAL SURFACE | 18.8' | TRIM or REMOVE
15. WIRES | 2387.2 MSL | TRANSITIONAL SURFACE | 29.8' | TRIM or REMOVE
16. WIRES | 2381.5 MSL | TRANSITIONAL SURFACE | 11.5' | TRIM or REMOVE
17. WIRES | 2365.8 MSL | TRANSITIONAL SURFACE | 30.1' | TRIM or REMOVE
18. WIRES | 2391.4 MSL | TRANSITIONAL SURFACE | 32.3' | TRIM or REMOVE
19. WIRES | 2544.0 MSL | TRANSITIONAL SURFACE | 39.5' | TRIM or REMOVE
20. WIRES | 2341.5 MSL | TRANSITIONAL SURFACE | 7' | TRIM or REMOVE
21. MORGAN HILL ROAD | 2361.0 MSL | TRANSITIONAL SURFACE | 2' | NO ACTION
22. POLES (Parallel to Road) | VARIES | TRANSITIONAL SURFACE | VARIES | LOWER or RELOCATE POLES
REVISIONS
DATE | BY | APPD
HAYFORK AIRPORT
AIRPORT AIRSPACE DRAWING
Trinity County, California
Coffman Associates
Airport Consultants
SHEET 2 of 6

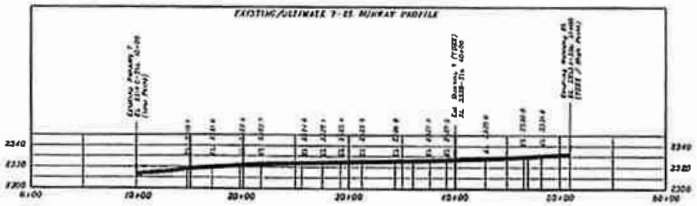
RUNWAY 7 PROFILES



RUNWAY 25 PROFILES



EXISTING AND ULTIMATE RUNWAY 7-25 APPROACH PROFILES



FAR PART-77 OUTER APPROACH RUNWAY 7 OBSTRUCTION TABLE

Object Description	Object Elevation	Penetrate 20:1 Approach	Trib 20:1 Slope	Proposed Object Description
NONE	-	-	-	SEE INNER APPROACH SURFACE DRAWING

FAR PART-77 OUTER APPROACH RUNWAY 25 OBSTRUCTION TABLE

Object Description	Object Elevation	Penetrate 20:1 Approach	Trib 20:1 Slope	Proposed Object Description
NONE	-	-	-	SEE INNER APPROACH SURFACE DRAWING



GENERAL NOTES

1. Obstructions, clearances, and locations are compiled from ultimate runway and obstacle and ultimate approach surfaces unless otherwise noted.
2. Depiction of features and objects within the primary, transitional, and horizontal Part 77 surfaces, is illustrated on the AIRPORT AIRSPACE DRAWING, sheet 2 of these plans.
3. Depiction of features and objects within the inner portion of the approach surfaces, is illustrated on the INNER PORTION OF THE RUNWAY APPROACH SURFACE DRAWING, sheets 4 and 5 of these plans.
4. Runway Elevations in NAVD-88, USGS data in NAD-27 and NGVD-29.

NO.	REVISIONS	DATE	BY	APPD
1	Margin Rt. Road Power Poles added (Sheet 3, 4 and 5)	5/9/08	LSJ	MCW
2	Future AWOS and Path added.	5/9/08	LSJ	MCW
3	Runway turning added	-/-/-08	LSJ	MCW
4	Approach Alts (Name Available)	-	-	-

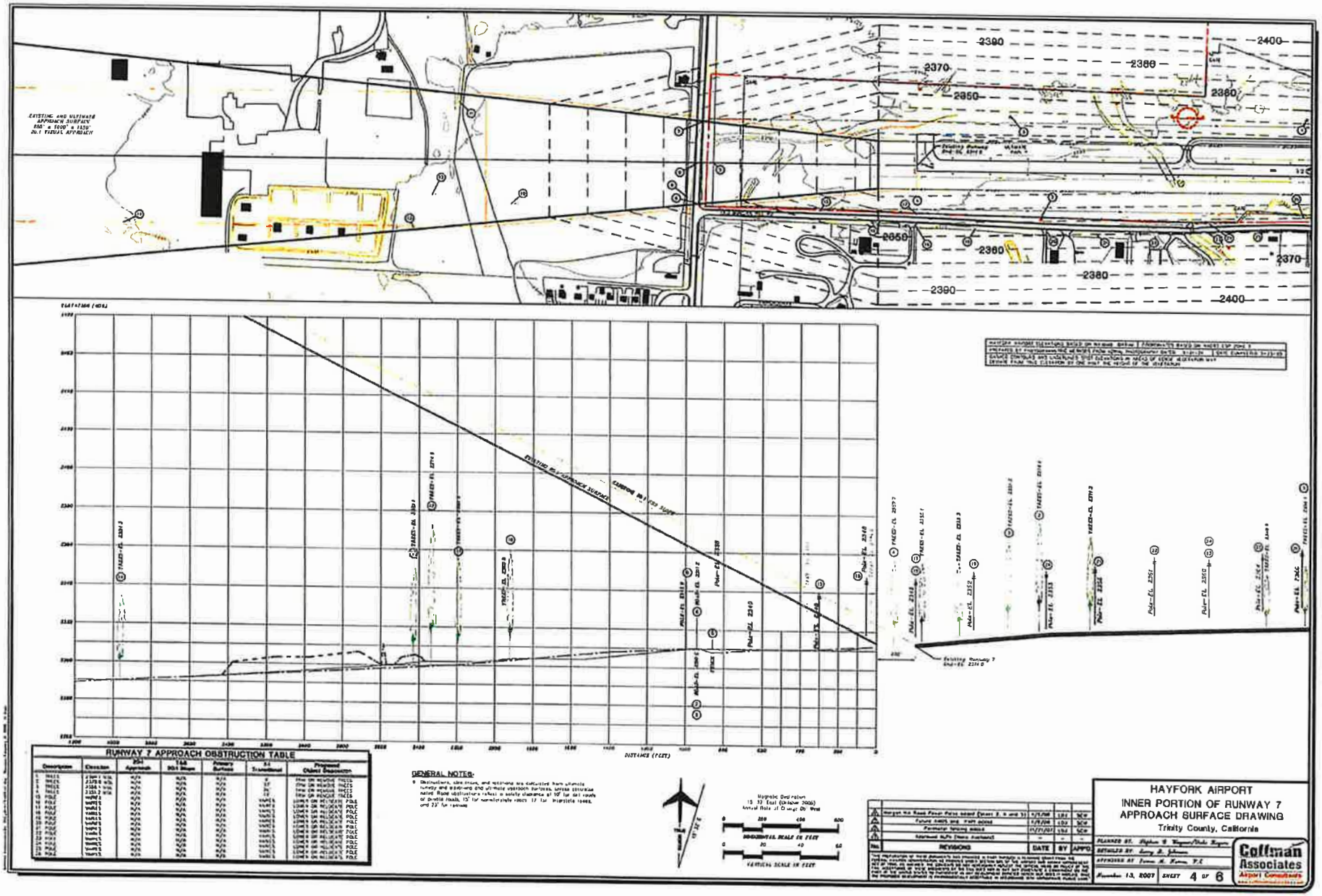
HAYFORK AIRPORT

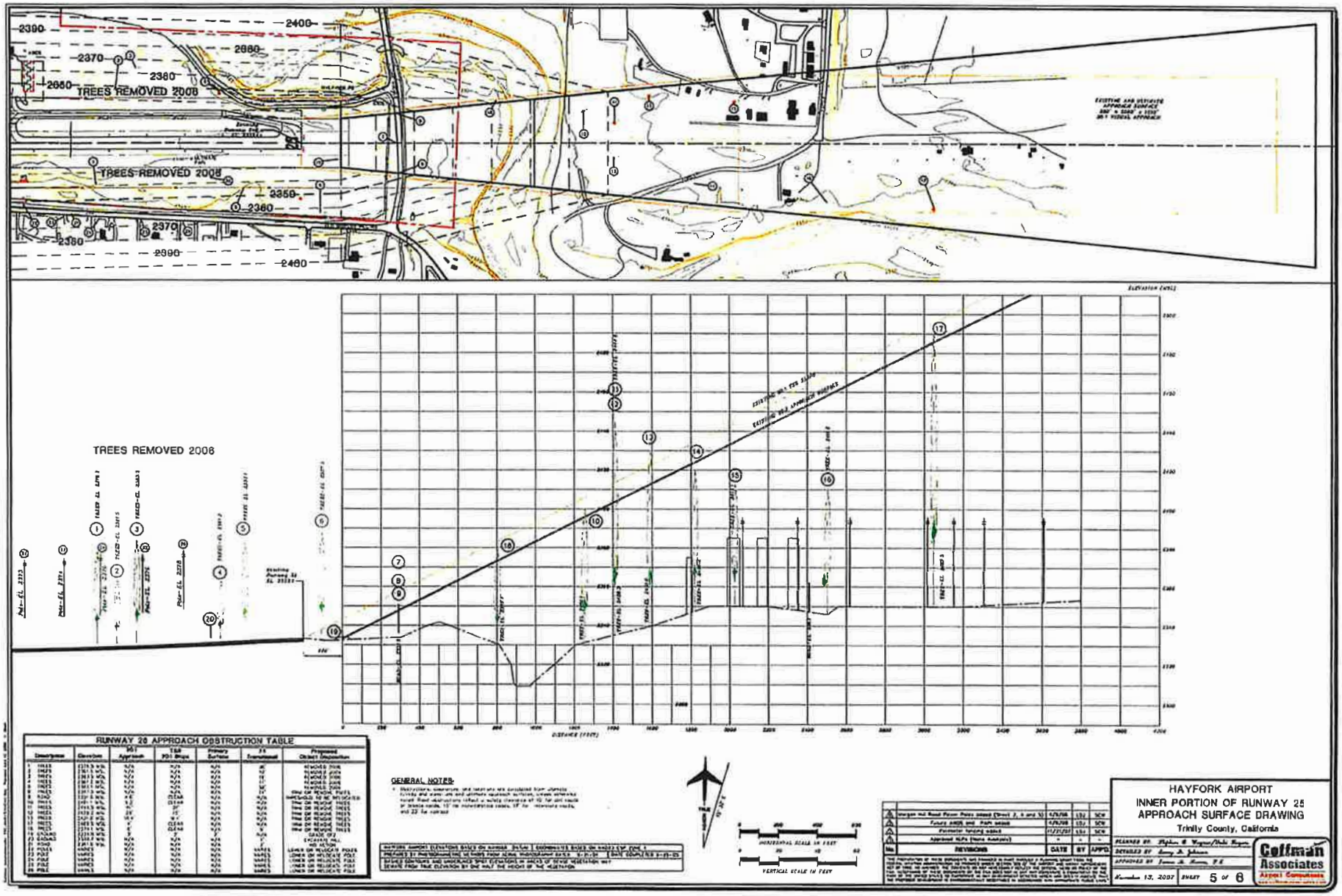
RUNWAY 7-25 APPROACH PROFILES

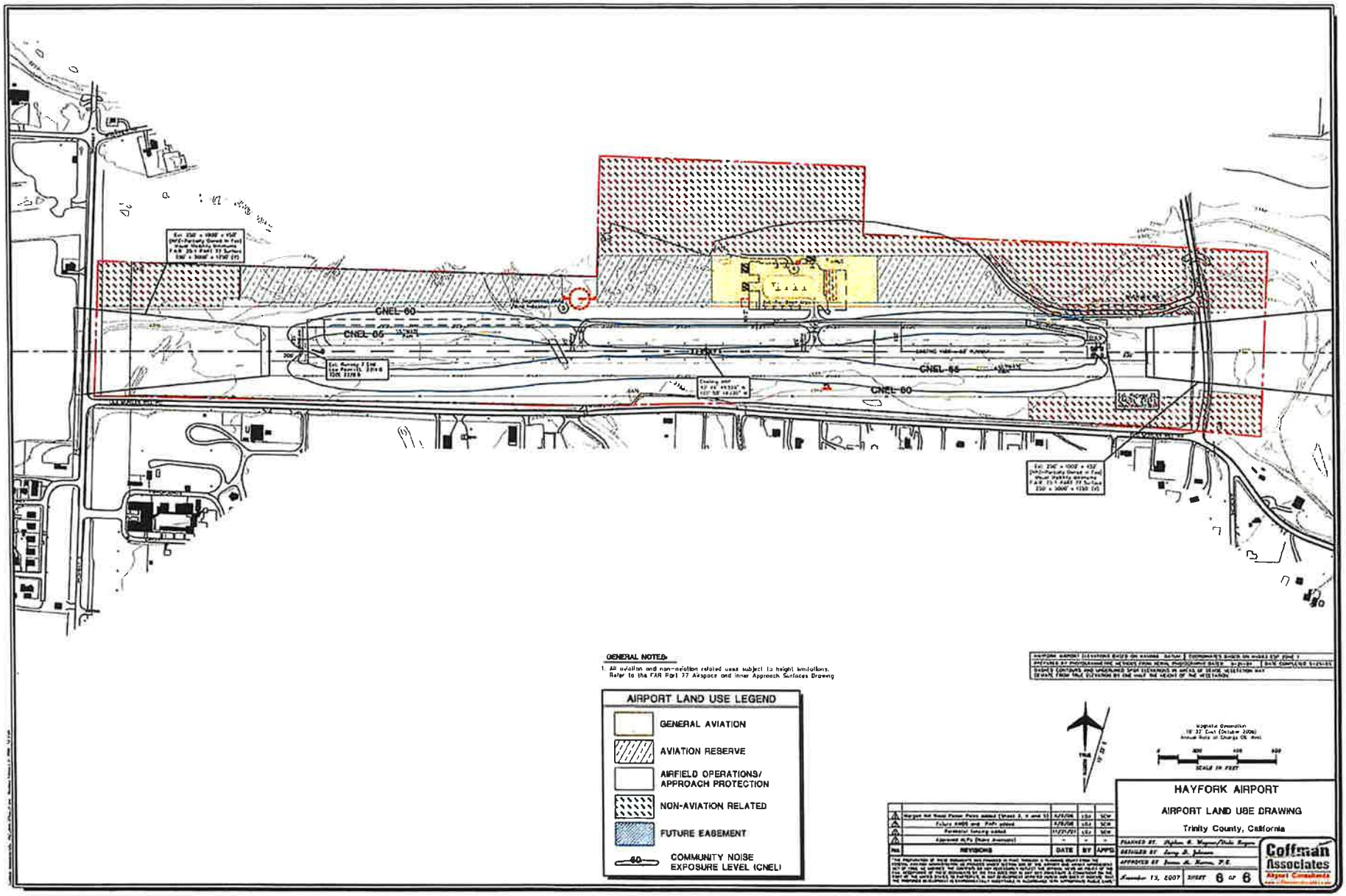
Trinity County, California

PLANNED BY: Stephen W. Wagner/Mark Rogers
DRAFTED BY: Larry L. Johnson
APPROVED BY: Ronnie A. Kemp, P.E.
November 13, 2007 SHEET 3 OF 6

Coffman Associates Airport Consultants


EXISTING AND ULTIMATE APPROACH SURFACE 850' x 1500' x 5270' 20:1 VISUAL APPROACH
2400
2390
2380
2370
2360
2350
2340
2330
2320
2310
2300
2290
2280
2270
2260
2250
2240
2230
2220
2210
2200
2190
2180
2170
2160
2150
2140
2130
2120
2110
2100
2090
2080
2070
2060
2050
2040
2030
2020
2010
2000
1990
1980
1970
1960
1950
1940
1930
1920
1910
1900
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1830
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1800
1790
1780
1770
1760
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1710
1700
1690
1680
1670
1660
1650
1640
1630
1620
1610
1600
1590
1580
1570
1560
1550
1540
1530
1520
1510
1500
1490
1480
1470
1460
1450
1440
1430
1420
1410
1400
1390
1380
1370
1360
1350
1340
1330
1320
1310
1300
1290
1280
1270
1260
1250
1240
1230
1220
1210
1200
1190
1180
1170
1160
1150
1140
1130
1120
1110
1100
1090
1080
1070
1060
1050
1040
1030
1020
1010
1000
990
980
970
960
950
940
930
920
910
900
890
880
870
860
850
840
830
820
810
800
790
780
770
760
750
740
730
720
710
700
690
680
670
660
650
640
630
620
610
600
590
580
570
560
550
540
530
520
510
500
490
480
470
460
450
440
430
420
410
400
390
380
370
360
350
340
330
320
310
300
290
280
270
260
250
240
230
220
210
200
190
180
170
160
150
140
130
120
110
100
90
80
70
60
50
40
30
20
10
0
EXISTING 20:1 APPROACH SURFACE
EXISTING 34:1 FAR PART
Existing Runway 7 End=EL 2314.0
DISTANCE (FEET)
RUNWAY 7 APPROACH OBSTRUCTION TABLE
Description
Elevation
20:1 Approach
34:1 Slope
Primary Surface
5:1 Transitional
Proposed Object Disposition
GENERAL NOTES:
Magnetic Declination 15° 33' East (October 2006) Annual Rate of Change: 0° West
HORIZONTAL SCALE IN FEET
VERTICAL SCALE IN FEET
REVISIONS
DATE
BY
APP'D
HAYFORK AIRPORT
INNER PORTION OF RUNWAY 7
APPROACH SURFACE DRAWING
Trinity County, California
PLANNED BY:
DETAILED BY:
REVIEWED BY:
November 13, 2007
SHEET 4 OF 6
Coffman Associates
Airport Consultants


TREES REMOVED 2008
TREES REMOVED 2008
TREES REMOVED 2008
RUNWAY 25 APPROACH OBSTRUCTION TABLE
GENERAL NOTES:
HAYFORK AIRPORT
INNER PORTION OF RUNWAY 25
APPROACH SURFACE DRAWING
Trinity County, California
Coffman Associates
November 13, 2007
SHEET 5 OF 6


CNEL 60
CNEL 65
CNEL 65
CNEL 60
GENERAL NOTES:
1. All aviation and non-aviation related uses subject to height limitations. Refer to the FAR Part 77 Airspace and Inner Approach Surfaces Drawing
AIRPORT LAND USE LEGEND
GENERAL AVIATION
AVIATION RESERVE
AIRFIELD OPERATIONS/ APPROACH PROTECTION
NON-AVIATION RELATED
FUTURE EASEMENT
60 COMMUNITY NOISE EXPOSURE LEVEL (CNEL)
SCALE IN FEET
HAYFORK AIRPORT
AIRPORT LAND USE DRAWING
Trinity County, California
REVISIONS
DATE
BY
APP'D
November 13, 2007
SHEET 6 OF 6
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4.0 Hyampom Airport

Hyampom Airport is located approximately 6 nm west-southwest of county seat of Weaverville. The airport is surrounded by forest and large parcels of private and timber land. The community of Hyampom is to the southeast.

4.1 Airport Planning

There is no Master Plan or approved Airport Layout Plan for Hyampom Airport. As the basis of compatibility analysis, the set of 2004 layout plan diagrams produced by Reinard Brandley, was used during plan development.

4.2 Airport Feature Summary

- **Runways and Taxiways** -- Hyampom Airport is served by a single runway. Runway 14/32 is oriented northwest/southeast and is paved with asphalt. It is 2,980 x 60 feet. There is no taxiway; however, there is a turn-around/run-up pad at each end of the runway.
- **Airfield Lighting/Pavement Markings** -- There is no airport or runway lighting. The runway has basic markings.
- **Weather and Communication Aids** -- Hyampom Airport does not have weather reporting equipment or two-way communication.

4.3 Aviation Activity

Hayfork is a low-use General Aviation airport.

Based Aircraft - A based aircraft forecast does not exist. We anticipate that there will be only a small increase in based aircraft at Hyampom.

Aircraft Operations - An airport operations forecast does not exist. We anticipate that operations increase will be at or below the national average.

4.4 Noise and Overflight

The compatibility of existing and planned land uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts. Typically, significant impacts will occur over noise-sensitive areas within the 65 CNEL noise contour.

Specific to this airport:

- Hyampom Airport is bounded on all sides by large parcels of land, federal land, or land in timber production.
- Due to the low aircraft activity, noise is not anticipated to be an issue at Hyampom Airport.
- On warm days, aircraft departing Hyampom often follow the river during their departure climb.

An overflight diagram is included in this section.

Hyampom Airport – H47

(source: FAA Master Record and 2004 Hyampom Airport Diagrams)

FAA Design Criteria
Airport Reference Code: A-1 (small aircraft exclusively)
No single aircraft contributes to 500 annual operations
Critical design aircraft: Cessna

Location

Lat/Long: 40-37-39.507N / 123-28-14.131W
Elevation: 1250 ft. / 381 m (estimated)
Mean daily maximum temp of hottest month: 95 degrees
Variation: 17E (1985)
From city: 1 miles NW of Hyampom, CA
Time zone: UTC -8 (UTC -7 during DST)
Zip code: 96046



Airport Operations

Airport use: Open to the public
Activation date: 05/1965
Control tower: no
ARTCC: OAKLAND CENTER
FSS: RANCHO MURIETA FLIGHT SERVICE STATION
NOTAMs facility: RIU (NOTAM-D service available)
Attendance: UNATNDD
Pattern altitude: 2050 ft. MSL
Wind indicator: yes
Segmented circle: yes

Airport Communications

CTAF/UNICOM: 122.8

Airport Services

Parking: tiedowns
Airframe service: NONE
Powerplant service: NONE
Bottled oxygen: NONE
Bulk oxygen: NONE

Runway Information --- Runway 14/32
Dimensions: 2980 x 60 ft. / 908 x 18 m
Surface: asphalt, in good condition

	RUNWAY 14	RUNWAY 32
Gradient:	0.2% (15 feet)	0.2%
Traffic pattern:	Right	Left
Markings:	basic, in good condition	basic, in good condition
Runway end identifier lights:	no	no
Obstructions:	10 ft. trees, 555 ft. from runway, 80 ft. right of centerline, 35:1 slope to clear	79 ft. trees, 525 ft. from runway, 4:1 slope to clear trees APCH RATIO 17:1 TO DSPLCD THLD.

Airport Operational Statistics

Aircraft based on the field: 1
60% transient general aviation
40% local general aviation

Additional Remarks

- HIGH TERRAIN SURROUNDS THE ARPT.

Instrument Procedures

There are no published instrument procedures

Figure 4-5 Hyampom Data Sheet

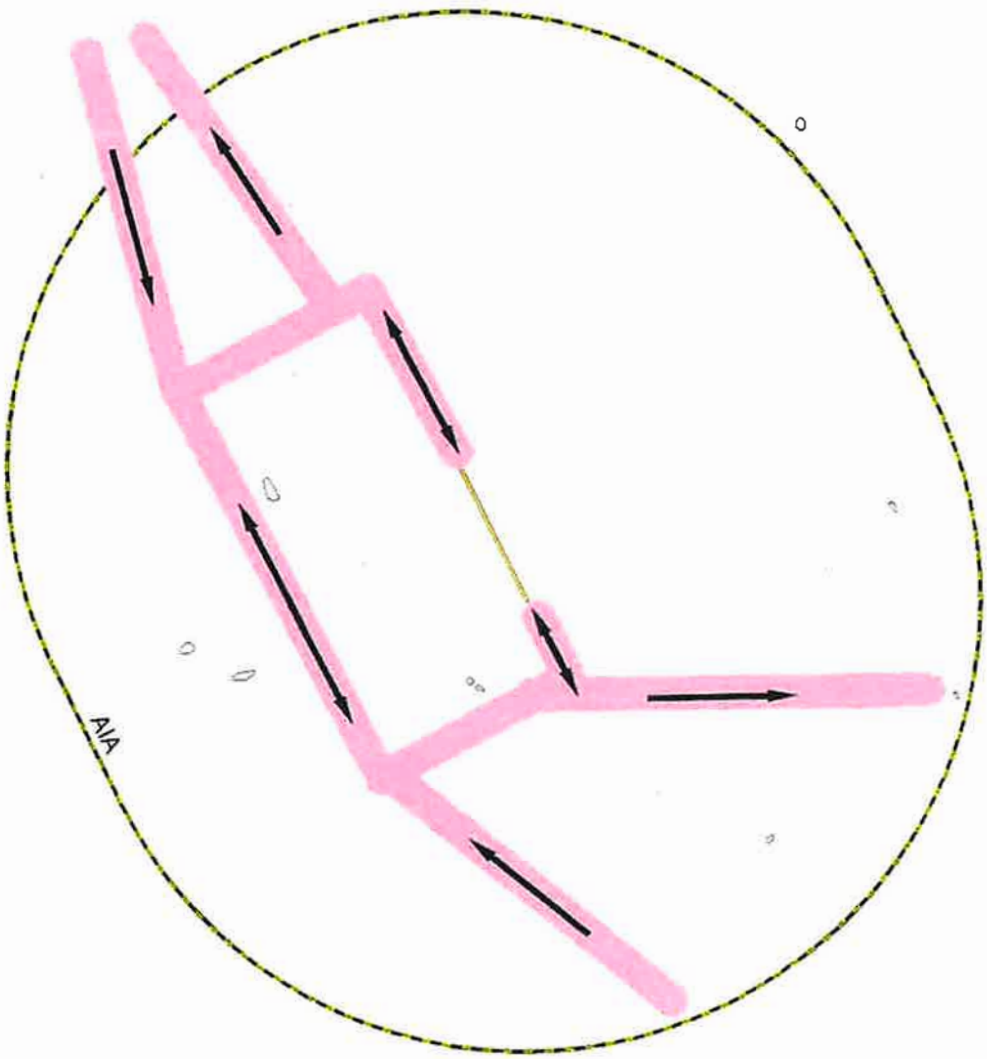


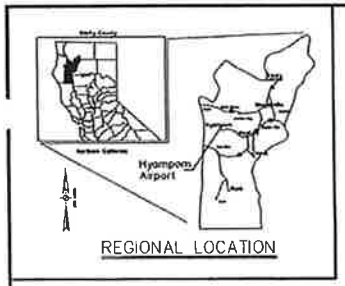
Figure 4-6 Hyampom Overflight Diagram

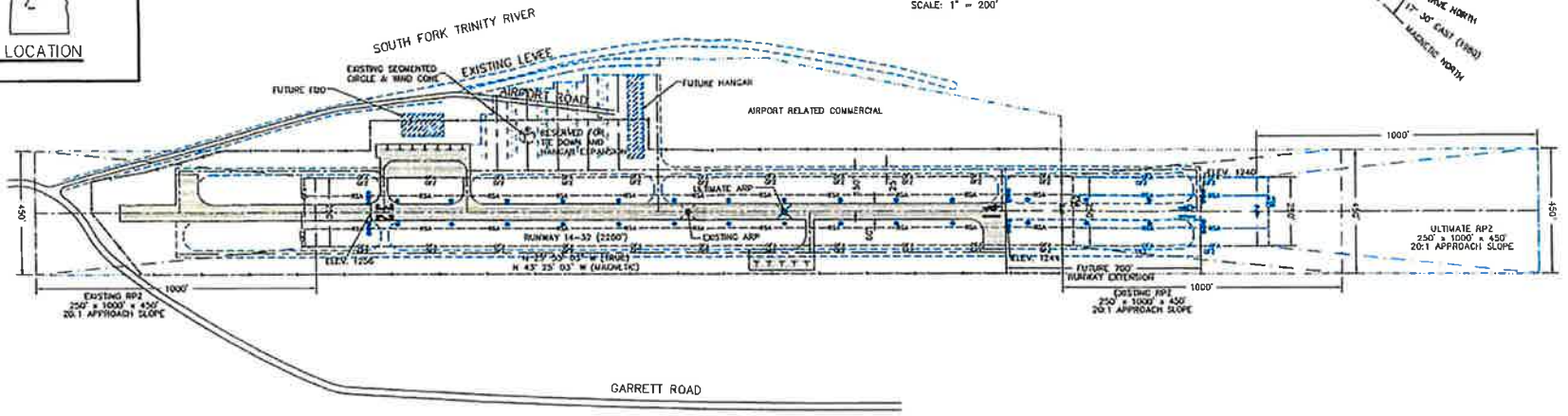
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Figure 4-7 Hyampom Airport Layout Plan

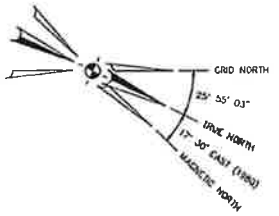
Following is the 2004 layout plan for Hyampom Airport.

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LEGEND

	EXISTING	FUTURE
GROUND CONTOUR		
AIRPORT PROPERTY LINE		
RUNWAY SAFETY AREA (RSA)	RSA	RSA
RUNWAY OBJECT FREE AREA (OFA)	OFA	OFA
RUNWAY OBJECT FREE ZONE (OFZ)	OFZ	OFZ
BUILDING RESTRICTION LINE (BRL)	BRL	BRL
AIRFIELD PAVEMENT AIRCRAFT MOVEMENT AREA		
FACILITIES		
ROAD (PAVED)		
DIRT/GRAVEL ROAD		
FENCE		
RUNWAY LIGHT		
SUPPLEMENTAL WIND CONE		
SECTION CORNER		

NOTE:

1. ALL COORDINATES BASED ON NORTH AMERICAN DATUM (NAD 83)
2. ALL VERTICAL DATUM BASED ON NAVD88, NORTH AMERICAN VERTICAL DATUM.
3. ALL ELEVATIONS BASED ON MEAN SEA LEVEL. REFERENCE USGS BENCH MARK
4. THIS DRAWING IS FOR PLANNING PURPOSES ONLY AND IS NOT INTENDED FOR CONSTRUCTION OR NAVIGATIONAL PURPOSES.

AIRPORT DATA TABLE

	EXISTING	ULTIMATE
AIRPORT ELEVATION	1250' MSL	1240' MSL
AIRPORT REFERENCE POINT (ARP) COORDINATES	40°37'39.507"N 123°28'14.131"W	40°37'42.592"N 123°28'16.182W
AIRPORT ELECTRONIC AIDS	BEACON	BEACON
MEAN MAX. TEMP. (HOTTEST MONTH)	95° F	95° F
AIRPORT REFERENCE CODE (ARC)	A1	A1

RUNWAY END DATA

	RUNWAY 14 – 32	
	EXISTING	ULTIMATE
RUNWAY END COORDINATES	40°37'49.555"N ----- 40°37'28.458"N 123°28'20.818"W ----- 123°28'07.446"W	40°37'55.725"N ----- 40°37'28.458"W 123°28'24.921"W ----- 123°28'07.446"W
APPROACH SURFACE SLOPE	20:1 ----- 20:1	20:1 ----- 20:1
ELECTRONIC AIDS	BEACON	BEACON
VISUAL AIDS	NONE	PAPI 2
APPROACH VISIBILITY MINIMUMS	1MI	1 MI
TOUCHDOWN ZONE ELEVATION	1244 ----- 1256	1240 ----- 1256
TAKEOFF RUN AVAILABLE	2260 ----- 2260	2900 ----- 2900
TAKEOFF DISTANCE AVAILABLE	2780 ----- 2280	2900 ----- 2900
ACCELERATE STOP DISTANCE AVAILABLE	2260 ----- 2260	2900 ----- 2900
LANDING DISTANCE AVAILABLE	2280 ----- 2280	2900 ----- 2900
OFZ PENETRATIONS	NO ----- NO	NO ----- NO
THRESHOLD SITING SURFACE OBJECT PENETRATIONS	NO ----- NO	NO ----- NO

OFZ PENETRATIONS AND THRESHOLD SITING PENETRATION 88 FT. TREE, 800 FT. FROM RUNWAY 32 AND 50 FT. RIGHT OF CENTERLINE.

RUNWAY DATA TABLE

	RUNWAY 14 – 32	
	EXISTING	ULTIMATE
APPROACH CATEGORY AND DESIGN GROUP	A1	A1
APPROACH VISIBILITY MINIMUMS	1 MI	1 MI
FAR PART 77 CATEGORY RUNWAY	V ----- V	V ----- V
WINGSPAN of CRITICAL DESIGN AIRCRAFT (FT.)	< 49	< 49
APPROACH SPEED of CRITICAL DESIGN AIRCRAFT (KNOTS)	< 91	< 91
MAXIMUM CERTIFIED TAKEOFF WEIGHT of CRITICAL DESIGN AIRCRAFT (LBS)	12500	12500
PERCENTAGE WIND COVERAGE		
10.5 KNOT CROSS WIND	—	—
13 KNOT CROSS WIND	—	—
16 KNOT CROSS WIND	—	—
20 KNOT CROSS WIND	—	—
RUNWAY LENGTH (FT)	2200	2980
RUNWAY WIDTH (FT)	60	60
RUNWAY LIGHTING	NONE	MIRL
PERCENTAGE MAXIMUM GRADIENT	0.526	0.533
RUNWAY MARKING	VISUAL	VISUAL
RUNWAY PAVEMENT SURFACE	ASPHALTIC CONCRETE	ASPHALTIC CONCRETE
PAVEMENT DESIGN STRENGTH (KIPS)	S=12.5	S=12.5
ELEVATION RUNWAY END (NAVD 88)	1244 ----- 1256	1240 ----- 1256
ELEVATION RUNWAY TOUCHDOWN ZONE (NAVD 88)	1244 ----- 1256	1240 ----- 1256
ELEVATION RUNWAY HIGH POINT (NAVD 88)	1256	7160
ELEVATION RUNWAY LOW POINT (NAVD 88)	1244	7062
LINE OF SITE REQUIREMENT	FULL	FULL
RUNWAY SAFETY AREA – DISTANCE BEYOND RUNWAY END	240	240
RUNWAY SAFETY AREA – WIDTH	120	120
OBJECT FREE AREA – DISTANCE BEYOND RUNWAY END	240	240
OBJECT FREE AREA – WIDTH	250	250
OBJECT FREE ZONE – DISTANCE BEYOND RUNWAY END	200	200
OBJECT FREE ZONE – WIDTH	250	250
HOLD BAR DISTANCE TO RUNWAY CENTERLINE	125	125
TAXIWAY WIDTH (FT.)	25	25
TAXIWAY LIGHTING	NO	NO
TAXIWAY SURFACE TYPE	ASPHALTIC CONCRETE	ASPHALTIC CONCRETE

APPROVED FAA — DATE

FAA DISCLAIMER

THE CONTENTS DO NOT NECESSARILY REFLECT THE OFFICIAL VIEWS OF POLICY OF THE FAA. ACCEPTANCE OF THIS PLAN BY THE FAA DOES NOT IN ANY WAY CONSTITUTE A COMMITMENT ON THE PART OF THE UNITED STATES TO PARTICIPATE IN ANY DEVELOPMENT DEPICTED THEREIN NOR DOES IT INDICATE THAT THE PROPOSED DEVELOPMENT IS ENVIRONMENTALLY ACCEPTABLE IN ACCORDANCE WITH APPROPRIATE PUBLIC LAWS.

APPROVED AIRPORT MANAGER — DATE

Reinard W. Brandley
CONSULTING AIRPORT ENGINEER
C.E. 8044
8123 Airey Road, Suite 201 • Loomis, California 95650 • (916) 652-4271

TRINITY COUNTY
STATE OF CALIFORNIA

HYAMPOM AIRPORT

HYAMPOM, CALIFORNIA

AIRPORT LAYOUT PLAN

NO.	REVISIONS	BY	APP.	DATE

SHEET 19

RUNWAY DATA			
		RW 14-32	
		EXISTING	FUTURE
AIRPORT REFERENCE CODE		B-I	B-I
PHYSICAL LENGTH AND WIDTH		2280' X 60'	2280' X 60'
TAKEOFF DISPLACEMENT (D) OR RELOCATION (R)		(NONE)	(NONE)
EFFECTIVE GRADIENT (%)		0.53	0.53
EFFECTIVE STRENGTH (MAXIMUM GROSS GEAR/AXLE LOAD)		12.5S	12.5S
LANDING		(NONE)	(NONE)
OPERATIONAL AIRCRAFT		SMALL PLANES	SMALL PLANES
APPROACH SPEED(KTS)		< 91	< 91
APPROACH TYPE	RWY 14	VISUAL	VISUAL
	RWY 32	VISUAL	VISUAL
APPROACH SLOPE: HEIGHT/DISTANCE	14	20:1 (20:1)	20:1 (20:1)
	32	20:1 (20:1)	20:1 (20:1)
APPROACH & LANDING AIDS	14	BASIC	BASIC
	32	BASIC	BASIC
RUNWAY END COORDINATES	14	40°31'06.135" (LAT.) 123°13'01.891" (LONG.)	40°31'04.225" (LAT.) 123°13'04.918" (LONG.)
	32	40°31'24.114" (LAT.) 123°13'07.442" (LONG.)	40°31'26.158" (LAT.) 123°13'04.434" (LONG.)
RUNWAY SAFETY AREA DIMENSIONS:	WIDTH	150'	150'
RUNWAY PROTECTION ZONE DIMENSIONS: INNER/OUTER/LENGTH	14	250/450/1000	250/450/1000
	32	250/450/1000	250/450/1000
WIND COVERAGE (%)	13 (10.5 WITH ALL WEATHER)	95.92	95.92

DESCRIPTION	AREA (Acres)	%
TOTAL HORIZONTAL SURFACE (CONICAL SURFACE)	7,247	-
AIRPORT OPERATIONS (AO)	10	-
GROUND PENETRATION (TZ)	24	0.33
GROUND PENETRATION (PS)	4,554	62.8%
TREE PENETRATION (TS)	5,379	74.2%

LEGEND

- GROUND PENETRATION OF TRANSITIONAL ZONE (TZ)
- GROUND PENETRATION OF HORIZONTAL/CONICAL SURFACE (PS)
- TREE (50ft) PENETRATION OF HORIZONTAL/CONICAL SURFACE (TS)
- AIRPORT OPERATIONS SITE (AO)
- AIRPORT BOUNDARY
- 100-FOOT TOPOGRAPHICAL CONTOURS

NOTES:
1. BASE MAP CONTOURS IN METERS
2. PENETRATION MAP CONTOURS IN METERS

JERSEY STREET
OAR 15 ONC 01/01 04
ORIGINAL DRAWING
IF NOT ONE INCH ON
THIS SHEET, ADJUST
SCALES ACCORDINGLY

Reinard W. Brandley
CONSULTING AIRPORT ENGINEER

TRINITY COUNTY
STATE OF CALIFORNIA

HYAMPOM AIRPORT

HYAMPOM, CALIFORNIA

PENETRATION PLAN

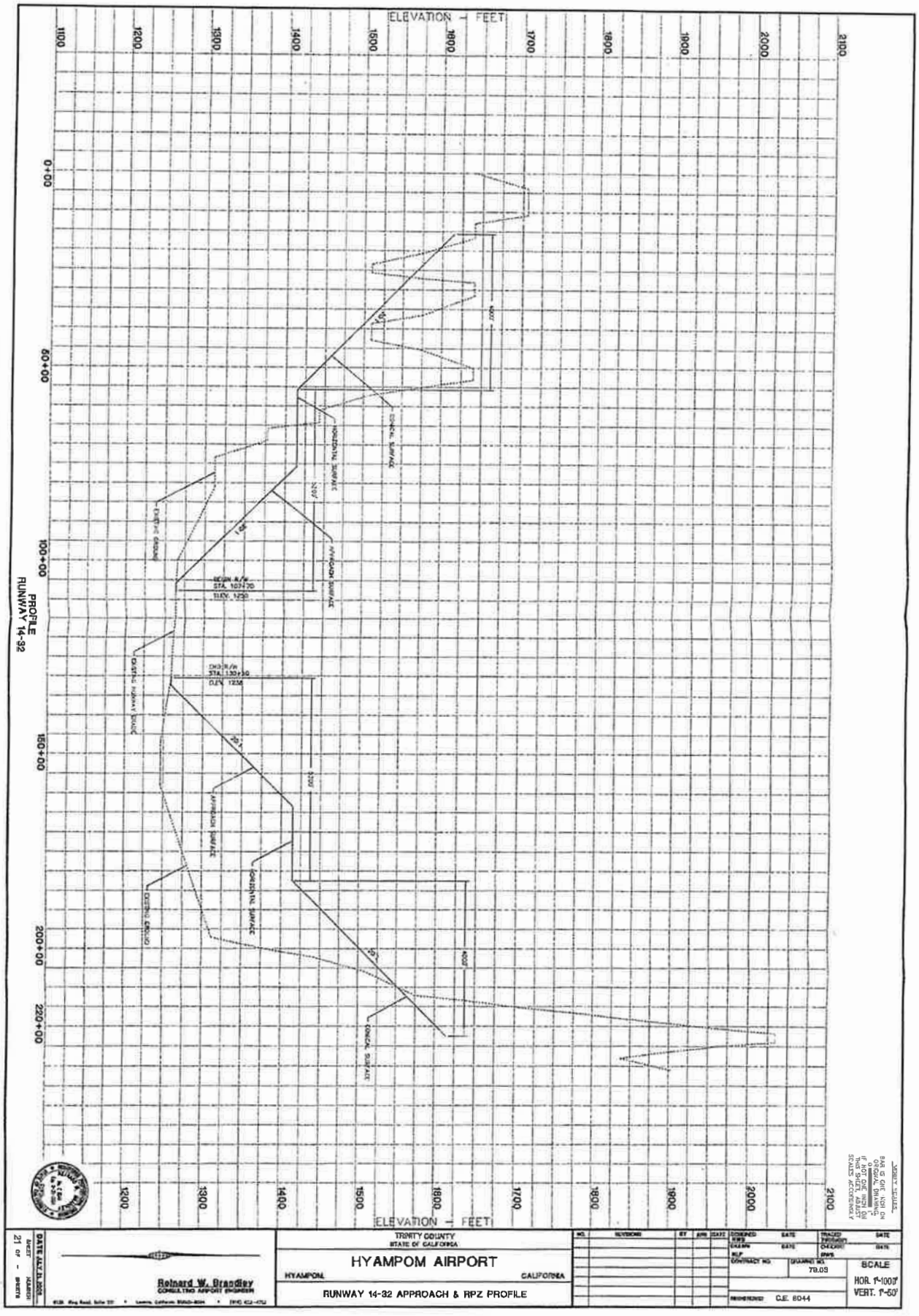
NO.	REVISIONS	BY	APP.	DATE

DESIGNED — DATE
DRAWN — DATE
CHECKED — DATE
RLP
COMPUTER NO. — DRAWING NO. 79.03
REGISTERED C.E. 8044

SCALE 1"=2000'

DATE 04.21.01 FILE

SHEET 20 OF - SHEETS NUMBER



TRINITY COUNTY
STATE OF CALIFORNIA

HYAMPOM AIRPORT

HYAMPOM CALIFORNIA

RUNWAY 14-32 APPROACH & RPZ PROFILE

Reinard W. Brandley
CONSULTING AIRPORT ENGINEER

DRAWING NO. 78.03

C.E. 6044

SCALE
HOR. 1"=100'
VERT. 1"=50'

DATE: JULY 31, 2008
SHEET 21 OF – SHEETS

LEGEND

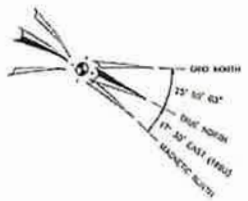
AIRPORT FACILITIES

AIRPORT SAFETY ZONE LINES

⑥ AIRPORT SAFETY ZONE IDENTIFICATION NUMBER

NOTES:

1. BASE MAP IS REPRODUCED FROM 1983 15 MIN. U.S.G.S. QUADRANGLE SHEET FOR HYAMPOM, CALIF. AND HYAMPOM MOUNTAIN, CALIF.
2. CONTOUR INTERVAL IS 20 METERS.





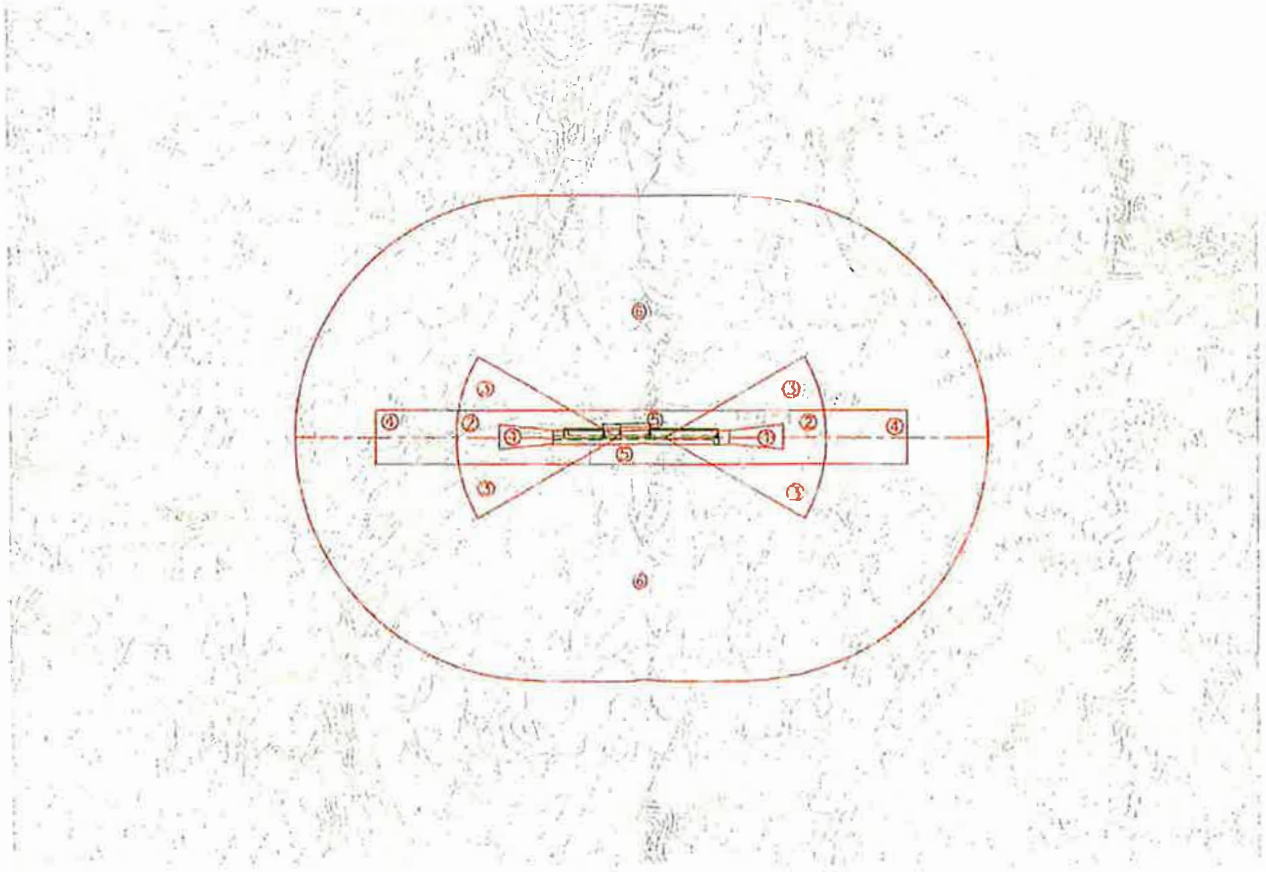
SCALE 1" = 1000'

ALUC LAND USE RECOMMENDATIONS

ZONE	SAFETY ZONE NAME	POPULATION DENSITY OF USE	RESIDENTIAL LAND USE	SPECIAL FUNCTIONS
①	RUNWAY PROTECTION ZONE	0-10/ACRE	PROHIBITED	PROHIBITED
②	INNER SAFETY ZONE	40-10/ACRE	10 ACRES/DWELLING	PROHIBITED
③	INNER TURNING ZONE	40-60/ACRE	2-10 ACRES/DWELLING	PROHIBITED
④	OUTER SAFETY ZONE	60-100/ACRE	2-5 ACRES/DWELLING	AVOIDED
⑤	SIDELINE SAFETY ZONE	40-60/ACRE	2-5 ACRES/DWELLING	AVOID ASSEMBLIES OVER 50/ACRE
⑥	TRAFFIC PATTERN ZONE	150/ACRE	4-0 DWELLINGS/ACRE	AVOID ASSEMBLIES OVER 150/ACRE

VERIFY SCALES

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





DATE JULY 21, 2006

SHEET 22 OF - SHEETS

TRINITY COUNTY
STATE OF CALIFORNIA

HYAMPOM AIRPORT

HYAMPOM CALIFORNIA

ALUC AIRPORT SAFETY ZONE PLAN

Robert W. Brindley
CONSULTING AIRPORT ENGINEER

SCALE 1"=1000'

78.00

C.E. 8044

5.0 Ruth Airport

Ruth Airport is geographically located south of the community of Ruth, California near Trinity County's more remote areas in Six Rivers and Shasta Trinity National Forests. The airport lies in a valley formed by the Mad River, with mountains rising on both sides of the runway. Nearby Ruth Lake, which is a seven-mile reservoir on Mad River, offers camping and fishing areas.

Regionally, the community of Ruth is located approximately 81 miles southwest of Weaverville, CA; 88 miles southeast of Eureka, CA; 113 miles southwest of Redding, Californians; and 260 miles northwest of San Francisco.

5.1 Airport Planning

There is no current Master Plan for Ruth Airport. The Ruth Airport Layout Plan was conditionally approved by the FAA in July 2008.

5.2 Airport Feature Summary

- **Runways and Taxiways** – Ruth Airport is served by a single runway. Runway 13-31 is oriented in a northwest-southeast direction and is paved with asphalt. The runway is 3,500 x 50 feet. There is a minimal taxiway at each end of the runway for aircraft to turn around and perform preflight checks.
- **Airfield Lighting/Pavement Markings** -- There is no airport or runway lighting. The runway has basic markings.

5.3 Aviation Activity

Based Aircraft - The forecast of based aircraft is four based aircraft by 2012; five based aircraft by 2016, and seven based aircraft by 2026.

Aircraft Operations - As detailed by Coffman Associates, the current operations and forecast for peak periods at Ruth are:

		FORECAST
General Aviation Operations	**2006**	**2026**
Annual	750	1,750
Peak Month	75	175
Busy Day	3	6
Normal (Design) hour	1	1

5.4 Noise and Overflight

The compatibility of existing and planned land uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts. Typically, significant impacts will occur over noise-sensitive areas within the 65 CNEL noise contour.

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Specific to this airport:

- Ruth Airport is bounded on all sides by the Six Rivers National Forest.
- Noise contours are included on the Airport Layout Plan (ALP). The noise contours are contained on airport property.
- No noise-sensitive land uses are contained within the 65 CNEL.

An overflight diagram is included in this section.

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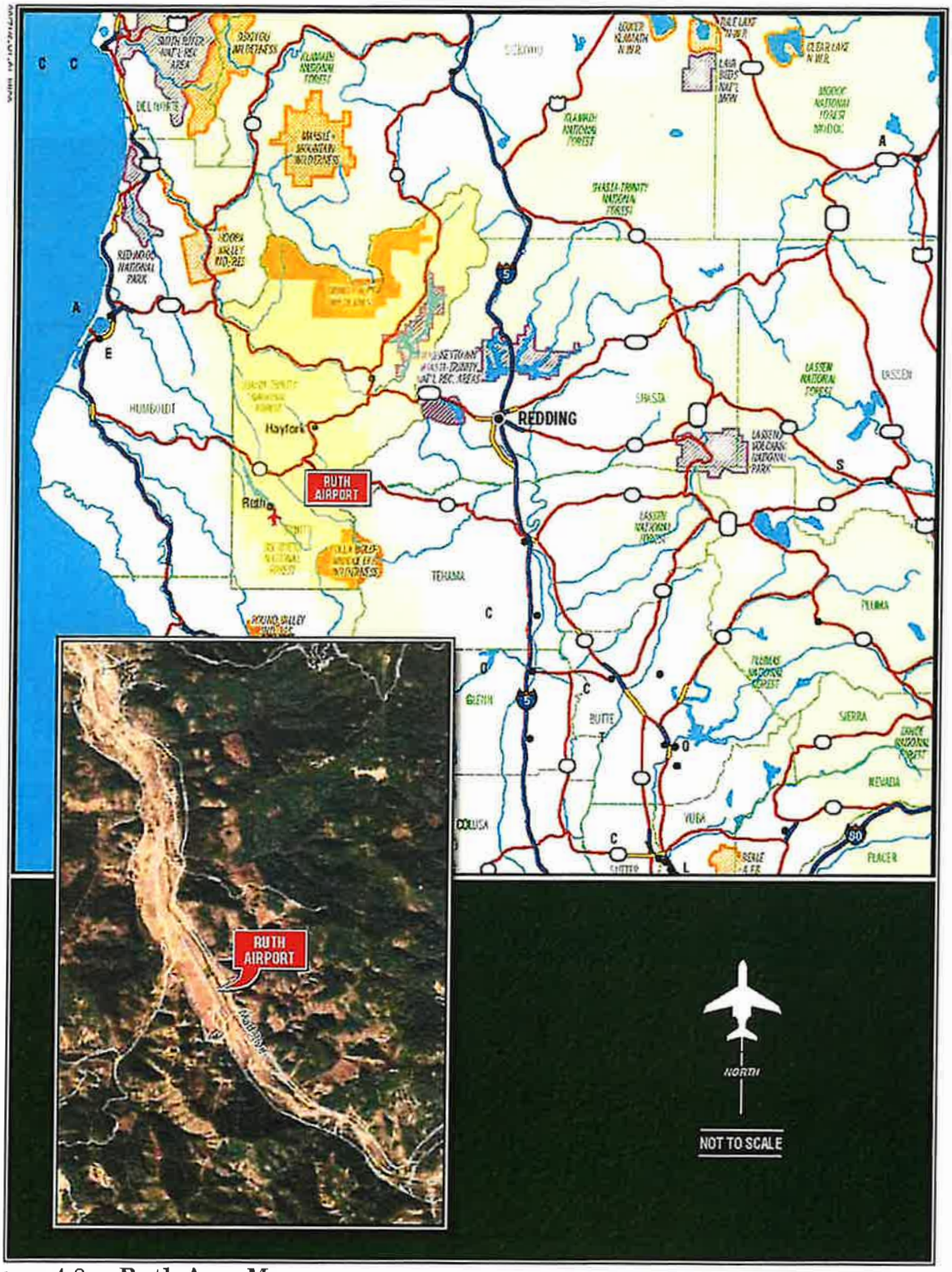


Figure 4-8 Ruth Area Map

Ruth Airport - T42

(source: FAA Master Record and 2009 Ruth Airport Layout Plan)

FAA Design Criteria
Airport Reference Code: A-1 (small aircraft exclusively)
No single aircraft contributes to 500 annual operations
Critical design aircraft: Cessna

Location

Lat/Long: 40-12-41.3000N / 123-17-51.7000W
40-12.688333N / 123-17.861667W
40.2114722 / -123.2976944 (estimated)
Elevation: 2781 ft. / 847.6 m (surveyed)
Mean daily maximum temp of hottest month: 94 degrees
Variation: 17E (1985)
From city: 7 miles S of RUTH, CA
Time zone: UTC -8 (UTC -7 during DST)
Zip code: 95526



Airport Operations

Airport use: Open to the public
Activation date: 01/2002
Control tower: no
ARTCC: OAKLAND CENTER
FSS: RANCHO MURIETA FLIGHT SERVICE STATION
NOTAMs facility: RIU (NOTAM-D service available)
Attendance: UNATNDD
Pattern altitude: 3781 ft. MSL
Wind indicator: yes
Segmented circle: yes

Airport Communications

CTAF/UNICOM: 122.8

Airport Services

Parking: tiedowns
Airframe service: NONE
Powerplant service: NONE
Bottled oxygen: NONE
Bulk oxygen: NONE

Runway Information --- Runway 13/31
Dimensions: 3500 x 50 ft. / 1067 x 15 m
Surface: asphalt, in good condition

	RUNWAY 13	RUNWAY 31
Gradient:	0.2% (15 feet)	0.2%
Traffic pattern:	left	left
Markings:	basic, in good condition	basic, in good condition
Runway end identifier lights:	no	no
Obstructions:	6 ft. berm, 200 ft. from runway, 125 ft. left of centerline 4' FENCE 75' LEFT & 100' RIGHT OF CNTRLN.	400 ft. hill, 2400 ft. from runway, 400 ft. right of centerline, 5:1 slope to clear

Airport Operational Statistics – forecast 2026
Aircraft based on the field: 7
Annual aircraft operations: 1,750
84% transient general aviation
14% local general aviation
1% air taxi

Additional Remarks
- HIGH TERRAIN SURROUNDS THE ARPT.

Instrument Procedures
There are no published instrument procedures at T42.

Figure 4-9 Ruth Airport Data Sheet

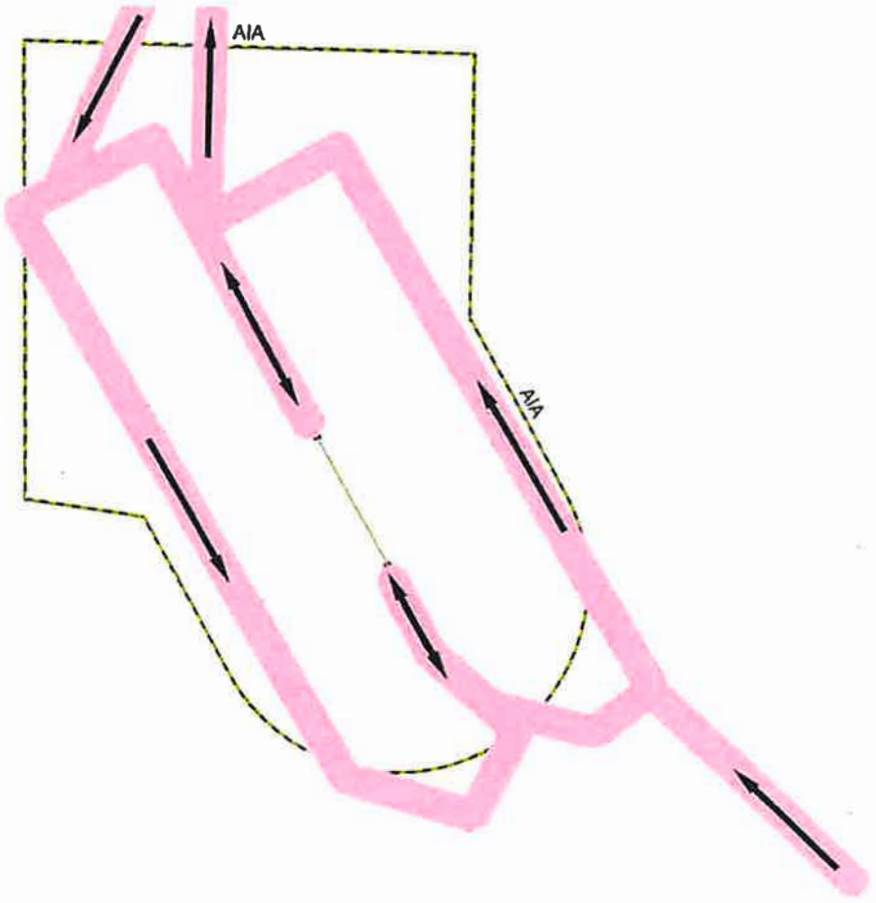


Figure 4-10 Ruth Overflight Diagram

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Figure 4-11 Ruth Airport Layout Plan

Following is the March 2007 layout plan for Ruth Airport.

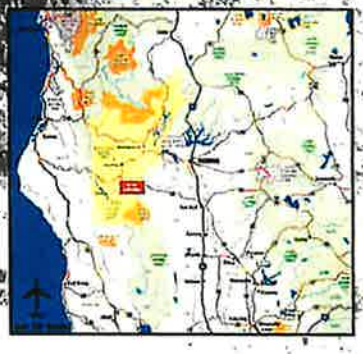
Page 875 of 1632

AIRPORT LAYOUT PLANS
FOR
RUTH AIRPORT
Prepared for
Trinity County, California

LOCATION MAP



VICINITY MAP

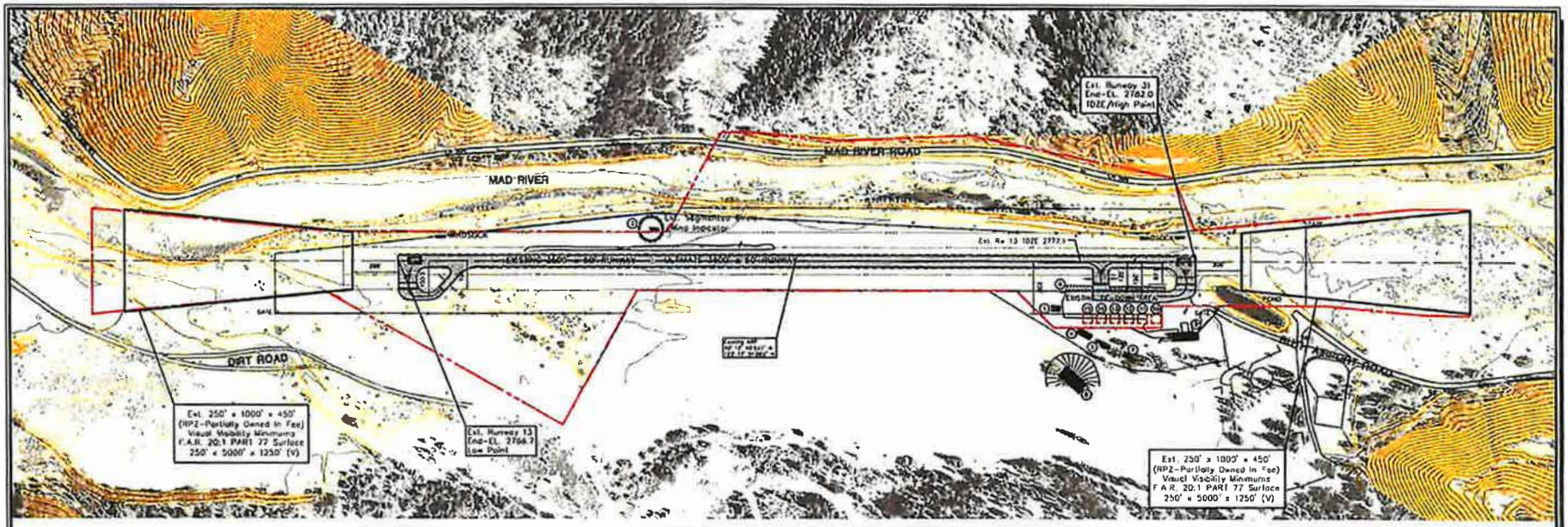


INDEX OF DRAWINGS

1. AIRPORT LAYOUT DRAWING
2. AIRPORT AIRSPACE DRAWING
3. APPROACH SURFACE PROFILES
4. INNER PORTION OF RUNWAY 13 APPROACH SURFACE DRAWING
5. INNER PORTION OF RUNWAY 31 APPROACH SURFACE DRAWING
6. AIRPORT LAND USE DRAWING

Coffman Associates
Airport Consultants

FEBRUARY 2008



RUNWAY DATA

Runway 13-31

	EXISTING	ULTIMATE
Runway Category	General Aviation	General Aviation
Airport Reference Code (ARC)	A-I (Small)	A-II (Small)
Approach Speed of Design Aircraft (Knots)	50 Knots	50 Knots
Critical Design Aircraft	Cessna	Cessna
Wingspan of Critical Aircraft	35.9'	49'
Undercarriage Width of Critical Aircraft	13.2'	13.2'
Cessna Classification for Paved Runways (Centerline)	4.5%	4.5%
Cessna Classification for Paved w/ Overlay Shoulders	12.3	12.3
Runway Width Designation	75'	75'
Runway Lighting for Paved Runway Centerline	Yes	Yes
Max. Gradient (Paved) (Ave.)	2.0%	2.0%
Runway Length	5,100'	5,100'
Runway Pavement Strength (in 1000 lbs)	7,000 S w/b	7,000 S w/b
Runway Pavement Strength (in 1000 lbs)	12,500 D w/b	12,500 D w/b
Runway Pavement Strength (in 1000 lbs)	30,000 DT w/b	30,000 DT w/b
Runway Surface Material	Asphalt/Concrete	Asphalt/Concrete
Runway Surface Treatment	None	Grooved
Runway Shoulders	Yes	Yes
Runway Shoulder Width	10'	10'
Runway Blast Pad (Yes/No)	Yes	Yes
Runway Blast Pad Width (Ave.)	75'	75'
Runway 13 Runway End Point	2761.9 m/s	2761.9 m/s
Runway 31 Runway End Point	1526.5 m/s	1526.5 m/s
Runway Safety Area (RSA)	150' x 300'	150' x 300'
Runway Object Free Area (ROFA)	250' x 1000'	250' x 1000'
Runway Protection Zone	250' x 1000' x 1750' (13) 250' x 1000' x 1750' (31)	250' x 1000' x 1750' (13) 250' x 1000' x 1750' (31)
Runway Protection Zone	250' x 1000' x 450' (V)	250' x 1000' x 450' (V)
RUNWAY END DATA	RUNWAY 13 / RUNWAY 31	RUNWAY 13 / RUNWAY 31
Are RP Point Displaced? (Yes/No)	Yes / Yes	Yes / Yes
Displaced Threshold Length	276.1 m/s / 276.1 m/s	276.1 m/s / 276.1 m/s
Runway Safety Area (RSA) Beyond Rwy End	300' / 300'	300' / 300'
Runway Object Free Area (ROFA) Beyond Rwy End	300' / 300'	300' / 300'
FAR Part 77 Category	Visual / Visual	Visual / Visual
FAR Part 77 Approach Slope	20:1 / 20:1	20:1 / 20:1
Runway Pavement Markings	Basic / Basic	Basic / Basic
Runway Pavement Condition	Good / Good	Good / Good
Runway Pavement Maintenance	Yes / Yes	Yes / Yes
Runway Safety Area (RSA) Ground Proj Cntl	210' / 210'	210' / 210'
Runway Safety Area (RSA) Ground Proj Wdth	150' / 150'	150' / 150'
Runway Safety Area (RSA) Slope	1.0% / 1.0%	1.0% / 1.0%
Runway Approach Visibility	Visual / Visual	Visual / Visual
Runway Approach Lighting	None / None	None / None
Runway Protection Zone (RPZ) Ground Proj Cntl	250' / 250'	250' / 250'
Runway Protection Zone (RPZ) Ground Proj Wdth	450' / 450'	450' / 450'
Runway Protection Zone (RPZ) Slope	2.0% / 2.0%	2.0% / 2.0%
Runway Marking	Basic / Basic	Basic / Basic
Runway Object Free Area Beyond Rwy End	300' / 300'	300' / 300'
Runway Object Free Area (ROFA) Slope	0.0% / 0.0%	0.0% / 0.0%
Runway Obstacle Management Plan	None / None	None / None
Runway Visual Navigational Aids	None / None	None / None
	* / *	* / *

* Pavement strengths are expressed in Single(S) wheel loading capacities

AIRPORT DATA

		EXISTING	ULTIMATE
AIRPORT REFERENCE CODE (ARC)		A-I (Small)	A-II (Small)
AIRPORT REFERENCE POINT (ARP)	Latitude	40° 13' 10.335" N	40° 13' 10.335" N
	Longitude	123° 37' 31.156" W	123° 37' 31.156" W
AIRPORT ELEVATION (NAVD 88)		2766.7 ft.	2766.7 ft.
HIGH AND LOW RUNWAY POINTS OF ELEVATION		2766.7 / 2782.0 ft.	2766.7 / 2782.0 ft.
AIRPORT REFERENCE POINT (NAD 83)	Latitude	40° 13' 10.335" N	40° 13' 10.335" N
	Longitude	123° 37' 31.156" W	123° 37' 31.156" W
AIRPORT INSTRUMENT APPROACHES (EXISTING)		None	None
AIRPORT and RUNWAY NAVIGATIONAL AIDS		None	Rotating Beacon
RUNWAY 13 END COORDINATES (NAD 83)	Latitude	40° 13' 10.335" N	40° 13' 10.335" N
	Longitude	123° 37' 31.156" W	123° 37' 31.156" W
RUNWAY 31 END COORDINATES (NAD 83)	Latitude	40° 13' 10.335" N	40° 13' 10.335" N
	Longitude	123° 37' 31.156" W	123° 37' 31.156" W
RUNWAY 13-31 DECLARED DISTANCES		RUNWAY 13-31	RUNWAY 13-31
TAKEOFF RUN AVAILABLE (TORA)		5100'	5100'
TAKEOFF DISTANCE AVAILABLE (TODA)		5100'	5100'
ACCELERATE-STOP DISTANCE AVAILABLE (ASDA)		5100'	5100'
LANDING DISTANCE AVAILABLE (LDA)		5100'	5100'

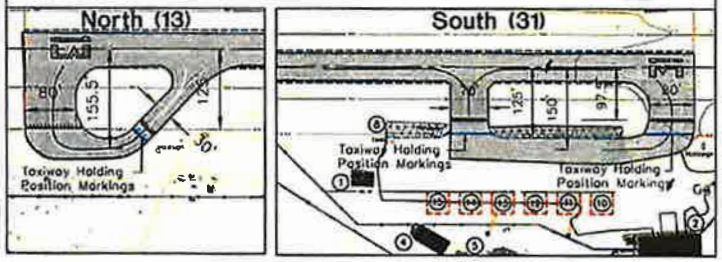
THRESHOLD SITING SURFACE OBJECT PENETRATIONS

OBJECT	PENETRATION	DISPOSITION
SEE INNER PORTION OF THE RUNWAY APPROACH SURFACES DRAWING		

OBSTACLE FREE ZONE (OFZ) OBJECT PENETRATIONS

OBJECT	PENETRATION	DISPOSITION
NONE	-	-

TAXIWAY HOLDING POSITION DETAIL



FAA APPROVAL STAMP

APPROVED BY _____ DATE _____

Chairman, Board of Supervisors
County of Trinity, California

LEGEND

EXISTING	ULTIMATE	DESCRIPTION
		AIRPORT PROPERTY LINE
		AIRPORT REFERENCE POINT
		RUNWAY PROTECTION ZONE
		BUILDING CONSTRUCTION
		RUNWAYS
		RUNWAY DESIGNATIONS
		TAXIWAYS
		TAXIWAY DESIGNATIONS
		APRON
		AIRPORT VISUAL AIDS (WIND CONE)
		ROTATING BEACON
		RUNWAY SAFETY AREA
		RUNWAY OBJECT FREE AREA
		RUNWAY PROTECTION ZONE
		BUILDING RESTRICTION LINE (BRL)
		CONTOURS
		AIRPORT PROPERTY LINE
		BUILDING RESTRICTION LINE
		RUNWAYS
		TAXIWAYS
		APRON
		BUILDING CONSTRUCTION
		ROTATING BEACON
		LIGHT POLES
		WIND CONE
		RUNWAY MARKINGS
		RUNWAY SAFETY AREA
		OBSTACLE FREE ZONE (OFZ)
		RUNWAY OBJECT FREE AREA
		RUNWAY PROTECTION ZONE
		BUILDING RESTRICTION LINE (BRL)
		CONTOURS

BUILDINGS/FACILITIES

NO	DESCRIPTION and ELEVATION (AGL)	
1	HANGAR	19'
2	HANGAR	19'
3	CONCRETE SHELTERS AND HANGAR	19'
4	HANGAR	19'
5	HANGAR	19'
6	STABLE	19'
7	HANGAR	19'
8	[illegible]	19'

ULTIMATE FACILITIES DESCRIPTION

13	HANGAR (40' x 50')	19'
21	HANGAR (40' x 50')	19'
22	HANGAR (40' x 50')	19'
23	HANGAR (40' x 50')	19'
24	HANGAR (40' x 50')	19'
25	HANGAR (40' x 50')	19'

GENERAL NOTES:

1. Depiction of features and objects, including runway extensions and obstructions, within the runway protection zones are depicted on the INNER PORTION OF RUNWAY APPROACH SURFACES DRAWING, sheets 4 and 5 of these plans.
2. Recommended land uses within the airport environs are depicted on the AIRPORT LAND USE DRAWING, sheet 6 of these plans.
3. Property lines depicted taken from July 25, 2003 Airport Layout Plan Drawing prepared by Bennett & Bunnelle Engineers.
4. [illegible]
5. Building set backs based upon Part 77 of 12' elevation
6. Building locations are estimated

NO	REVISIONS	DATE	BY	APPD
1	Future runway heliplane added	7/08	LBJ	SCH
2	Perimeter fencing added	11/07	LBJ	SCH
3	Approach ALPs (Note 2 added)	-	-	-

RUTH AIRPORT

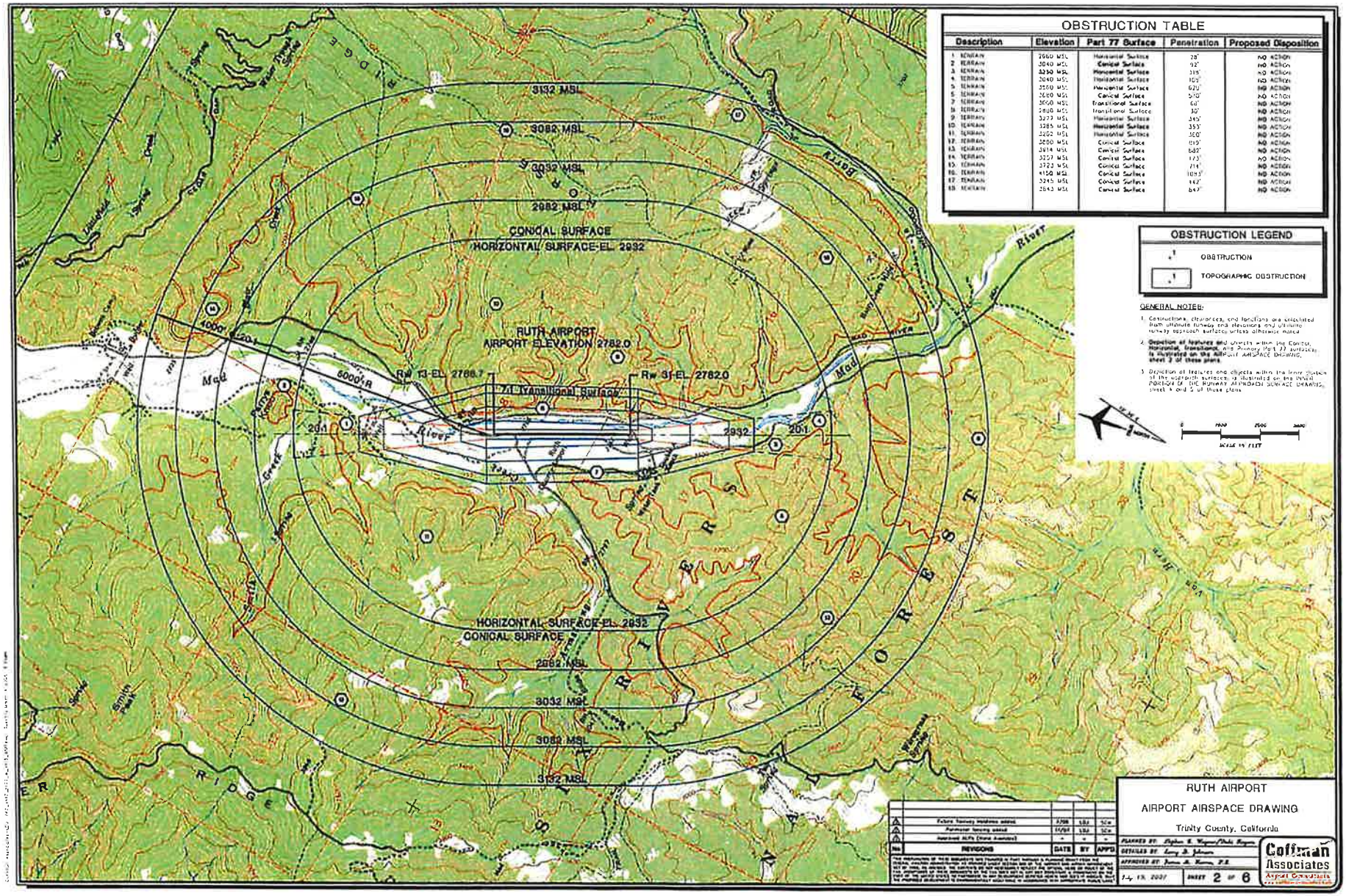
AIRPORT LAYOUT DRAWING

Trinity County, California

PLANNED BY: Stephen M. Wagner/Nicole Rogers
DESIGNED BY: Larry J. Johnson
APPROVED BY: James M. Koons, P.E.

July 19, 2007 SHEET 1 OF 6

Coffman Associates
Airport Consultants



OBSTRUCTION TABLE

Description	Elevation	Part 77 Surface	Penetration	Proposed Disposition
1. TERRAIN	3060 MSL	Horizontal Surface	28'	NO ACTION
2. TERRAIN	3040 MSL	Conical Surface	92'	NO ACTION
3. TERRAIN	3230 MSL	Horizontal Surface	315'	NO ACTION
4. TERRAIN	3040 MSL	Horizontal Surface	105'	NO ACTION
5. TERRAIN	3500 MSL	Horizontal Surface	620'	NO ACTION
6. TERRAIN	3080 MSL	Conical Surface	570'	NO ACTION
7. TERRAIN	3050 MSL	Transitional Surface	60'	NO ACTION
8. TERRAIN	3010 MSL	Transitional Surface	30'	NO ACTION
9. TERRAIN	3273 MSL	Horizontal Surface	345'	NO ACTION
10. TERRAIN	3285 MSL	Horizontal Surface	353'	NO ACTION
11. TERRAIN	3282 MSL	Horizontal Surface	350'	NO ACTION
12. TERRAIN	3200 MSL	Conical Surface	018'	NO ACTION
13. TERRAIN	3414 MSL	Conical Surface	532'	NO ACTION
14. TERRAIN	3257 MSL	Conical Surface	175'	NO ACTION
15. TERRAIN	3723 MSL	Conical Surface	719'	NO ACTION
16. TERRAIN	4150 MSL	Conical Surface	1093'	NO ACTION
17. TERRAIN	3295 MSL	Conical Surface	442'	NO ACTION
18. TERRAIN	3643 MSL	Conical Surface	847'	NO ACTION

OBSTRUCTION LEGEND

OBSTRUCTION

TOPOGRAPHIC OBSTRUCTION

GENERAL NOTES:

1. Constructions, clearances, and locations are calculated from ultimate runway and elevations and ultimate runway approach surfaces unless otherwise noted.
2. Depiction of features and objects within the Conical, Horizontal, Transitional, and Primary (Part 77 surfaces) is illustrated on the AIRPORT AIRSPACE DRAWING, sheet 2 of these plans.
3. Depiction of features and objects within the inner portion of the approach surfaces is illustrated on the INNER PORTION OF THE RUNWAY APPROACH SURFACE DRAWING, sheet 4 and 5 of these plans.

NO	REVISIONS	DATE	BY	APPD
1	Future runway markings added	7/08	LSJ	SCW
2	Runway fencing added	11/08	LSJ	SCW
3	Removed ALPs (none Avenidas)	-	-	-

THE INFORMATION OF THIS DRAWING CONTAINED IN PART INCLUDES A COMPILATION OF DATA FROM VARIOUS SOURCES, INCLUDING, BUT NOT LIMITED TO, AERIAL PHOTOGRAPHY, SURVEYS, AND DRAWINGS. THIS DRAWING IS NOT A SURVEY AND SHOULD NOT BE USED AS SUCH. THE DRAWING IS INTENDED TO BE USED AS A GENERAL REFERENCE FOR PLANNING PURPOSES ONLY. THE DRAWING IS NOT INTENDED TO BE USED FOR ENGINEERING, CONSTRUCTION, OR REAL ESTATE PURPOSES. THE DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE THAT MAY CONSTITUTE OR BE CONSTRUED AS THE PRACTICE OF ENGINEERING OR SURVEYING. THE DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE THAT MAY CONSTITUTE OR BE CONSTRUED AS THE PRACTICE OF ENGINEERING OR SURVEYING. THE DRAWING IS NOT INTENDED TO BE USED FOR ANY PURPOSE THAT MAY CONSTITUTE OR BE CONSTRUED AS THE PRACTICE OF ENGINEERING OR SURVEYING.

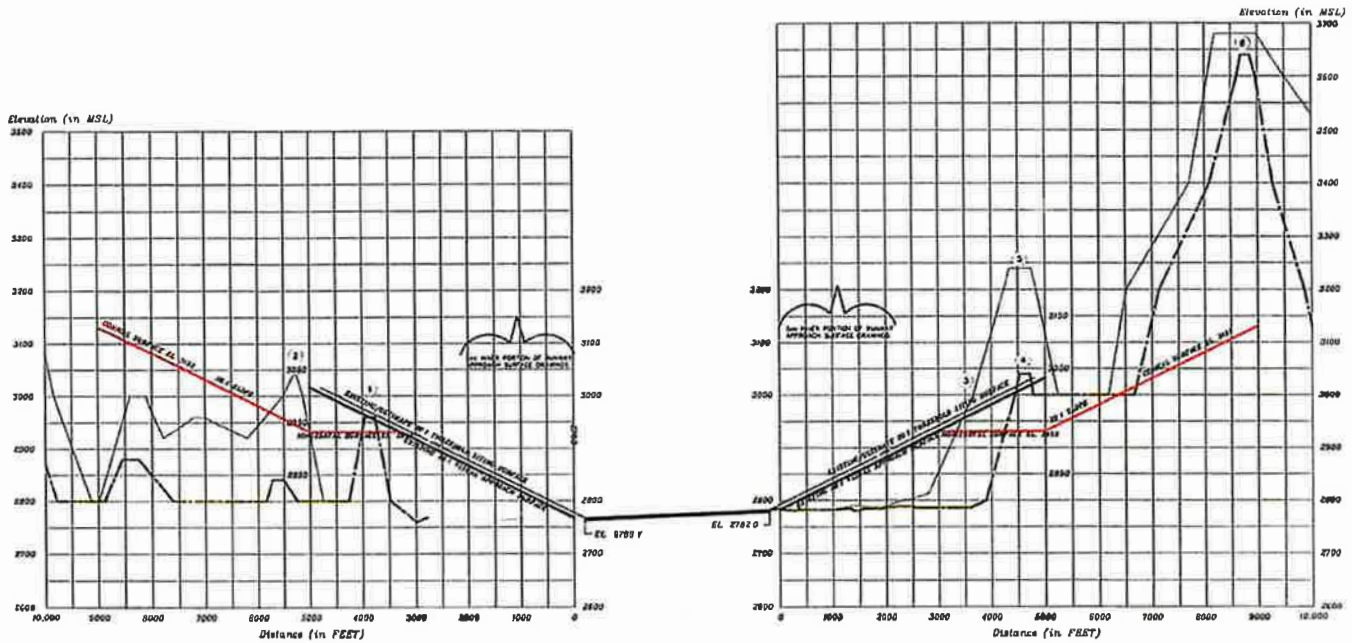
RUTH AIRPORT

AIRPORT AIRSPACE DRAWING

Trinity County, California

PLANNED BY: Stephen K. Wagner/Chris Rogers
DETAILED BY: Larry D. Johnson
APPROVED BY: James A. Kramer, P.E.
7-15-2009
SHEET 2 OF 6

Coffman Associates
Airport Consultants



RUNWAY 13-31 APPROACH SURFACE PROFILES

GENERAL NOTES:

1. Obstructions, clearances, and locations are calculated from ultimate runway end elevations and ultimate runway approach surface, unless otherwise noted
2. Depiction of features and objects within the Conical, Horizontal, Transitional, and Primary Part 77 surfaces, is illustrated on the AIRPORT AIRSPACE DRAWING, sheet 2 of these plans
3. Depiction of features and objects within the inner portion of the approach surface, is illustrated on the INNER PORTION OF THE RUNWAY APPROACH SURFACE DRAWING, sheets 1 and 2 of these plans
4. Runway Elevations in NAVD-88 USGS sets in RW13-31 and RW10-28

FAR PART-77 OUTER APPROACH RUNWAY 13 OBSTRUCTION TABLE

Object Description	Object Elevation	Penetrate 20:1 Approach	TSE 20:1 Slope	Proposed Object Disposition
1 NONE	(MSL) feet	0'	CLEAR	NO ACTION

FAR PART-77 OUTER APPROACH RUNWAY 31 OBSTRUCTION TABLE

Object Description	Object Elevation	Penetrate 20:1 Approach	TSE 20:1 Slope	Proposed Object Disposition
1 TREES	1965 feet	-	-	NO ACTION

HORIZONTAL SCALE IN FEET

VERTICAL SCALE IN FEET

NO.	REVISIONS	DATE	BY	APP'D
1	Future Runway Protection added	7/08	SBJ	SCH
2	Parallel Taxiway added	11/07	SBJ	SCH
3	Approach NLPs (Name Numbers)	-	-	-

RUTH AIRPORT

APPROACH SURFACE PROFILES

Trinity County, California

PLANNED BY: Stephen B. Wagner/Nicole Bergen

DETAILED BY: Amy A. Johnson

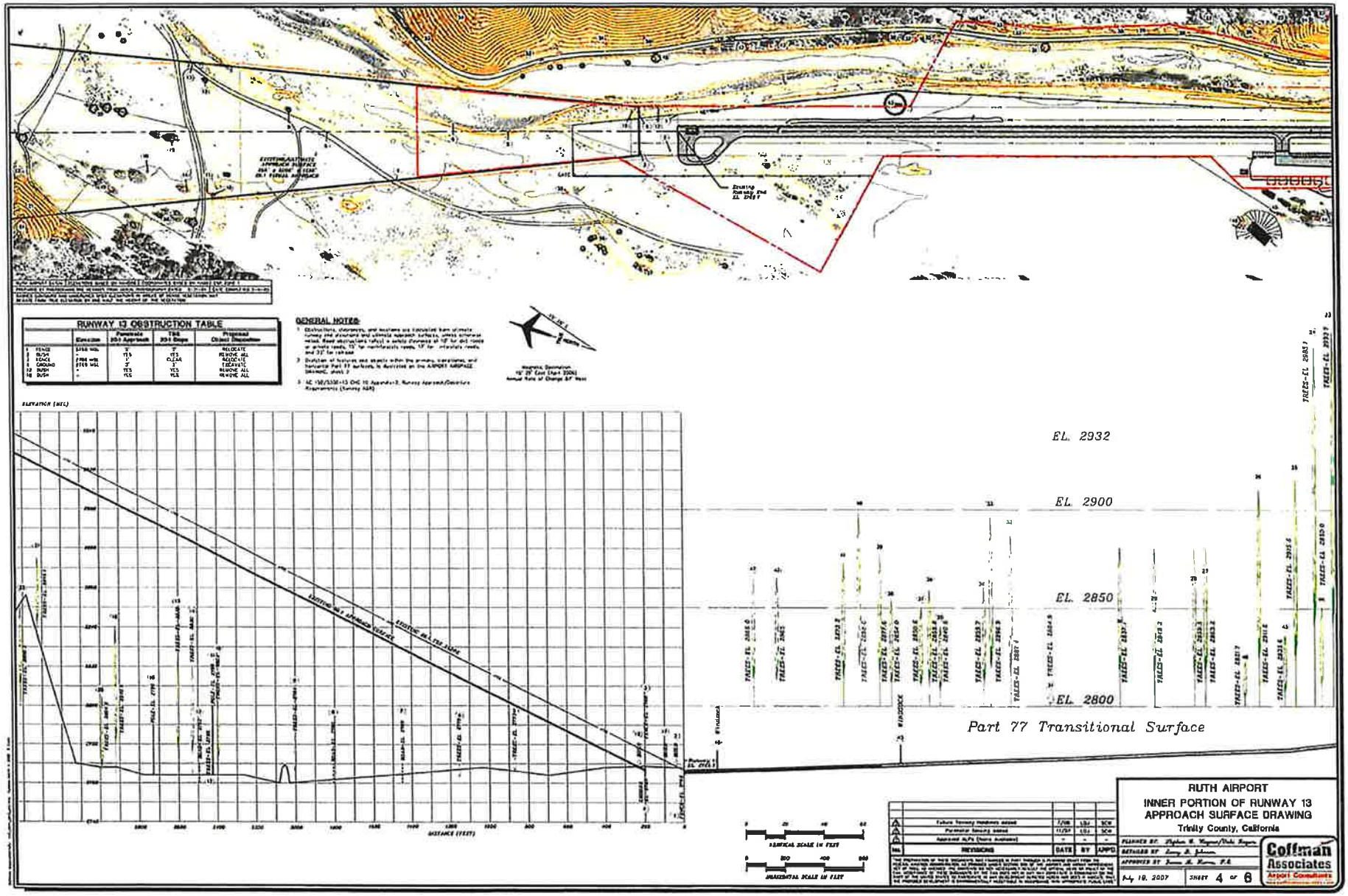
APPROVED BY: James M. Warren, P.E.

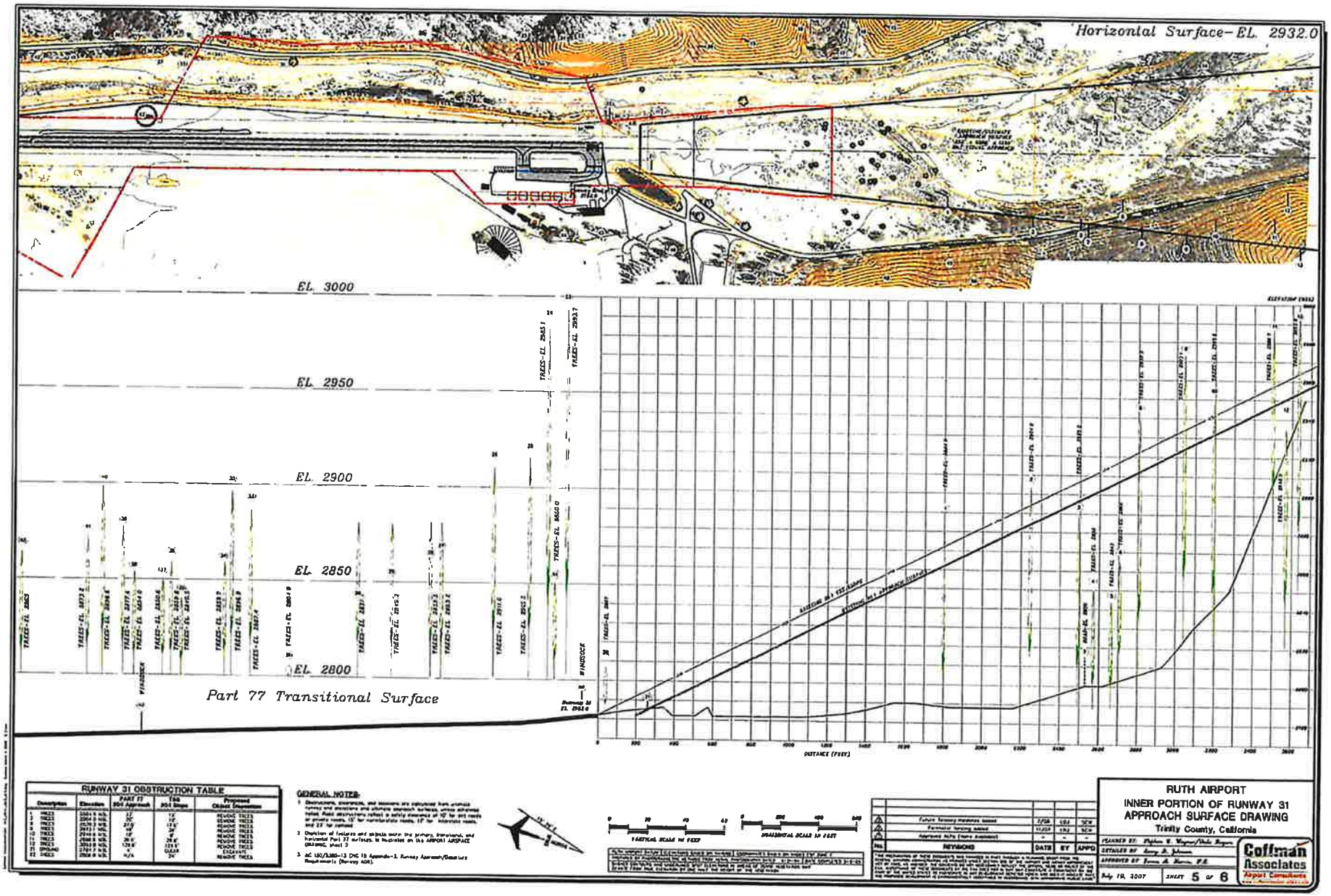
July 19, 2007

SHEET 3 OF 6

Coffman Associates

Airport Consultants


RUNWAY 13 OBSTRUCTION TABLE
GENERAL NOTES:
EL. 2932
EL. 2900
EL. 2850
EL. 2800
Part 77 Transitional Surface
RUTH AIRPORT
INNER PORTION OF RUNWAY 13
APPROACH SURFACE DRAWING
Trinity County, California
Coffman Associates
Airport Consultants
July 19, 2007
SHEET 4 OF 6



RUNWAY 31 OBSTRUCTION TABLE

Description	Elevation	Part 77 851 Approach	Part 77 851 Slope	Proposed Object Disposition
1 TREES	3084.9 MSL	22'	12'	REMOVE TREES
2 TREES	3054.3 MSL	26'	14'	REMOVE TREES
3 TREES	3078.7 MSL	22'	12'	REMOVE TREES
4 TREES	3021.1 MSL	18'	8'	REMOVE TREES
5 TREES	3078.8 MSL	18'	8'	REMOVE TREES
6 TREES	3088.8 MSL	28.6'	24.6'	REMOVE TREES
7 TREES	3082.8 MSL	12.6'	10.6'	REMOVE TREES
8 GROUND	3104.2 MSL	+	CLEAR	CLEARED
9 TREES	3108.8 MSL	n/a	34'	REMOVE TREES

GENERAL NOTES:

1. Obstructions, shortened, and taxiways are calculated from primary runway and taxiway and shortest approach surfaces, unless otherwise noted. Road obstructions reflect a safety clearance of 10' for dirt roads or private roads, 15' for maintainable roads, 17' for interstate roads, and 23' for railroad.
2. Depiction of features and objects with the primary, transitional, and horizontal Part 77 surfaces, is illustrated on the AIRPORT AIRSPACE DRAWING, sheet 2.
3. AC 150/5300-13 CHG 18 Appendix-2, Runway Approach/Clearance Requirements (Runway 4/24).

VERTICAL SCALE IN FEET

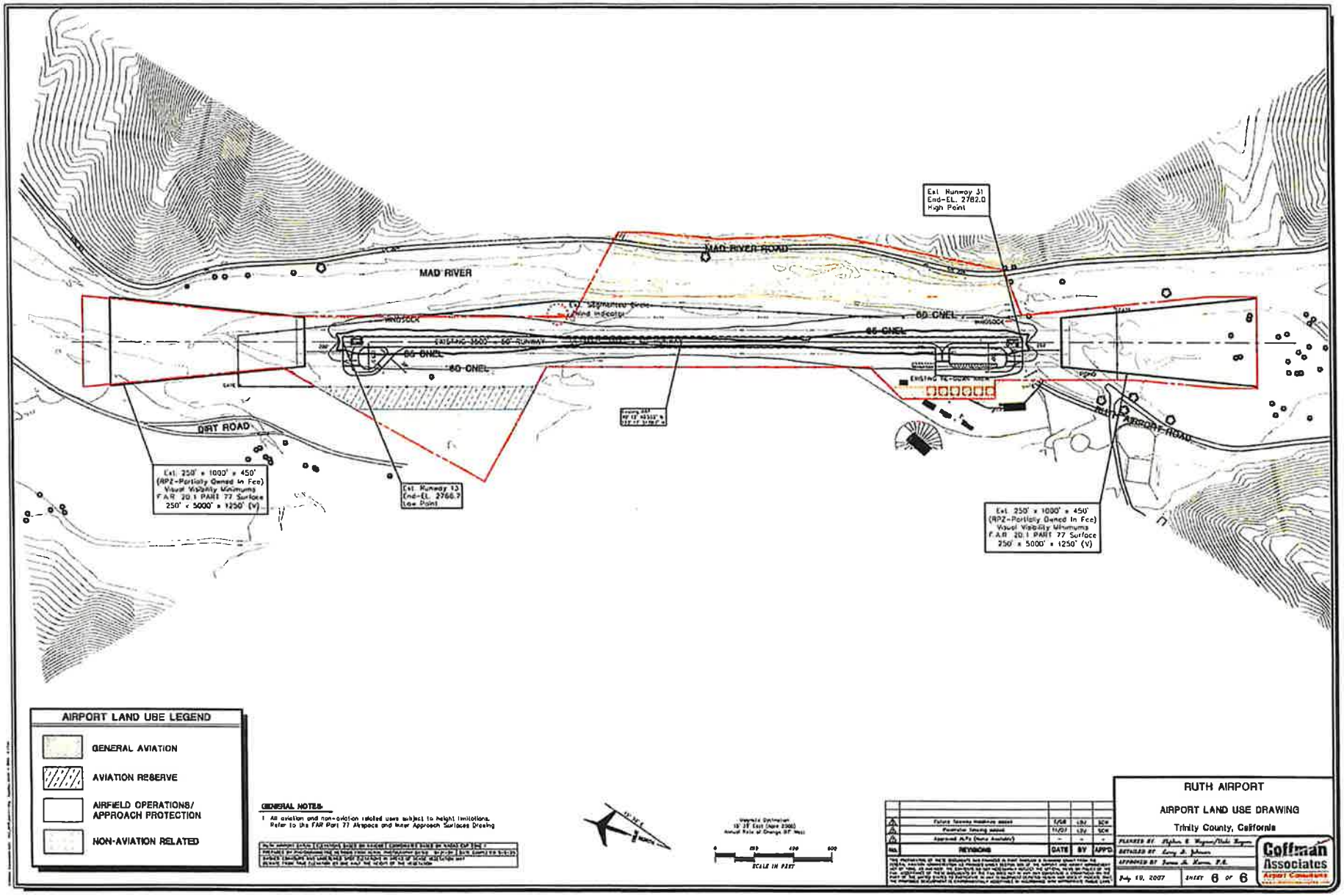
HORIZONTAL SCALE IN FEET

NO.	REVISIONS	DATE	BY	APPD
4	Future runway maximum speed	7/08	LBA	SCW
3	Forecast landing speed	11/07	LBA	SCW
2	Approach NLPs (Table Addition)	-	-	-
1				

RUTH AIRPORT
INNER PORTION OF RUNWAY 31
APPROACH SURFACE DRAWING
Trinity County, California

PLANNED BY: Stephen W. Wagner/Nicole Rogers
DETAILED BY: Larry D. Johnson
APPROVED BY: James A. Herrin, P.E.
July 19, 2007 | SHEET 5 OF 6

Coffman Associates Airport Consultants


MAD RIVER
MAD RIVER ROAD
DIRT ROAD
AIRPORT ROAD
Ext Runway 31
End-EL. 2782.0
High Point
Ext Runway 13
End-EL. 2766.7
Low Point
Ext 250' x 1000' x 450'
(RPZ-Partially Owned In Fee)
Visual Visibility Minimums
F.A.R. 20.1 PART 77 Surface
250' x 5000' x 1250' (V)
Ext 250' x 1000' x 450'
(RPZ-Partially Owned In Fee)
Visual Visibility Minimums
F.A.R. 20.1 PART 77 Surface
250' x 5000' x 1250' (V)
60 CNEL
65 CNEL
WINDSOCK
AIRPORT LAND USE LEGEND
GENERAL AVIATION
AVIATION RESERVE
AIRFIELD OPERATIONS/
APPROACH PROTECTION
NON-AVIATION RELATED
GENERAL NOTES:
1 All aviation and non-aviation related uses subject to height limitations.
Refer to the FAR Part 77 Airspace and Inner Approach Surfaces Drawing
SCALE IN FEET
REVISIONS
DATE
BY
APP'D
RUTH AIRPORT
AIRPORT LAND USE DRAWING
Trinity County, California
July 19, 2007
SHEET 6 OF 6
Coffman Associates

6.0 Trinity Center

Trinity Center Airport is located approximately 67 miles northwest of Redding, California; 284 miles north of San Francisco; 400 miles south of Portland, Oregon; and 572 miles south of Seattle, Washington.

Trinity Center Airport is one of five general aviation airports operated by Trinity County, providing valuable aviation access to the communities and recreation opportunities of the North Trinity Lake area. The facility was originally constructed in 1960 to replace the airport that was inundated by the filling of Trinity Lake.

Trinity Lake surrounds the airport on the east and the south and is a heavily-used recreation site for the local population as well as tourists. Land use on the west side of the airport consists of single family residences (Scott Subdivision), a restaurant and resort (currently closed), a natural history museum (Scott's Museum), and lightly concentrated commercial uses further west. A private resort/campground is located north of the airport and a Forest Service boat launch with a marina is located to the south.

As previously mentioned, the Scott Subdivision borders the west side of the airport. Several homeowners in this area have developed hangars or tiedown areas on their property and have direct access to the airport. Trinity County allows aircraft access from these properties with the issuance of an encroachment permit that stipulates conditions and limitations for the access and related improvements. Trinity County also requires an annual access fee.

6.1 Airport Planning

There is no current Master Plan for Trinity Center Airport. The *Trinity Center Airport Layout Plan* was conditionally approved by the FAA in July 2008.

6.2 Airport Feature Summary

- **Runways and Taxiways –** Trinity Center Airport is served by a single runway. Runway 14-32 is oriented in a northwest-southeast direction, is made of asphalt, and is 3,215 feet in length, 50 feet wide. There is a full-length parallel taxiway.
- **Airfield Lighting/Pavement Markings** -- There is no airport or runway lighting. The runway has basic markings.
- **Weather and Communication** -- An AWOS III is planned for installation. No two-way ground to air communication is available.

6.3 Aviation Activity

Based Aircraft - The forecast of based aircraft is 25 based aircraft by 2011; 28 based aircraft by 2016; and 33 based aircraft by 2026.

Aircraft Operations - As detailed by Coffman Associates, the current operations and forecast for peak periods at Trinity Center Airport are:

	FORECAST	
General Aviation Operations	**2006**	**2026**
Annual	5,500	8,200
Peak Month	1,650	2,460
Busy Day	69	103
Normal (Design) hour	8	12

6.4 Noise and Overflight

The compatibility of existing and planned land uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts. Typically, significant impacts will occur over noise-sensitive areas within the 65 CNEL noise contour.

Specific to this airport:

- The airport is bounded on the east and south sides by Trinity Lake.
- Noise contours are included on the Airport Layout Plan (ALP). The noise contours are contained on airport property.
- No noise-sensitive land uses are contained within the 65 CNEL.

An overflight diagram is included in this section.



Figure 4-12 Trinity Center Area Map

Trinity Center Airport – O86

(source: FAA Master Record and 2008 Trinity Center Airport Layout Plan)

FAA Design Criteria
Airport Reference Code: A-1 (small aircraft)
No single aircraft contributes to 500 annual operations
Critical design aircraft: Mitsubishi Marquise MU-2N

Location
Lat/Long: 40-12-41.3000N / 123-17-51.7000W
40-12.688333N / 123-17.861667W
40.2114722 / -123.2976944 (estimated)
Elevation: 2390 ft. / 728.5 m (surveyed)
Mean daily maximum temp of hottest month: 94 degrees
Variation: 17E (1985)
From city: Adjacent to Trinity Center, CA
Time zone: UTC -8 (UTC -7 during DST)
Zip code: 96091



Airport Operations

Airport use: Open to the public
Activation date: 9/1960
Control tower: no
ARTCC: OAKLAND CENTER
FSS: RANCHO MURIETA FLIGHT SERVICE STATION
NOTAMs facility: RIU (NOTAM-D service available)
Attendance: UNATNDD
Pattern altitude: 3190 ft. MSL
Wind indicator: yes
Segmented circle: yes

Airport Communications

CTAF/UNICOM: 122.9

Airport Services

Parking: tiedowns
Airframe service: NONE
Powerplant service: NONE
Bottled oxygen: NONE
Bulk oxygen: NONE

Runway Information — Runway 14/32
Dimensions: 3215 x 50 ft. / 980 x 15 m
Surface: asphalt, in good condition

	RUNWAY 14	RUNWAY 32
Gradient:	0.1%	0.1%
Traffic pattern:	Left	Right
Displaced Threshold:	200 ft	200 ft
Markings:	basic, in good condition	basic, in good condition
Runway end identifier lights:	no	no

Airport Operational Statistics

Aircraft based on the field: 32	Annual aircraft operations: 115/week
Single engine: 29	67% transient general aviation
Multi engine 3	33% local general aviation

Additional Remarks
- HIGH TERRAIN ALL QUADRANTS.
- ARPT CLSD NIGHTS.
- TREES/HOMES WEST SIDE OF APRT.
- DIRT ROAD 120 FT FM APCH END RY 14.
- CALM WIND RY 14.
- NOISE ABATEMENT PROCEDURES IN EFFECT W & NW OF ARPT.

Instrument Procedures
There are no published instrument procedures at O86.

Figure 4-13 Trinity Center Airport Data Sheet

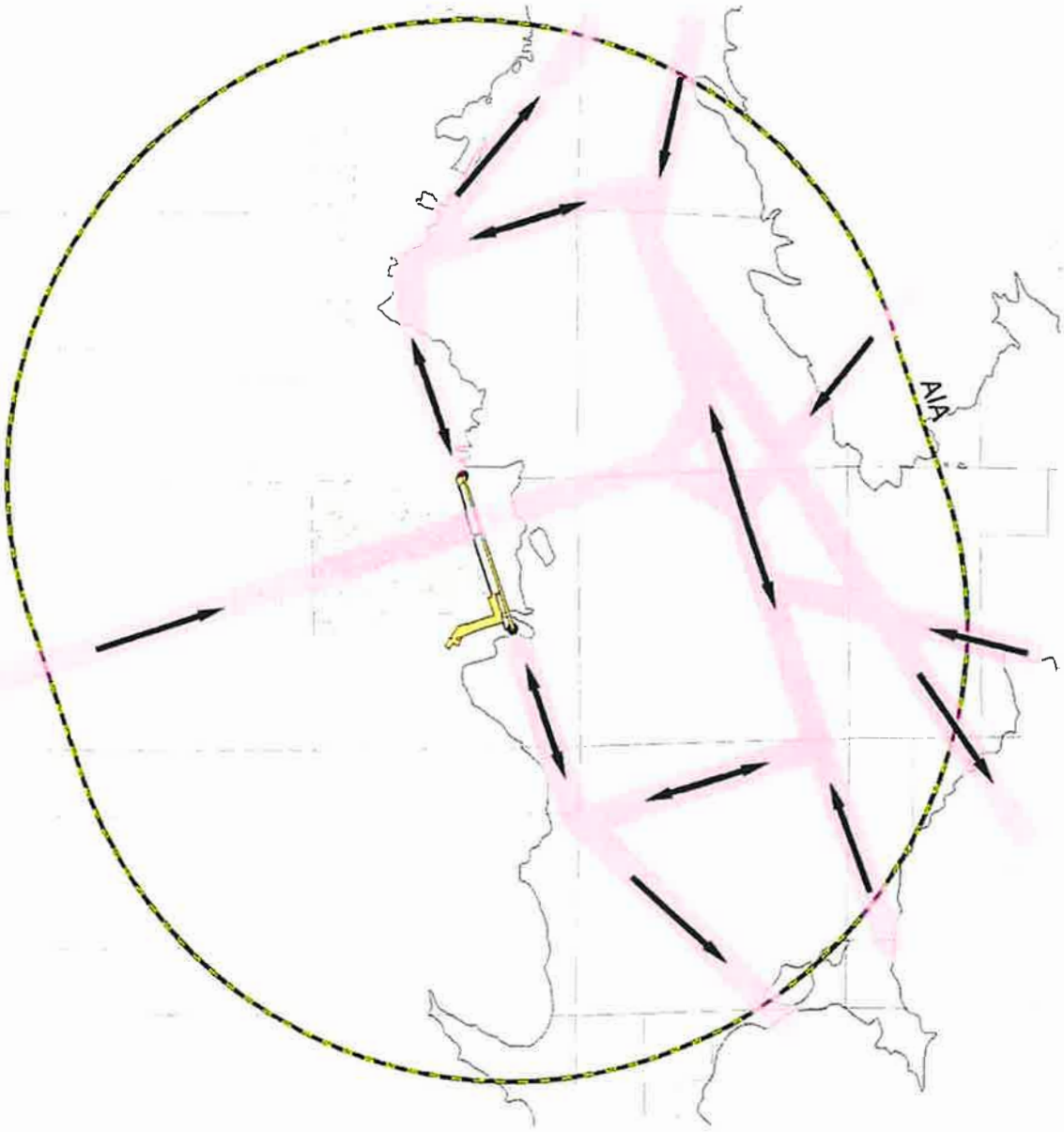


Figure 4-14 Trinity Center Overflight Diagram

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Figure 4-15 Trinity Center Airport Layout Plan

Following is the February 2008 layout plan for Trinity Center Airport.

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AIRPORT LAYOUT PLANS
FOR
TRINITY CENTER AIRPORT

Prepared for

Trinity County, California



LOCATION MAP

INDEX OF DRAWINGS

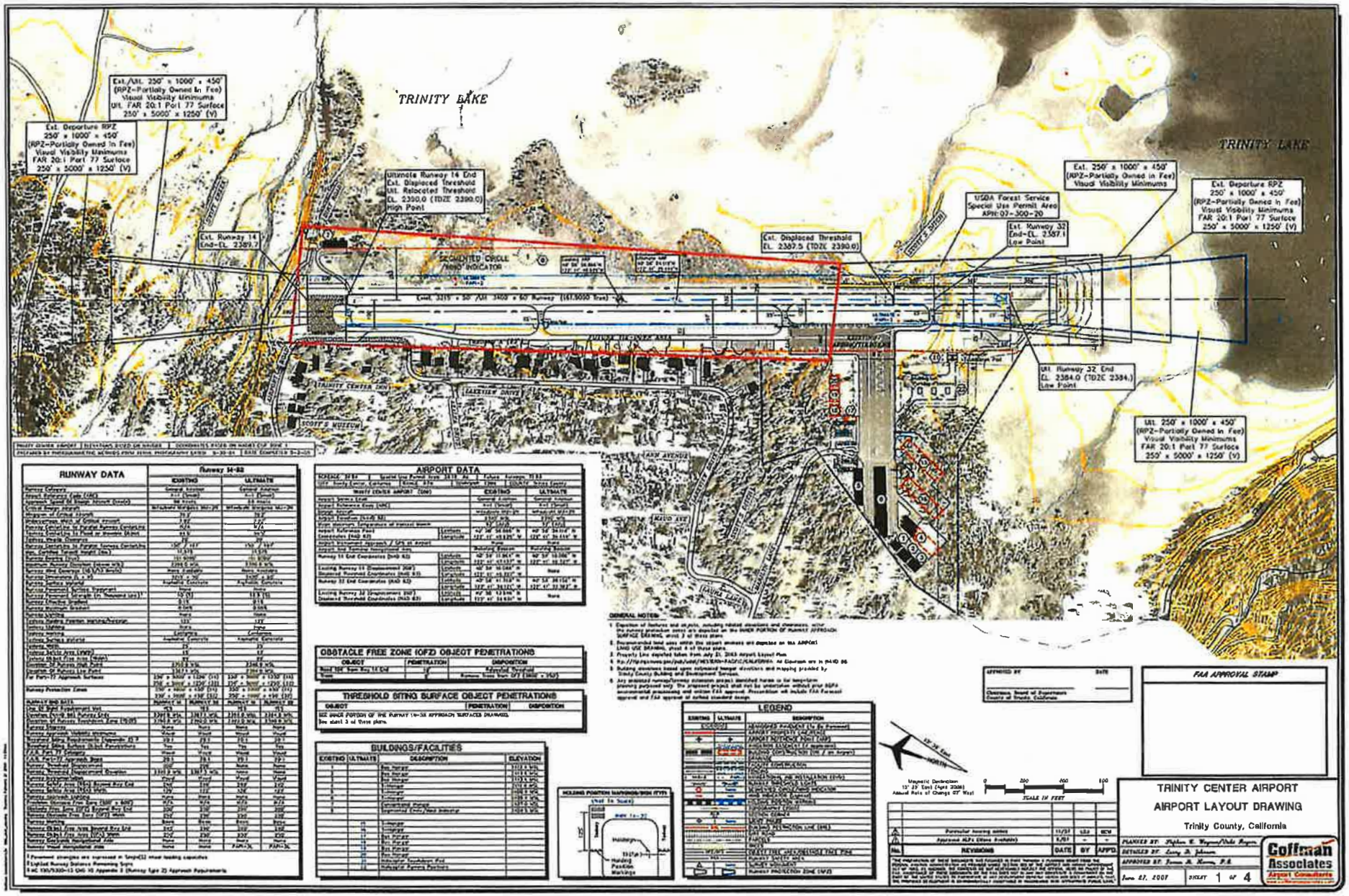
1. AIRPORT LAYOUT DRAWING
2. AIRPORT AIRSPACE DRAWING
3. INNER PORTION OF RUNWAY 14-32 APPROACH SURFACE DRAWING
4. AIRPORT LAND USE DRAWING

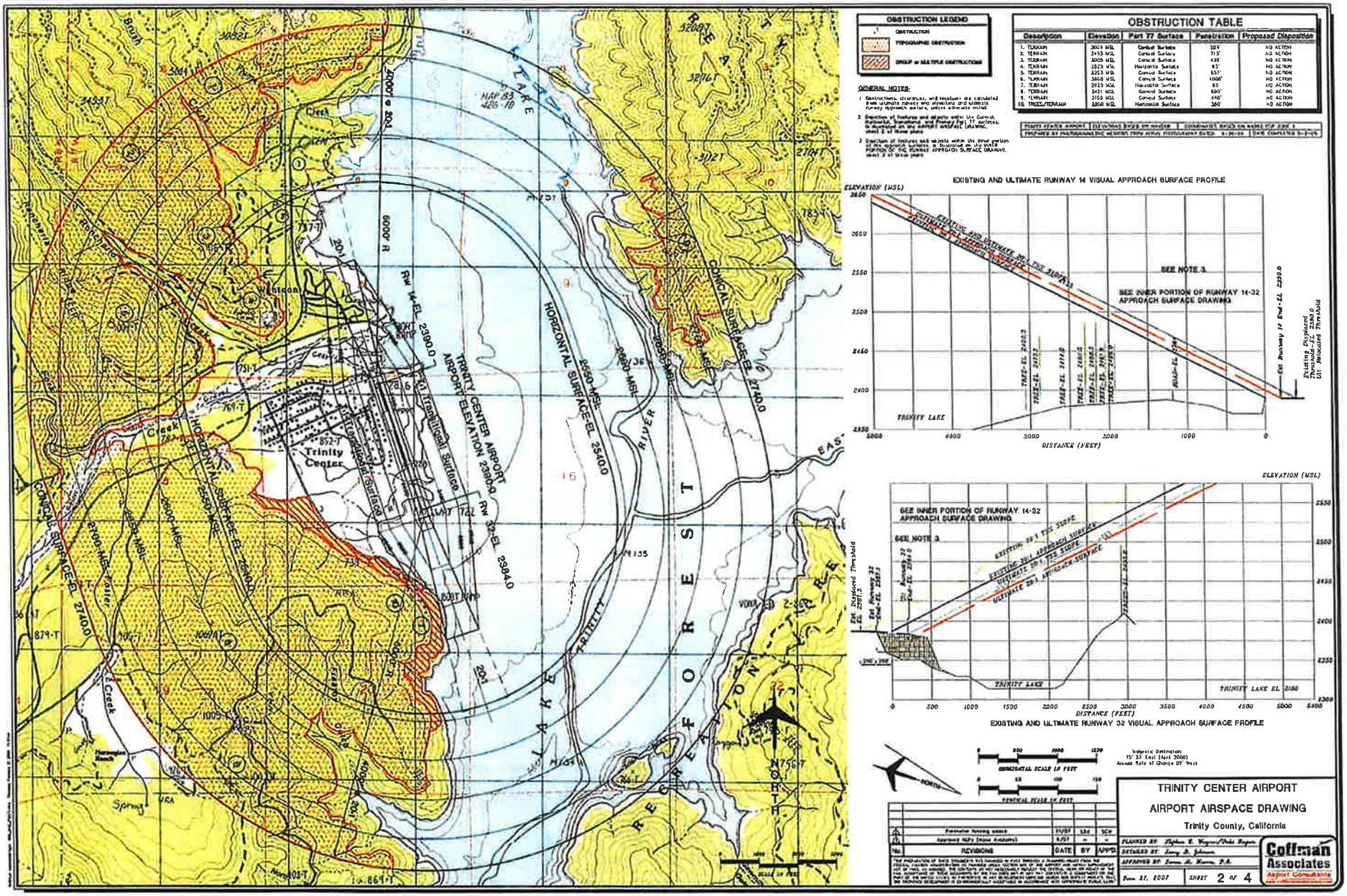


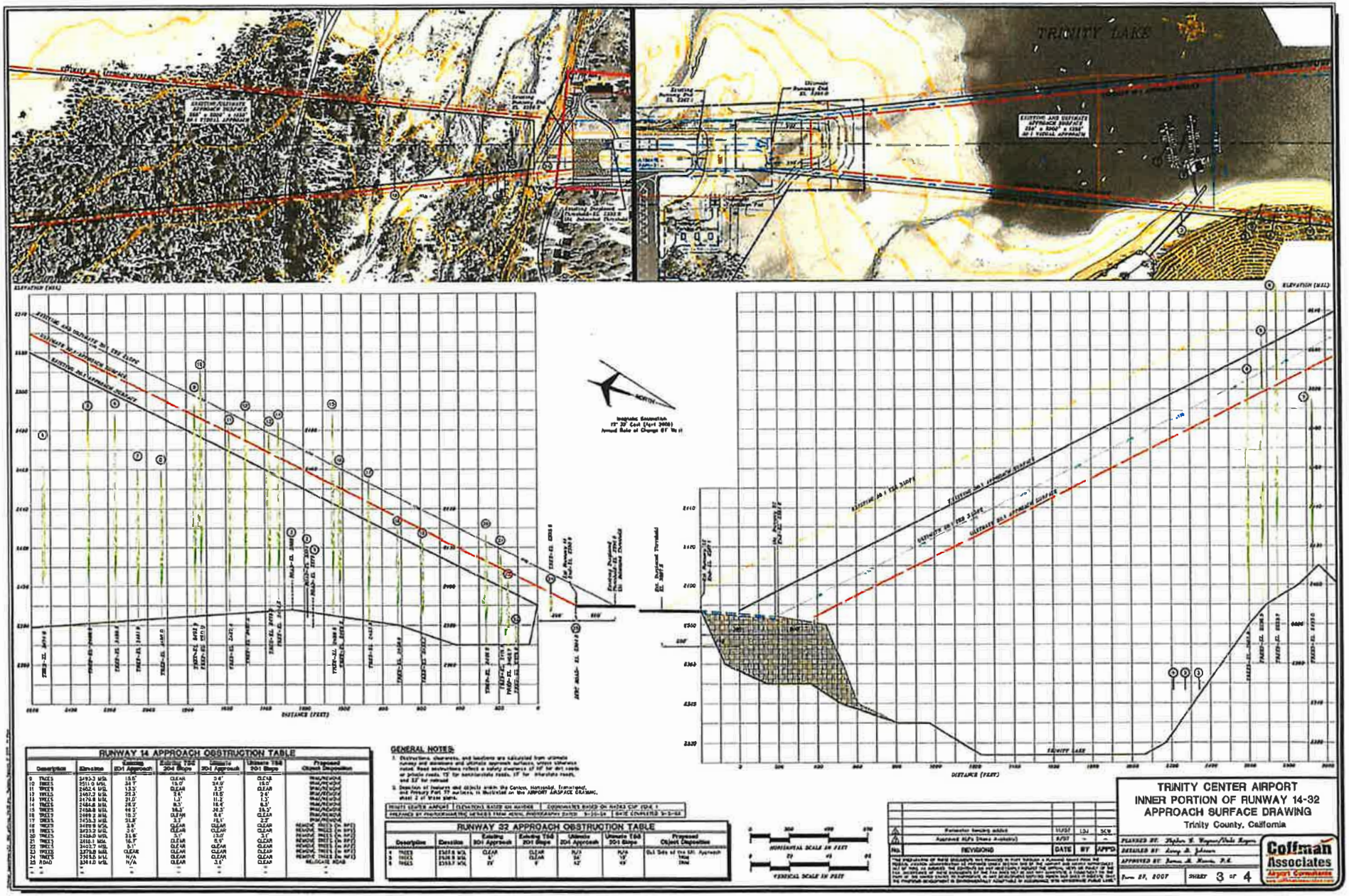
VICINITY MAP

Coffman Associates
Airport Consultants

FEBRUARY 2008


TRINITY LAKE
Ext./Ult. 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums Ult. FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
Ext. Departure RPZ 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
Ultimate Runway 14 End Ext. Displaced Threshold Ult. Relocated Threshold EL. 2390.0 (TDZE 2390.0) High Point
Ext. Runway 14 End-EL. 2389.7
SEGMENTED CIRCLE /WIND INDICATOR
Ext. Displaced Threshold EL. 2387.5 (TDZE 2390.0)
USDA Forest Service Special Use Permit Area APN: 07-300-20
Ext. Runway 32 End-EL. 2387.1 Low Point
Ult. Runway 32 End EL. 2384.0 (TDZE 2384.) Low Point
TRINITY CENTER SKIN
SCOTT'S MUSEUM
RUNWAY DATA
AIRPORT DATA
OBSTACLE FREE ZONE (OFZ) OBJECT PENETRATIONS
THRESHOLD SITING SURFACE OBJECT PENETRATIONS
BUILDINGS/FACILITIES
LEGEND
GENERAL NOTES
TRINITY CENTER AIRPORT
AIRPORT LAYOUT DRAWING
Trinity County, California
FAA APPROVAL STAMP
Coffman Associates


OBSTRUCTION LEGEND
OBSTRUCTION
TOPOGRAPHIC OBSTRUCTION
GROUP or MULTIPLE OBSTRUCTIONS
GENERAL NOTES:
1 Obstructions, clearances, and heights are calculated from ultimate runways and elevations and submitted runway approach surface, unless otherwise noted.
2 Elevation of features and objects within the Conical, Horizontal, Transitional and Primary (Fig 'T') surfaces is identified on the AIRPORT AIRSPACE DRAWING, sheet 2 of three sheets
3 Elevation of features and objects within the inner portion of the approach surfaces is illustrated on the inset PORTION OF THE RUNWAY APPROACH SURFACE DRAWING, sheet 3 of three sheets
OBSTRUCTION TABLE
Description | Elevation | Part 77 Surface | Penetration | Proposed Disposition
1. TERRAIN | 3001 MSL | Conical Surface | 221' | NO ACTION
2. TERRAIN | 3153 MSL | Conical Surface | 313' | NO ACTION
3. TERRAIN | 3005 MSL | Conical Surface | 439' | NO ACTION
4. TERRAIN | 2825 MSL | Horizontal Surface | 85' | NO ACTION
5. TERRAIN | 2823 MSL | Conical Surface | 551' | NO ACTION
6. TERRAIN | 3508 MSL | Conical Surface | 1008' | NO ACTION
7. TERRAIN | 2913 MSL | Horizontal Surface | 83' | NO ACTION
8. TERRAIN | 3421 MSL | Conical Surface | 880' | NO ACTION
9. TERRAIN | 3159 MSL | Conical Surface | 446' | NO ACTION
10. TREES/TERRAIN | 3260 MSL | Horizontal Surface | 360' | NO ACTION
EXISTING AND ULTIMATE RUNWAY 14 VISUAL APPROACH SURFACE PROFILE
ELEVATION (MSL)
DISTANCE (FEET)
TRINITY LAKE
SEE NOTE 3.
SEE INNER PORTION OF RUNWAY 14-32 APPROACH SURFACE DRAWING
EXISTING AND ULTIMATE RWY 14 TSC SLOPE
EXISTING RWY 14 APPROACH SURFACE
Existing Displaced Threshold-EL 2180.0 Ult Relocated Threshold
Ext Runway 14 End-EL 2259.0
EXISTING AND ULTIMATE RUNWAY 32 VISUAL APPROACH SURFACE PROFILE
SEE INNER PORTION OF RUNWAY 14-32 APPROACH SURFACE DRAWING
SEE NOTE 3.
EXISTING 20:1 TSC SLOPE
EXISTING 20:1 APPROACH SURFACE
ULTIMATE 20:1 TSC SLOPE
ULTIMATE 20:1 APPROACH SURFACE
Ext Displaced Threshold-EL 2291.3
Ext Runway 32 End-EL 2287.3
TRINITY LAKE EL. 2180
HORIZONTAL SURFACE-EL 25400
CONICAL SURFACE-EL 27400
TRANSITIONAL Surface
RW 14-EL 2390.0
RW 32-EL 2384.0
TRINITY CENTER AIRPORT AIRPORT ELEVATION 2382.0
6000' @ 20:1
Trinity Center
Creek
River
LAKE TRINITY
RECREATION
FOREST
NORTH
HORIZONTAL SCALE IN FEET
VERTICAL SCALE IN FEET
Magnetic Declination 15° 33' East (April 2006) Annual Rate of Change 0° West
TRINITY CENTER AIRPORT
AIRPORT AIRSPACE DRAWING
Trinity County, California
PLANNED BY: Stephen K. Wagner/Nicki Wagner
DRAWN BY: Lacey D. Johnson
APPROVED BY: Thomas M. Kearns, P.E.
June 27, 2007
SHEET 2 OF 4
Coffman Associates
Airport Consultants



RUNWAY 14 APPROACH OBSTRUCTION TABLE

Description	Elevation	Existing 20:1 Approach	Existing 34:1 Slope	Ultimate 20:1 Approach	Ultimate 34:1 Slope	Proposed Object Disposition
9 TREES	2493.3 MSL	15.0'	CLEAR	3.6'	CLEAR	REMOVE/MOWDOWN
10 TREES	2511.0 MSL	34.5'	15.0'	24.0'	15.0'	REMOVE/MOWDOWN
11 TREES	2482.4 MSL	13.3'	CLEAR	3.5'	CLEAR	REMOVE/MOWDOWN
12 TREES	2467.2 MSL	29.3'	3.5'	19.5'	2.5'	REMOVE/MOWDOWN
13 TREES	2478.8 MSL	21.0'	1.3'	11.2'	1.3'	REMOVE/MOWDOWN
14 TREES	2484.8 MSL	28.5'	8.5'	18.6'	8.5'	REMOVE/MOWDOWN
15 TREES	2488.8 MSL	44.2'	14.2'	34.3'	14.2'	REMOVE/MOWDOWN
16 TREES	2489.2 MSL	10.3'	CLEAR	8.6'	CLEAR	REMOVE/MOWDOWN
17 TREES	2453.3 MSL	21.8'	3.3'	15.1'	2.3'	REMOVE/MOWDOWN
18 TREES	2439.8 MSL	3.8'	CLEAR	CLEAR	CLEAR	REMOVE/MOWDOWN
19 TREES	2453.3 MSL	3.5'	CLEAR	CLEAR	CLEAR	REMOVE/MOWDOWN
20 TREES	2458.0 MSL	23.8'	5.1'	13.0'	3.5'	REMOVE/MOWDOWN
21 TREES	2458.1 MSL	16.7'	CLEAR	9.1'	CLEAR	REMOVE/MOWDOWN
22 TREES	2462.7 MSL	5.1'	CLEAR	CLEAR	CLEAR	REMOVE/MOWDOWN
23 TREES	2479.8 MSL	CLEAR	CLEAR	CLEAR	CLEAR	REMOVE/MOWDOWN
24 TREES	2502.0 MSL	N/A	CLEAR	CLEAR	CLEAR	REMOVE/MOWDOWN
25 ROAD	2541.0 MSL	N/A	CLEAR	3.0'	CLEAR	REMOVE/MOWDOWN
" "	"	"	"	"	"	"
" "	"	"	"	"	"	"

RUNWAY 32 APPROACH OBSTRUCTION TABLE

Description	Elevation	Existing 20:1 Approach	Existing 34:1 Slope	Ultimate 20:1 Approach	Ultimate 34:1 Slope	Proposed Object Disposition
1 TREES	2541.8 MSL	CLEAR	CLEAR	N/A	N/A	Out Side of the 20:1 Approach
2 TREES	2538.8 MSL	5'	CLEAR	26'	14'	TREE
3 TREES	2553.7 MSL	19'	9'	42'	49'	TREE

GENERAL NOTES:

1. Obstructions, clearances, and locations are calculated from ultimate runway and clearance and ultimate approach surfaces, unless otherwise noted. Road obstructions reflect a safety clearance of 16' for dirt roads or private roads, 17' for nonelectrified roads, 17' for electrified roads, and 23' for railroad.
2. Depiction of features and objects within the Conical, Horizontal, Transitional, and Primary Part 77 surfaces, is illustrated on the AIRPORT AIRSPACE DRAWING, sheet 2 of these sheets.

TRINITY CENTER AIRPORT	ELEVATIONS BASED ON NAVD88	COORDINATES BASED ON NAD83 CSP ZONE 1	
PREPARED BY PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHS DATED 9-30-04		DATE COMPLETED 9-30-04	

HORIZONTAL SCALE IN FEET

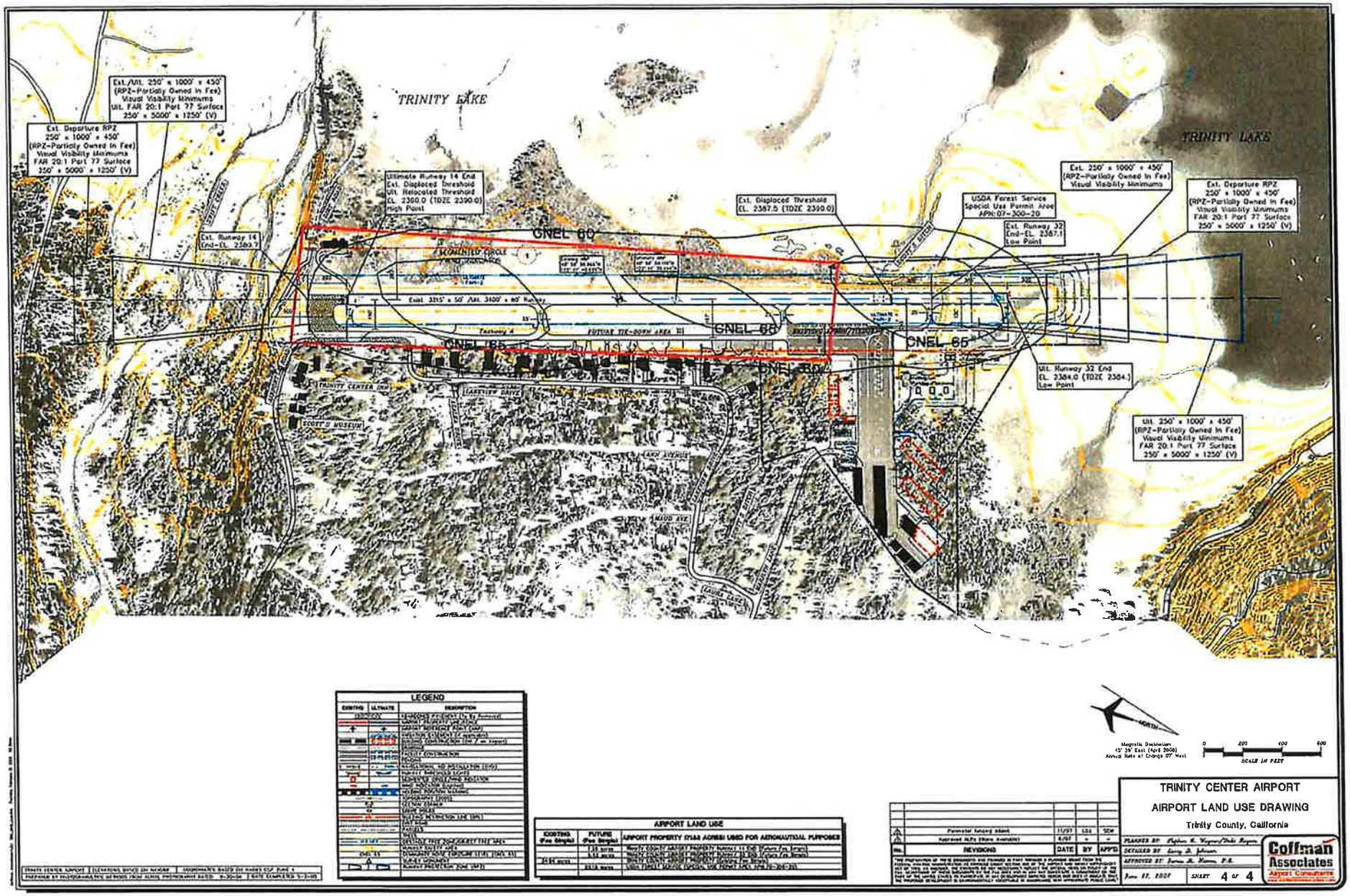
VERTICAL SCALE IN FEET

No.	REVISIONS	DATE	BY	APP'D
1	Runway 14 Displaced Threshold	11/07	LJJ	SCW
2	Approach Alpha Shown Accurately	8/07	-	-

TRINITY CENTER AIRPORT
INNER PORTION OF RUNWAY 14-32
APPROACH SURFACE DRAWING
Trinity County, California

PLANNED BY: Stephen W. Wagner/Chris Rogers
DRAWN BY: Larry D. Johnson
APPROVED BY: James A. Moore, P.E.
DATE: Nov. 27, 2007
SHEET 3 OF 4

Coffman Associates
Airport Consultants


TRINITY LAKE
TRINITY LAKE
Ext./Util. 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums Util. FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
Ext. Departure RPZ 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
Ultimate Runway 14 End Ext. Displaced Threshold Util. Relocated Threshold EL. 2390.0 (TDZE 2390.0) High Point
Ext. Displaced Threshold EL. 2387.5 (TDZE 2390.0)
USDA Forest Service Special Use Permit Area APN:07-300-20
Ext. 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums
Ext. Departure RPZ 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
Ext. Runway 14 End-EL. 2382.7
Ext. Runway 32 End-EL. 2367.1 Low Point
CNEL 60
CNEL 65
CNEL 70
CNEL 75
Ext. 3215' x 50' /Ext. 3400' x 60' Runway
Taxiway A
FUTURE TIE-DOWN AREA
Util. Runway 32 End EL. 2384.0 (TDZE 2384.) Low Point
Util. 250' x 1000' x 450' (RPZ-Partially Owned in Fee) Visual Visibility Minimums FAR 20:1 Part 77 Surface 250' x 5000' x 1250' (V)
TRINITY CENTER (DP)
SCOTT'S MUSEUM
LEARTOW DRIVE
MAUD AVE
LEGEND
AIRPORT LAND USE
EXISTING (Per Ringle)
FUTURE (Per Ringle)
AIRPORT PROPERTY (FAA AGREED USED FOR AERONAUTICAL PURPOSES
NORTH
SCALE IN FEET
TRINITY CENTER AIRPORT
AIRPORT LAND USE DRAWING
Trinity County, California
REVISIONS
DATE
BY
APP'D
PLANNED BY:
DETAILED BY:
APPROVED BY:
SHEET 4 OF 4
Coffman Associates
Airport Consultants

7.0 Weaverville Airport

Regionally, Weaverville is located approximately 50 miles west of Redding, California and 104 miles east of Eureka, California.

Weaverville Airport was originally constructed in the late 1940s and was permitted in 1954 to replace the community's original landing field located near the current golf course. The existing airport occupies a total of 105 acres and is owned by Trinity County.

Located in the central portion of Trinity County, the airport is used by individuals with interests inside and outside the county. The airport provides for recreational access and business and government transport, including law enforcement agencies. Emergency uses at the airport include medical evacuation and fire suppression.

The airport is bounded by State Highway 3 to the east, the community of Weaverville to the south, and the East Weaver Creek residential area to the north. The Trinity County Solid Waste Landfill (now capped) is located immediately west of the runway.

7.1 Airport Planning

There is no current Master Plan for Weaverville Airport. The *Weaverville Airport Layout Plan* was conditionally approved by the FAA in September 2008.

7.2 Airport Feature Summary

- **Runways and Taxiways** - Weaverville Airport is served by a single runway. Runway 18-36 is oriented in a north-south direction and is made of asphalt. The runway is 2,980 feet long and 50 feet wide. Runway 18 is designated the takeoff runway. Although it is not marked as Runway 18, it is marked with a large "X" after the threshold line.

  Due to existing facility constraints (3½ percent uphill gradient and rising terrain to the north), the state airport permit specifies Runway 18/36 as a one-way runway, and pilots are directed to land on Runway 36 and take off on Runway 18. No training, touch-andgo's, or go-arounds are allowed, and aircraft access is limited to daylight hours.

- **Airfield Lighting/Pavement Markings** -- A precision approach path indicator (PAPI-2L) is installed on the approach end of Runway 36 and operated only during daylight hours. No other runway or airport lighting exists, and the runway has basic markings.

- **Weather and Communication** -- An AWOS III is planned for installation in 2009. No two-way ground to air communication is available.

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7.3 Aviation Activity

Based Aircraft - The preferred planning forecast for based aircraft at Weaverville Airport is a mid-range forecast calculated by Coffman Associates and yields 18 based aircraft by 2012, 20 based aircraft by 2016, and 23 based aircraft by 2026. See the *2008 Weaverville Airport Layout Plan* narrative for details.

Aircraft Operations - As detailed by Coffman Associates, the current operations and forecast for peak periods at Weaverville Airport are:

		FORECAST
General Aviation Operations	**2006**	**2026**
Annual	3,800	6,000
Peak Month	380	600
Busy Day	16	25
Normal (Design) hour	2	3

7.4 Noise and Overflight

The compatibility of existing and planned land uses in the vicinity of an airport is usually associated with the extent of the airport's noise impacts. Typically, significant impacts will occur over noise-sensitive areas within the 65 CNEL noise contour.

Specific to this airport:

- Noise contours are included on the Airport Layout Plan (ALP). The noise contours are contained on airport property.
- No noise-sensitive land uses are contained within the 65 CNEL.

An overflight diagram is included in this section.

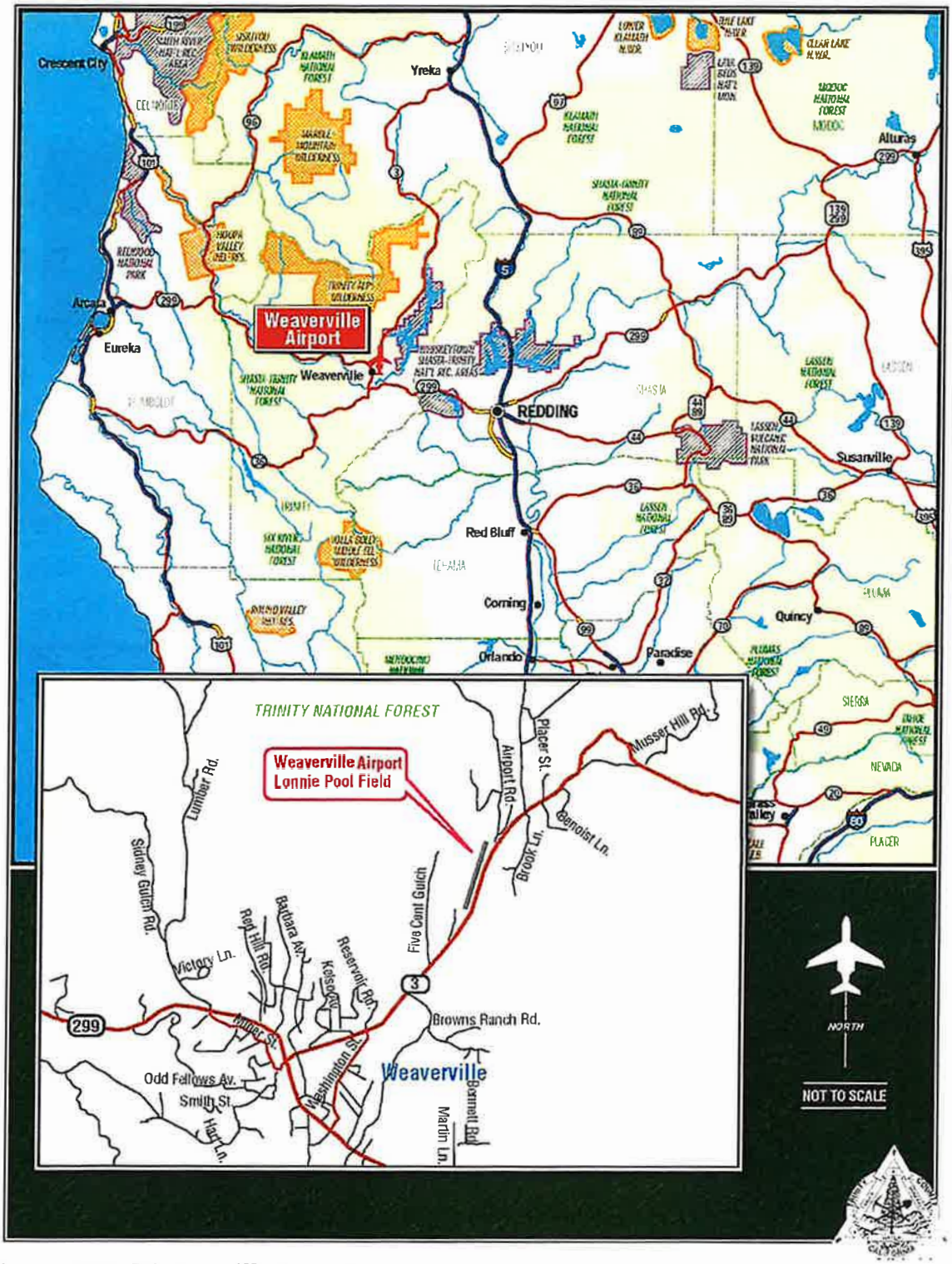


Figure 4-16 Weaverville Area Map

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Lonnie Pool Field/Weaverville - O54

(source: FAA Master Record and 2008 Weaverville Airport Master Plan)

FAA Design Criteria
Airport Reference Code: A-1 (small aircraft exclusively)
No single aircraft contributes to 500 annual operations
Critical design aircraft: Cessna

Location
Lat/Long: 40-44-50.1000N / 122-55-20.4000W
40-44.835000N / 122-55.340000W
40.7472500 / -122.9223333 (estimated)
Elevation: 2350 ft. / 716 m (estimated)
Mean daily maximum temp of hottest month: 94 degrees
Variation: 17E (1985)
From city: 1 mile NE of WEAVERVILLE, CA
Time zone: UTC -8 (UTC -7 during DST)
Zip code: 96093



Airport Operations

Airport use: Open to the public
Activation date: 01/1955
Control tower: no
ARTCC: OAKLAND CENTER
FSS: RANCHO MURIETA
NOTAMs facility: RIU (NOTAM-D service available)
Pattern altitude: 3150 ft. MSL
Wind indicator: yes
Segmented circle: yes

Airport Communications

CTAF/UNICOM: 122.8

Airport Services
Parking: tiedowns
Airframe service: NONE
Powerplant service: NONE
Bottled oxygen: NONE
Bulk oxygen: NONE
Attendance: UNATNDD

Runway Information --- Runway 18/36

Dimensions: 2980 x 50 ft.
Surface: asphalt, in good condition
Runway edge markings: NO NUMBERS MARKED; WHITE 'X' ON APCH END OF RY 18.

	RUNWAY 18	RUNWAY 36
Gradient:	3.5% (150 foot difference)	3.5%
Traffic pattern:	left	left
Displaced threshold:	no	90 ft.
Markings:	NSTD, in fair condition	basic, in fair condition
Visual slope indicator:		2-light PAPI on left (3.00 degrees glide path) RY 36 PAPI OTS INDEFLY.
Runway end identifier lights:	no	no
Obstructions:	60 ft. trees, 240 ft. from runway +15 FT ROAD 0 FT FROM RY END 60 FT LEFT.	10 ft. road, 200 ft. from runway, 220 ft. right of centerline HWY 5-10 FT BELOW RY THR; 0-200 FT FROM RY THR 125 FT RIGHT TO 25 FT RIGHT.

Airport Operational Statistics

Forecast based aircraft on the field: 15

Forecast aircraft operations: 5,800
Calculated using Order 5090.3C

Additional Remarks

- ROAD 50 FT E OF CNTRLN AT RY 18 THR & 60 FT TREES IN PRIMARY SFC 80 FT E OF RY CNTRLN.
- LND RY 36 TKOF RY 18 DUE TO STEEP 3 1/2% UPHILL ARPT GRAD & STEEPER RISING TRRN TO THE NORTH
- ARPT CLSD NIGHTS, TO TOUCH & GOS AND GO AROUNDS.

Instrument Procedures
There are no published instrument procedures at O54.

Figure 4-17 Weaverville Data Sheet

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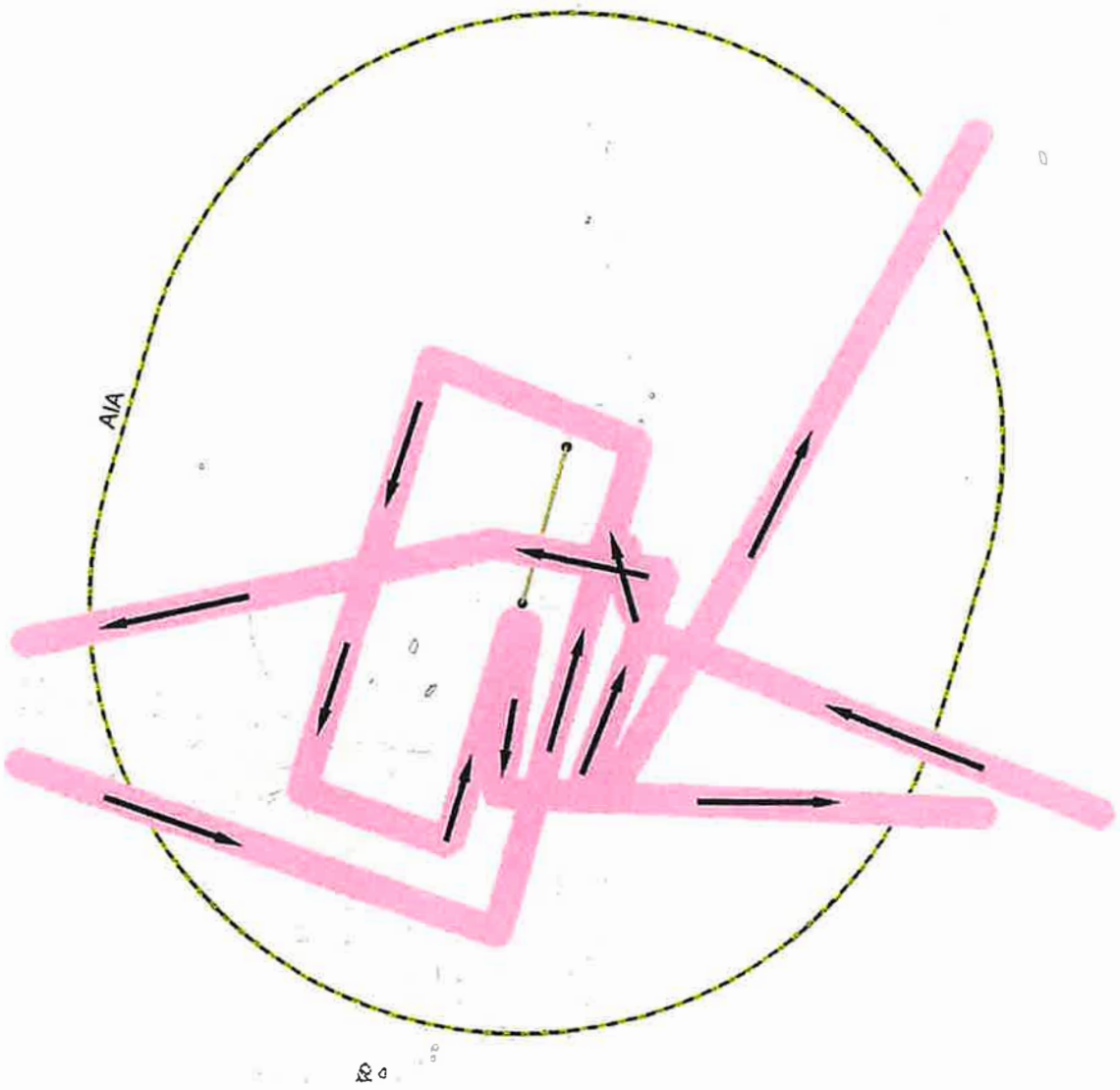


Figure 4-18 Weaverville Overflight Diagram

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Figure 4-19 Weaverville Airport Layout Plan

Following is the February 2008 layout plan for Weaverville Airport.

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AIRPORT LAYOUT PLANS

FOR

LONNIE POOL FIELD/WEAVERVILLE AIRPORT

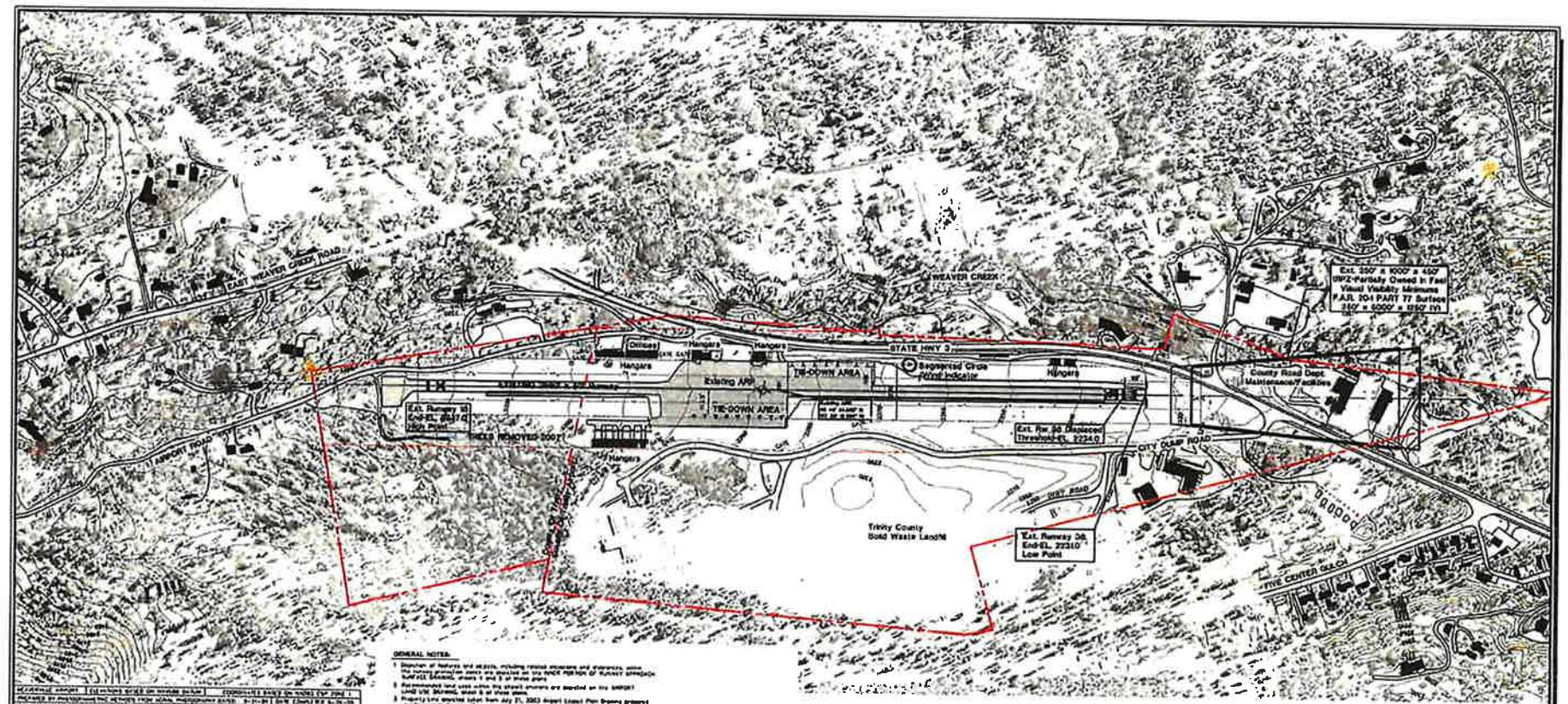
Prepared for

Trinity County, California

INDEX OF DRAWINGS

1. AIRPORT LAYOUT DRAWING
2. INNER PORTION OF RUNWAY 36 APPROACH SURFACE DRAWING



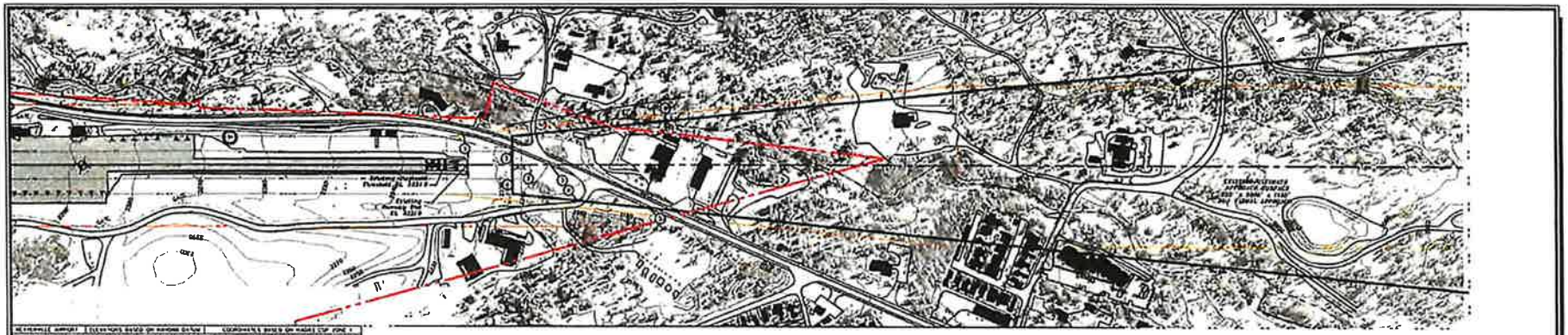


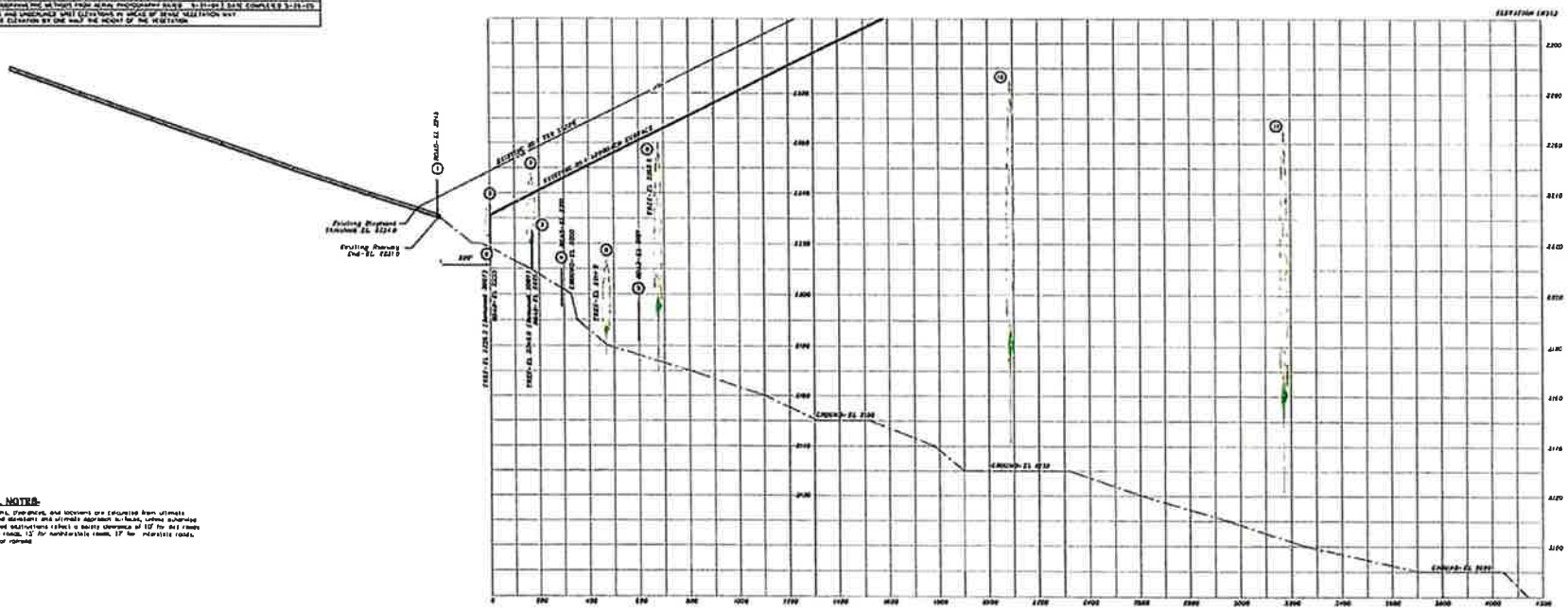
GENERAL NOTES:

1. Depiction of features and objects, including natural vegetation and proposed uses, is based on aerial photography dated 8-31-04 except portion of Runway approach surface drawing, sheets 1 and 2 of these plans.
2. Permissible land uses within the airport environs are depicted on the AIRPORT LAND USE DRAWING, sheet 2 of these plans.
3. Property Line depicted taken from July 31, 2003 Airport Layout Plan Drawing prepared by Harvey M. Sweeney Engineers.
4. File://F:\airports\ca\lnl\lnl\PICTURES\PACIFIC\CAD\Sheet 04 revisions are on hold 09
5. Building set backs based upon Part 77 or 15° inversion.
6. Building envelopes are estimated.

Airport closed at night except with PPR. Airport closed to touch and go, go-around, take-off on Runway 36, landings on Runway 18. All traffic directed to land on Runway 36 and take-off on Runway 18 due to 3 1/2 percent uphill gradient and rising terrain north of Airport.

RUNWAY DATA	Runway 18-36
	(ONE RUNWAY THAT'S)
Runway Surface	Concrete Asphalt
Runway Dimensions	3121' x 60'
Runway Strength	55 Kmain
Runway Weight Bearing	Category 1/30
Runway Gradient	3.2 %
Runway Edge Lights	HIRL
Runway Centerline Lights	No
Runway Touchdown Zone Lights	No
Runway Obstructions	Trees
Runway Declared Distances	TORA=3121' TODA=3121' ASDA=3121' LDA=3121'
Runway Marking (Type)	Precision
Runway Marking (Condition)	Fair
Runway Pavement Strength	55 Kmain
Runway Pavement Surface Treatment	Grooved
Runway Pavement Surface Condition	Fair
Runway Pavement Strength (PCN)	9/F/D/T
Runway Shoulders	Yes
Runway Shoulder Surface	Asphalt
Runway Shoulder Surface Condition	Fair
Runway Pavement Strength (If Runway Less)	9/F/D/T
Runway Gradient	3.2%
Runway Edge Lights	HIRL
Runway Centerline Lights	No
Runway Touchdown Zone Lights	No
Runway Obstructions	Trees
Runway Marking (Type)	Precision
Runway Marking (Condition)	Fair
Runway Lighting	None
Runway Gradient	0.2%
Runway Surface Material	n/a
Runway Width	n/a
Runway Strength	n/a
Runway Weight Bearing	n/a
Runway Surface Treatment	n/a
Runway Shoulder Area (Width)	n/a
Runway Shoulder Area (Length)	n/a
Runway Shoulder Area (Condition)	n/a
Runway Obstructions	n/a
Runway Marking	n/a
Runway Lighting	n/a
Runway Gradient	n/a





GENERAL NOTES:

1. Obstructions, clearances, and locations are calculated from ultimate runway and standard and ultimate approach surfaces, unless otherwise noted. Road obstructions reflect a safety clearance of 10' for all roads or private roads, 15' for non-interstate roads, 17' for interstate roads, and 23' for railroads.

RUNWAY 36 OBSTRUCTION TABLE

Description	Elevation	Penetrates 20:1 Approach	Penetrates 34:1 Slope	Proposed Disposition
1 ROAD	2245 MSL	N/A	7'	RELOCATE ROAD
2 ROAD	2275 MSL	1'	CLEAR	RELOCATE ROAD
3 TREES	2713 MSL	3'	CLEAR	REMOVED (2007)
4 TREES	2248 MSL	9'	CLEAR	REMOVED (2007)
5 TREES	2260 MSL	CLEAR	CLEAR	NO ACTION

No.	REVISIONS	DATE	BY	APP'D
2	Runway taxiway added	11/07	LSJ	SCH
1	Additional ALPs (none included)	-	-	-

LONNIE POOL FIELD/WEAVERVILLE AIRPORT

INNER PORTION OF RUNWAY 36 APPROACH SURFACE DRAWING

Weaverville, California

PLANNED BY: Stephen C. Wagner/Nicole Rogers

DETAILED BY: Larry D. Johnson

APPROVED BY: James A. Koerner, P.E.

Feb 20, 2007

SHEET 2 of 2

Coffman Associates Airport Consultants

APPENDIX

A

CHECKLIST OF COMPATIBILITY PLAN CONTENTS

1.0 Essential Elements **2**
2.0 Optional Elements **4**

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1.0 Essential Elements

The following items are deemed "essential elements" in Table 2A on page 2-13 of the *Handbook*. References to Chapters, Sections and Policies below refer to this ALUCP.

- **Scope of the Plan**
  - Authority and Purpose - see Chapter 1, Section 1.0 "Overview of the Plan"
  - Airport Identification - see Table 2-1 "Trinity County Facilities"
  - Geographic Coverage - see Chapter 1, Section 1.0 "Overview of the Plan"
  - Jurisdictions Affected - see Chapter 1, Section 1.0 "Overview of the Plan"
  - Limitations of the Plan - see Chapter 2, Policies 2.2 "Airport Impacts Not Considered" and 9.5 "Development by Right"

- **Airport Information**
  - Planning Status - see Chapter 4
  - Layout Plan - see Chapter 4
  - Airport Activity - see Chapter 4

- **Compatibility Policies and Criteria**
  - Noise - see Chapter 2, Policy 8.2 "Noise Compatibility"
  - Overflight - see Chapter 2, Policy 8.6 "Overflight Compatibility"
  - Safety - see Chapter 2, Policy 8.4 "Safety Compatibility "
  - Airspace Protection - see Chapter 2, Policy 8.5 "Airspace Protection Compatibility"

- **Compatibility Zone Maps**
  - Noise Contours - see Chapter 4
  - Safety Zones - see Chapter 3
  - Airspace Protection Surfaces - see Chapter 4
  - Composite Compatibility Zones - see Chapter 3
  - Airport Influence Area - see Chapter 3

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- **Procedural Policies**
  - Types of Actions Reviewed - see Chapter 2, Policy 4.0 "Types of Actions Reviewed"
  - Project Information - see Chapter 2, Policy 5.0 "Project Reviews Process"
  - Timing of Review - see Chapter 2, Policy 5.0 "Project Reviews Process"
  - ALUC Staff Responsibilities - see Chapter 2, Policy 5.0 "Project Reviews Process"
  - ALUC Action Choices - see Chapter 2, Policy 5.0 "Project Reviews Process"

- **Initial Review of General Plan Consistency**
  - see Appendix E

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2.0 Optional Elements

The following items are deemed "optional elements" in Table 2B on page 2-15 of the *Handbook*. References to Chapters, Tables, Figures and pages below refer to this ALUCP.

- **Land Use Information**
  - Existing Land Use Development - see Appendix E
  - Planned Land Uses - see Appendix E
- **Discussion of Compatibility Issues**
  - see Chapter 8
- **Local Government Action Choices**
  - Methods for Calculating Usage Intensities - incorporated by reference
  - Sample Buyer Awareness Measures - see Appendix F
  - Airport Combining Zoning Ordinance
- **Supporting Materials**
  - ALUC Statutes in State Aeronautics Act - incorporated by reference
  - Federal Aviation Regulations Part 77 - incorporated by reference
  - Glossary - see Appendix G

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APPENDIX

B

REFERENCES

1.0 General 1
2.0 Unpublished References / Online Reference 3
3.0 Trinity County Airport Layout Plans 4
4.0 CalTrans Division of Aeronautics Letter of Approval 5
5.0 Coffman Associates, Hayfork Operations Letter 6

The following references were used in the development of this Airport Land Use Compatibility Plan.

1.0 General

Abraham, Kenneth S. *Distributing Risk. Insurance, Legal Theory, and Public Policy*. Yale University Press: New Haven & London, 1986.

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Barton v. United States. 609 F.2d 977 (10th Cir.1979).

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Harris Miller Miller & Hanson Inc., Reid-Hillview *Airport Master Plan Update and Business Plan Study, Chapter 2, Airport Roles and Forecasts*, prepared for The County of Santa Clara Roads and Airports Department, 2002

Placer County Airport Land Use Commission, *Placer County Airport Land Use Compatibility Plan,* adopted October 25, 2000

Riverside County Airport Land Use Commission, *Riverside County Airport Land Use Compatibility Plan Policy Document*, adopted October 14, 2004

San Diego County Airport Land Use Commission, *Borrego Valley Airport Land Use Compatibility Plan*, adopted December, 2006

Santa Clara County Airport Land Use Commission, *Land Use Plan for Areas Surrounding Santa Clara County Airports*, Adopted September, 1992

State of California, Governor's Office of Planning and Research, *2003 General Plan Guidelines*

Shutt Moen Associates, *California Airport Land Use Planning Handbook*, prepared for California Department of Transportation, Division of Aeronautics, January 2002

U.S. Department of Transportation, Federal Aviation Administration, AC 150/ 5300-13, *Airports Design*, November 2008

U.S. Department of Transportation, Federal Aviation Administration, *Integrated Noise Model*, Version 6.0b, January 2001

U.S. Department of Transportation, Federal Aviation Administration, *National Plan of Integrated Airports Systems* (NPIAS) 2009-2013, September 2008

U.S. Department of Transportation, Federal Aviation Administration, *Terminal Area Forecasts,* FY 2008-2025, July 2008

2.0 Unpublished References / Online Reference

Alhakami, A.S. and Paul Slovic. "A Psychological Study of the Inverse Relationship Between Perceived Risk and Perceived Benefit." *Risk Analysis*, (14), 1085-1096, 1994.

Hahn, Robert W., ed. *Risks, Costs, and Lives Saved.* Oxford University Press: New York & Oxford, 1996.

Hoppe, Rob and Aat Peterse. *Handling Frozen Fire: Political Culture and Risk Management.* Political Cultures Series, Aasron Wildavsky, ed. Westview Press: Boulder, San Francisco, Oxford, 1993.

MacGregor, D.G. "Risk Perception, Communication, and Community Relations." *Decision Research Report #94-11.* Decision Research: Eugene, Oregon, 1994.

Slovic, Paul. "Informing and Educating the Public About Risk." *Risk Analysis*, Vol. 6, #4, 1986.

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Sweatt-Essick, Jacqueline, *et al, Land Use Compatibility and Airports*, FAA Airports Division, Southern Region Office, Altanta, Georgia

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3.0 Trinity County Airport Layout Plans

The following Airport Layout Plans and drawings were used in the development of this *Compatibility Plan*. Approval to use these documents as the basis of airport data is documented in the CalTrans letter dated February 11, 2009, see *4.0 "CalTrans Division of Aeronautics Letter of Approval"*.

- **Weaverville**, FAA conditional approved September 2008
- **Ruth**, FAA conditional approval July 9, 2008
- **Trinity Center**, FAA conditional approval July 9, 2008
- **Hyampom**, engineered drawings from September 30, 2004
- **Hayfork**, FAA conditional approval August 2008

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4.0 CalTrans Division of Aeronautics Letter of Approval

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS - M.S.#40
1120 N STREET
P. O. BOX 942873
SACRAMENTO, CA 94273-0001
PHONE (916) 654-4959
FAX (916) 653-9531
TTY (916) 651-6827

Flex your power!
Be energy efficient!

Mr. Hal Pflueger
Trinity County Airport Land Use Commission
61 Airport Road
Weaverville, CA 96093

February 11, 2009

Dear Mr. Pflueger:

Request to use airport layout plans as a basis for updating airport land use compatibility plans:

The California Public Utilities Code § 21675 (a) (PUC) requires that airport land use compatibility plans (ALUCP) be based on adopted airport master plans. When no airport master plan exists, or is not current, the ALUCP should be based on a current airport layout plan (ALP). It is not necessary that a formal ALP be drawn and a more simplified diagram of the airport may be used for planning purposes. The only components essential to show are ones which may have off-airport compatibility implications-specifically: Runways, runway protection zones (RPZ), and airport property lines.

The Division of Aeronautics (Division) has reviewed and supports the Airport Layout Plans/Diagrams to be used for the purpose of updating an airport land use compatibility plan for the Trinity Center Airport, Ruth Airport, Hayfork Airport, and the Hyampom Airport.

The Division supports the Weaverville ALP to be used for ALUCP update purposes. The Division strongly recommends that an RPZ for Runway 18 be established and included in the ALUCP, and as a component of the next ALP update. An RPZ and strict policies for the land use within the RPZ are necessary to meet the requirements in PUC § 21670 et seq. Historical aircraft accident data shows the need for protection at both runway ends, even with a "one-way runway". Again, the ALUC has the option of preparing a simplified diagram of the airport which shows the few criteria mentioned above and on pages 51 and 52 of the California Airport Land Use Planning Handbook.

Our recommendation remains in effect until such time as any of the following occur: 1) a new airport master plan is adopted; 2) there are significant changes in the existing airport conditions or the proprietor's expansion plans for the airport over the next twenty (20) years change in such a manner as to have off-airport land use consequences.

We look forward to continuing to work with the Airport Land Use Commission in connection with approval of this important ALUCP. Please let us know if we can be of any additional assistance regarding this matter.

Sincerely,

Ron Bolyard

RON BOLYARD
Aviation Planner

c: Fernando Yanez-FAA, Jan Smith Trinity County DOT

"Caltrans improves mobility across California"

5.0 Coffman Associates, Hayfork Operations Letter

AIRPORT PLANNING IS OUR ONLY BUSINESS
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Coffman Associates
Airport Consultants

April 30, 2008

Mr. Wyatt Paxton
Director, Trinity County Building & Development Services
P.O. Box 476
Weaverville, CA 96093

Re: ACLUP
Hayfork Airport

Dear Wyatt:

Regarding the existing/future activity levels for Hayfork Airport, we believe that the airport should be considered a "low activity" general aviation airport for purposes of safety compatibility zones. While the airport's runway is 4,115 feet in length, the airport's operational level is below the threshold of 2,000 takeoffs and landings per year **at each runway end**. Furthermore, the airport elevation creates a longer runway length requirement than normal (the equivalent length requirement at sea level is only 3,100 feet).

We believe that the forecasts presented in the ALP Narrative Report remain valid, particularly in light of the recent fencing project at the airport. Based aircraft numbers may vary over time based upon owner or business preferences; and frequency of use for medical and fire support will also vary. Security of the aircraft ramp was the most significant comment we received at public meetings during the ALP process, and with completion of this project, aircraft owners will show greater interest in basing aircraft on the airfield.

Thank you for the opportunity to comment.

Sincerely,

Stephen C. Wagner
Principal

Kansas City • Phoenix
237 N.W. Blue Parkway, Suite 100, Lee's Summit, MO 64063 • Phone: 816.524.3500 • FAX: 816.524.2575

APPENDIX

C

STATE AND FEDERAL LAWS

1.0 California Code **1**
1.1 Public Utilities Code 1
1.2 Government Code 1
1.3 Education Code 2
1.4 Public Resources Code 2
1.5 Business and Professions Code 2
1.6 Civil Code 2
2.0 Federal Law **2**

The following State and Federal laws framed the development of this Airport Land Use Compatibility Plan.

1.0 California Code

1.1 Public Utilities Code

21001 – State Aeronautics Act

21670–21679.5 – Airport Land Use Commission

21402–21403 – Regulation of Aeronautics (pertaining to rights of aircraft flight)

21655, 21658, 21659 – Regulation of Obstructions

21661.5, 21664.5 – Regulation of Airports (pertaining to approval of new airports and airport expansion)

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1.2 Government Code

65302.3 – Authority for and Scope of General Plans (pertaining to general plan consistency with airport land use plans)

65943–65945.7 – Application for Development Projects (referenced in State Aeronautics Act)

66030–66031 – Mediation and Resolution of Land Use Disputes (applicable to ALUC decisions)

66455.9 – School Site Review (applicable to ALUCs)

1.3 Education Code

17215 – School Facilities, General Provisions (pertaining to Department of Transportation review of elementary and secondary school sites)

81033 – Community Colleges, School Sites (pertaining to Department of Transportation review of community college sites)

1.4 Public Resources Code

21096 – California Environmental Quality Act, Airport Planning (pertaining to projects near airports)

1.5 Business and Professions Code

11010 – Regulation of Real Estate Transactions, Subdivided Lands (regarding airport influence area disclosure requirements)

1.6 Civil Code

1103–1103.4 – Disclosure of Natural Hazards upon Transfer of Residential Property

1353 – Common Interest Developments (regarding airport influence area disclosure requirements)

2.0 Federal Law

The *Federal Aviation Regulations* are found in Chapter 1 of the Code of Federal Regulations Title 14, "Aeronautics and Space".

The following parts of Chapter 1 are relevant to this ALUCP:

- Part 36, *Noise Standards: Aircraft Type and Airworthiness Certification*
- Part 77, *Objects Affecting Navigable Airspace*
- Part 150, *Airports Noise Compatibility Planning*

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APPENDIX

D

CASE LAW

1.0 Cases Concerning ALUCs 1
2.0 Attorney General Opinions 3

1.0 Cases Concerning ALUCs

Butte County ALUC: *California Pilots Association v. County of Butte* (Butte Co. Superior Ct., Case No. 122720, 1999; decided 2003; affirmed 3d District Ct. Appeals, April 14, 2003) -- The Butte County Airport Land Use Commission determined that proposed construction of several homes near the Chico Municipal Airport was inconsistent with the commission's plan for orderly coexistence of airports and surrounding areas. The county board of supervisors overruled the commission. Plaintiff challenged the county's approval of the development, alleging that the county abused its discretion in overruling the commission. Held: the county's decision was supported by substantial evidence and thus consistent with the law.

Merced County ALUC: California Pilots Association sued City of Los Banos over city's approval of a housing project within the safety zone of a Los Banos Airport runway. (Filed 2001, Merced Co. Superior Ct.)

Napa County ALUC: *PAH/Stanley Ranch v. County of Napa* (Napa Co. Superior Ct., Case No. 26-04804,1999) -- The Napa County Airport Land Use Commission determined that a housing development plan was inconsistent with the commission's airport land use plan. The developer challenged the commission's decision. Held: the commission's decision was supported by substantial evidence and procedural due process was not violated in arriving at the decision.

Orange County ALUC: The county sued the City of Irvine over the city's attempts to rezone the portion of the former El Toro Marine Corps Air Station within its corporate boundaries. The court required the city to analyze the consistency of its project with both the ALUC's land use compatibility plan for

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the area surrounding the air base, even though the Department of Defense had closed the base, and a reasonably foreseeable future land use compatibility plan for a civilian airport at the site. (Orange Co. Superior Ct., decided 1997.)

Orange County ALUC: Suits (consolidated) filed by cities of Irvine and Lake Forest against the ALUC challenging the ALUC's authority to continue to enforce its land use compatibility plan for the decommissioned El Toro Marine Corps Air Station. The cities sought to permit private development adjacent to the closed airport. The court upheld the validity of the ALUC's plan despite the closure of the airport. (Filed in Orange Co. Superior Ct., November 1999; decided 2001.)

Orange County ALUC: The county sued the City of Laguna Wood after the city approved a project that the ALUC had determined was inconsistent with it land use compatibility plan for El Toro Marine Corps Air Station. The air base had been closed at the time of the ALUC's determination. The county's petition for writ of mandate was denied. See Petition for Writ of Mandate. (Filed Orange Co. Superior Ct., Case No. 01CC07878, June 18, 2001; case transferred to San Diego Co. Superior Ct., Case No. GIC781205; decided Nov. 21, 2002.)

Riverside County ALUC: City of Coachella v. Riverside County ALUC (Calif. Ct. Appeals, 4th Dist., 1989, 210 Cal.App.3d 1277) -- City sought a court order nullifying the commission's land use compatibility plan for the area surrounding Thermal Airport after the commission determined that certain subdivisions being processed by the city were inconsistent with the plan. The appellate court upheld the trial court's issuance of a writ nullifying the plan and ordering the ALUC to draw up a new plan. The decision hinged on the court's interpretation of the statutes requiring local ALUCs to prepare land use compatibility plans.

Riverside County ALUC: *Silverhawk Land & Acquisitions, LLC v. Riverside County ALUC* -- Developers challenged the ALUC's land use compatibility plan for French Valley Airport. The court ordered that an environmental impact report on the plan be prepared. (Filed June 2, 2005, Riverside Co. Superior Ct., Case No. RIC 431176.)

Solano County ALUC: *Muzzy Ranch v. Solano Co. Airport Land Use Commission* (Calif. Ct. Appeals, 1st Dist., 2005, 125 Cal.App.4th 810) -- Adoption of an airport land use compatibility plan for the area surrounding an airport is a "project" as that term is used in the California Environmental Quality Act (CEQA), and thus the plan is subject to CEQA. The California Supreme Court affirmed this holding but determined that the particular land use plan adopted by the Solano County commission was exempt from the requirement of an environmental analysis. (California Supreme Court, opinion S131484, June 21, 2007, ___ Cal.4th ___)

Sonoma County ALUC Developers Larry Wassem and Richard Combs, who wanted to build a hotel near the Schulz-Sonoma County Airport, challenging the ALUC's newly adopted land use compatibility plan for the area around the airport. The plan would have disallowed the hotel. The suit was settled, allowing the developer to build the hotel but keeping the land use plan intact. See Developer Drops Lawsuit over Airport Land-Use Compatibility Plan. (Filed between January and April 2001, Sonoma Co. Superior Ct.)

Stanislaus County ALUC: *California Aviation Council v. City of Ceres* (Calif. Ct. Appeals, 5th Dist., 1992, 9 Cal.App.4th 1384) -- City Council's failure to make specific findings in approving a project that was not consistent with the ALUC's land use compatibility plan was determined to be an abuse of discretion.

Tulare County ALUC: *California Pilots Association v. City of Tulare* -- The city planning commission approved a permit to build a truck terminal within a Tulare Airport runway safety zone established by the ALUC. City is exempt from ALUC policy under a waiver obtained years ago. The suit demanded that the City operate under ALUC policy and its land use plan for the airport. The suit was dismissed for lack of standing for failure to exhaust administrative remedies (petitioner had not participated in the city hearings.) However, the court ruled that the City needs to work with the ALUC to properly exercise the waiver that exempts City from ALUC policy. (Filed Tulare Co. Superior Ct., 2004; decided Nov. 2005.)

2.0 Attorney General Opinions

AG Opinion 72-203 (July 5, 1972) – An ALUC does not have authority to formulate a comprehensive land use plan for the area surrounding a federal military airport. (Published 55 Ops.Atty.Gen. 284.)

AG opinion 74-126 (Nov. 15, 1974) – An ALUC's planning authority extends to the areas surrounding airports operated for the benefit of the public, whether such airports are publicly or privately owned. (Published 57 Ops.Atty.Gen. 567.)

AG opinion 88-307 (July 6, 1988) – An ALUC has a reasonable period of time to adopt an airport land use plan. What constitutes a reasonable period depends on relevant circumstances. (Published 71 Ops.Atty.Gen. 213.)

AG opinion 90-914 (May 7, 1991) – The jurisdiction of a county airport land use commission is limited by county boundaries. (Published 74 Ops.Atty.Gen. 58.)

AG opinion 91-502 (1992) – A two-thirds vote of members of a city council constituting a quorum, not two-thirds of the entire membership of the council, is sufficient to override a determination of the ALUC. (Published 75 Ops.Atty.Gen. 47.)

AG opinion 03-805 (July 22, 2004) – An airport land use commission may not exempt a specific plan adopted by a city or county from compliance with the commission's more stringent compatibility standards for land use, development density, and development intensity in the vicinity of a public use airport.

APPENDIX

E

GENERAL PLAN CONSISTENCY ANALYSIS

1.0 Overview 1
2.0 General Plan Land Use Designations 2
3.0 County Zoning Districts 5
4.0 Compatibility Plan Conflicts with Zoning District Criteria 7
5.0 Compatibility Plan Conflicts and Community Plans 8
5.1 Hayfork 8
5.2 Weaverville 8
6.0 Noise 9
7.0 Hayfork 10
8.0 Hyampom 12
9.0 Ruth 14
10.0 Trinity Center 16
11.0 Weaverville 18

1.0 Overview

This appendix compares land use restrictions imposed by the Trinity County General Plan to those imposed by this Compatibility Plan.

Resources used in this review are:

- The ALUCP Table 2-3 "Primary Compatibility Criteria" in Chapter 2 page 2-36 shows the land use criteria and prohibited land uses for each airport compatibility zone.
- Table E-1 "Zoning District Summary" page E-5 highlights the land use criteria for zoning districts underlying airport compatibility zones.
- Figure E-1 "General Plan Designations and Allowable Zoning", reproduced from the General Plan Land Use Element, shows the allowable zoning districts within each General Plan designation.

- Trinity County GIS database Zoning District layer, April 2009
- Trinity County General Plan, Land Use element 1988
- Trinity County General Plan, Noise element 2003
- Hayfork Community Plan, 1996
- Weaverville Community Plan, 2001

Many zoning districts within the county are compatible with this ALUCP because the districts limit density and minimum lot size to the same, or more restrictive, sizes as does this ALUCP. This compatibility is generally due to the lack of water and community sewage treatment.

2.0 General Plan Land Use Designations

The Trinity County 1988 General Plan does not specifically define land use within land use designations. The plan defines the designation by indentifying the allowable Zoning Districts. See Figure E-1 "General Plan Designations and Allowable Zoning" in the General Plan.

The 1988 Trinity County General Plan Land Use element contains these land designations:

- Agriculture (A)
- Community Development (CD)
- Community Expansion (CE)
- Commercial (C)
- Industrial (I or M)
- Multiple Family Residential
- Natural Resource (NR)
- Open Space / Conservation (OS)
- Public Facilities
- Resource (RE)
- Rural Residential (RR)
- Single Family Residential - Medium density
- Single Family Residential - High density
- Village (V)

General Plan designation CD was dropped after Junction City Community Plan was completed.

The airport compatibility zones in this plan overlay the following General Plan designations:

- Agriculture
- Commercial
- Industrial
- Multiple Family: Medium and High[1]

1.Some of these designations do not match the list of 1988 General Plan designations due the the changes adopted via the cited resolution.

- Open Space
- Public Facilities
- Resource
- Rural Residential
- Single Family: Low, Medium, and High[1]
- Village

Note: After the General Plan was adopted in 1988, a number of community plans were developed and adopted via Resolution 2001-028. These plans contain zoning designation and district changes. These changes and other ordinance changes over the years are reflected in Table E-1 "Zoning District Summary".

GENERAL PLAN DESIGNATIONS AND ALLOWABLE ZONING DISTRICTS

6-20-89
Res 95-89

ALLOWABLE ZONES / GENERAL PLAN DESIGNATIONS	Resource	Agriculture	Open Space/ Conservation	Rural Residential	Community Expansion	Community Development	Single Family Residential (Med.)	Single Family Residential (High)	Multifamily Residential	Commercial	Industrial	Public Facilities	Village	MINIMUM PARCEL SIZE
Mining	X	X	X		X	X								10 acres
TPZ	X	X	X											160 acres unless par created prior to 198
Ag. Preserve	X	X	X											40 acres
Agriculture	X	X	X		X	X							X	10 acres
Ag. Forest	X	X	X		X	X							X	10 acres*
Open Space	X	X	X									X	X	
Conservation			X											10 acres
RR-10**				X		X							X	10 acres
RR-5**				X		X							X	5 acres
RR-21/2**				X		X							X	2 1/2 acres
RR-1**				X		X	X	X					X	1 acre
Unclassified				X		X							X	5 acres
R-1A***						X	X	X	X				X	1/2 acre
R1**						X		X					X	6,000 sq. ft.
R2 Duplex						X			X				X	6,000 sq. ft.
R3 Multiple Family						X			X				X	10,000 sq. ft.
Residential Office					X	X	X	X	X				X	7,000 sq. ft.
Mobile Home and Special Occupancy Parks				X	X	X			X	X			X	3 acres
C-1 Retail Commercial					X					X			X	10,000 sq. ft.
C-2 General Commercial						X				X				10,000 sq. ft.
HC Highway Commercial						X				X			X	10,000 sq. ft.
C-3 Heavy Commercial						X				X	X	X	X	1/2 acre
Industrial											X		X	1/2 acre
Specific Unit Development	X	X	X	X	X	X	X	X	X	X	X	X	X	20 acres
Public Facilities	X					X				X		X	X	2,000 sq. ft.
Flood Hazard			X											N/A
Min. Parcel Size	20 Ac.	10 Ac.	N/A	1 Ac.	10 Ac.	5M sq.	10M sq.	6M sq.	10M sq.	10M sq.	1/2 Ac.	2M sq.	5M sq.	

* Depends on Site Class (Min. Parcel size of Site III or better; 40 acres)
** Or More restrictive (i.e., less dense)
*** May be less restrictive (i.e. more dense) Dependent on Projects

OVERLAY ZONING DISTRICTS:
The above chart does not include Overlay Zones. Overlay Zones are considered to be compatible with all General Plan Designations since they must be utilized in conjunction with an underlying zone. (19)

Figure E-1 General Plan Designations and Allowable Zoning

3.0 County Zoning Districts

The airport compatibility zones overlay the zoning districts outlined the table below. The table summarized the zoning district criteria that is applicable to airport compatibility zones.

Zoning District	Zone Code	Dwellings	Minimum Parcel	Maximum Height	Notes
TPZ	TPZ	1*	40 acres or as otherwise zoned	No limit	Allows labor camps
Agriculture	A	1*	½ acre	40'	Allows labor camps
Ag Preserve	AP	1*	40 acres	40'	Allows labor camps
Ag Forest	AF		10 acres	No limit	
Open Space	OS	0	No minimum	No limit	
Conservation					
RR-10	RR-10	1	10 acres	40'	
RR-5	RR-5	1	5 acres	40'	
RR-2½	RR-2½	1	2½ acres	40'	
RR-1	RR-1	1	1 acre	40'	
Unclassified	UNC	1	5 acres	40'	
Multiple Family - Medium density R2 Duplex	R2	2	6,000 ft^2	40'	
R3 Multiple Family	R3	No limit	16,000 ft^2 2,000 ft^2/du	25'	
Residential Office	RO		7,000 ft^2	25'	
Mobile Home and Special Occupancy Parks	MH		3 acres 4,500 ft^2/du	25'	
C-1 Retail Commercial	C1	1	10,000 ft^2	25'	Allows public assembly and noise sensitive uses without general restriction, churches, day care, hospitals, etc.

Table E-1 Zoning District Summary

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C-2 General Commercial	C2	1	10,000 ft^2	25'	Allows public assembly and noise sensitive uses without general restriction, churches, day care, hospitals, motels, hotels, etc.
C-3 Heavy Commercial	C3	1	½ acre	25'	
HC Highway Commercial	HC	1	10,000 ft^2	35'	Allows public assembly and noise sensitive uses without general restriction, churches, day care, hospitals, motels, hotels, etc.
Industrial	I	No limit	½ acre	45'	No specific limit is specified except that residential units must be second floor or rear half of an industrial or commercial building.
Heavy Industrial	M2				
Specific Unit Development	SUD	N/A	N/A	N/A	No general restrictions are specified. Any restrictions are specific to a development and listed in the permit.
Public Facilities	PF	N/A	2,000 ft^2	40'	
Single Family-Low R1-A	SF-L R1-L	1	6,000 ft^2	40'	Not a GP zone, introduced with the 1996 Hayfork community plan
Single Family-Med	SF-M R1-M	1	10,000 ft^2	40'	Not a GP zone, introduced with the 1996 Hayfork community plan
R1	R-1	1	6,000 ft^2	40'	
Single Family-High	SF-H R1	1	20,000 ft^2	40'	Not a GP zone, introduced with the 1996 Hayfork community plan

Table E-1 Zoning District Summary (continued)

* Some districts allow residential use related to the primary use -- for example, AP lists a residence under Accessory Buildings for a residence accessory to harvesting and planting operations.

4.0 Compatibility Plan Conflicts with Zoning District Criteria

This section highlights general areas of potential conflict that exist between the current General Plan and County Zoning Ordinance and the ALUCP.

For the most part, the airport compatibility zone criteria is equal to or less restrictive than the underlaying zoning districts.

Conflict areas:

a) No dwellings and public assembly, and limited other land uses, in airport compatibility Zone A.

In most cases, land within Zone A boundaries is within the airport boundaries or on federal land.

b) This ALUCP sets a height restriction of 35 feet in Compatibility Zones A and B1.

Therefore there a potential conflict with any underlying Zoning District with a greater maximum height definition.

c) This ALUCP set a maximum number of dwellings per acre in compatibility zones. This limit affects the minimum parcel size. Thus, this plan may have a greater limitation than the underlying zoning district within he following airport compatibility zones:

- Class B1 = 0.1 du/ac means a minimum parcel of 10 acres
- Class B2 = 0.4 du/ac means a minimum parcel of 2.5 acres
- Class C = 0.2 du/ac means a minimum parcel of 5 acres
- Class D = 4 du/ac means a minimum parcel of 10,890 sf

(Note: An acre is 43,560 sf.)

All zoning districts are affected by this restriction except for Timber TPZ, Ag Preserve, Ag Forest, Open Space, and Rural Residential-10.

d) Intensity. Neither the General Plan nor the Zoning Ordinance define non-residential intensity criteria.Therefore, a conflict will arise if the facility's occupancy limit exceeds the airport compatibility zone's intensity limits.

5.0 Compatibility Plan Conflicts and Community Plans

This section highlights some general areas of conflict that exist between community plans and the ALUCP.

Community plans were adopted into the General Plan in 2001. The community plans that are affected by this compatibility plan and will have to be made consistent are:

- Hayfork
- Weaverville

5.1 Hayfork

The Hayfork Community Plan was adopted by Resolution 2001-028.

Chapter 9 of the 1996 Hayfork Community Plan addresses land uses and community design. (Figure 3.2 in the Hayfork plan shows the airport safety zones.)

The safety zones included in the plan are superseded by this compatibility plan.

The spirit of the Hayfork Community Plan is to use the airport as an asset and the community clearly understood the need for protected area around an airport. Policy 2.2b of the Plan says "Prohibit all development within Airport Safety Area 1." Policy 2.2b says further "Support only agricultural, open space, and/or low-density uses in Airport Safety Area 2."

The community plan identifies lands west of the airport for light industrial use--Chapter 7, page 9-17. Within height, glare, open land, and smoke restrictions, industrial use on these lands should be compatible.

There are many lot size and maximum density restrictions in the Hayfork plan that differ from the county ordinances. Staff should research consistency between these plans in order to determine airport compatibility zone conflicts.

5.2 Weaverville

The Weaverville Community Plan, was adopted by resolution 2001-028.

The Weaverville Plan does not contain extensive land use modifications. Chapter 9, Land Use and Community Design, discussions the desired use of areas within the Weaverville planning area.

For East Weaver, north of Weaverville airport, it is noted that parcels are limited to a 2.5-acre minimum due to water and septic. This limit is consistent with this plan's criteria for Zones B1 and B2.

For area south of the airport, Five Cent Gulch and the Trinity Lakes Blvd, parcels are designated to be between 1/2 to 8 acres. In the Highway 3 Commercial Area identified in the plan, visual characteristics are the main concern. There is a potential for density conflicts in these areas.

Due to the terrain around Weaverville, the aircraft local traffic pattern is well south of the airport. Therefore Compatibility Zone D was extended to cover most of downtown Weaverville. Within this extended compatibility zone area there is very little land that is not existing or a candidate for infill.

Allowing zone flexibility for affordable housing, in conjunction with providing adequate adjacent open land, is an acknowledged community goal, and all projects reviewed by the ALUC will consider the appropriate balance between the need for housing and the need for safety in proximity to the airport.

6.0 Noise

California law sets the standard for the acceptable level of aircraft noise for persons residing near airports at 65 CNEL (California Code of Regulations, Title 21, Division 2.5, Chapter 6). The 65 CNEL criterion was selected for urban residential areas where houses are of typical construction with windows partially open.

Four types of land uses are defined as incompatible with noise above 65 CNEL: residences, schools, hospitals and convalescent homes, and places of worship. These land uses are regarded as compatible if they have been insulated to assure an interior sound level of 45 CNEL from aircraft noise. These uses are also to be considered compatible if an avigation easement over the property has been obtained by the airport operator.

In Trinity County, all 65 CNEL noise contours are contained within the airport boundaries.

This plan is consistent with the Trinity County General Plan Noise Element, October 2003. Noise Element Section 2.5 addresses airport noise.

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7.0 Hayfork

Hayfork Airport's Compatibility Zones overlay parcels with these General Plan designations:

- Agriculture
- Commercial
- Industry
- Open Space
- Multiple Family: Low, Medium and High
- Public Facility
- Resource
- Rural Residential
- Single Family: Medium and High

Conflicts may exist to the extent describe in previous sections of this appendix.

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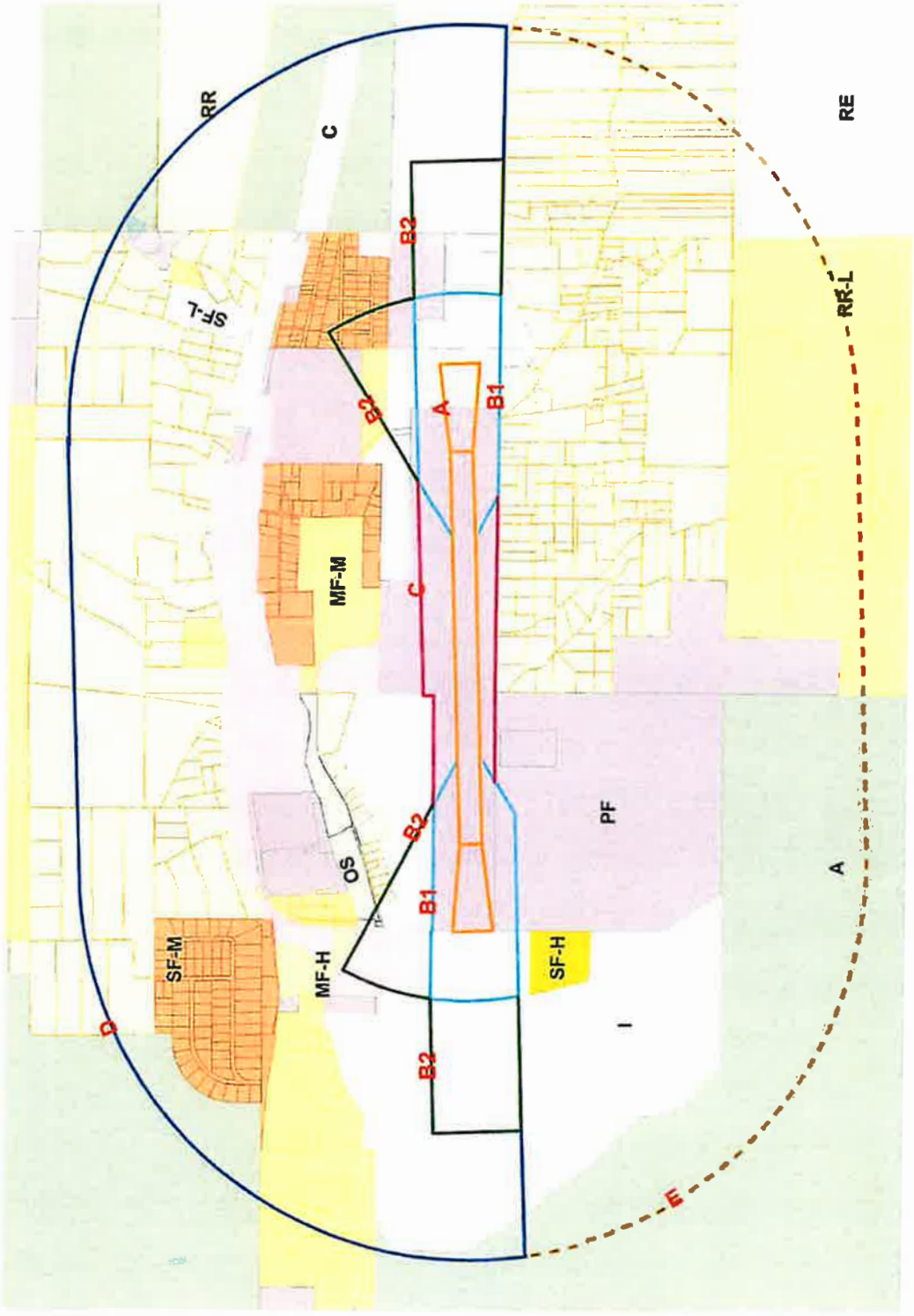


Figure E-2 Hayfork Compatibility Zones and GP Designation

8.0 Hyampom

Hyampom Airport's Compatibility Zones overlay parcels with these General Plan designations:

- Agriculture
- Rural Residential
- Rural Expansion

At Hyampom, no conflict exists between the General Plan and this Compatibility Plan.

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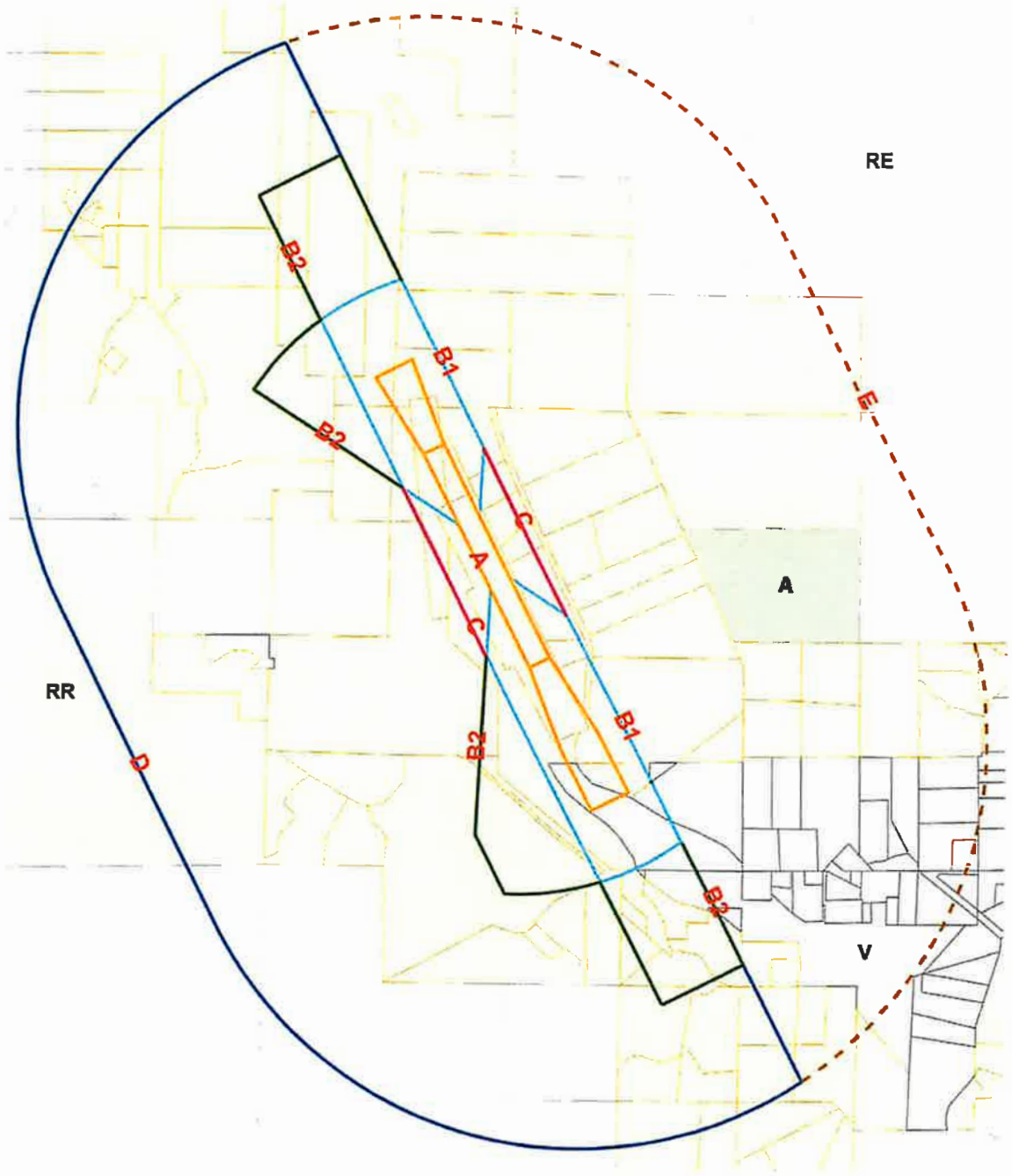


Figure E-3 Hyampom Compatibility Zones and GP Designation

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9.0 Ruth

Ruth Airport's Compatibility Zones overlay parcels with these General Plan designations:

- Public Facility
- Resource
- Rural Residential

At Ruth, no conflict exists between the General Plan and this Compatibility Plan.

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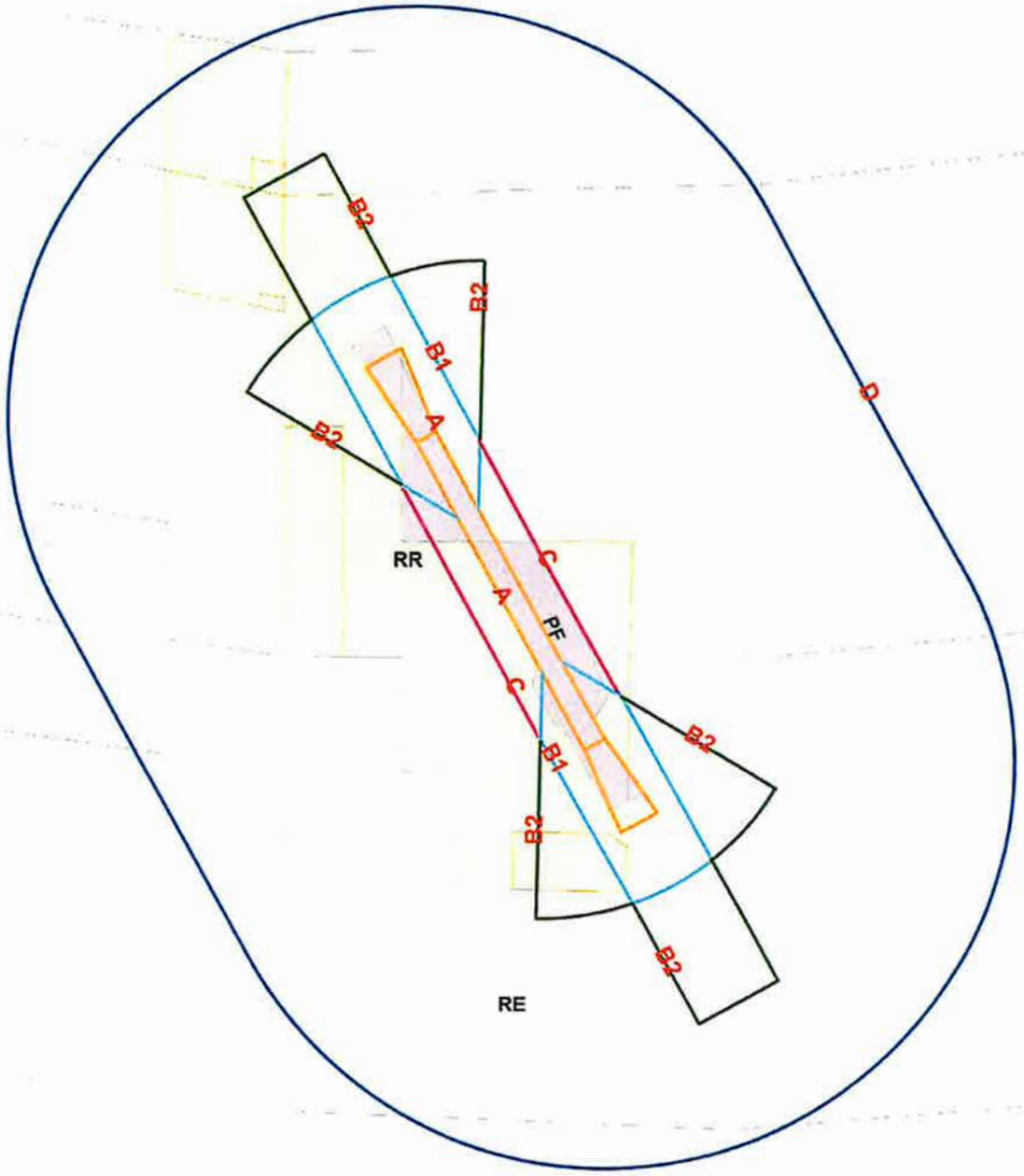


Figure E-4 Ruth Airport Compatibility Zones and GP Designation

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10.0 Trinity Center

Trinity Center Airport's Compatibility Zones overlay parcels with these General Plan designations:

- Commercial
- CR
- Community Expansion
- Public Facility
- Resource
- Rural Residential

Most of the Compatibility Zones at Trinity Center are over water or federal land.

There are two areas of existing use conflict with the general plan:

- Parcels in Compatibility Zone B1 at the north end of runway 32 that are zoned HC. This plan imposes an intensity limit.
- Residential property in Compatibility Zone C west of the runway. All but two parcels are developed, therefore existing use. This plan imposes a density and height restriction.

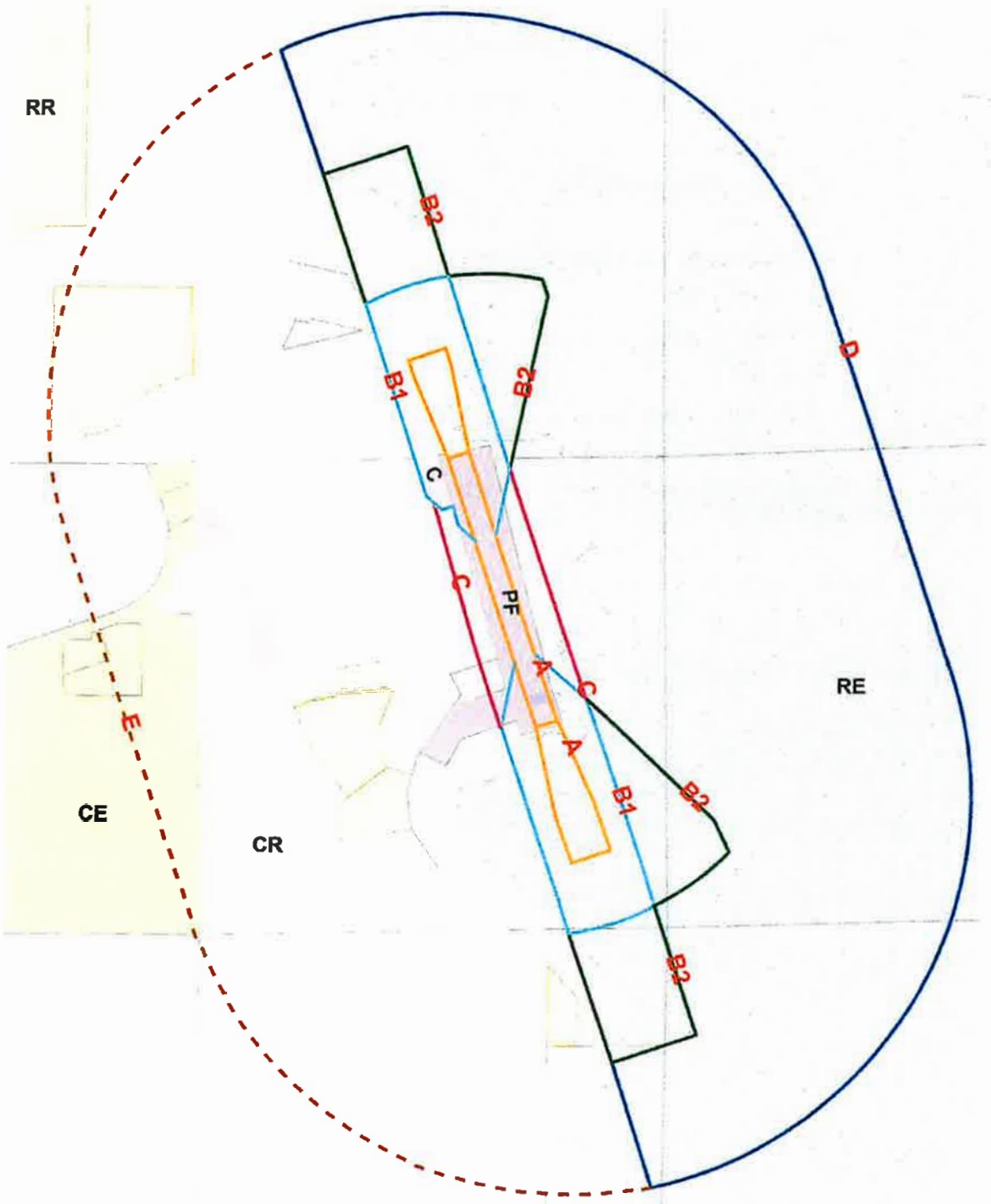


Figure E-5 Trinity Center Compatibility Zones and GP Designation

11.0 Weaverville

Weaverville Airport's Compatibility Zones overlay parcels with the General Plan designations:

- Agriculture
- Commercial
- Community Expansion
- Industry
- Multiple Family - Medium and High
- Open Space
- Public Facility
- Resource
- Rural Residential
- Single Family - Low and High

Conflicts may exist to the extent describe in previous sections of this appendix.

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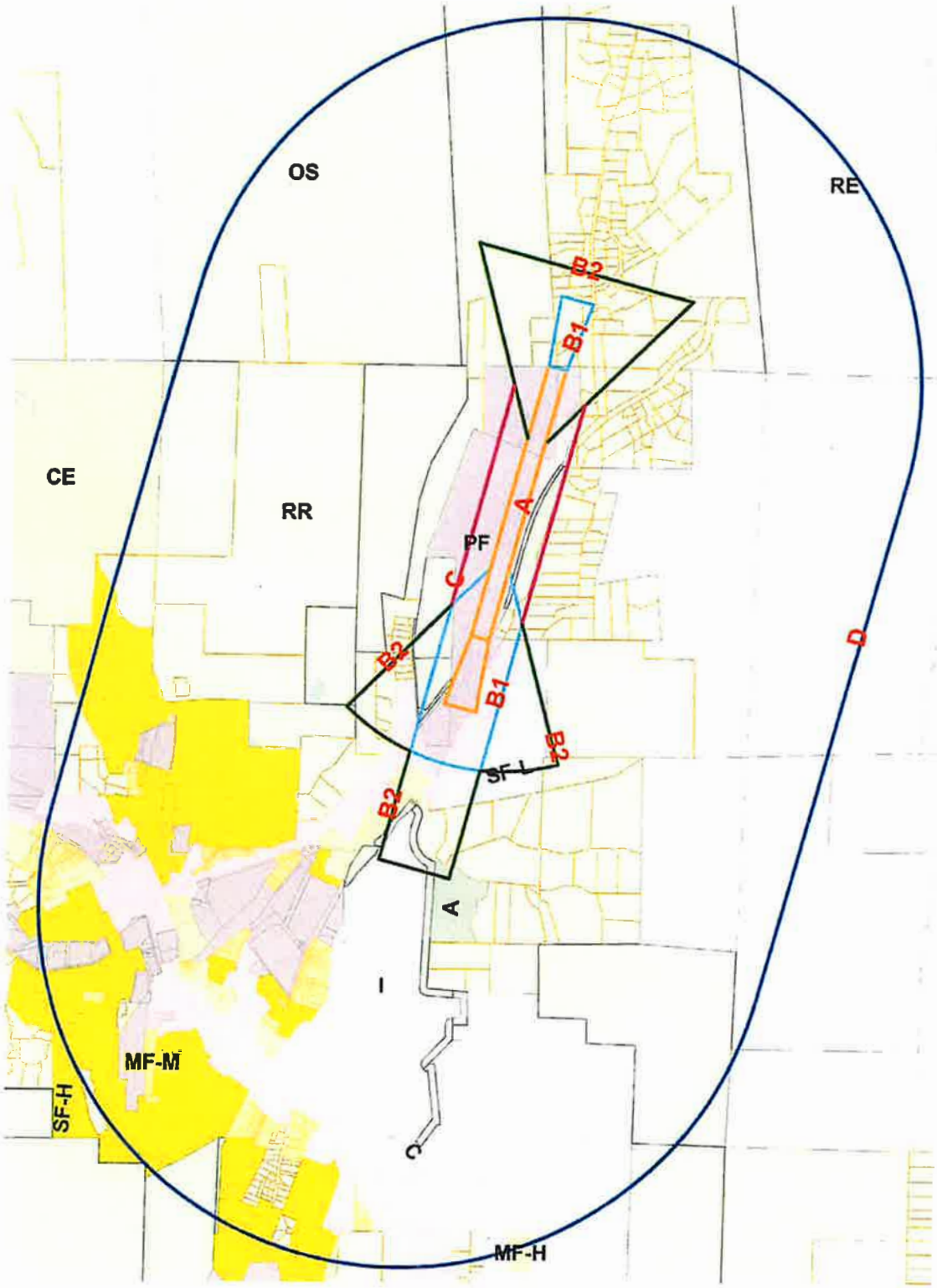


Figure E-6 Weaverville Airport Compatibility Zones and GP Designation

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APPENDIX

F

SAMPLE BUYER AWARENESS DOCUMENTS

1.0 Overview 1
2.0 Avigation Easement Sample 3
3.0 Deed Notice Sample 7
4.0 California Real Estate Disclosure Sample 9

1.0 Overview

Buyer awareness is an umbrella category for several measures whose objective is to ensure that prospective buyers of airport area property, particularly residential property, are informed about the airport's impact on the property. Trinity County Airport Land Use Compatibility Plan policies include use of each of these measures.

- **Avigation Easement** - Avigation easements go beyond mere buyer awareness by setting limitations on the heights of structures and other objects on the affected property. An avigation easement thus conveys to the airport sponsor not only rights associated with aircraft overflight of the property, but also the right to limit the height of objects and, after reasonable notice, the right to access the property in order to assure compliance with those limitations. An avigation easement is required for higher risk compatibility zones as stated in Policy 10.0 "Buyer Awareness Programs".

  As indicated in the Chapter 2, dedication of an avigation easement is an Airport Land Use Commission requirement for approval of land use development within Compatibility Zones A and B1 and the Height Review Overlay Zone. These all are locations where objects potentially must be restricted to heights less than often exists with similar land uses. A sample of a standard avigation easement is included in Appendix F2.

- **Deed Notice** - A deed notice is an official statement which is recorded in county records as part of a tentative or final subdivision map prepared at the time a parcel is subdivided. As used for airport compatibility

planning, the purpose of a deed notice is to disclose that the property is subject to routine overflights and associated noise and other impacts by aircraft operating at a nearby airport. Because this information becomes part of the deed to each property in the subdivision, it should show up in a title report prepared when one of the parcels is being sold.

In one sense, deed notices are similar to avigation or other aviation-related easements in that they become part of the title to a property and thus are a permanent form of buyer awareness. The distinguishing difference between deed notices and avigation easements is that deed notices only serve as a disclosure of potential overflights, whereas avigation easements convey an identified set of property rights. In locations where height limitations or other land use restrictions are unnecessary, deed notices have the advantage of being less cumbersome to define. Also, they give less appearance of having a negative affect on the value of the property. An ideal application of deed notices is as a condition of approval for development of residential land uses in airport-vicinity locations where neither noise nor safety are significant factors, but frequent aircraft overflights might be annoying to some people.

- **Real Estate Disclosure** - A less definitive, but more all-encompassing, form of buyer awareness measure is for the ALUC and local jurisdictions to establish a policy indicating that information about an airport's influence area should be disclosed to prospective buyers of all airport-vicinity properties prior to the transfer of title.

  The advantage of this type of program is that it applies to previously existing land uses as well as to new development. This requirement already exists in California state real estate law, but it can be reinforced by local policy.

  A real estate disclosure policy can be included as a component of an airport combining zone ordinance. Additionally, notification describing the airport influence area and discussing its significance could be formally sent to all local real estate brokers and title companies. Having received this information, the brokers would be obligated by state law to pass it along to prospective buyers.

  The Trinity County Airport Land Use Compatibility Plan indicates that real estate disclosure are required within an Airport Influence Area. Property sellers must comply with California Civil Code §1103.

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2.0 Avigation Easement Sample

When Recorded Return To:

Trinity County
Planning Department
PO Box 2819
Weaverville, CA 96093

Space Above for Recorder's Use

AVIGATION AND HAZARD EASEMENT

(California Public Utilities Code, section 21652)

In consideration of fulfillment of a condition of project approval, _____ _____ *[full name of property owner]* ("Grantor") grants to Trinity County, its successors and assigns ("Grantee"), a perpetual and assignable avigation easement in and over the real property situated in the County of Trinity, State of California, more particularly identified and described as follows:

[*Insert legal description of property to be covered by easement*]

hereinafter called ("Parcel") and outlined on the map (Exhibit A), including a right-of-way for the free and unrestricted passage and flight of aircraft in, through, across and about the airspace lying above, in whole or in part, the horizontal limits of the civil airport imaginary surfaces described in Federal Aviation Regulations Part 77.25 (14 CFR 77.25) ("Airspace").

The easement and right-of-way herein granted shall be deemed both appurtenant to and for the direct benefit of that real property which now or hereinafter constitutes the _____ _____ *[full name of airport]*, as shown and identified in Exhibit "B" attached hereto and made a part hereof ("Airport"), 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, taking off from, landing upon, or operating such aircraft in or about the AIRPORT, or in otherwise flying through the AIRSPACE. For the purposes of this instrument, the PARCEL shall be the servient easement and the AIRPORT shall be the dominant tenement. These covenants and agreements run with the land and shall be binding upon the heirs, representatives, administrators, executives, successors, and assigns of the GRANTOR.

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

1. The use of and benefit of the public, including the continuing right to fly, or cause or permit the flight, by any and all persons, of any aircraft, of any and all kinds now or hereafter known, in, through, across, or about any portion of the AIRSPACE.

2. The continuing right to cause or create, or permit or allow to be caused or created, within all AIRSPACE above the existing surface of the PARCEL, whether or not while directly over the PARCEL, such noise (including any noise generated outside the boundaries of said real property) vibrations, current or other effects of air, fumes, deposits of dust or other particulate matter, illumination, and fuel consumption, fear, interference with sleep and communication and any and all other effects or interference that may be alleged to incident to or caused by the operation of aircraft over or in the vicinity of the AIRPORT, as may be inherent in or may arise or occur from the operation of aircraft of any and all kinds, either now existing or to be developed in the future, for navigation of, or flight in air, or from landing at or taking off from the AIRPORT, including ground run-ups an testing of aircraft engines.

3. The right to regulate or prohibit the release into the air of any substance which would impair the visibility of or otherwise interfere with the operations of aircraft such as, but not limited to, steam, dust, and smoke.

4. The right to regulate or prohibit light emissions, either direct or indirect (reflective), which might interfere with pilot vision.

5. 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 now upon, or that in the future may be upon, the PARCEL, and which extend into the AIRSPACE.

6. The right to prohibit or restrict electrical emissions which would interfere with aircraft communications systems or aircraft navigational equipment.

7. The right to regulate the height of structures and growth of trees in accordance with Federal Aviation Regulation (FAR) Part 77, Objects Affecting Navigable Air Space.

8. Any other use of easement from time to time as may be required by the Federal Aviation Administration, and/or any other entity, agency, or department of any State, Federal or local government, or designee thereof, authorized to impose rules and regulations for the operation of the AIRPORT.

9. The right of ingress to, passage within, and egress from the PARCEL, solely for the above stated purposes.

This grant of avigation easement shall not operate to deprive the GRANTOR, its successors or assigns, of any rights that it may otherwise have from time to time against any individual or private operator for negligent or unlawful operation of aircraft.

This easement shall be effective from this date and run with the land until such time as the AIRPORT is no longer used as an airport.

(Signatures on Page 3)

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IN WITNESS WHEREOF, the GRANTORs have hereunto set their hands and seals this _____ day of _____, 20_____.

GRANTOR(S)

_____
Print Name *[Signatures must be notorized]*

In consideration of the premises and to assure GRANTEE of the continued benefits accorded it under this avigation easement, _____ *[name of mortgagee]*, owner and holder of a mortgage dated _____ and recorded _____ covering the premises above described, does hereby covenant and agree that said mortgage shall be subject to and subordinate to this Easement and the recording of this easement shall have preference and precedence and shall be superior and prior in lien to said mortgage irrespective of the date of the making or recording of said mortgage instrument.

TRUST DEED BENEFICIARIES and/or MORTGAGEES

_____
Print Name *[Signatures must be notorized]*

ACKNOWLEDGMENT

State of California)
) ss
County of Trinity)

On _____,20___ before me, _____,a Notary Public, in and for said County and State, personally appeared _____ _____, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or entity(ies) upon of which the person(s) acted, executed this instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
Signature --Notary Public, County of Trinity, State of California (Seal)

CERTIFICATE OF ACCEPTANCE
AND CONSENT TO RECORD
(Government Code § 27281)

This is to certify that the interest in real property conveyed by deed or grant dated _____ _____ from _____ *[name of GRANTOR]* to the Trinity County *[GRANTEE]* is hereby accepted by the Trinity County Board of Supervisors, and the GRANTEE consents to recordation thereof by its duly authorized officer.

Dated: _____

By _____

Name:

Title:

3.0 Deed Notice Sample

When Recorded Return To:

Trinity County
Planning Department
PO Box 2819
Weaverville, CA 96093

NOTICE OF
ENVIRONMENTAL CONSTRAINT

This "NOTICE OF ENVIRONMENTAL CONSTRAINT" shall serve as constructive notice that the Planning Director has conditionally approved a building permit per Resolution ALUC-_____ to allow construction of a _____ *[project description]* on the following described property located in the unincorporated area of the County of Trinity, State of California, more particularly described as:

OWNERS NAME: _____
APN: _____
BP: _____

[Parcel description]

The subject property is located within Airport Compatibility Zone ____ of the _____ Airport, and as such the subject property and any buildings constructed thereon shall be subject to the following environmental constraints:

- No uses that may interfere with navigational signals or radio communications shall be allowed.
- No lighting which is difficult to distinguish from airport lighting shall be allowed. Lighting shall not create glare that may interfere with operations of aircraft.
- All building materials shall be non-glare.
- No building or use on the parcel may provide an attraction for birds or create bird strike hazards. Any question as to whether a use may or may not be allowed shall be determined by the Trinity County Airport Manager.

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- If any portion of the buildings protrudes into FAR Part 77 Air Space, the applicants shall obtain approval from the FAA prior to issuance of the building permit. Any conditions of the FAA shall be incorporated as conditions of the building permit. A copy of FAA approval shall be provided to the Chief Building Inspector prior to issuance of the building permit.

In addition, notice is given that this property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you.

The above conditions are imposed on the parcel as described and shall be binding upon the owners of said lands and their successors and assigns.

_____ _____
Name Name

STATE OF CALIFORNIA)
) ss
COUNTY OF _____)

On _____, 2008 before me, _____, a Notary Public, in and for said County and State, personally appeared _____, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument, the person(s) or entity(ies) upon of which the person(s) acted, executed this instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

_____
NOTARY PUBLIC - County of
State of California

4.0 California Real Estate Disclosure Sample

REAL ESTATE DISCLOSURE STATEMENTS

(California Civil Code, Section 1103)

Division 2—Property
Part 4—Acquisition of Property
Title 4—Transfer
Chapter 2—Transfer of Real Property
Article 1.7—Disclosure of Natural Hazards upon Transfer of Residential Property

Overview

The requirement for disclosure of information about the proximity of an airport has been present in state law for some time, but legislation adopted in 2002 and effective in January 2004 explicitly ties the requirement to the airport influence areas established by airport land use commissions.

With certain exceptions, these statutes require disclosure of a property's location within an airport influence area under any of the following three circumstances: (1) sale or lease of subdivided lands; (2) sale of common interest developments; and (3) sale of residential real property. In each case, the disclosure statement to be used is defined by state law as follows:

NOTICE OF AIRPORT IN VICINITY

"This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you."

APPENDIX

G

GLOSSARY OF ALUCP TERMS

Abbreviations and acronyms

AC	Advisory Circular
AGL	Above Ground Level
AIM	Aeronautical Information Manual
ALP	Airport Layout Plan
AWOS	Automated Weather Observing System
CBC	California Building Code
DU	Dwelling Unit
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
GA	General Aviation
GIS	Geographic Information system
MSL	Mean Sea Level
OFA	Object Free Area
RPZ	Runway Protection Zone
UBC	Uniform Building Code

Above Ground Level (AGL)

An elevation datum given in feet above local ground level.

Advisory Circular (AC) *(FAA RGL Library)*

Advisory Circulars (ACs) provide guidance such as methods, procedures, and practices for complying with regulations and grant requirements. ACs may also contain explanations of regulations, other guidance material, best practices, or information useful to the aviation community.

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They do not create or change a regulatory requirement. Most ACs can be found at www.faa.gov.

Aeronautics Act

Except as otherwise indicated, the article of the Public Utilities Code, set forth at section 21670 *et seq.*, relating to Airport Land Use Commissions and airport land use compatibility planning.

Aeronautical Activities *(FAA AC 150/5190-6)*

Any activity that involves, makes possible, or is required for the operation of aircraft, or that contributes to or is required for the safety of such operations. Activities within this definition, include, but are not limited to: general and corporate aviation, air taxi and charter operations, pilot training, aircraft rental and sightseeing, aerial photography, helicopters activities, aerial advertising and surveying, parachute or ultralight activities, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities. Activities, such as model aircraft and model rocket operations, are not aeronautical activities.

Aeronautical Study *(FAA AC 70/7460-2K general definition)*

A study performed pursuant to FAR Part 77 "Objects Affecting Navigable Airspace" concerning the effect of proposed construction or alteration on the use of air navigation facilities or navigable airspace by aircraft. The conclusion of each study is normally a determination as to whether the specific proposal studied would be a hazard to air navigation and/or a determination for marking and/or lighting.

Aircraft Accident *(NTSB Part 830)*

An occurrence incident to flight in which, as a result of the operation of an aircraft, a person (occupant or nonoccupant) receives fatal or serious injury or an aircraft receives substantial damage.

- Except as provided below, *substantial damage* means damage or structural failure that adversely affects the structural strength, performance, or flight characteristics of the aircraft, and that would normally require major repair or replacement of the affected component.
- Engine failure, damage limited to an engine, bent fairings or cowling, dented skin, small puncture holes in the skin or fabric, ground damage to rotor or propeller blades, damage to landing gear, wheels, tires, flaps, engine accessories, brakes, or wing tips are not considered substantial damage.

Aircraft Incident *(NTSB Part 830)*

A mishap associated with the operation of an aircraft other than an accident in which neither fatal nor serious injuries nor substantial damage to the aircraft occurs.

Aircraft Operation

The airborne movement of aircraft at an airport or about an en route fix or at other point where counts can be made. There are two types of operations: local and itinerant. An operation is counted for each landing and each departure, such that a touch-and-go flight is counted as two operations.

Airport Elevation *(FAA AC 150/5190-4A)*

The highest point of an airport's runways, measured in feet above mean sea level. See the airport's Layout Plan for a runway's elevation.

Airport, Airstrip, Airpark, Airfield

Any areas of land or water designed and set aside for the landing and takeoffs of aircraft and utilized in the interest of the public for such purposes. The terms listed are synonymous.

Airport Hazard *(FAA "Land Use Compatibility and Airports")*

Any structure or object of natural growth located on or near the airport, or any use of land near the airport that obstructs the airspace required for the flight of aircraft in landing or taking off, or is otherwise hazardous to such landing or taking off.

Airport Influence Area (AIA)

An area where noise, safety, airspace protection or overflight concerns may significantly affect land uses or necessitate restrictions on those uses as determined by the Airport Land Use Commission. The Airport Influence Area constitutes the area within which certain land use actions are subject to review to determine consistency with the policies set forth in the Trinity County Airport Land Use Compatibility Plan.

Airport Land Use Commission (ALUC)

A commission established by State law that promotes and ensures compatibility between airports and the land uses surrounding them. The ALUC develops a plan (*see* ALUCP) and reviews local agency land use actions near airports.

Airport Land Use Compatibility Plan (ALUCP)

A plan developed by an Airport Land Use Commission in counties, where a public-use airport is located, that sets forth policies to encourage compatibility between public-use airports and the surrounding land use for each airport within its jurisdiction. In earlier editions of the Caltrans Land Use Handbook, the ALUCP was referred to as a *Comprehensive Land Use Plan (CLUP).*

Airport Layout Plan (ALP) *(FAA "Land Use Compatibility and Airports")*

A scale drawing of existing and proposed airside and landside facilities necessary for the operation and development of the airport. The ALP shows (1) boundaries and proposed additions to areas owned or controlled by the sponsor, (2) the location and nature of existing and proposed airport facilities and structures, and (3) the location on the airport of existing and proposed non-aviation areas and improvements. The ALP

may also depict those properties adjacent to the airport ownership that may have legal access to the airport.

Airport Master Plan *(FAA "Land Use Compatibility and Airports")*

A planning document, including appropriate documents and drawings, that describes the development of a specific airport from physical, economical, social, environmental and political jurisdictional perspectives. The airport layout plan drawing is part of the Master Plan.

Airport Operations *(FAA "Land Use Compatibility and Airports")*

The total number of movements in landings (arrivals) plus take-offs (departures) from an airport.

Airport Sponsor *(FAA "Land Use Compatibility and Airports")*

The owner or tax-supported organization such as a county, that is authorized to own and operate, to obtain property interests, to obtain funds, and is legally, financially, and otherwise able to meet all applicable requirements of current laws and regulations related to the operation of an airport.

Airside *(FAA "Land Use Compatibility and Airports")*

That portion of the airport facility where aircraft movements take place, airline operations areas, and areas that directly serve the aircraft, such as taxiway, runway, maintenance and fueling areas.

Airspace *(FAA "Land Use Compatibility and Airports")*

The space lying above the earth or above a certain area of land or water that is necessary to conduct aviation operations.

Airspace Protection Surfaces

Imaginary surfaces in the airspace surrounding airports defined in accordance with criteria set forth in Federal Aviation Regulations Part 77. These surfaces establish the maximum height that objects on the ground can reach without potentially creating constraints or hazards to the use of the airspace by aircraft approaching, departing, or maneuvering in the vicinity of an airport.

Aviation-Related Use

Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations, terminal buildings, etc.

Approach Surface *(FAR 77.25)*

An imaginary surface that is longitudinally centered on the runway centerline and extends outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based on the type of approach available or planned for that runway end.

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Aviation-Related Use

Any facility or activity directly associated with the air transportation of persons or cargo or the operation, storage, or maintenance of aircraft at an airport or heliport. Such uses specifically include runways, taxiways, and their associated protected areas defined by the Federal Aviation Administration, together with aircraft aprons, hangars, fixed base operations facilities, terminal buildings, etc.

Avigation Easement *(FAA "Land Use Compatibility and Airports")*

A grant of a property interest in land over which a right of unobstructed flight in the airspace is established.

California Environmental Quality Act (CEQA)

Statutes adopted by the state legislature for the purpose of maintaining a quality environment for the people of the state now and in the future. The Act establishes a process for state and local agency review of projects, as defined in the implementing guidelines that may adversely affect the environment.

Commercial Use

A use category that includes land uses or activities involving the production, processing, manufacturing, or sale of goods or services for financial gain, including uses that provide business, personal, medical/ personal care, or repair service, or that involve the selling, leasing, or renting of merchandise to the general public. Accessory uses may include offices, storage, food service, or other amenities primarily for the use of employees and parking for employees and visitors.

Compatible Land Use *(FAA FAR 150)*

A use of land (*e.g.*, commercial, industrial, agricultural) that is normally compatible with aircraft and airport operations; or sound-insulated land uses (*e.g.*, sound-insulated homes, schools, nursing homes, hospitals, libraries) that would otherwise be considered incompatible with aircraft and airports operations.

Compatibility Overlay Zone

A zone intended to place additional land use conditions on land impacted by the airport while retaining the existing underlying zoning.

Compatibility Plan

See *Airport Land Use Compatibility Plan.*

Community Noise Equivalent Level (CNEL) *(State Airport Noise Standards)*

The noise metric adopted by the State of California for evaluating airport noise. It represents the average daytime noise level during a 24-hour day, measured in decibels and adjusted to an equivalent level to account for the lower tolerance of people to noise during evening (7:00 p.m. to 10:00 p.m.) and nighttime (10:00 p.m. to 7:00 a.m.) periods relative to the daytime period. The noise levels are typically depicted by a set of contours, each of which represents points having the same CNEL value.

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Conditional Use

A land use or development that generally would not be compatible with airport operations, but which a decision-making body may allow with appropriate restrictions and based on findings that the restrictions will either ensure greater compatibility with near-by airport operations or substantially mitigate potential adverse impacts associated with proximity to the airport.

Conforming Use

Any structure, tree, object of natural growth, or use of land that complies with all the applicable provisions of the ALUCP, any Trinity County Airport Overlay Zoning ordinances implementing the ALUCP, or any amendment to the ordinance.

Conical Surface *(FAR 77.25)*

An imaginary surface extending upward and outward from the periphery of the horizontal surface at a slope of 20:1 for a horizontal distance of 4,000 feet as measured outward from the periphery of the horizontal surface.

Deed Notice

A formal statement added to the legal description of a deed to a property and on any subdivision map. As used in airport land use planning, a deed notice would state that the property is subject to aircraft overflights and other restrictions. Moreover, deed notices serve as a form of buyer notification to ensure that those who are particularly sensitive to aircraft overflights can avoid moving to the affected areas.

Density

See *Land Use Density*

Development

The physical alteration of land by humans. Development includes subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of septic systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover (with the exception of agricultural activities). Development does not include routine repair and maintenance activities. that calls for the exercise of judgment in deciding whether to approve and/or how to carry out a project.

Development Review

The process for determining the appropriateness of a proposed development project.

Discretionary Review

A review taken by a governmental agency that calls for the exercise of judgment in deciding whether to approve and/or how to carry out a project.

Displaced Threshold *(AIM)*

A landing threshold that is located at a point on the runway other than the designated beginning of the runway.

Dwelling

Any building or portion thereof designed or used as a residence or sleeping place of one or more persons.

Easement

The legal right of one party to use a portion of the total rights in real estate owned by another party. This may include the right of passage over, on, or below property; certain air rights above the property, including view rights; and the rights to any specified from of development or activity, as well as any other legal rights in the property that may be specified in the easement document.

Exclusive Right *(FAA AC 150/5190-6)*

A power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right may be conferred either by express agreement, by imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties but excluding others from enjoying or exercising a similar right or rights would be an exclusive right.

Existing Land Use

A land use is considered existing at the time of adoption of this ALUCP if that land use either physically exists, or local government commitments to the land use proposal have been obtained; that is, no further discretionary approvals are necessary. Local government commitment to a proposal can usually be considered firm once one or more of the following have occurred:

(a) A tentative parcel or subdivision map has been approved and the original period (before any time extensions are submitted) within which the approval is valid has not expired;

(b) A vesting tentative parcel or subdivision map has been approved;

(c) A development agreement has been approved and remains in effect;

(d) A final subdivision map has been recorded;

(e) A use permit or other discretionary entitlement has been approved and not yet expired; or

(f) A valid building permit has been issued. substantial work has been performed, and substantial liabilities have been incurred in good faith reliance on the permit, pursuant to the California Supreme Court decision in Avco Community Developers, Inc. v. South Coast Regional Com. (1976) 17 Cal.3d 785, 791, and its progeny.

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FAR Part 77

The part of the *Federal Aviation Regulations* that deals with objects affecting navigable airspace in the vicinity of airports. *FAR Part 77* establishes standards for determining obstructions in navigable airspace, sets forth requirements for notice to FAA of certain proposed construction or alteration, and provides for aeronautical studies of obstructions to determine their effect on the safe and efficient use of airspace.

FAR Part 77 Surfaces

See *Imaginary Surface.*

General Aviation (GA) *(FAA "Land Use Compatibility and Airports")*

Refers to all civil aircraft and operations that are not classified as air carrier, commuter or regional. The types of aircraft used in general aviation activities cover a wide spectrum from corporate multi-engine jet aircraft piloted by professional crews to amateur-built single-engine piston acrobatic planes, helicopters, balloons and dirigibles.

Glare

As used in this ALUCP, glare refers to the reflection of light from objects on the ground that can blind or interfere with pilot operations in flight. Objects that have non-glare coloring or coatings that significantly reduce reflectivity are not considered to produce glare.

Handbook

California Airport Land Use Planning Handbook (January 2002), published by the State of California, Department of Transportation -- Division of Aeronautics.

Height

For the purpose of determining consistency with height limits in all airport zones shown on an Airport Compatibility Zone Map, height shall be measured as the highest point of a structure or tree measured from the highest point of undisturbed ground immediately adjacent to the object unless otherwise specified.

Imaginary Surface

The imaginary areas in space and on the ground that are established in relation to the airport and its runways as the basis for regulating obstructions to air travel. See *FAR Part 77.*

Incompatible Land Use

The use of land not consistent with the policies of the ALUCP.

Infill Development

Development that takes place on vacant property largely surrounded by existing development, especially development that is similar in character.

Infrastructure *(FAA "Land Use Compatibility and Airports")*

A community's built elements that establish the community's foundation for maintaining existing populations, activities, future growth and development. Infrastructure elements include airports, roads, highways, bridges, water and sewer systems, waste disposal facilities, utilities, telecommunications systems, schools, and governmental and community facilities.

Instrument Approach

A type of flight navigation that allows pilots to land an aircraft in reduced visibility (known as instrument meteorological conditions or IMC), or to reach visual conditions permitting a visual landing.

Land Use Compatibility *(FAA "Land Use Compatibility and Airports")*

The coexistence of land uses surrounding the airport with airport-related activities.

Land Use Density

A measure of the concentration of land use development in an area. Mostly the term is used with respect to residential development and refers to the number of dwelling units per acre. Unless otherwise noted, policies in this compatibility plan refer to *gross* rather than *net* acreage.

Land Use Intensity

A measure of the concentration of nonresidential land use development in an area. For the purposes of airport land use planning, the term indicates the number of people per acre attracted by the land use. Unless otherwise noted, policies in this compatibility plan refer to *gross* rather than *net* acreage.

Landing Area

Any locality, either of land or water, including airports/heliports and intermediate landing fields, which is used, or intended to be used, for the landing and takeoff of aircraft whether or not facilities are provided for the shelter, servicing, or for receiving or discharging passengers or cargo.

Landside

That part of an airport used for activities other than the movement of aircraft, such as vehicular access roads and parking.

Local Agency

The governmental body or department responsible for a general plan or a specific plan (such as the County of Trinity); or chartered with responsibility for creating, amending or enforcing land use ordinances; or chartered with responsibility for providing discretionary approvals of land use proposals.

Local Jurisdiction

The County of Trinity or any other government agency (except state or federal government agencies or Native American tribes) having jurisdiction over land uses within their respective boundaries.

Major Land Use Action

Actions related to proposed land uses for which compatibility with airport activity is a particular concern, but for which ALUC review is not always mandatory under state law. See Policy 4.3.

Navigable Airspace

The airspace above minimum altitude for safe flight, and includes the airspace needed to ensure safety in take-off and landing of aircraft.

Noise Exposure Contours

Continuous lines of equal noise level usually drawn around a noise source, such as an airport or highway. The lines are generally drawn in 5-decibel increments so that they resemble elevation contours in topographic maps.

Noise Impact

A condition that exists when the noise levels that occur in an area exceed a level identified as appropriate for the activities in that area.

Nonconforming Use

In general, a land use, parcel, or building that does not comply with a current land use plan or zoning ordinance, but which was legally permitted at the time the plan or ordinance was adopted. For the purposes of this ALUCP for airports in Trinity County, a nonconforming land use is one that exists (see *existing land use*) as of the adoption date of the ALUCP, but which does not conform with the compatibility criteria set forth herein.

Object Free Area *(FAA AC 150/5300-13)*

An area on the ground associated with a runway or taxiway that is to be clear of above-ground objects protruding above the elevation of the runway safety area edge elevation.

Obstruction

Any object of natural growth, terrain, or permanent or temporary construction or alteration, including equipment or materials used therein, the height of which exceed the standards established in Subpart C of FAR Part 77.

On Airport Property

Property that is within the boundary of land owned by the airport sponsor.

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Open Space

Areas of land not covered by structures, driveways, parking lots or trees. For the purposes of the ALUCP, open space has requirements identified in Chapter 2 so that the open space can serve as an effective emergency landing site for an aircraft in distress.

Overlay Zone

A zoning technique that allows for superimposing certain additional requirements upon a basic use zoning district without disturbing the requirements of the basic use district. In the instance of conflicting requirements, the stricter of the conflicting requirement shall apply.

Overflight

Any distinctly visible and/or audible passage of an aircraft in flight, not necessarily directly overhead.

Part 77

See *FAR Part 77.*

Public Assembly Use

A structure or outdoor facility where concentrations of people gather for purposes such as deliberation, education, shopping, business, entertainment, amusement, sporting events, or similar activities, but excluding air shows. "Public assembly use" does not include places where people congregate for relatively short periods of time, such as parking lots and bus stops, or uses approved by the FAA in an adopted airport master plan.

Public Use Airport *(FAA AC 150/5190-6)*

Means either a publicly owned airport or a privately owned airport open for public use.

Real Estate Disclosure

A Real Estate Disclosure is required by state law as a condition of the sale of residential property if the property is located in the vicinity of an airport and within its airport influence area. (See Bus. & Prof. Code, §11010; Civ. Code, §§1102.6, 1103.4, 1353.) The disclosure notifies the prospective purchaser of potential annoyances or inconveniences associated with airport operations prior to completing the purchase.

Reconstruction

The rebuilding of a legally established structure to its original condition after it has been damaged (typically due to fire or earthquake damage.) "Original condition" means the same or lesser footprint, height and intensity of use.

Redevelopment

Development of a new use (not necessarily a new type of use) to replace an existing use at a density or intensity that may vary from the existing use.

Runway Length

Runway lengths are measured to include displaced thresholds and all fully usable runway surfaces. They do not include overruns, stopways, or aligned taxiways.

Runway Protection Zone (RPZ) *(FAA AC 150/5300-13)*

A trapezoid-shaped area centered about the extended runway centerline that is used to enhance the protection of people and property on the ground. The zone begins 200 feet beyond the end of the runway or area usable for takeoff or landing. The RPZ dimensions are functions of the design aircraft, type of operation, and visibility minimums.

Runway Safety Area *(FAA AC 150/5300-13)*

A defined surface surrounding the runway prepared or suitable for reducing the risk of damage to airplanes in the event of an overshoot, or excursion from the runway.

Structure

An object anchored, constructed, attached, erected, gathered, located, placed, piled, or installed by man, either on the ground or in or over a body of water, either moveable or immovable, and either temporary or permanent. The term "structure" includes, but is not limited to, antennae, buildings, cranes, fences, overhead transmission lines, patios and decks, man-made ponds, signs and sign structures, smokestacks, towers, utility poles, wires, and anything attached to any of the foregoing either temporarily or permanently.

Threshold *(AIM)*

The beginning of that portion of the runway usable for landing (also see *Displaced Threshold*).

Traffic Pattern *(AIM)*

The traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from an airport. The components of a typical traffic pattern are upwind leg, crosswind leg, downwind leg, base leg, and final approach.

Tree

Any object of natural growth.

Variance

Any modification or variation of an airport zoning ordinance's provisions where it is determined that, by reason of exceptional circumstances, the strict enforcement of the ordinance provision(s) would cause "practical difficulty or unnecessary hardship" that can be overcome by varying the application of the ordinance without harming the purpose and intent of the ordinance.

Vested Right *(the Handbook)*

Under California law, a landowner has a vested right to complete construction of a project in accordance with the terms of a building permit if the owner has performed substantial work and incurred

substantial liabilities in good faith reliance upon a permit validly issued by the government. The "Avco Rule," based on the California Supreme Court's decision in *AVCO Community Developers, Inc. v. South Coast Regional Commission*, sets the standard in California for "vesting" development projects.

Visual Approach *(FAA "Land Use Compatibility and Airports")*

An approach to an airport conducted with visual reference to the terrain.

Wildlife Attractants

Any human-made structure, land-use practice, or human-made or natural geographic feature that can attract or sustain hazardous wildlife within the landing or departure airspace or the airport's air operations area. These attractants include, but are not limited to, architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquaculture activities, surface mining, or wetlands.

Wildlife Hazards

Species of wildlife (birds, mammals, reptiles), including feral animals and domesticated animals not under the immediate control of a person, that are associated with aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a strike hazard.

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AIRPORT LAND USE COMMISSION
COUNTY OF TRINITY, STATE OF CALIFORNIA

RESOLUTION NO. ALUC-2009-01
ON NOVEMBER 12, 2009

RESOLUTION ADOPTING THE TRINITY COUNTY AIRPORT LAND USE COMPATIBILITY PLAN FOR THE FIVE PUBLIC AIRPORTS IN TRINITY COUNTY

WHEREAS, Section 21675(a) of the California Public Utilities Code (CPUC) requires that each Airport Land Use Commission formulate an Airport Land Use Compatibility Plan (ALUCP) that provides for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission, and safeguards the general welfare of the inhabitants within the vicinity of the airport and the public in general; and

WHEREAS The Trinity County Airport Land Use Commission (ALUC) has spent the past 15 months developing the Airport Land Use Compatibility Plan (ALUCP) through a series of public workshops and presented it to airport communities during a series of in-community meetings; and

WHEREAS, the ALUC has submitted the ALUCP to Caltrans Division of Aeronautics for their review and has revised the document based on their review and comment; and

WHEREAS, on November 3, 2009 the Trinity County Board of Supervisors adopted the Airport Influence Areas, establishing the areas of the County that are subject to the ALUCP; and

WHEREAS, the ALUC, on November 12, 2009, held a public hearing on the proposed final draft of the Trinity County ALUCP for the five county owned airports (Weaverville Lonnie Pool, Trinity Center, Hayfork, Hyampom and Ruth); and

WHEREAS, notice of the hearing was provided in the Trinity Journal, a publication of general circulation within the County, on October 28, 2009.

NOW, THEREFORE, BE IT RESOLVED BY THE AIRPORT LAND USE COMMISSION OF TRINITY COUNTY that the ALUC hereby adopts the TRINITY COUNTY AIRPORT LAND USE COMPATIBILITY PLAN as the document that shall guide the ALUC and staff in reviewing future developments within the Airport Influence Area for compatibility with the County's public airports.

PASSED AND ADOPTED by the Airport Land Use Commission of the County of Trinity, State of California, at a regular meeting of said Commission, held on November 12, 2009, upon the motion of Commissioner Jungwirth, seconded by Commissioner Bushman, and on the following vote, to-wit:

AYES: Commissioners Razzeto, Bushman, Pflueger, Jungwirth, Miller, Harman and Groves.
NOES: None.
ABSENT: None.
ABSTAIN: None.

The foregoing resolution is hereby adopted:

CHAIRMAN – Keith Groves
Airport Land Use Commission, County of Trinity,
State of California

ATTEST:

Richard Tippett, Planning Director

RESOLUTION NO. 2013-40

A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF TRINITY AMENDING SECTION 2.3 OF THE AIRPORT LAND USE COMPATIBILITY PLAN AND ESTABLISHING APPOINTEES FOR THE AIRPORT LAND USE COMMITTEE

WHEREAS, an Airport Land Use Committee (ALUC) is required by Section 21670(b) of the State Public Utilities Code; and

WHEREAS, The Public Utilities Code 21670 outlines methods of appointment; and

WHEREAS, The Planning Commission can be appointed by the Board of Supervisors to serve on the ALUC, and make proper land use decisions; and

WHEREAS, Two members from the Airport Advisory Committee can be appointed to meet the requirements of two members having "expertise in aviation;" and

WHEREAS, In order to allow for these appointments, Section 2.3 of the Airport Land Use Compatibility Plan needs to be modified.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Trinity order that the ALUC consist of the following seven members appointed concurrent to member's existing terms that they are serving on the Planning Commission or Airport Advisory Committee;

1. The Planning Commission
2. Two members nominated from the Airport Advisory Committee,

BE IT FURTHER RESOLVED that Section 2.3 of the Airport Land Use Compatibility Plan be modified to reflect the above membership appointments.

DULY PASSED AND ADOPTED this 14th day of May, 2013 by the Board of Supervisors of the County of Trinity by motion, second (Morris/Fenley), and the following vote:

AYES:	Supervisors Fenley, Morris, Fisher, Pflueger, and Chapman
NOES:	None
ABSENT:	None
ABSTAIN:	None
RECUSE:	None

Debra Chapman, CHAIRMAN
Board of Supervisors
County of Trinity
State of California

ATTEST:

WENDY G. TYLER
Clerk of the Board of Supervisors

By: _____
Deputy

Staff Report

Department: Community Development - Planning
Contact: Drew Plebani
Phone:
Item Title: ALUCP - Consistency Determination

Project Description:
ALUCP - Consistency Determination

Summary:

This project proposes to construct a new telecommunications facility designed as a 100-foot stealth monopine tower with associated ground equipment. The purpose of this project is to enhance wireless communications coverage and reliability within the Hayfork area.

The application was submitted on September 18, 2024, and a Federal Aviation Regulations (FAR) Part 77 Determination was received on August 20, 2025. The project site is located within the influence area of the Hayfork Airport, requiring review for consistency with the Airport Land Use Compatibility Plan (ALUCP) and the applicable provisions of FAR Part 77 related to airspace protection.

The proposed facility will be located within a 900-square-foot fenced compound situated east of the existing municipal water tower and associated facilities. Site access will be provided by an existing dirt road visible in aerial imagery (Attachment A).

Project components include the following:

- One 100-foot stealth monopine tower
- Nine (9) panel antennas
- Six (6) radios
- Two (2) ray caps
- Two (2) outdoor equipment cabinets on a new concrete pad
- One (1) GPS antenna
- Two (2) parabolic antennas
- One (1) 30 kW DC generator with a 125-gallon diesel fuel tank

STAFF RECOMMENDATION:

Staff recommends that the Airport Land Use Commission (ALUC) find the proposed 100-foot stealth monopine telecommunications facility consistent with the Airport Land Use Compatibility Plan (ALUCP), subject to the following conditions:

FAA Compliance: The applicant shall adhere to all conditions identified in the FAA's Determination of No Hazard to Air Navigation, including emission and reporting requirements.

Notification: The applicant shall submit FAA Form 7460-2 prior to construction commencement and

within five days of reaching the tower's maximum height.

With these conditions, the project is deemed consistent with the Airport Land Use Compatibility Plan and compatible with safe and efficient airport operations.

ACTION CHOICES BY ALUC

a) Find the project consistent with the ALUCP.

b) Find the project consistent with the ALUCP subject to compliance with such conditions as the ALUC may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

c) Find the project inconsistent with the ALUCP. In making a finding of inconsistency, the ALUC shall note the specific conflicts upon which the determination is based.

Staff Report:

PROJECT TITLE: Conditional Use Permit for 100' Monopine Wireless Communications Facility

APPLICANT: Verizon Wireless, c.o Next Edge Networks, and 51 Wireless

PROPERTY OWNER: T.C. Waterworks District 1

REPORT BY: Angel Chappell, Assistant Planner and Drew Plebani, Interim Planning Division Director

LOCATION: 320 Reservoir Rd (APN 014-330-036-000) (Attachment A)

ZONING DISTRICT: Public Facility (PF)

AIRPORT SAFETY ZONE: D

GENERAL PLAN DESIGNATION: Public Facility (PF)

PROJECT DESCRIPTION:

This project proposes to construct a new telecommunications facility designed as a 100-foot stealth monopine tower with associated ground equipment. The purpose of this project is to enhance wireless communications coverage and reliability within the Hayfork area.

The application was submitted on September 18, 2024, and a Federal Aviation Regulations (FAR) Part 77 Determination was received on August 20, 2025. The project site is located within the influence area of the Hayfork Airport, requiring review for consistency with the Airport Land Use Compatibility Plan (ALUCP) and the applicable provisions of FAR Part 77 related to airspace protection.

The proposed facility will be located within a 900-square-foot fenced compound situated east of the existing municipal water tower and associated facilities. Site access will be provided by an existing dirt road visible in aerial imagery (Attachment A).

Project components include the following:

- One 100-foot stealth monopine tower
- Nine (9) panel antennas
- Six (6) radios
- Two (2) ray caps
- Two (2) outdoor equipment cabinets on a new concrete pad
- One (1) GPS antenna
- Two (2) parabolic antennas
- One (1) 30 kW DC generator with a 125-gallon diesel fuel tank

Surrounding Land Uses (see Table 1 below) include municipal services to the north and west, agricultural and commercial uses to the south and east, and vacant rural residential land to the west.

Location	Land Use	Zoning District	General Plan Designation
North West	Municipal Services	Public Facilities (PF)	Public Facilities (PF)
North	Municipal Services	Agricultural 40 Acre minimum (A40)	Agricultural (A)
South & East	Agricultural, Industrial/Mining, & Commercial.	General Commercial (C-2)	Commercial (C)
West	Vacant	Rural Residential 2.5 Acre Minimum (RR2.5)	Rural Residential

Table 1: Surrounding Land Uses to Project Site

PROJECT EVALUATION/DISCUSSION:

ALUCP Context and Compatibility Zone

The project is located within the Airport Influence Area (AIA) of Hayfork Airport and lies specifically within Compatibility Zone D, as defined in the ALUCP. Zone D applies to areas of moderate risk associated with overflight and operations, where both height and land use compatibility must be assessed.

Per ALUCP Section 4.3.1(g), structures exceeding 70 feet in height within Zone D require Airport Land Use Commission (ALUC) review. The applicant's proposed 100-foot tower exceeds this threshold, triggering both ALUC and FAA review under FAR Part 77 for potential airspace obstruction.

FAA Review and Determination (FAR Part 77)

In accordance with ALUCP Sections 8.3.1 and 8.3.2, the applicant submitted FAA Form 7460-1, "Notice of Proposed Construction or Alteration," for aeronautical study. The FAA conducted its analysis under FAR Part 77 and issued a Determination of No Hazard to Air Navigation on August 20, 2025.

The FAA determination noted that the structure exceeds the horizontal surface elevation by approximately 189 feet, as defined under FAR 77.19(a). However, after completing a detailed aeronautical study, the FAA concluded that the proposed monopine would not pose a hazard to air navigation.

Summary of FAA Findings:

- VFR and IFR Procedures: No adverse impacts to aircraft operating under either Visual Flight Rules (VFR) or Instrument Flight Rules (IFR).
- Public Use Airports and Facilities: No adverse impacts to other planned or existing aeronautical facilities.
- Cumulative Effects: No significant cumulative impact from the proposed structure in combination with existing or proposed structures.

The FAA determination was based on current airspace conditions, navigational procedures, and compliance with telecommunications emissions standards established through the FAA 5G C-Band compatibility evaluation process.

Conditions of Determination:

- The tower's emissions must comply with all FAA-established parameters for frequency, power, and antenna tilt.
- Any deviation from these parameters will void the "No Hazard" determination.
- Filing of FAA Form 7460-2 is required prior to construction commencement and again upon reaching the structure's maximum height.
- Tower marking and lighting are not required, though voluntary compliance with FAA Advisory Circular 70/7460-1M is recommended.

The determination expires on February 18, 2027, unless construction begins or is extended per FAA regulations.

PROJECT *CONSISTENCY* WITH AIRPORT LAND USE COMPATIBILITY PLAN

ALUCP Section	Policy / Requirement	Project Analysis	Consistency Determination
4.3.1 – Land Uses Within Any Compatibility Zone	Requires ALUC review for new structures exceeding: 35 ft (Zones B1 & C), 70 ft (Zones B2 & D), and 100 ft (Zone E). Also prohibits land uses that could create lighting, glare, or radio interference hazardous to aircraft.	The proposed 100-foot stealth monopine tower exceeds the 70-foot threshold for Zone D, triggering ALUC and FAA review. The project will not generate lighting or emissions that could create hazards to air navigation.	Consistent – Height reviewed and approved by FAA; no hazards identified.
8.3 – Height Compatibility (FAR Part 77)	Structures penetrating FAA Part 77 surfaces are considered incompatible unless a "No Hazard to Air Navigation" determination is issued. FAA Form 7460-1 notification required.	The FAA issued a Determination of No Hazard to Air Navigation (Aug 20, 2025) confirming the structure's compliance with FAR 77 despite exceeding the horizontal surface by 189 ft. FAA Form 7460-1 was submitted and approved.	Consistent – Meets FAA height and notification standards.
8.4 – Safety Compatibility	Seeks to minimize risks to people and property. Discourages high-density, immobile, or sensitive uses (e.g., schools, hospitals, nursing homes) in flight path areas.	The telecommunications facility is unmanned, operates remotely, and involves no public occupancy. It does not increase risk exposure to people or property.	Consistent – Low-occupancy use; no safety conflict identified.
8.5 – Airspace Protection Compatibility	Prevents hazardous obstructions to navigable airspace. FAA notification is required for any	FAA review was conducted in accordance with FAR 77, Subparts B and C. The project was found not	Consistent – Meets federal and local

	structure exceeding or within 35 ft of Part 77 surfaces. ALUC review necessary for projects within Airport Influence Areas (AIA).	to be a hazard to air navigation. ALUC review provides local airspace protection verification.	airspace protection standards.
Zone D – Hayfork Airport (Table 2-3)	Zone D allows moderate-risk, low-intensity uses. Prohibits noise-sensitive outdoor uses and hazards to flight. Requires: (1) Deed notice; (2) Airspace review for structures >70 ft; (3) FAA coordination.	The project includes an FAA-approved 100-ft tower in Zone D. No noise-sensitive or residential uses are proposed. A deed notice acknowledging proximity to Hayfork Airport will be recorded*.	Consistent – Meets all Zone D conditions and development standards.

*Deed noticing may not be necessary but up to the discretion of the ALUC (Please see below 10.2 Recorded Deed Notices from ALUCP)

10.2 Recorded Deed Notices (ALUCP 2009, Page (2-)62)
A deed notice is an official statement that is recorded in county records as part of a tentative or final subdivision map prepared at the time a parcel is subdivided. As used for airport compatibility planning, the purpose of a deed notice is to disclose that the property is subject to routine overflights and associated nose and other impacts by aircraft operations at a nearby airport.

A deed notice shall be recorded for each parcel associated with any discretionary land use action affecting property within compatibility zones as specified in Table 2-3, "Primary Compatibility Criteria." Discretionary actions include zoning changes, subdivisions, etc. An example of a deed notice is provided in Appendix F. Note that the avigation easement required by Policy 10.1 to be dedicated in conjunction with development in certain zones serves as a deed notice in those locations.

PROJECT CONSISTENCY WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)

This decision by the ALUC 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; CEQA review will be conducted for the project and reviewed by the Planning Commission at a later date.

AGENCY REFERRALS

Project referral packets were sent to the following agencies in order to elicit any concerns, questions or conditions from responsible agencies and local departments.

Local Department or State Agency
Caltrans- see Attachment D
Trinity County Department of Transportation – see Attachment E

STAFF RECOMMENDATION:

Staff recommends that the Airport Land Use Commission (ALUC) find the proposed 100-foot stealth monopine telecommunications facility consistent with the Airport Land Use Compatibility Plan (ALUCP), subject to the following conditions:

FAA Compliance: The applicant shall adhere to all conditions identified in the FAA's Determination of No Hazard to Air Navigation, including emission and reporting requirements.

Notification: The applicant shall submit FAA Form 7460-2 prior to construction commencement and within five days of reaching the tower's maximum height.

With these conditions, the project is deemed consistent with the Airport Land Use Compatibility Plan and compatible with safe and efficient airport operations.

ACTION CHOICES BY ALUC

a) Find the project consistent with the ALUCP.

b) Find the project consistent with the ALUCP subject to compliance with such conditions as the ALUC may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

c) Find the project inconsistent with the ALUCP. In making a finding of inconsistency, the ALUC shall note the specific conflicts upon which the determination is based.

ATTACHMENTS:

1. Project Maps
2. Airport Land Use Compatibility Plan
3. FAR 77 Notice of Determination
4. CalTrans Comment
5. Department of Transportation Comment

Departmental Recommendations:

STAFF RECOMMENDATION:

Staff recommends that the Airport Land Use Commission (ALUC) find the proposed 100-foot stealth monopine telecommunications facility consistent with the Airport Land Use Compatibility Plan (ALUCP), subject to the following conditions:

FAA Compliance: The applicant shall adhere to all conditions identified in the FAA's Determination of No Hazard to Air Navigation, including emission and reporting requirements.

Notification: The applicant shall submit FAA Form 7460-2 prior to construction commencement and within five days of reaching the tower's maximum height.

With these conditions, the project is deemed consistent with the Airport Land Use Compatibility Plan

and compatible with safe and efficient airport operations.

ACTION CHOICES BY ALUC

a) Find the project consistent with the ALUCP.

b) Find the project consistent with the ALUCP subject to compliance with such conditions as the ALUC may specify. Any such conditions should be limited in scope and described in a manner that allows compliance to be clearly assessed (e.g., the height of a structure).

c) Find the project inconsistent with the ALUCP. In making a finding of inconsistency, the ALUC shall note the specific conflicts upon which the determination is based.

EASEMENT(S) PER TITLE REPORT:

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:MARY E. YOUNG
FOR:ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED:SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: UNITED STATES OF AMERICA
FOR: POLE LINE FOR TELEPHONE AND TELEGRAPH PURPOSES
RECORDED: APRIL 17, 1935 IN BOOK 54 OF DEEDS PAGE 129
AFFECTS:A STRIP OF LAND, THE EXACT LOCATION OF WHICH CANNOT BE DETERMINED OF RECORD
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: RECORDED: AFFECTS:
PUBLIC STREET AND TRANSMISSION AND PIPELINES
SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
A STRIP OF LAND 40 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: COUNTY OF TRINITY
FOR: WATERLINE
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 454
AFFECTS: A STRIP OF LAND 20 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF:PACIFIC GAS AND ELECTRIC COMPANY
FOR: POLE LINE
RECORDED: AUGUST 14, 1979 IN BOOK 202 OF OFFICIAL RECORDS PAGE 675
RE-RECORDED: OCTOBER 11, 1979 IN BOOK 204 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND 5 FEET IN WIDTH, AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

10 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP OF: CHARLES G. MEYERS, ET UX (13 MAPS & SURVEYS AT PAGE 69)
FOR: A) COUNTY ROAD #HF-22
FOR: B) WATERLINE
AFFECTS: AS DESCRIBED IN SAID DOCUMENT

SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> PLOTTED AS SHOWN HEREON <<<

11 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT # P-96-26 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED MAY 24, 1998, INSTRUMENT NO. 980001903 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

12 THE TERMS, CONDITIONS AND RESTRICTIONS IF ANY, OF LOT LINE ADJUSTMENT #P-20-39 DISCLOSED BY THE NOTICE OF LOT LINE ADJUSTMENT RECORDED JULY 20, 2021, INSTRUMENT NO. 202102955 OFFICIAL RECORDS.
>>> PLOTTED AS SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65204

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

EASEMENT(S) PER TRINITY COUNTY TITLE CO. TITLE REPORT, ORDER #65205

5 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF MARY E. YOUNG
FOR: ENLARGE THE "KINGSBURY OR BIG CREEK WATER DITCH"
RECORDED: SEPTEMBER 12, 1896 IN BOOK 24 OF DEEDS PAGE 128
>>> EXACT LOCATION COULD NOT BE DETERMINED <<<

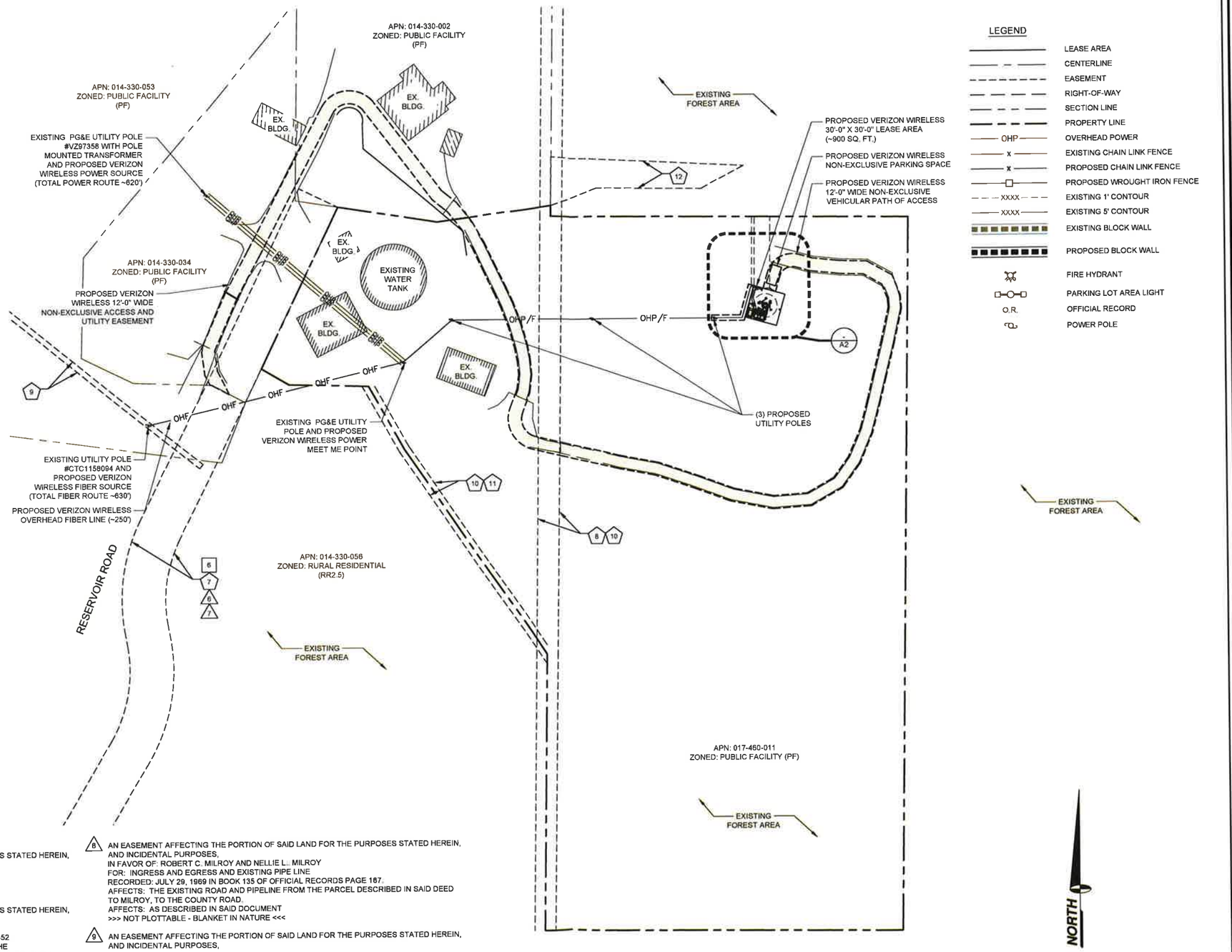
6 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, IN FAVOR OF: COUNTY OF TRINITY
FOR: A PUBLIC STREET AND TRANSMISSION AND PIPELINES
RECORDED: SEPTEMBER 5, 1952 IN BOOK 49 OF OFFICIAL RECORDS PAGE 452
AFFECTS: A STRIP OF LAND 40 FEET IN WIDTH ALONG THE EAST LINE OF THE SOUTHEASTERLY PORTION OF THE LAND HEREIN DESCRIBED (WATER WORKS ROAD, SO CALLED).
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

7 AN EASEMENT AFFECTING THE PORTION OF SAID LAND AND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES, SHOWN OR DEDICATED BY THE
MAP FOR: DICK JESSEE (3 MAPS & SURVEYS 288)
FOR: ROAD
AFFECTS: AS DELINEATED ON SAID MAP
SAID MAP, AMONG OTHER THINGS, MAY CONTAIN GENERAL NOTES THAT AFFECT THE LAND DESCRIBED HEREIN.
>>> APPROXIMAT LOCATION SHOWN HEREON <<<

8 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,
IN FAVOR OF: ROBERT C. MILROY AND NELLIE L. MILROY
FOR: INGRESS AND EGRESS AND EXISTING PIPE LINE
RECORDED: JULY 29, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 167.
AFFECTS: THE EXISTING ROAD AND PIPELINE FROM THE PARCEL DESCRIBED IN SAID DEED TO MILROY, TO THE COUNTY ROAD.
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> NOT PLOTTABLE - BLANKET IN NATURE <<<

9 AN EASEMENT AFFECTING THE PORTION OF SAID LAND FOR THE PURPOSES STATED HEREIN, AND INCIDENTAL PURPOSES,

IN FAVOR OF: STROUT REALTY, A CORPORATION
FOR: INGRESS AND EGRESS
RECORDED: AUGUST 11, 1969 IN BOOK 135 OF OFFICIAL RECORDS PAGE 307
AFFECTS: A STRIP OF LAND OVER WHICH ROAD IS TO BE CONSTRUCTED LEADING FROM THE STROUT PARCEL TO THE COUNTY ROAD, EXACT LOCATION OF SAID EASEMENT CANNOT BE DETERMINED OF RECORD
AFFECTS: AS DESCRIBED IN SAID DOCUMENT
>>> DOES NOT AFFECT THE PARENT PARCEL <<<



LEGEND

- LEASE AREA
- CENTERLINE
- EASEMENT
- RIGHT-OF-WAY
- SECTION LINE
- PROPERTY LINE
- OHP — OVERHEAD POWER
- x — EXISTING CHAIN LINK FENCE
- x — PROPOSED CHAIN LINK FENCE
- PROPOSED WROUGHT IRON FENCE
- XXXX — EXISTING 1' CONTOUR
- XXXX — EXISTING 5' CONTOUR
- EXISTING BLOCK WALL
- PROPOSED BLOCK WALL
- FIRE HYDRANT
- PARKING LOT AREA LIGHT
- O.R. OFFICIAL RECORD
- POWER POLE

11" X 17" SCALE	24" X 36" SCALE
1" = 100'	1" = 50'

1

SITE PLAN

ISSUE STATUS

REV.	DATE	DESCRIPTION	BY
0	03/19/24	90% ZONING	R.C.
1	08/07/24	100% ZONING	R.C.

SPECTRUM
A Nextedge Company
SPECTRUM SERVICES, LLC.
4650 WEST OQUENDO ROAD
LAS VEGAS, NEVADA 89118
PHONE: (702) 367-7705
FAX: (702) 367-8733

PROPRIETARY INFORMATION
THE INFORMATION CONTAINED IN THIS SET OF DRAWINGS IS PROPRIETARY & CONFIDENTIAL TO VERIZON WIRELESS. ANY USE OR DISCLOSURE OTHER THAN AS IT RELATES TO VERIZON WIRELESS IS STRICTLY PROHIBITED.

verizon

2770 SHADELANDS DRIVE
BUILDING 11
WALNUT CREEK, CALIFORNIA 94598

HAYFORK

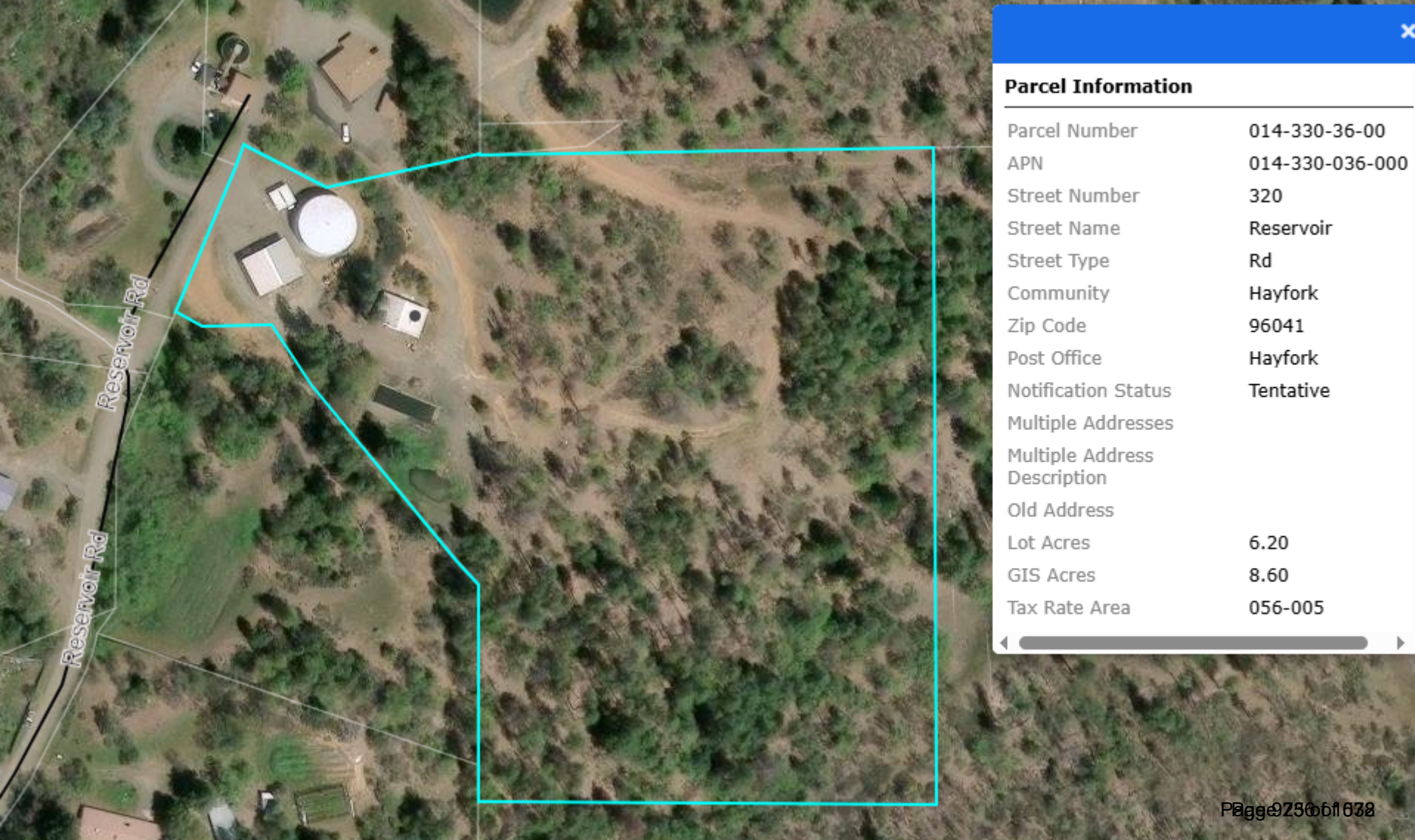
320 RESERVOIR ROAD
HAYFORK, CALIFORNIA 96041

SHEET TITLE:

SITE PLAN

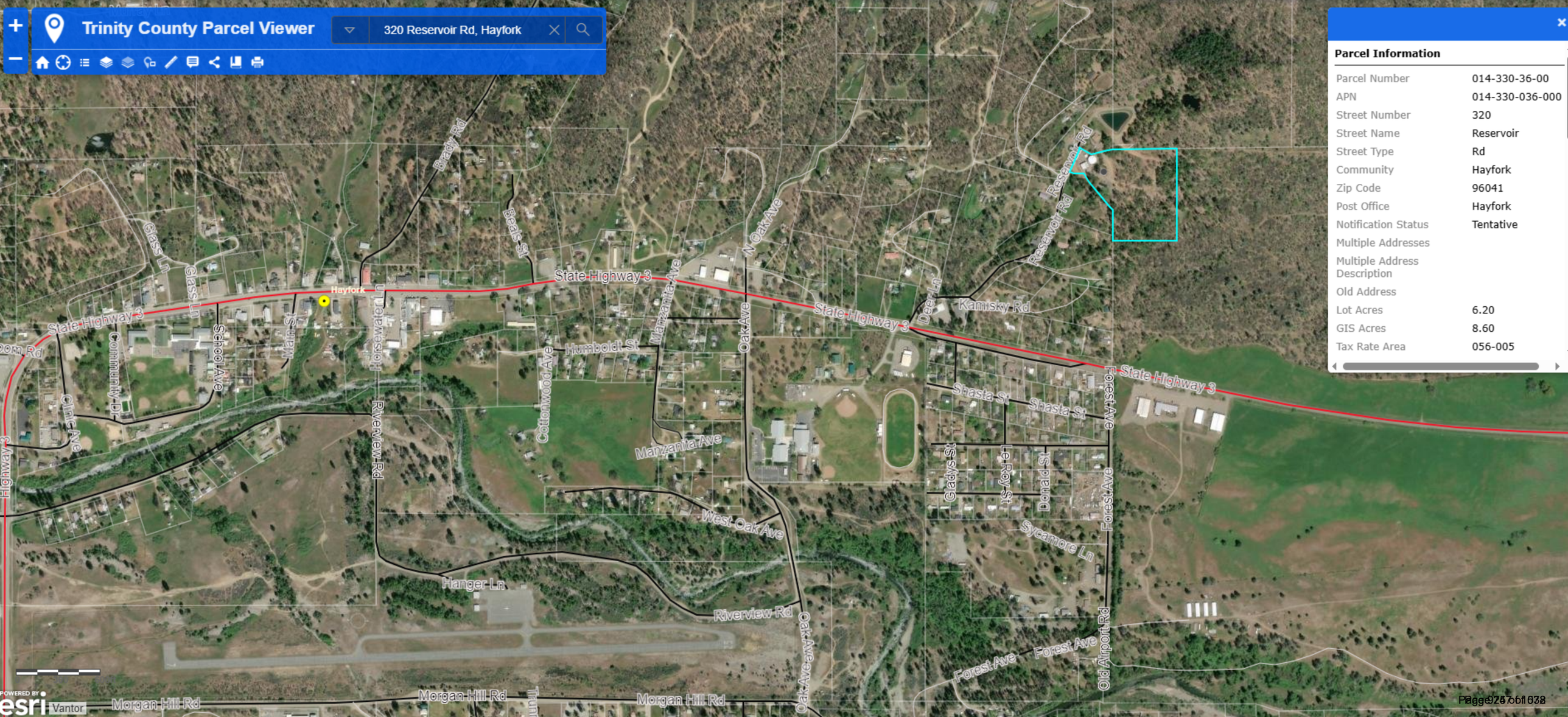
REVISION:
0

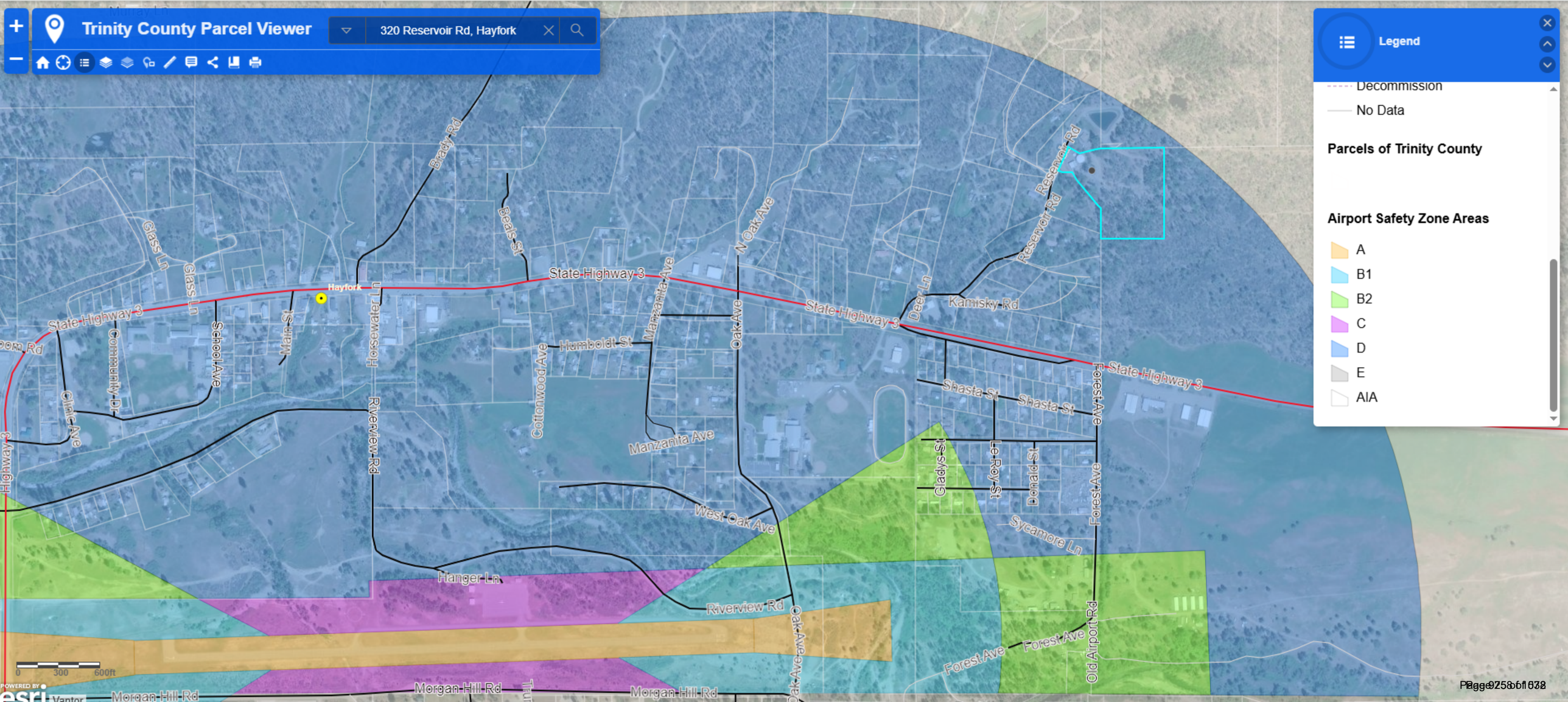
A1



Parcel Information

Parcel Number	014-330-36-00
APN	014-330-036-000
Street Number	320
Street Name	Reservoir
Street Type	Rd
Community	Hayfork
Zip Code	96041
Post Office	Hayfork
Notification Status	Tentative
Multiple Addresses	
Multiple Address Description	
Old Address	
Lot Acres	6.20
GIS Acres	8.60
Tax Rate Area	056-005


Trinity County Parcel Viewer
320 Reservoir Rd, Hayfork
Parcel Information
Parcel Number 014-330-36-00
APN 014-330-036-000
Street Number 320
Street Name Reservoir
Street Type Rd
Community Hayfork
Zip Code 96041
Post Office Hayfork
Notification Status Tentative
Multiple Addresses
Multiple Address Description
Old Address
Lot Acres 6.20
GIS Acres 8.60
Tax Rate Area 056-005
State Highway 3
Hayfork
Brady Rd
Glass Ln
Main St
School Ave
Community Dr
Clinic Ave
Riverview Rd
Beals St
Cottonwood Ave
Humboldt St
Manzanita Ave
N Oak Ave
Oak Ave
Reservoir Rd
Dee Ln
Kamisky Rd
Shasta St
Gladys St
Le Roy St
Donald St
Forest Ave
Sycamore Ln
West Oak Ave
Hanger Ln
Riverview Rd
Old Airport Rd
Morgan Hill Rd
Powered by esri
Vantor


Trinity County Parcel Viewer
320 Reservoir Rd, Hayfork
Legend
Decommission
No Data
Parcels of Trinity County
Airport Safety Zone Areas
A
B1
B2
C
D
E
AIA
State Highway 3
Hayfork
Brady Rd
Glass Ln
Main St
School Ave
Community Dr
Clark Ave
Horsewater Ln
Riverview Rd
Cottonwood Ave
Humboldt St
Manzanita Ave
N Oak Ave
Oak Ave
Deer Ln
Reservoir Rd
Kamisky Rd
Shasta St
Gladys St
Le Roy St
Donald St
Forest Ave
Sycamore Ln
West Oak Ave
Hanger Ln
Old Airport Rd
Morgan Hill Rd
0
300
600ft
Page 258 of 638

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-AWP-5533-OE

Issued Date: 08/18/2025

EIP HOLDINGS II, LLC
TED UMINSKI
Two Allegheny Center, Nova Tower 2
Suite 1002
Pittsburgh, PA 15212

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Tower Hayfork - US1042120
County, State: Trinity, California

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
Hayfork - US1042120	40-33-23.90N	123-9-42.42W	2572 Ft	100 Ft	2672 Ft

This aeronautical study revealed that the structure would have no substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on the operation of air navigation facilities. Therefore, pursuant to the authority delegated to me, it is hereby determined that the structure would not be a hazard to air navigation provided the following condition(s) is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.

Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 02/18/2027 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within 6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is subject to review if an interested party files a petition that is received by the FAA on or before September 17, 2025. In the event an interested party files a petition for review, it must contain a full statement of the basis upon which the petition is made. Petitions can be submitted to the Manager, Rules and Regulations Group via email at OEPetitions@faa.gov, or via mail to Federal Aviation Administration, Air Traffic Organization, Rules and Regulations Group, 5th floor, 600 Independence Ave, SW., Washington, DC 20597. FAA encourages the use of email to ensure timely processing.

This determination becomes final on September 27, 2025 unless a petition is timely filed. In which case, this determination will not become final pending disposition of the petition. Interested parties will be notified of the grant of any review. Any questions regarding your petition, contact Rules and Regulations Group via telephone (202) 267-8783.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power or the addition of other transmitters, requires separate notice to the FAA. This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

This aeronautical study considered and analyzed the impact on existing and proposed arrival, departure, and en route procedures for aircraft operating under both visual flight rules and instrument flight rules; the impact

on all existing and planned public-use airports, military airports and aeronautical facilities; and the cumulative impact resulting from the studied structure when combined with the impact of other existing or proposed structures. The study disclosed that the described structure would have no substantial adverse effect on air navigation.

An account of the study findings, aeronautical objections received by the FAA during the study (if any), and the basis for the FAA's decision in this matter can be found on the following page(s).

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact kenneth.patterson@faa.gov, at 1-817-222-5935, or kenneth.patterson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-AWP-5533-OE.

Signature Control No: 654428407-673999549 (DNH)
Julie A. Morgan
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

A full list of acronyms and abbreviations is available at the FAA's public website at https://oeaaa.faa.gov/oeaaa/downloads/external/content/FAA_Acronyms.pdf .

Part 77 - Title 14 CFR Part 77, Safe, Efficient Use and Preservation of the Navigable Airspace

LOCATION OF OBSTRUCTION

Our study has disclosed that this proposed Monopine Tower, located approximately 4,508 feet northeast of Runway End 25 at Hayfork (F62), Hayfork, CA.

OBSTRUCTION STANDARDS EXCEEDED

1. 77.17 (a)(5) The surface of a takeoff and landing area of an airport or any imaginary surface established under 77.19, 77.21, or 77.23.

77.19 (a) Horizontal surface. A Horizontal plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of a specified radii from the center of each end of the primary surface of each runway of each airport and connecting the adjacent arcs by lines tangent to those arcs.

Exceeds by 189 feet.

2. As defined in FAA JO 7400.2R, 6-3-8, Evaluating Effect on VFR Operations, the proposal would lie within the TPA for all categories of aircraft that would normally utilize F62. It would exceed, as applied to a visual approach runway, the horizontal surface by 189 feet.

***Part 77 obstruction standards are used to screen the many proposals submitted in order to identify those which warrant further aeronautical study. This study is conducted in order to determine if the proposal would have a significant adverse effect on aeronautical operations and airspace. While part 77 obstruction standards may trigger formal aeronautical study, including public circularization, these obstruction standards do not constitute absolute or arbitrary criteria for identification of hazards to air navigation. Accordingly, the fact that a proposed structure exceeds certain obstruction standards of part 77 is in itself not sufficient grounds for issuance of a determination of hazard to air navigation.

EFFECT ON AERONAUTICAL OPERATIONS

a. The impact on arrival, departure, and en route procedures for aircraft operating under VFR:

None.

AERONAUTICAL STUDY FOR POSSIBLE VISUAL FLIGHT RULES (VFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed VFR arrival or departure routes, operations or procedures.

> The proposed structure would not conflict with airspace required to conduct normal VFR traffic pattern operations at any known public use or military airports.

> The proposed structure would not penetrate those altitudes normally considered available to airmen for VFR en route flight.

b. The impact on arrival, departure, and en route procedures for aircraft operating under IFR:

None.

AERONAUTICAL STUDY FOR POSSIBLE INSTRUMENT FLIGHT RULES (IFR) EFFECT DISCLOSED THE FOLLOWING:

> The proposed structure would have no effect on any existing or proposed IFR arrival/departure routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR en route routes, operations, or procedures.

> The proposed structure would have no effect on any existing or proposed IFR minimum flight altitudes.

c. The impact on all planned public-use airports and aeronautical facilities: None.

The cumulative impact resulting from the proposed construction or alteration of a structure when combined with the impact of other existing or proposed structures: Cumulative impact was not a deciding factor for this determination.

CIRCULARIZATION AND NEGOTIATIONS

The Notice of Preliminary Findings letter was issued on June 06, 2025, stated that the structure height, as filed, could result in a substantial adverse effect and could warrant a Determination of Hazard to Air Navigation.

Negotiations to lower the height of the structure to eliminate the adverse effect were unsuccessful.

In order to facilitate the public comment process, this aeronautical study was circularized on July 09, 2025, to all known aviation interests and to non-aeronautical interests that may be affected by the proposal.

No letters of objection were received as a result of the circularization.

BASIS FOR DECISION

Although the structure does exceed the 77.17(a)(5) surface as noted above, inclusion of this structure will have no further impact upon the current airspace. There would be no effects on any existing or proposed en route VFR operations.

At a distance of 34.6 nautical miles from the site emissions from the 2496-2690 MHz transmitters must be less than -155 dBm in the 2700-2900 MHz Airport Surveillance Radar frequency band.

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and enroute procedures for aircraft operating under visual or instrument flight rules, as well as the

impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

CONDITIONS

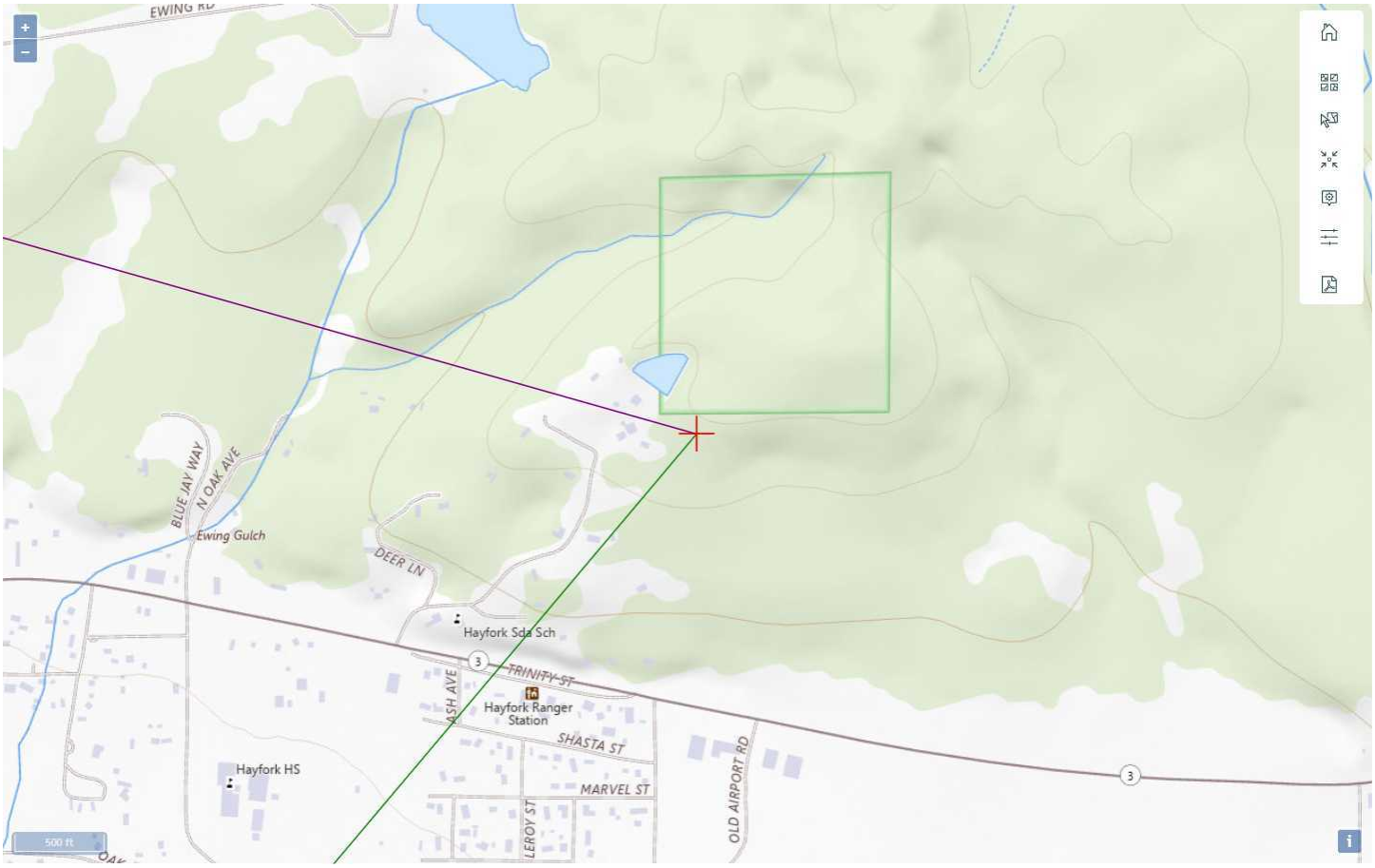
The incorporation of obstruction marking and lighting was considered but deemed not necessary to provide additional conspicuity for IFR and VFR pilots flying in this vicinity.

DETERMINATION - NO HAZARD TO AIR NAVIGATION

Frequency Data for ASN 2025-AWP-5533-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	42	dBW
6	7	GHz	55	dBW
10	11.7	GHz	42	dBW
10	11.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
21.2	23.6	GHz	42	dBW
21.2	23.6	GHz	55	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	824	MHz	500	W
806	901	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2310	MHz	2000	W
2305	2360	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	1640	W

Verified Map for ASN 2025-AWP-5533-OE



TOPO Map for ASN 2025-AWP-5533-OE



From: Miller, Phillip C@DOT <phillip.miller@dot.ca.gov>
Sent: Monday, September 15, 2025 11:16 AM
To: Panos Kokkas <pkokkas@trinitycounty.org>
Subject: RE: P-24-14 CUP-Next Edge Networks-100' monopole-Hayfork

Good morning Panos,

I looked at the project and don't see any impact on operations at Hayfork.

Have a great week,

Phil

Caltrans
DIVISION OF AERONAUTICS

Phillip C. Miller, C.M., ACE
Aviation Safety Officer
Office of Airports
Division of Aeronautics, MS#40
Work Cell: (916) 879-6251 Fax: (916) 653-9531

COUNTY OF TRINITY
DEPARTMENT OF TRANSPORTATION

Panos Kokkas, P.E., Director
Lisa McNeely, Administration
31301 State Hwy 3; P.O. Box; 2490, Weaverville, California 96093
Phone (530) 623-1365; Fax (530) 623-5312; Email; tcdot@trinitycounty.org

MEMORANDUM

TO: Drew Plebani, Interim Planning Director, Community Development Department

FROM: Panos Kokkas, Director

SUBJECT: Review of FAA Part 77 Determination of No Hazard to Air Navigation – Proposed 100-Foot Stealth Monopine Telecommunications Tower (Hayfork Airport Influence Area, Zone D)

DATE: November 7, 2025

The Trinity County Department of Transportation has reviewed the proposed telecommunications facility submitted for Airport Land Use Commission (ALUC) consistency determination. The project involves construction of a 100-foot Stealth Monopine tower and associated ground equipment within a 900-square-foot fenced compound located east of the existing municipal water tank in the Hayfork area. The site lies within the Airport Influence Area (AIA) of the Hayfork Airport (F62) and within Compatibility Zone D, as delineated in the *Trinity County Airport Land Use Compatibility Plan* (2009).

Because the proposed structure exceeds 70 feet in height, Federal Aviation Administration (FAA) notification and review under Federal Aviation Regulations (FAR) Part 77 are required. The applicant submitted FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, and the FAA completed an aeronautical study for the project.

On August 20, 2025, the FAA issued a *Determination of No Hazard to Air Navigation* for the proposed monopine tower. This determination remains valid until February 18, 2027, contingent upon compliance with FAA reporting requirements under Form 7460-2.

The Trinity County Department of Transportation has independently reviewed the FAA's Part 77 aeronautical study and determination and finds the conclusions consistent with the provisions of the *Trinity County Airport Land Use Compatibility Plan* for Zone D (moderate risk area).

Accordingly, the Department has no objection to approval of the project, provided that:
• The applicant maintains compliance with FAA emissions and operational parameters specified in the determination; and
• FAA Form 7460-2 is submitted prior to construction commencement and upon reaching maximum structure height.

Based on the above, the project is considered consistent with applicable FAA and County Airport Land Use Compatibility Plan requirements.

RESOLUTION NO. ALUC-2025-01

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION OF THE COUNTY OF TRINITY

A RESOLUTION OF THE AIRPORT LAND USE COMMISSION OF TRINITY COUNTY, FINDING HAYFORK MONOPINE WIRELESS COMMUNICATIONS FACILITY (P-24-14) CONSISTENT WITH THE AIRPORT LAND USE COMPATIBILITY PLAN (2009).

WHEREAS, the Airport Land Use Compatibility Plan (ALUCP) was adopted in 2009; and

WHEREAS, projects in Zone D that are over 70 feet in height, require review by the Airport Land Use Commission; and

NOW, THEREFORE, BE IT RESOLVED that the Airport Land Use Commission of the County of Trinity based on substantial evidence in the record, makes the following findings:

1. The proposed project (P-24-14) is consistent with the ALUCP, based on the FAR 77 Document "No hazard to Air Navigation".
2. That this action of the Airport Land Use Commission is exempt from the California Environmental Quality Act (CEQA) based on 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; CEQA review will be conducted for the project P-24-14 and reviewed by the Planning Commission at a later date.

DULY PASSED AND ADOPTED this 13th day of November, 2025 by the Airport Land Use Commission of the County of Trinity by motion, second (/), and the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

RECUSE:

_____

_____, CHAIRMAN

Airport Land Use Commission

DRAFT

County of Trinity

State of California

ATTEST:

Drew Plebani

Clerk of the Airport Land Use Commission

By: _____

Interim Planning Director

DRAFT

TRINITY COUNTY COMMUNITY DEVELOPMENT SERVICES
PLANNING DEPARTMENT
530 MAIN ST., PO BOX 2819
PHONE – 530-623-1351
WEAVERVILLE, CALIFORNIA 96093

Drew Plebani-Interim Director of Planning

MEMORANDUM

DATE:	November 10, 2025
TO:	Members of the Trinity County Airport Land Use Commission
FROM:	Deborah Rogge, Administrative Coordinator
SUBJECT:	Agenda Item: B ALUCP Consistency Determination for Verizon Wireless Conditional Use Permit P-24-14

Please find the attached comments received as of 4:00 p.m. November 10, 2025.

Deborah Rogge

From: Jerry H [redacted]
Sent: Monday, November 10, 2025 9:40 AM
To: info.planning
Subject: Verizon tower

Follow Up Flag: Follow up
Flag Status: Flagged

Greetings on behalf of numerous Hayfork citizens I am writing to protest the granting of the tower as it is a sight and more importantly health hazard to the residents of Hayfork. If the commission unfortunately decides to allow this to take place reduce the height to 50 feet to cut down on the radiation exposure.

5G IS A WEAPON

- November 3, 2025
- frankenskies

5G is becoming an increasingly hot topic of discussion. If you are new to the conversation consider a podcast on the topic to kickstart the information dialogue on the subject. Essentially the new telecommunications technology is titled 5G and if you live in North America the infrastructure for this new era of frequency is coming to your doorstep… literally! This one millimeter in size microwave frequency was first invented by the military as a weapon and has various human health impact risks that have been ignored. Because of the size of this frequency carrier wave it cannot travel much distance. For this reason small cell towers must be erected in YOUR NEIGHBORHOOD! For the 5G to work, a cell tower must be built on every street corner. Under the allure of faster download speeds, augmented reality and self-driving cars, an invisible and destructive weapon is upon us. Please speak up and reject the “Small Cells” (small cell towers) coming to your community. You have a voice and you have the right to say no. Your silence however is consent. Please visit My Street My Choice to learn more about how to say no to this unsafe, untested, unnecessary technology.

My street, my choice! A neighborhood survival guide.


5G Risks Include
- DNA breaks
- Increased blood brain barrier permeability
- Melatonin reduction
- Infertility
- Cancer
- Depression
- Cell metabolism disruption
DANGER
5G
emfacts.com
zero5G.com
emwatch.com
SPEED LIMIT 60

1. Verizon and others advised their stock holders that insurance for injuries caused by radiation form the cell transmitters is unavailable. Does not tell its customer of same. **Insurers rank 5G and electromagnetic radiation as a "high" risk, comparing the issue to lead and asbestos.**
2. **Wireless and non ionizing electromagnetic radiation are defined as a type of "pollution" by wireless companies themselves. According to pg. 10 of the Verizon Total Mobile Protection Plan, "Pollution" is defined as "The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or nonionizing radiation and/or waste." We found similar definitions for pollution in the product protection plans for AT&T, Sprint, Verizon, T-Mobile and Asuria.**
3. 5G does NOT provide faster internet connectivity
4. Despite the industry message that 5G will be faster, in reality 5G is turning out to be slower. Testing finds 5G in the field is actually nearly the same speed or slower than 4G. It is not working out so well. Read "At this point, 5G is a bad joke" published in Computerworld. "Unless you live or work right next to an mmWave transceiver, you're simply not going to see those promised speeds or anything close to them."
5. 5G antennas are energy hogs
6. Cumulative daily radiation exposure to wireless radiation is associated with serious health effects.

7. Frequency close to that of the microwave oven

8. 5G's higher frequencies are absorbed into the skin

9. Cell tower radiation is linked to damage in human blood.
10. Causes birds and bees to be disoriented and possible cause of hive collapse.
11. Cities are passing ordinance preventing these small cell sites and large towers from being in close proximity to places that are frequently used by humans.
12. **5G cell towers are more dangerous than other cell towers for two main reasons. First, compared to earlier versions, 5G is ultra high frequency and ultra high intensity. Second, since the shorter length millimeter waves (MMV) used in 5G do not travel as far (or through objects), with our current number of cell towers the cell signal will not be reliable. To compensate many more mini cell towers must be installed. It is estimated that they will need a mini cell tower every 2 to 8 houses. This will greatly increase our RF Radiation exposure.**
13. The International Association of Firefighters has officially opposed cell towers on their stations since 2004 after a study found neurological damage in firefighters with antennas on their station.
14. Bottom line 5 g and above cell transmissions are hazardous to the environment, animals, birds, insects, bees, wildlife and HUMANS. Trinity County needs to place hold on any new placements or constructions until the county can develop a plan and rules similar to other cities and counties in country and California.

Cell tower info

https://blushield.com/blogs/education/local-wins-against-5g-antenna-installations-wireless-radiation-harming-birds

https://smombiegate.org/lawsuits-on-5g-and-wireless/

https://ehtrust.org/cell-tower-at-schools-health-effects-safety-faqs/

https://childrenshealthdefense.org/legal_justice/chd-v-fcc-5g-wireless-radiation-guidelines-lawsuit/

https://actionagainst5g.org/case-updates/judicial-review-heard
https://www.capegazette.com/article/5g-towers-did-companies-commit-fraud/220075 fraud failure to inform of hazards

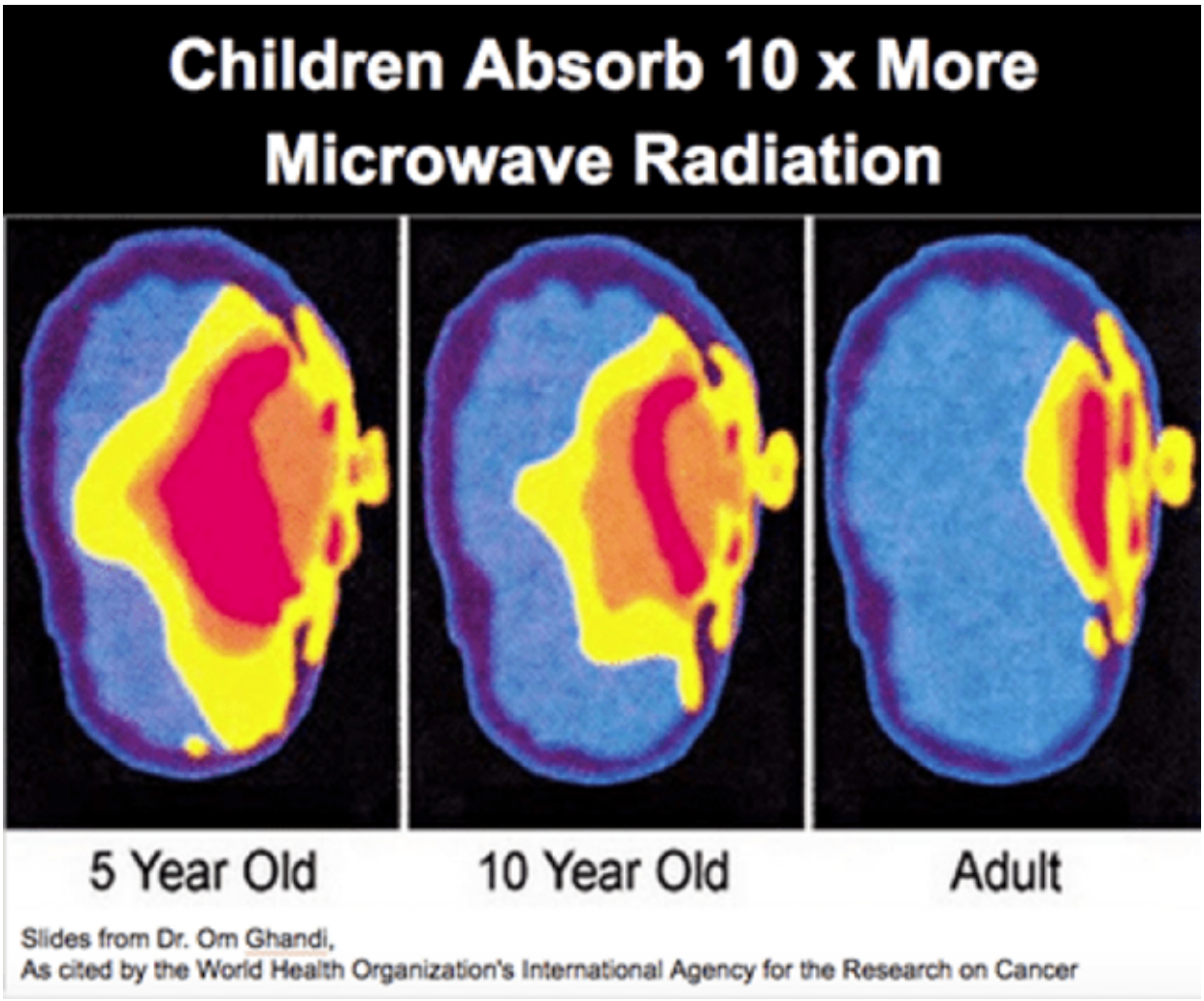
https://www.forbes.com/health/wellness/is-5g-safe/

EMF RADIATION!

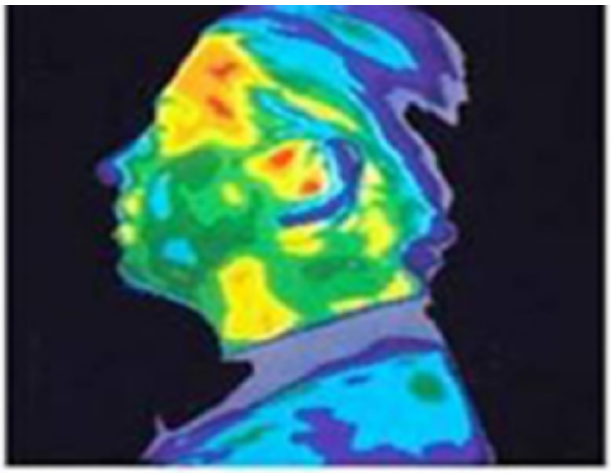
- November 10, 2024
  - frankenskies

Did you know children’s brains are more susceptible to microwave radiation from things such as wi-fi, cell phones, tablets, smart meters and cell towers. Children are actually 10 times more sensitive to the radiation from a cell phone.

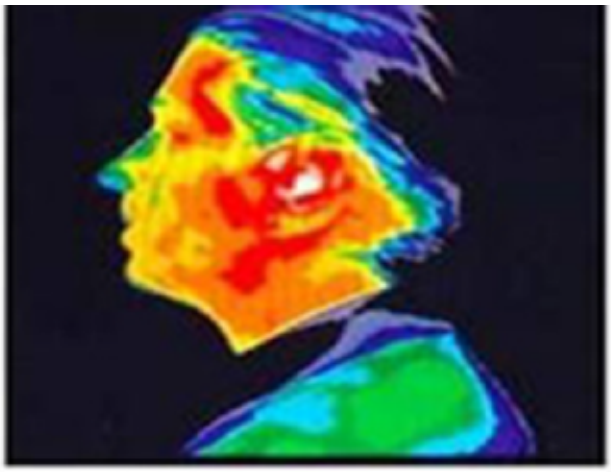
Check out Actual Activists line of EMF radiation protective products, Spero Protection Clothing, here!



Did you know holding a cell phone to your head for 15 minutes will actually microwave your head?



Thermographic Image of the head with no exposure to harmful cell phone radiation.



Thermographic Image of the head after a 15-minute phone call. Yellow and red areas indicate thermal (heating) effects that can cause negative health effects.

https://expose-news.com/2024/04/14/ten-new-studies-detail-health-risks-of-5g-analysis-by-dr-joseph-mercola/

https://expose-news.com/2024/03/12/health-impacts-of-electromagnetic-fields-emf/

https://expose-news.com/2024/01/16/5g-danger-13-reasons-5g-wireless-technology-will-be-a-catastrophe-for-humanity/

https://expose-news.com/2023/07/22/generation-zapped-the-health-hazards-of-wifi/

https://expose-news.com/2022/10/07/everyone-who-hears-the-truth-about-5g-shuns-it/

https://expose-news.com/2022/08/12/emf-and-rf-radiation-is-a-growing-health-risk/

Why 5G Cell Towers Are More Dangerous

All cell towers emit Radio Frequency (RF) Radiation. This is what makes them dangerous. Plans to transition to the new 5G around the world is already underway. Soon every city will be retrofitted with this technology. Mini cell stations will be placed all throughout our neighborhoods and cities. They will be installed on the sides or tops of buildings and on street light poles.

5G cell towers are more dangerous than other cell towers for two main reasons. First, compared to earlier versions, 5G is ultra high frequency and ultra high intensity. Second, since the shorter length millimeter waves (MMV) used in 5G do not travel as far (or through objects), with our current number of cell towers the cell signal will not be reliable. To compensate many more mini cell towers must be installed. It is estimated that they will need a mini cell tower every 2 to 8 houses. This will greatly increase our RF Radiation exposure.
1G, 2G, 3G and 4G use between 1 to 5 gigahertz frequency. 5G uses between 24 to 90 gigahertz frequency. Within the RF Radiation portion of the electromagnetic spectrum, the higher the frequency the more dangerous it is to living organisms.

With RF Radiation, how close the source is to our physical bodies, is more important than the power level (or wattage) of the radiation. RF Radiation dissipates with distance. In other words, a low powered exposure right next to someone, is more dangerous than a more powerful exposure a long ways away. Also the longer the exposure time is, the more dangerous it is. 5G will be the worst of both worlds. We will have more sources around us, and closer to us. And they will be more powerful and continuous emissions.

In the below video I explain in a bit more detail why 5G is more dangerous than previous technologies. I apologize for looking so beat in this video. I really should not have tried to do a video when I was so tired. This is a video I will be re-doing. However the information is very good and super important. It is a short video and very much worth watching.

RF Radiation Dangers

There have been hundreds of peer reviewed scientific studies done on RF Radiation linking it to health problems such as cancer, DNA damage (especially in fetuses within the 1st 100 days after conception), and sterility in men. And even the World Health Organization classified RF Radiation as a possible “carcinogenic”, meaning “cancer causing”, in 2011. To research some of the actual peer reviewed scientific studies on both general RF Radiation, and 5G, see the “**Scientific Studies**” page of this website. We will also go over a few of these studies below in this article.

Mini 5G Cell Tower In Your Home

Many people do not realize that they already have a mini cell tower emitting high levels of RF Radiation in their homes and offices right now. Some even have a 5G mini cell tower. We call them WiFi routers. Just like a cell tower, a WiFi router emits at full power 24 hours a day 7 days a week, or as long as you have it turned on. It's range includes your entire home and beyond. It's radiation is the exact same RF Radiation that a cell tower emits, or that your microwave oven uses to cook your food.

For example, my WiFi router is a Netgear 5 GHz router that emits both at the 5 GHz and 2.4 GHz frequencies. A microwave oven uses 2.45 GHz frequency to cook food. The new 5G WiFi routers that are available now use the 60 GHz, 5 GHz and the 2.4 GHz frequencies. So having one of those routers is really like having a 5G mini cell tower inside of your home

Here is a sampling of reasons why you should worry about 5G radiation:

1. **RF5G will drastically increase radio frequency and EMF exposure beyond anything close to what humans have been exposed to in the past.**
2. **There are no clinical trials proving that 5G is safe.**
3. **The SAR- Standard Absoption Rate, which is a calculation used to measure the bodyâ€™s ability to withstand RF radiation has not been updated since 1996.**
4. **The current SAR was set using animal trials against wireless technology in the 1980â€™s.**
5. **EMF radiation is currently a class 2B carcingoen.**
6. **Many scientists believe there is enough evidence to classify EMF radiation as a class 1 carcinogen.**
7. **George Carlo, Chief Scientist of the CTIA (Cellular Telecommunications and Internet Association), and director of the Wireless Technology Research Project in 1999, sent letters to the main heads of the wireless industry on October 7, 1999, reiterating that the WTRâ€™s research had found the following: â€œThe risk of rare neuro-epithelial tumors on the outside of the brain was more than doubledâ€¦in cell phone usersâ€ ; there was an apparent â€œcorrelation between brain tumors occurring on the right side of the head and the use of the phone on the right side of the headâ€ ; and â€œthe ability of radiation from a phoneâ€™s antenna to cause functional genetic damage [was] definitely positiveâ€¦.â€ â€“ THIS WAS 1999!**
8. **Henry Lai, Professor of Biochemistry at the University of Washington analyzed 326 EMF safety-related studies conducted between 1990 and 2005 and found that 67% of independantly funded showed a biological reaction from cell phone use.**
9. **180 scientists from 35 countries recommend a moratorium on the roll-out of 5G â€œuntil potential hazards for human health and the environment have been fully investigated by scientists independant from the industryâ€ .**
10. **5G layering on top of 2G, 3G, and 4G presents even more problems.**

11. **5G requires more cell towers and antennas every 2-10 buildings to effectively distribute the signal. This means more people exposed to closer signal sources.**

12. **Telecom industries are lobbying to strip your rights from being able to say no to cell antennas on your buildings.**

13. **The â€œElectromagnetic Fields Exclusionâ€ : *â€œThe Electromagnetic Fields Exclusion (Exclusion 32) is a General Insurance Exclusion and is applied across the market as standard.* The purpose of the exclusion is to exclude cover for illnesses caused by continuous long-term non-ionising radiation exposure i.e. through mobile phone usage.â€**
CFC Underwriting LTD in London, the UK agent for Lloydâ€™s

14. **â€œThere is a consistent pattern of increased risk for glioma (a malignant brain tumor) and acoustic neuroma with use of mobile and cordless phonesâ€ says Lennart Hardell, MD, PhD, Orebro University, Sweden, according to publications through mid-2017**

15. **Over 100 dead birds near a 5G tower test site in October 2018.**

16. **Nobody needs that much PORN! â€“ well mostly nobody**

Wireless companies warn their shareholders of the risk of cell phone and cell tower radiation but they do not warn consumers. They do not warn the people living in homes near cell towers regarding the fact that hundreds of scientists are cautioning that cell towers can have health effects. Wi-Fi, cell phones, and 5G in the classroom as well as cell towers on school property present serious liability issues due to to the lack of long term safety data.
Insurers rank 5G and electromagnetic radiation as a “high” risk, comparing the issue to lead and asbestos. A 2019 Report by Swiss Re Institute, a world leading provider of insurance, classifies 5G mobile networks as a “high”, “off-the-leash” risk stating, “Existing concerns regarding potential negative health effects from electromagnetic fields (EMF) are only likely to increase. An uptick in liability claims could be a potential long-term consequence” and “[a]s the biological effects of EMF in general and 5G in particular are still being debated, potential claims for health impairments may come with a long latency.”

Wireless and non ionizing electromagnetic radiation are defined as a type of "pollution" by wireless companies themselves. According to pg. 10 of the Verizon Total Mobile Protection Plan, "Pollution" is defined as "The discharge, dispersal, seepage, migration or escape of pollutants. Pollutants means any solid, liquid, gaseous, or thermal irritant or contaminant including smoke, vapor, soot, fumes, acid, alkalis, chemicals, artificially produced electric fields, magnetic field, electromagnetic field, sound waves, microwaves, and all artificially produced ionizing or nonionizing radiation and/or waste." We found similar definitions for pollution in the product protection plans for AT&T, Sprint, Verizon, T-Mobile and Asuria.

Some people incorrectly equate small cells with 5G cell towers. Small cells are antennas placed on utility poles or light poles and are rarely placed on a cell tower. Small cells are smaller (25 cubic feet or less) and cover less area – typically less than ½ mile in diameter. Small cells may be 4G or 5G, but they aren't towers. Because small cells typically reside on shorter structures (50′ or less) and are deployed in suburban and urban areas, they are almost always closer to people and their residences than 5G cell towers. This proximity makes them certainly more contentious. It is important to note that the FCC has removed city and state authority to limit the placement of small cells in the public right of way except in situations where they impede traffic or cause unsafe conditions (not related to radio frequency waves).

In this article's context, we will focus solely on 5G equipment on cell towers, not 5G equipment on small cells. If you want more information about small cells, please see our page on small cells or see our blog content on small cell-related articles (there is a lot).

How Many 5G Cell Towers Are There?

As of the beginning of 2024, there are approximately 350,000 to 400,000 cell sites in the United States and around 175,000 cell towers. Of these, we anticipate that 70% have 5G enabled of some sort or another. There are approximately 175,000 small cells in the country at this time. In 2024, that number will not increase significantly as the wireless carriers focus on deploying 5G onto existing cell sites on existing towers.

The Federal Communications Commission ("FCC") estimates that hundreds of thousands of 5G-enabled wireless antennas will be installed along public rights-of-way these wireless antennas will be built in our rights-of-way, directly in front of our homes.
Communities are being told that it is necessary to build "small cell" towers in neighborhoods in order to offer 5G, a new technology that will connect the Internet of Things (IoT). At every level of government, new 5g policies aim to streamline (meaning force) the installation of these 5G "small cell" antennas in public rights-of-way.
European Parliament requested a research report "Health Impact of 5G" released in July 2021 concluding that commonly used RFR frequencies (450 to 6000 MHz) are probably carcinogenic for humans *and* clearly affect male fertility with possible adverse effects on the development of embryos, fetuses and newborns. 5G will increase ambient levels of wireless radiofrequency radiation. Peer-reviewed research has demonstrated a myriad of adverse effects from wireless radiofrequency radiation including increased brain cancer, DNA damage, oxidative stress, immune dysfunction, altered brain development, damaged reproduction, sleep changes, hyperactivity, and memory damage. (RESEARCH HERE)
Thousands of doctors and scientists are calling to halt 5G because of the increase in radiofrequency radiation- a new kind of environmental pollution. (DOCTORS & SCIENTISTS HERE, Read and download a letter from Dr. Davis on the health and environmental effects of 5G)

5G "small cell" antennas are anything but "small"

"Small cells" is an industry term. It means a shorter cell tower close to homes and schools. Each "facility" will have transmitting wireless antennas and often ugly bulky equipment. A 2020 paper analyzed the radio frequency radiation environment that would result if a mmWave-based 5G network was fully deployed in Austin, Texas and found ambient radiation levels to be significantly increased.
Examples of how and why "small cells" are not small:

- They increase electromagnetic radiation near homes
- They have refrigerator-sized (and larger) equipment cabinets
- Property values drop after a cell tower is built near homes
- Taller and wider poles are needed for the antennas

5G does NOT provide faster internet connectivity

Despite the industry message that 5G will be faster, in reality 5G is turning out to be slower. Testing finds 5G in the field is actually nearly the same speed or slower than 4G. It is not working out so well. Read "At this point, 5G is a bad

joke" published in Computerworld. "Unless you live or work right next to an mmWave transceiver, you're simply not going to see those promised speeds or anything close to them."

5G antennas will transmit radiation differently than previous generations of wireless technology

5G will use new "beam-forming" antenna designs that create multiple streams of signal from each fixture. Each installation can have over a thousand antennas that are transmitting simultaneously.

5G antennas are energy hogs

Engineers say 5G is "an energy hog." The millions of new short "small" cell towers and over 64 billion IoT devices are expected by 2025. Industry reports repeatedly state that energy efficiency goals will not be fully met, and that **energy use from wireless devices and networks will grow exponentially,** ever increasing our carbon footprint. Environmental experts warn that the IOT is an unsustainable technology and will contribute to climate change. Read more HERE.

SETBACKS FOR CELL TOWERS AND CELL ANTENNAS

- Shelburne, MA – 3,000 feet for schools and 1,500 feet of homes; no new wireless antennas in residential zones
- Copake, NY – 1,500 feet from homes, schools, churches, or other buildings containing dwelling units
- Sallisaw, OK – no commercial wireless telecommunications towers within 1,500 of homes.
- Calabasas, CA – no "Tier 2" wireless telecommunications facilities within 1,000 feet of homes and schools
- Bedford, NH – 750 feet from nearest residentially-zoned property
- Scarsdale, NY – No wireless facilities within 500 feet from homes, schools, parks, and houses of worship
- Walnut City, California: 1,500 feet
- Stockbridge, Massachusetts: 1,000 feet
- San Diego County California 1,000 feet (small cells)

- Palo Alto, California: School Board supports the City of Palo Alto immediately establishing local municipal zoning setback rules of 1500 feet or more from an operating wireless transmitter and a school site

- Ithaca New York– 250 feet or more from any residence, school, or day-care facility
- Davis, CA – no freestanding wireless facilities within 500 feet of residential zone and schools
- Westlake Village, CA – no facilities within 500 feet of homes
- Randolph, MA – no wireless antennas within 500 feet of homes and businesses
- Petaluma, CA – no "small cell" antennas within 500 feet of homes
- Suisin City, CA – no "small cell" antennas within 500 feet of homes
- Contra Costa County, CA – no new high-visibility facilities or towers within 300 feet of residential zones
- Town of North Hempstead, NY – no wireless antennas within 200 feet of homes, parks, environmentally-sensitive areas, historic areas, or scenic areas; no wireless antennas within 350 feet of schools

Encinitas, CA – No antennas within residential zone, within Ecological Resource/Open Space/Park Zone, or very high fire hazard severity zone, 500 feet from residential dwelling unit, daycare facility or school and 250 feet of any federal, state, or historic landmark

The SCHEER statement "**Potential effects on wildlife of increases in electromagnetic radiation**" states,

"On the horizon, a new generation of even shorter high-frequency 5G wavelengths is being proposed to power the Internet of Things (IoT). The IoT promises us convenient and easy lifestyles with a massive 5G interconnected telecommunications network. However, the expansion of broadband with shorter wavelength radio frequency radiation highlights the concern that health and safety issues remain unknown. Controversy continues with regard to harm from current 2G, 3G, and 4G wireless technologies. 5G technologies are far less studied for human or environmental effects" (Russell, 2018)." and concludes, "5G networks will soon be rolled out for mobile phone and smart device users. How exposure to electromagnetic fields could affect humans remains a controversial area, and studies have not yielded clear evidence of the impact on mammals, birds, or insects. The lack of clear evidence to inform the development of exposure guidelines to 5G technology leaves open the possibility of unintended biological consequences."

Cellular radiation negatively impacts birds and bees

Published research finds the frequencies impact wildlife. For example, studies have found that the radiation can alter bird navigation and disturb honeybee colonies. Research also shows impacts on trees and plants.

- Research on EMF and Bees
- Research on Wildlife
- Research on Trees

Cumulative daily radiation exposure to wireless radiation is associated with serious health effects.

- 5G and 4G cell towers near our homes means constant exposure day and night. You cannot turn a cell tower off.
- The public is unaware that peer-reviewed, published science indicates that exposures to wireless radiation can cause cancer, alter brain development, and damage sperm. Cell tower radiation is also associated with headaches, hormone changes, memory problems, and sleep problems.
- A review paper on 5G published in Environmental Research concludes that the current scientific evidence supports the conclusion that mobile phone and wireless radiofrequency radiation (RFR) is cancer-causing. Most people are also unaware that wireless technology was never tested for long-term safety decades ago when the technology was first introduced. Children are more vulnerable to this radiation and that the accumulated scientific evidence shows harmful effects.
- Read the research HERE.

Antennas near homes decrease property values

-
- Studies show property values drop up to 20% on homes near cell towers. Would you buy a home with a mini cell tower in the yard?

Many countries have more protective cell tower radiation limits compared to the USA.

No one is monitoring radiation exposures from these cell installations and many cell towers are in violation of the radiation limits.

The International Association of Firefighters has officially opposed cell towers on their stations since 2004 after a study found neurological damage in firefighters with antennas on their station.

In 2017, when 5G "small cells were coming to California via a 5G streamlining bill (SB649), firefighter organizations came out in strong opposition to the bill and cited the many peer-reviewed studies. They requested that 5G towers not be installed on firehouses. They were successful and SB649 was amended to exempt their stations from the deployment due to their health concerns. Read more about firefighters here.

5G's higher frequencies are absorbed into the skin.

Physicists found that the higher millimeter frequencies intended for 5G use are preferentially absorbed into the sweat duct at much higher rates than other organ tissues. Read two published studies "The Modeling of the Absorbance of the Sub-THz Radiation by Human Skin." The human skin as a sub-THz receiver – Does 5G pose a danger to it or not? Paul Ben-Ishai, PhD Lecture.

Cell tower radiation is linked to damage in human blood.

A published study compared people living close and far from cell antennas and found people living closer to cellular antennas had changes in blood that predicts cancer development (Zothansiama et al, 2017) Research on cell towers and cell tower radiation has found a myriad of health and environmental issues. Safety is not assured.

LINKS TO WHY 5 G CELL TOWERS ARE DANGEROUS

https://emfportal.com/why-are-5g-towers-dangerous

https://cosmicconvergence.org/?p=33858

https://ehtrust.org/liability-and-risk-from-5g-and-cell-towers/

https://engineersforum.com.ng/2020/04/04/why-5g-cell-towers-are-more-deadly/

https://www.radiationhealthrisks.com/5g-cell-towers-dangerous/

https://www.stop5g.org/ **Great site lots info to use**

stop5G@childrenshealthdefense.org

https://ehtrust.org/scientific-research-on-5g-and-health/ send to elected officials

https://ehtrust.org/key-issues/cell-phoneswireless/5g-internet-everything/20-quick-facts-what-you-need-to-know-about-5g-wireless-and-small-cells/ **great site**

https://ehtrust.org/scientific-research-on-5g-and-health/

https://expose-news.com/2024/01/16/5g-danger-13-reasons-5g-wireless-technology-will-be-a-catastrophe-for-humanity/

https://www.geoengineeringwatch.org/ **Another informative site. Author is out of Redding**

https://healingwithvibration.com/e-youniverse-emfacademy/?affiliate=emfacademy

Deborah Rogge

From: Demetrio Papadopulos [redacted]
Sent: Monday, November 10, 2025 12:11 PM
To: info.planning
Subject: Subject: Verizon Wireless cell tower at Hayfork Water Departmemt

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Airport Land Use Commission

I am writing to express my concerns regarding the proposed cell tower installation in our community, particularly at the Hayfork Water Dept. While I understand the importance of ensuring connectivity, I am deeply concerned about the health and environmental effects, and the reduction in property values associated with this project.

There is growing public concern about the health effects associated with prolonged exposure to radio frequency radiation emitted by cell towers. Research suggest a possible link between RF radiation and adverse health effects, including headaches sleep disturbances, and increased risk of certain cancers. Many experts recommend maintaining a safe distance between cell towers and residential areas, schools and churches to minimize exposure.

The construction and operation of cell towers can also have significant environmental consequences. These include habitat, disruption that threatens local wildlife, aesthetic degradation of our natural landscape and fire hazard. The proposed site for the cell tower is home to various species of animals like bald eagles and vegetation that could be adversely affected by continuous operation of the tower. Additionally, the visual impact of a cell tower can alter the character of our community, potentially affecting property values, and the overall quality of life. The risk of fire is a significant concern, especially in our area, prone to dry conditions and where local fire department response capabilities might be stretched thin. The addition of such a structure could potentially increase the fire risk to nearby homes and natural areas.

Numerous studies and real estate assessments indicate that the presence of a cell tower can negatively affect property values in surrounding areas. Perspective, buyers often view cell towers as unsightly and potentially harmful leading to decrease interest and lower property prices. This potential reduction and property values directly impacts homeowners investments, and the overall economic health of our community. Protecting our property is essential for maintaining the financial well-being of our residence and the attractiveness of our neighborhoods.

Given these concerns, I respectfully request that the city council and relevant authorities thoroughly review the potential impacts of the proposed cell tower. I urge you to consider the following actions.

1: Conduct comprehensive impact assessments commission, independent studies to evaluate the health environment and property values, implicated implications of the proposed tower.
2: Explore alternative locations, identify and assess alternative sites that are further away from residential areas schools, ecologically sensitive zones and our towns water source.

3: Enhance public engagement, facilitate open forums and community meetings to discuss the project and address residence concerns transparently. Implement stringent safety standards. Ensure that the proposed tower meets the highest safety and security standards to mitigate risk.

We believe that engaging with the community, and addressing these concerns, transparently is crucial for any development project, especially one with such potential impacts. We kindly request the opportunity for public comment and consultation before any final decisions are made by taking our communities, health environment, and property values into account. We can work together to find a solution that balances the need for improve connectivity with the well-being and interest of our residence.

Thank you for your attention to this matter. I look forward to your response and I'm hopeful for a constructive dialogue on this issue.

Sincerely,

Tiffany Thurmond

Sent from Yahoo Mail for iPhone

The California Department of Fish and Wildlife (CDFW) has received the consultation request for P-24-14, a proposal to construct, operate, and maintain a telecommunication facility consisting of a 100' tall stealth monopine within a 900 square foot fenced compound (Project). Additional equipment consists of nine panel antennas, six radios, two raycaps, two outdoor equipment cabinets on new concrete pad, one gps antenna, two parabolic antennas, and a 30kw DC generator with a 125-gallon diesel tank. As a trustee for the state's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a responsible agency, CDFW 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. CDFW offers the following comments and recommendations to the Lead Agency 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.

CDFW has reviewed the Biological Resources Assessment (BRA) included in the referral packet. The Project has the potential to impact sensitive biological resources known to occur in this area of Trinity County. Therefore, a thorough biological assessment of the Project area should be performed and supplemental species-specific surveys should be conducted for those special status species with potential to occur prior to Project approval. Any biological assessments and survey results should be provided in the draft environmental document, as well as any pertinent impact analysis, avoidance, minimization, and mitigation measures to be employed to reduce impacts to less than significant. Please note that submitting biological assessment reports and survey results for CDFW review early in the Project development process (well before the release of the draft environmental document) will allow CDFW to provide more thorough and meaningful comments to assist the Lead Agency in adequately avoiding and minimizing impacts to biological resources, which is likely to aid in a more efficient CEQA review process for the Lead Agency.

California Endangered Species Act
Several CESA-listed species have the potential to occur within or adjacent to the Project area. Please be advised that a CESA Incidental Take Permit must be obtained if the Project has the potential to result in "take" (hunt, pursue, catch, capture, kill, or attempt thereof) of plants or animals listed under CESA, either during construction or over the life of the project. Issuance of a CESA permit is subject to CEQA documentation; the CEQA document must specify impacts, mitigation measures, and a mitigation monitoring and reporting program. If the Project has the potential to result in take of a CESA-listed species, early consultation is encouraged, as significant modification to the Project may be necessary to minimize and fully mitigate impacts as required by Fish and Game Code section 2081(b)(2).

Bumble Bees
On September 30, 2022, the candidacy of four California bumble bee species was reinstated under the CESA, including the Western Bumble Bee (*Bombus occidentalis,* WBB), whose ranges extends adjacent to the Project area. As such, these bumble bees receive the same legal protection afforded to an endangered or threatened species (Fish and Game Code, §§ 2074.2 & 2085). It is illegal to import, export, take (hunt, pursue, catch, capture, or kill, or attempt engage in any of these activities), possess, purchase, or sell CESA-listed species, or any part or product thereof (Fish and Game Code, §§§ 86, 2080, 2085). Western bumble bees were once common throughout most of California and the western United States however, research and analysis by the Xerces Society suggests there have been sharp declines in their relative abundance due to habitat disturbances, increasing temperatures, drought, and pesticide use.

Ground disturbance and land modification associated with the development of subdivided parcels may have the potential to significantly impact local bumble bee populations, therefore, CDFW recommends having a qualified biologist conduct a bumble bee habitat assessment and thorough analysis of potential impacts to bumble bees. The assessment and analysis should be included in the environmental document. Without appropriate avoidance and minimization measures, potentially significant impacts associated with Project ground- and vegetation-disturbing activities, include loss of foraging plants, changes in foraging behavior, burrow collapse resulting in entrapment or crushing in burrows, nest abandonment, reduced nest success, reduced health, and vigor of eggs, young, and/or queens, in addition to direct mortality.

Due to this Projects overlap with this species range, CDFW recommends a WBB habitat assessment performed by a qualified biologist. If WBB habitat is found to occur in the Project area, avoidance and minimization measures should be employed to avoid potential impacts in accordance with CDFW's June 2023 Survey Considerations for California Endangered Species Act (CESA) Candidate Bumble Bee Species.

Nesting Birds
To avoid impacts to nesting birds protected under Fish & Game Code Sections 3503 and 3503.5 and the federal Migratory Bird Treaty Act, one of the following should be implemented:

a) Vegetation removal, land modification and ground-disturbing activities should occur between September 1 and January 31, when birds are not anticipated to be nesting; or

b) If vegetation removal, land modification and ground disturbing activities occur during the nesting season, a pre-construction nesting bird survey should be conducted by a qualified biologist to identify active nests in and adjacent to the Project area.

Surveys should begin prior to sunrise and continue until vegetation and nests have been sufficiently observed. The survey should consider acoustic impacts and line of sight Project disturbances to determine a sufficient survey radius to maximize observations of nesting birds. A nesting bird survey report should be prepared and, at a minimum, the report should include a description of the area surveyed, date and time of the survey, ambient conditions, bird species observed, a description of any active nests observed, any evidence of breeding behaviors (e.g., courtship, carrying nest materials or food, etc.), and a description of any outstanding conditions that may have impacted the survey results (e.g., weather conditions, excess noise, presence of predators).

If an active nest is located during pre-construction surveys, a non-disturbance buffer should be established around the nest by a qualified biologist in consultation with CDFW and U.S. Fish and Wildlife Service to comply with Fish & Game Code Sections 3503 and 3503.5 and the Migratory Bird Treaty Act. Compliance measures may include, but are not limited to, exclusion buffers, sound-attenuation measures, seasonal work closures based on the known biology and life history of the species identified during the survey, as well as ongoing monitoring by biologists.

Nesting bird surveys should be conducted no more than one week prior to the initiation of construction. If construction activities are delayed or suspended for more than one week after the pre-construction nesting bird survey, the site should be resurveyed.

Bats

Bats are considered non-game mammals and are afforded protection by state law from take and/or harassment (Fish & G. Code, § 4150; Cal. Code of Regs., § 251.1). Construction activities, including ground disturbance, vegetation removal, and any activities leading to increased noise levels, may have direct and/or indirect impacts on bats and bat roosts. CDFW recommends the Biological Evaluation/Biological Assessment provide a thorough discussion of potential impacts to bats and bat roosts from Project activities. If applicable, avoidance and minimization measures should be included to reduce impacts to less than significant.

Trees that contain cavities, crevices, or exfoliated bark have high potential to be used by various bat species. If land alteration and/or removal of trees with the above-referenced characteristics will occur, a thorough survey should be conducted by a qualified biologist to determine if bat roosting opportunities are present prior to tree removal. Two-step removal of trees containing occupied bat roosts or providing suitable bat habitat, must only be conducted during seasonal periods of bat activity and may not be conducted in summer months (May 1 to August 14). Trees with 12" diameter at breast height (DBH) or greater with potentially suitable roosting features should be clearly marked by a qualified biologist and may be removed as follows:

1. To avoid impacts to roosting bats, removal of trees should occur only during the following time frames and subject to the following weather conditions, or as otherwise approved/recommended by a qualified biologist:

    - Between March 15 and April 30, and between August 15 and October 1; and

    - Between October 2 and March 14 when evening temperatures are above 45°F, and no more than ½" of rainfall within a 24-hour period prior to tree removal.

2. Trees shall be removed using a two-step process to allow bats the opportunity to abandon the roost prior to removal. The two-sept removal process is as follows:

    - Day 1: Remove small-diameter trees, brush, and non-habitat features of large trees (branches without cavities, crevices, or exfoliating bark) to create noise and vibration disturbance on the tree and to alter the air flow and temperature around the roost feature thus encouraging bats to vacate roost features on their own. The tree shall then be left for 24 hours to allow the bats to move to another roost site. No excavators, grinders, or other heavy equipment should be used for first day trimming of bat habitat trees.

    - Day 2: If bats may be in branches that can be removed from the tree and set aside, cut the branches off intact and set them upright against trees away from the Project area to allow any bats present to passively escape. Then, remove the remainder of the tree.

This two-step process changes the microhabitat of the area, causing bats to vacate under their own volition, therefore minimizing direct and indirect impacts to bat species.

Avoiding Inadvertent Wildlife Entrapment

If Project activities include trenching or excavating, CDFW recommends securely covering any open trench or excavation prior to stopping work each day and/or a wildlife exit ramp should be installed to prevent wildlife entrapment. If pipes are left out onsite, CDFW recommends inspection for wildlife prior to burying, capping, moving, or filling.

Fencing

CDFW understands fences are essential for controlling safety and trespass however, inappropriately designed or placed fencing may create serious hazards and/or barriers for wildlife. Therefore, CDFW strongly encourages perimeter fencing be designed and implemented to alleviate potential hazards to wildlife. This resource may provide useful information about wildlife friendly fencing techniques: A Landowners Guide to Wildlife Friendly Fences.

Lighting

Studies have shown that artificial lighting has adverse effects on wildlife and plant species. The effects may include, but are not limited to, alteration of flowering, photosynthesis, foraging, reproduction, navigation (being attracted to or deterred from), migration patterns (including movement barriers of light) and predator-prey dynamics. To minimize adverse effects of artificial light on wildlife, CDFW recommends that lighting fixtures associated with the Project be downward facing, fully shielded, and designed and installed to minimize light-pollution and spillover of light onto adjacent wildlife habitat. Studies have found that it's best to use lower-intensity, warmer-colored lighting that may also be lower on the light spectrum (lower Kelvin values with fewer short-wavelength blue light emissions) (Gaston et al., 2017).

Low Impact Development

The Project area is adjacent to suitable habitat for aquatic special status species. CDFW recommends the implementation of Low Impact Development (LID) strategies to prevent a net-increase in stormwater runoff from new development and parking lots**.** LID strategies may include permeable pavement, vegetated stormwater bio-swales and retention basins to treat, retain and infiltrate stormwater runoff on-site. These LID strategies are typically designed to prevent project generated stormwater runoff from exceeding that of a 100-year storm event, to protect water quality and manage stormwater as close to its source as possible, thus mitigating potential flooding and the outflow of toxic pollutants such as 6PPD-quinone, a chemical contaminant derived from vehicle tires, suspected to negatively impact aquatic organisms. Ideally, post project stormwater run-off volume, rate and duration will match pre-project conditions and hydro modification would not occur as a result of the Project. CDFW supports the use of LID strategies because they minimize impacts to aquatic habitats by filtering out pollutants, decrease peak flows, minimize erosion, and increase ground water recharge.

Lake and Streambed Alteration Agreement

Fish and Game Code Section 1602 requires any person, state or local governmental agency, or public utility to notify CDFW prior to beginning any activity that may do one or more of the following:

1. Substantially divert or obstruct the natural flow of the bed, channel, or bank of any river, stream, or lake; or
2. Substantially change or use any material from the bed, channel, or bank of any river, stream, or lake; or
3. Deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

Please note that "any river, stream, or lake" includes those that are dry for periods of time as well as those that flow year-round. If you are not certain if an activity requires notification, CDFW recommends you notify. Information about notifying CDFW for Fish and Game Code Section 1602 is available here: Lake and Streambed Alteration Program.

Native Vegetation in Landscaping

CDFW recommends utilizing native vegetation to the local area in landscaping. Benefits of utilizing native vegetation in landscaping are numerous and include providing vital resources for native wildlife such as hummingbirds and other beneficial pollinators, conserving water, reducing pesticide use, and reducing landscaping maintenance. The California Native Plant Society (CNPS) website includes a variety of useful information and tools to help determine which native species occur in a particular area, information on care and maintenance of native species, and contacts for purchasing native plants or seeds. The CNPS tool Calscape generates a list of native plants that grow in an area based on a specific address and can be used to develop a planting palate for landscaping plans. For more information regarding the importance of using native species in landscaping, please see the CNPS Guidelines for Landscaping to Protect Native Vegetation from Genetic Degradation.

Submitting Data

CEQA requires that information developed in environmental documents be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Public Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during this Project's surveys to the CNDDB. For additional information about submitting data, please Submitting Data to the CNDDB.

Conclusion

CDFW looks forward to continued and regular consultation with the Lead Agency regarding biological resources and is eager to begin collaboration early in the Project development process. CDFW encourages the Lead Agency to engage CDFW as soon as possible and well before the formulation of the environmental document to discuss avoidance, minimization, and mitigation strategies.

Subject: RP-24-14 CUP request to Remove Condition #3 (Beacon Light Requirement) from ALUCP Approval for Proposed Cell Tower Project in Hayfork, CA – Routing to Planning Commission

Good Morning Angel ,

I am writing on behalf of my client regarding the proposed construction of a 100-foot telecommunications tower in Hayfork, Trinity County. As you know, the project was designed as a disguised monopine (faux tree) tower in response to county requirements to minimize visual impacts.

The Airport Land Use Commission (ALUC) unanimously approved the project at a recent hearing, subject to several conditions including Condition #3, which requires the installation of a beacon light at the top of the tower for aviation safety. My client respectfully requests that the Planning Commission remove Condition #3 in its entirety.

The Federal Aviation Administration (FAA) conducted an extensive review of the proposed tower and issued a Determination of No Hazard to Air Navigation. The FAA explicitly concluded that the 100-foot structure, located in Zone D of the Hayfork Airport influence area, does not pose a hazard to aviation and does not require obstruction marking or lighting. Federal regulations generally mandate lighting for structures exceeding 200 feet above ground level or for a smaller tower in specific cases near airports that trigger obstruction standards. ***The FAA's study and determination is the sole governing document for obstruction marking or lighting for aviation purposes.*** Additionally, the ALUC's Compatibility Plan appears to also recognize the FAA's authority over navigable airspace and obstruction evaluations with reference to 49 U.S.C.; 14 CFR Part 77.

In further support of this request, please consider the following:

- **Aesthetics:** Imposing a beacon light will undermine the primary purpose of the disguised monopine design, which was required by the County to blend the facility into the natural surroundings and reduce aesthetic impacts. A red beacon light at the top of the monopine will make the structure conspicuously artificial and entirely defeat the stealthing objective for this facility.

51 Wireless, LLC
4930 Pacific Street, Rocklin, CA 95677
(916) 990-1446
Nick.Tagas@51wireless.net

- **Delay / Risks:** The marking of a structure counter to the FCC's requirements is highly unusual and adds unnecessary risk and delay to completion of the project. The non-conforming lighting of the facility would represent a visual change requiring re-submission of previously completed regulatory work (NEPA, etc.), and additional interactions with the FAA despite its findings.

- **Unintended Safety Issue and Liability.** While the intentions of the ALUC are to enhance safety, the marking of a facility counter to the requirements of the FAA governing body introduces several potential safety concerns, as well as potential liability to the applicant. The FAA operating procedures for lighted facilities establish operational guidelines to shield the operator from potential liability. Those protections will not be available to the applicant under this Condition #3.

My client is committed to moving forward expeditiously with this project to improve telecommunications service in the Hayfork area and appreciates the ALUC's overall support. We believe removal of Condition #3 is fully justified based on the FAA's determination and would allow the project to proceed in a manner consistent with both county aesthetic requirements and governing federal aviation safety standards.

Please forward this letter to the Planning Commission members for consideration in advance of the hearing (date to be scheduled). We are available to discuss this matter further or provide any additional documentation needed.

Thank you for your assistance.

Nicholas Tagas

Nicholas Tagas
51 Wireless, LLC.
4930 Pacific Street
Rocklin, CA 95677
916-990-1446
Nick.Tagas@51wireless.net

Deborah Rogge

From: Catherine Fryer [redacted]
Sent: Tuesday, January 13, 2026 3:15 PM
To: info.planning
Subject: Hayfork Cell Tower

To Whom It May Concern:

As a retired Navy Nurse and nurse educator, I am asking that you support the building of a new cell tower in Hayfork. This is NOT an environment issue, but one of safety. Frontier phone never reliably works and is often out for days (ask any business here). There are many single elderly here that rely on cell phones for emergencies, and contact with family and friends. Although I have an extender at home my cell phone is reliable, but there are many areas here in the valley where services is spotty. Please for safety, support a new tower in Hayfork. Thank you.

Federal
Communications
Commission

Local and State
Government
Advisory
Committee

A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance



June 2, 2000

A Local Government Official's Guide to Transmitting Antenna RF Emission Safety: Rules, Procedures, and Practical Guidance

Over the past two years, the Federal Communications Commission (FCC) and its Local and State Government Advisory Committee (LSGAC) have been working together to prepare a voluntary guide to assist state and local governments in devising efficient procedures for ensuring that the antenna facilities located in their communities comply with the FCC's limits for human exposure to radiofrequency (RF) electromagnetic fields. The attached guide is the product of this joint effort.

We encourage state and local government officials to consult this guide when addressing issues of facilities siting within their communities. This guide contains basic information, in a form accessible to officials and citizens alike, that will alleviate misunderstandings in the complex area of RF emissions safety. This guide is not intended to replace OET Bulletin 65, which contains detailed technical information regarding RF issues, and should continue to be used and consulted for complex sites. The guide contains information, tables, and a model checklist to assist state and local officials in identifying sites that do not raise concerns regarding compliance with the Commission's RF exposure limits. In many cases, the model checklist offers a quick and effective way for state and local officials to establish that particular RF facilities are unlikely to exceed specific federal guidelines that protect the public from the environmental effects of RF emissions. Thus, we believe this guide will facilitate federal, state, and local governments working together to protect the public while bringing advanced and innovative communications services to consumers as rapidly as possible. We hope and expect that use of this guide will benefit state and local governments, service providers, and, most importantly, the American public.

We wish all of you good luck in your facilities siting endeavors.

William E. Kennard, Chairman
Federal Communications Commission

Kenneth S. Fellman, Chair
Local and State Government
Advisory Committee

A LOCAL GOVERNMENT OFFICIAL'S GUIDE TO TRANSMITTING ANTENNA RF EMISSION SAFETY: RULES, PROCEDURES, AND PRACTICAL GUIDANCE

A common question raised in discussions about the siting of wireless telecommunications and broadcast antennas is, "Will this tower create any health concerns for our citizens?" We have designed this guide to provide you with information and guidance in devising efficient procedures for assuring that the antenna facilities located in your community comply with the Federal Communication Commission's (FCC's) limits for human exposure to radiofrequency (RF) electromagnetic fields.[1]

We have included a checklist and tables to help you quickly identify siting applications that do not raise RF exposure concerns. Appendix A to this guide contains a checklist that you may use to identify "categorically excluded" facilities that are unlikely to cause RF exposures in excess of the FCC's guidelines. Appendix B contains tables and figures that set forth, for some of the most common types of facilities, "worst case" distances beyond which there is no realistic possibility that exposure could exceed the FCC's guidelines.

As discussed below, FCC rules require transmitting facilities to comply with RF exposure guidelines. The limits established in the guidelines are designed to protect the public health with a very large margin of safety. These limits have been endorsed by federal health and safety agencies such as the Environmental Protection Agency and the Food and Drug Administration. The FCC's rules have been upheld by a Federal Court of Appeals.[2] As discussed below, most facilities create maximum exposures that are only a small fraction of the limits. Moreover, the limits themselves are many times below levels that are generally accepted as having the potential to cause adverse health effects. Nonetheless, it is recognized that any instance of noncompliance with the guidelines is potentially very serious, and the FCC has therefore implemented procedures to enforce compliance with its rules. At the same time, state and local governments may wish to verify compliance with the FCC's exposure limits in order to protect their own citizens. As a state or local government official, you can play an important role in ensuring that innovative and beneficial communications services are provided in a manner that is consistent with public health and safety.

This document addresses only the issue of compliance with RF exposure limits established by the FCC. It does not address other issues such as construction, siting, permits, inspection, zoning, environmental review, and placement of antenna facilities within communities. Such issues fall generally under the jurisdiction of states and local governments, within the limits imposed for personal wireless service facilities by Section 332(c)(7) of the Communications Act.[3]

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[1] This guide is intended to complement, but not to replace, the FCC's OET Bulletin 65, "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields," August 1997. Bulletin 65 can be obtained from the FCC's Office of Engineering and Technology (phone: 202-418-2464 or e-mail: rfsafety@fcc.gov). Bulletin 65 can also be accessed and downloaded from the FCC's "RF Safety" website: http://www.fcc.gov/oet/rfsafety.

[2] See *Cellular Phone Taskforce v. FCC,* 205 F.3d 82 (2d Cir. 2000).

This document is not intended to provide legal guidance regarding the scope of state or local government authority under Section 332(c)(7) or any other provision of law. Section 332(c)(7)[4] generally preserves state and local authority over decisions regarding the placement, construction, and modification of personal wireless service facilities,[5] subject to specific limitations set forth in Section 332(c)(7). Among other things, Section 332(c)(7) provides that "[n]o State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the [FCC's] regulations concerning such emissions." The full text of Section 332(c)(7) is set forth in Appendix C.

State and local governments and the FCC may differ regarding the extent of state and local legal authority under Section 332(c)(7) and other provisions of law. To the extent questions arise regarding such authority, they are being addressed by the courts. Rather than address these legal questions, this document recognizes that, as a practical matter, state and local governments have a role to play in ensuring compliance with the FCC's limits, and it provides guidance to assist you in effectively fulfilling that role. The twin goals of this document are: (1) to define and promote locally-adaptable procedures that will provide you, as a local official concerned about transmitting antenna emissions, with adequate assurance of compliance, while (2), at the same time, avoiding the imposition of unnecessary burdens on either the local government process or the FCC's licensees.

First, we'll start with a summary of the FCC's RF exposure guidelines and some background information that you'll find helpful. Next, we'll review the FCC's procedures for verifying compliance with the guidelines and enforcing its rules. Finally, we'll offer you some practical guidance to help you determine if personal wireless service facilities may raise compliance concerns. Note, however, that this guide is only intended to help you distinguish sites that are unlikely to raise compliance concerns from those that may raise compliance concerns, not to identify sites that are out of compliance. Detailed technical information necessary to determine compliance for individual sites is contained in the FCC's OET Bulletin 65 (see footnote 1, above).

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[3] 47 U.S.C. § 332(c)(7). Under limited circumstances, the FCC also plays a role in the siting of wireless facilities. Specifically, the FCC reviews applications for facilities that fall within certain environmental categories under the National Environmental Policy Act of 1969 (NEPA), *see* 47 C.F.R. § 1.1307(a). Antenna structures that are over 200 feet in height or located near airport runways must be marked or lighted as specified by the Federal Aviation Administration and must be registered with the FCC, *see* 47 C.F.R. Part 17.

[4] Section 332(c)(7) of the Communications Act is identical to Section 704(a) of the Telecommunications Act of 1996.

[5] "Personal wireless services" generally includes wireless telecommunications services that are interconnected with the public telephone network and are offered commercially to the public. Examples include cellular and similar services (such as Personal Communications Service or "PCS"), paging and similar services, certain dispatch services, and services that use wireless technology to provide telephone service to a fixed location such as a home or office.

Before we start, however, let's take a short tour of the radiofrequency spectrum. RF signals may be transmitted over a wide range of frequencies. The frequency of an RF signal is expressed in terms of cycles per second or "Hertz," abbreviated "Hz." One kilohertz (kHz) equals one thousand Hz, one megahertz (MHz) equals one million Hz, and one gigahertz (GHz) equals one billion Hz. In the figure below, you'll see that AM radio signals are at the lower end of the RF spectrum, while other radio services, such as analog and digital TV (DTV), cellular and PCS telephony, and point-to-point microwave services are much higher in frequency.

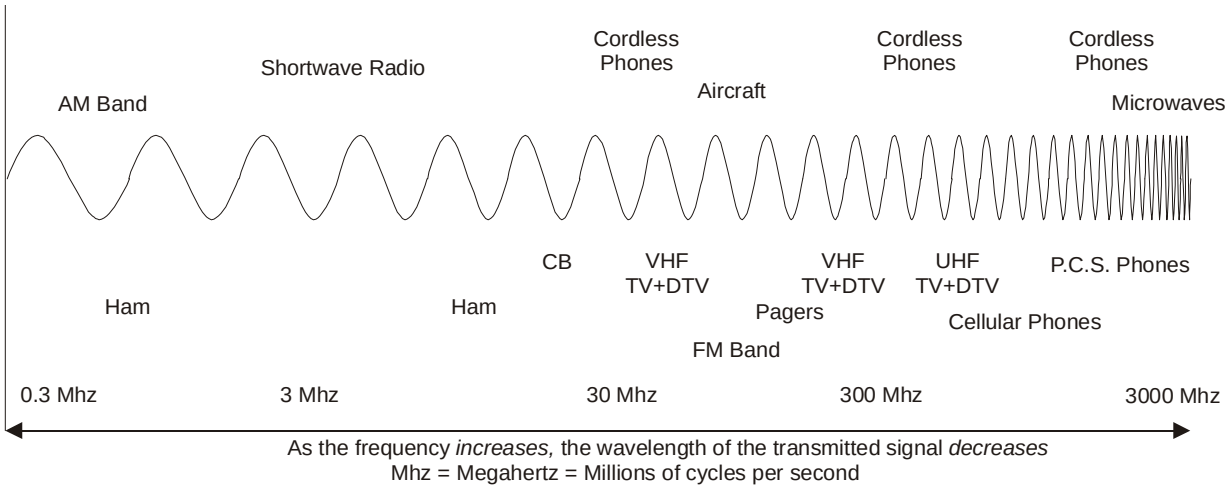


Illustration 1

The FCC's limits for maximum permissible exposure (MPE) to RF emissions depend on the frequency or frequencies that a person is exposed to. Different frequencies may have different MPE levels. Later in this document we'll show you how this relationship of frequency to MPE limit works.

I. The FCC's RF Exposure Guidelines and Rules.

Part 1 of the FCC's Rules and Regulations contains provisions implementing the National Environmental Policy Act of 1969 (NEPA). NEPA requires all federal agencies to evaluate the potential environmental significance of an agency action. Exposure to RF energy has been identified by the FCC as a potential environmental factor that must be considered before a facility, operation or transmitter can be authorized or licensed. The FCC's requirements dealing with RF exposure can be found in Part 1 of its rules at 47 C.F.R. § 1.1307(b). The exposure limits themselves are specified in 47 C.F.R. § 1.1310 in terms of frequency, field strength, power density and averaging time. Facilities and transmitters licensed and authorized by the FCC must either comply with these guidelines or else an applicant must file an Environmental Assessment (EA) with the FCC as specified in 47 C.F.R. § 1.1301 *et seq.* An EA is an official document required by the FCC's rules whenever an action may have a significant environmental impact (see discussion below). In practice, however, a potential environmental RF exposure problem is typically resolved before an EA would become necessary. Therefore, compliance with the FCC's RF guidelines constitutes a *de facto* threshold for obtaining FCC approval to construct or operate a station or transmitter. The FCC guidelines are based on exposure criteria

recommended in 1986 by the National Council on Radiation Protection and Measurements (NCRP) and on the 1991 standard developed by the Institute of Electrical and Electronics Engineers (IEEE) and later adopted as a standard by the American National Standards Institute (ANSI/IEEE C95.1-1992).

The FCC's guidelines establish separate MPE limits for "general population/uncontrolled exposure" and for "occupational/controlled exposure." The general population/uncontrolled limits set the maximum exposure to which most people may be subjected. People in this group include the general public not associated with the installation and maintenance of the transmitting equipment. Higher exposure limits are permitted under the "occupational/controlled exposure" category, but only for persons who are exposed as a consequence of their employment (*e.g.*, wireless radio engineers, technicians). To qualify for the occupational/controlled exposure category, exposed persons must be made fully aware of the potential for exposure (*e.g.*, through training), and they must be able to exercise control over their exposure. In addition, people passing through a location, who are made aware of the potential for exposure, may be exposed under the occupational/controlled criteria. The MPE limits adopted by the FCC for occupational/controlled and general population/uncontrolled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

Determining whether a potential health hazard could exist with respect to a given transmitting antenna is not always a simple matter. Several important factors must be considered in making that determination. They include the following: (1) What is the frequency of the RF signal being transmitted? (2) What is the operating power of the transmitting station and what is the actual power radiated from the antenna? [6] (3) How long will someone be exposed to the RF signal at a given distance from the antenna? (4) What other antennas are located in the area, and what is the exposure from those antennas? We'll explore each of these issues in greater detail below.

For all frequency ranges at which FCC licensees operate, Section 1.1310 of the FCC's rules establishes maximum permissible exposure (MPE) limits to which people may be exposed. The MPE limits vary by frequency because of the different absorptive properties of the human body at different frequencies when exposed to whole-body RF fields. Section 1.1310 establishes MPE limits in terms of "electric field strength," "magnetic field strength," and "far-field equivalent power density" (power density). For most frequencies used by the wireless services, the most relevant measurement is power density. The MPE limits for power density are given in terms of "milliwatts per square centimeter" or mW/cm^2. One milliwatt equals one thousandth of one watt (1/1000 of a watt).[7] In terms of power density, for a given frequency the FCC MPE limits can be interpreted as specifying the maximum rate that energy can be transferred (*i.e.*, the power) to a square centimeter of a person's body over a period of time (either 6 or 30 minutes, as explained

[6] Power travels from a transmitter through cable or other connecting device to the radiating antenna. "Operating power of the transmitting station" refers to the power that is fed from the transmitter (transmitter output power) into the cable or connecting device. "Actual power radiated from the antenna" is the transmitter output power minus the power lost (power losses) in the connecting device plus an apparent increase in power (if any) due to the design of the antenna. Radiated power is often specified in terms of "effective radiated power" or "ERP" or "effective isotropic radiated power" or "EIRP" (see footnote 14).

[7] Thus, by way of illustration, it takes 100,000 milliwatts of power to fully illuminate a 100 watt light bulb.

below). In practice, however, since it is unrealistic to measure separately the exposure of each square centimeter of the body, actual compliance with the FCC limits on RF emissions should be determined by "spatially averaging" a person's exposure over the projected area of an adult human body (this concept is discussed in the FCC's OET Bulletin 65).

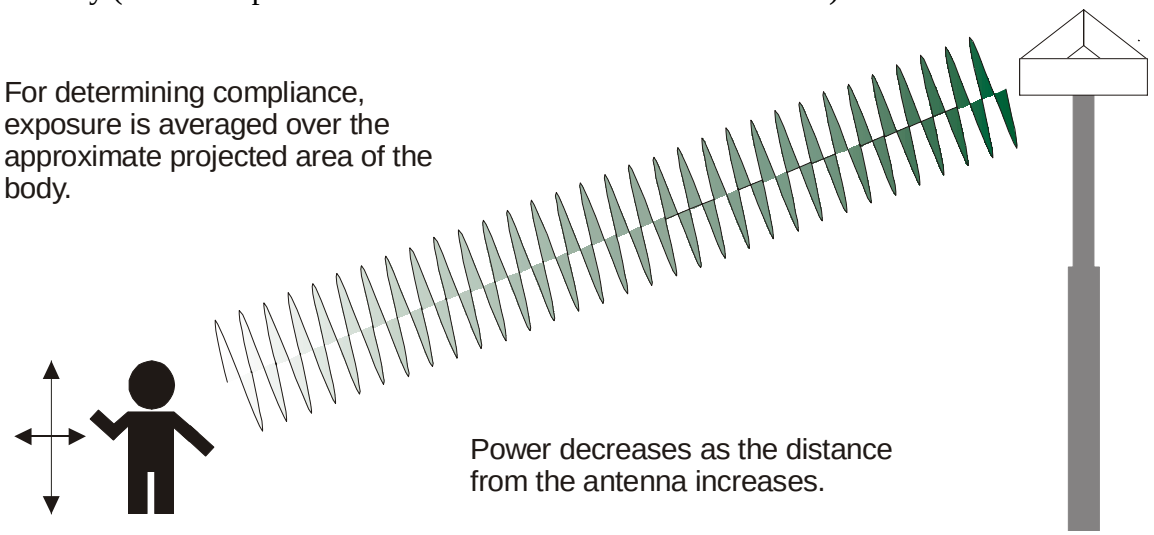


Illustration 2

Electric field strength and magnetic field strength are used to measure "near field" exposure. At frequencies below 300 MHz, these are typically the more relevant measures of exposure, and power density values are given primarily for reference purposes. However, evaluation of far-field equivalent power density exposure may still be appropriate for evaluating exposure in some such cases. For frequencies above 300 MHz, only one field component need be evaluated, and exposure is usually more easily characterized in terms of power density. Transmitters and antennas that operate at 300 MHz or lower include radio broadcast stations, some television broadcast stations, and certain personal wireless service facilities (*e.g.*, some paging stations). Most personal wireless services, including all cellular and PCS, as well as some television broadcast stations, operate at frequencies above 300 MHz. (See Illustration 1.)

As noted above, the MPE limits are specified as time-averaged exposure limits. This means that exposure can be averaged over the identified time interval (30 minutes for general population/uncontrolled exposure or 6 minutes for occupational/controlled exposure). However, for the case of exposure of the general public, time averaging is usually not applied because of uncertainties over exact exposure conditions and difficulty in controlling time of exposure. Therefore, the typical conservative approach is to assume that any RF exposure to the general public will be continuous. The FCC's limits for exposure at different frequencies are shown in Illustration 3, below:

Illustration 3. ***FCC Limits for Maximum Permissible Exposure (MPE)***

(A) Limits for Occupational/Controlled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm^2)	Averaging Time $|E|^2$, $|H|^2$ or S (minutes)
0.3-3.0	614	1.63	(100)*	6
3.0-30	1842/f	4.89/f	$(900/f^2)$*	6
30-300	61.4	0.163	1.0	6
300-1500	--	--	f/300	6
1500-100,000	--	--	5	6

(B) Limits for General Population/Uncontrolled Exposure

Frequency Range (MHz)	Electric Field Strength (E) (V/m)	Magnetic Field Strength (H) (A/m)	Power Density (S) (mW/cm^2)	Averaging Time $|E|^2$, $|H|^2$ or S (minutes)
0.3-1.34	614	1.63	(100)*	30
1.34-30	824/f	2.19/f	$(180/f^2)$*	30
30-300	27.5	0.073	0.2	30
300-1500	--	--	f/1500	30
1500-100,000	--	--	1.0	30

f = frequency in MHz *Plane-wave equivalent power density

NOTE 1: Occupational/controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for occupational/controlled exposure also apply in situations when an individual is transient through a location where occupational/controlled limits apply provided he or she is made aware of the potential for exposure.

NOTE 2: General population/uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not be fully aware of the potential for exposure or cannot exercise control over their exposure.

Finally, it is important to understand that the FCC's limits apply cumulatively to all sources of RF emissions affecting a given area. A common example is where two or more wireless operators have agreed to share the cost of building and maintaining a tower, and to place their antennas on that joint structure. In such a case, the total exposure from the two facilities taken together must be within the FCC guidelines, or else an EA will be required.

A. Categorically Excluded Facilities

The Commission has determined through calculations and technical analysis that due to their low power or height above ground level, many facilities by their very nature are highly unlikely to

cause human exposures in excess of the guideline limits, and operators of those facilities are exempt from routinely having to determine compliance. Facilities with these characteristics are considered "categorically excluded" from the requirement for routine environmental processing for RF exposure.

Section 1.1307(b)(1) of the Commission's rules sets forth which facilities are categorically excluded.[8] If a facility is categorically excluded, an applicant or licensee may ordinarily assume compliance with the guideline limits for exposure. However, an applicant or licensee must evaluate and determine compliance for a facility that is otherwise categorically excluded if specifically requested to do so by the FCC.[9] If potential environmental significance is found as a result, an EA must be filed with the FCC.

No radio or television broadcast facilities are categorically excluded. Thus, broadcast applicants and licensees must affirmatively determine their facility's compliance with the guidelines before construction, and upon every facility modification or license renewal application. With respect to personal wireless services, a cellular facility is categorically excluded if the total effective radiated power (ERP) of all channels operated by the licensee at a site is 1000 watts or less. If the facility uses sectorized antennas, only the total effective radiated power in each direction is considered. Examples of a 3 sector and a single sector antenna array are shown below:

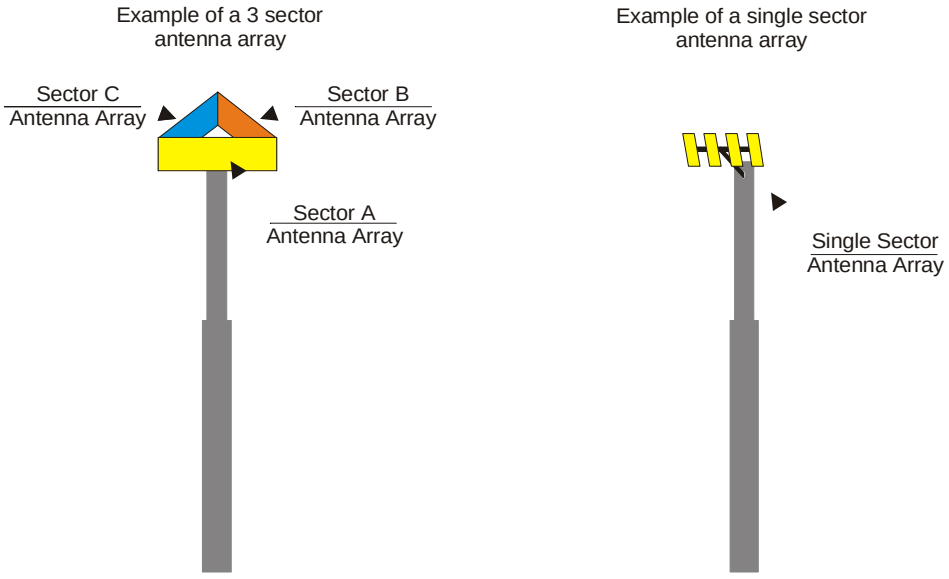


Illustration 4

[8] "The appropriate exposure limits . . . are generally applicable to all facilities, operations and transmitters regulated by the Commission. However, a determination of compliance with the exposure limits . . . (routine environmental evaluation), and preparation of an EA if the limits are exceeded, is necessary only for facilities, operations and transmitters that fall into the categories listed in table 1 [of §1.1307], or those specified in paragraph (b)(2) of this section. All other facilities, operations and transmitters are categorically excluded from making studies or preparing an EA . . ."

[9] See 47 C.F.R §1.1307(c) and (d).

In addition, a cellular facility is categorically excluded, regardless of its power, if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. A broadband PCS antenna array is categorically excluded if the total effective radiated power of all channels operated by the licensee at a site (or all channels in any one direction, in the case of sectorized antennas) is 2000 watts or less. Like cellular, another way for a broadband PCS facility to be categorically excluded is if it is not mounted on a building and the lowest point of the antenna is at least 10 meters (about 33 feet) above ground level. The power threshold for categorical exclusion is higher for broadband PCS than for cellular because broadband PCS operates at a higher frequency where exposure limits are less restrictive. For categorical exclusion thresholds for other personal wireless services, consult Table 1 of Section 1.1307(b)(1).[10]

For your convenience, we have developed the checklist in Appendix A that may be used to streamline the process of determining whether a proposed facility is categorically excluded. You are encouraged to adopt the use of this checklist in your jurisdiction, although such use is not mandatory.

B. What If An Applicant Or Licensee Wants To Exceed The Limits Shown In Illustration 3?

Any FCC applicant or licensee who wishes to construct or operate a facility that, by itself or in combination with other sources of emissions (*i.e.*, other transmitting antennas), may cause human exposures in excess of the guideline limits must file an Environmental Assessment (EA) with the FCC. Where more than one antenna is collocated (for example, on a single tower or rooftop or at a hilltop site), the applicant must take into consideration all of the RF power transmitted by all of the antennas when determining maximum exposure levels. Compliance at an existing site is the shared responsibility of all licensees whose transmitters produce exposure levels in excess of 5% of the applicable exposure limit. A new applicant is responsible for compliance (or submitting an EA) at a multiple-use site if the proposed transmitter would cause non-compliance and if it would produce exposure levels in excess of 5% of the applicable limit.[11]

An applicant or licensee is not permitted to construct or operate a facility that would result in exposure in excess of the guideline limits until the FCC has reviewed the EA and either found no significant environmental impact, or pursued further environmental processing including the preparation of a formal Environmental Impact Statement. As a practical matter, however, this process is almost never invoked for RF exposure issues because applicants and licensees normally undertake corrective actions to ensure compliance with the guidelines before submitting an application to the FCC.

Unless a facility is categorically excluded (explained above), the FCC's rules require a licensee to evaluate a proposed or existing facility's compliance with the RF exposure guidelines and to

[10] Table 1 of §1.1307(b)(1) is reproduced in Appendix A to this guide.

[11] For more information, see OET Bulletin 65, or see 47 CFR §1.1307(b)(3).

determine whether an EA is required. In the case of broadcast licensees, who are required to obtain a construction permit from the FCC, this evaluation is required before the application for a construction permit is filed, or the facility is constructed. In addition, if a facility requires the filing of an EA for any reason other than RF emissions, the RF evaluation must be performed before the EA is filed. Factors other than RF emissions that may require the filing of an EA are set out in 47 C.F.R. § 1.1307(a). Otherwise, new facilities that do not require FCC-issued construction permits should be evaluated before they are placed in operation. The FCC also requires its licensees to evaluate existing facilities and operations that are not categorically excluded if the licensee seeks to modify its facilities or renew its license. These requirements are intended to enhance public safety by requiring periodic site compliance reviews.

All facilities that were placed in service before October 15, 1997 (when the current RF exposure guidelines became effective) are expected to comply with the current guidelines no later than September 1, 2000, or the date of a license renewal, whichever is earlier.[12] If a facility cannot meet the September 1, 2000, date, the licensee of that facility must file an EA by that date. Section 1.1307(b) of the FCC's rules requires the licensee to provide the FCC with technical information showing the basis for its determination of compliance upon request.

II. How the FCC Verifies Compliance with and Enforces Its Rules.

A. Procedures Upon Initial Construction, Modification, and Renewal.

The FCC's procedures for verifying that a new facility, or a facility that is the subject of a facility modification or license renewal application, will comply with the RF exposure rules vary depending upon the service involved. Applications for broadcast services (for example, AM and FM stations, and television stations) are reviewed by the FCC's Mass Media Bureau (MMB). As part of every relevant application, the MMB requires an applicant to submit an explanation of what steps will be taken to limit RF exposure and comply with FCC guidelines. The applicant must certify that RF exposure procedures will be coordinated with all collocated entities (usually other stations at a common transmitter site or hill or mountain peak). If the submitted explanation does not adequately demonstrate a facility's compliance with the guidelines, the MMB will require additional supporting data before granting the application.

The Wireless Telecommunications Bureau (WTB) reviews personal wireless service applications (for cellular, PCS, SMR, etc.). For those services that operate under blanket area licenses, including cellular and PCS, the license application and renewal form require the applicant to certify whether grant of the application would have a significant environmental impact so as to require submission of an EA. The applicant's answer to this question covers all of the facilities sites included within the area of the license.

For those services that continue to be licensed by site (*e.g.*, certain paging renewals), the WTB requires a similar certification on the application form for each site. To comply with the FCC's rules, an applicant must determine its own compliance before completing this certification for

[12] Prior to October 15, 1997, the Commission applied a different set of substantive guidelines.

every site that is not categorically excluded. The WTB does not, however, routinely require the submission of any information supporting the determination of compliance.

B. Procedures For Responding To Complaints About Existing Facilities.

The FCC frequently receives inquiries from members of the public as to whether a particular site complies with the RF exposure guidelines. Upon receiving these inquiries, FCC staff may ask the inquiring party to describe the site at issue. In many instances, the information provided by the inquiring party does not raise any concern that the site could exceed the limits in the guidelines. FCC staff will then inform the inquiring party of this determination.

In some cases, the information provided by the inquiring party does not preclude the possibility that the limits could be exceeded. Under these circumstances, FCC staff may ask the licensee who operates the facility to supply information demonstrating its compliance. FCC staff may also inspect the site to determine whether it is accessible to the public, and examine other relevant physical attributes. Usually, the information obtained in this manner is sufficient to establish compliance. If compliance is established in this way, FCC staff will inform the inquiring party of this determination.

In some instances, a licensee may be unable to provide information sufficient to establish compliance with the guideline limits. In these cases, FCC staff may test the output levels of individual facilities and evaluate the physical installation. Keep in mind, however, that instances in which physical testing is necessary to verify compliance are relatively rare.

If a site is found to be out of compliance with the RF guidelines, the FCC will require the licensees at the site to remedy the situation. Depending on the service and the nature and extent of the violation, these remedies can include, for example, an immediate reduction in power, a modification of safety barriers, or a modification of the equipment or its installation. Actions necessary to bring a site into compliance are the shared responsibility of all licensees whose facilities cause exposures in that area that exceed 5% of the applicable MPE limit. In addition, licensees may be subject to sanctions for violating the FCC's rules and/or for misrepresentation.

The FCC is committed to responding fully, promptly, and accurately to all inquiries regarding compliance with the RF exposure guidelines, and to taking swift and appropriate action whenever the evidence suggests potential noncompliance. To perform this function effectively, however, the FCC needs accurate information about potentially problematic situations. By applying the principles discussed in this guide about RF emissions, exposure and the FCC's guidelines, state and local officials can fulfill a vital role in identifying and winnowing out situations that merit further attention.

III. Practical Guidance Regarding Compliance.

This section is intended to provide some general guidelines that can be used to identify sites that should <u>not</u> raise serious questions about compliance with FCC RF exposure guidelines. Sites that don't fall into the categories described here may still meet the guidelines, but the determination

of compliance will not be as straightforward. In such cases, a detailed review may be required. The tables and graphs shown in Appendix B are intended only to assist in distinguishing sites that should not raise serious issues from sites that may require further inquiry. They are not intended for use in identifying sites that are out of compliance. As noted above, the factors that can affect exposure at any individual site, particularly a site containing multiple facilities, are too numerous and subtle to be practically encompassed within this framework.

Applying the basic principles discussed in this guide should allow you to eliminate a large number of sites from further consideration with respect to health concerns. You may find it useful to contact a qualified radio engineer to assist you in your inquiry. Many larger cities and counties, and most states, have radio engineers on staff or under contract. In smaller jurisdictions, we recommend you seek initial assistance from other jurisdictions, universities that have RF engineering programs, or perhaps the engineer in charge of your local broadcast station(s).

We'll exclude any discussion of broadcast sites. As explained before, broadcast licensees are required to submit site-specific information on each facility to the FCC for review, and that information is publicly available at the station as long as the application is pending. The focus in this section is on personal wireless services, particularly cellular and broadband PCS, the services that currently require the largest numbers of new and modified facilities. Many other personal wireless services, however, such as paging services, operate in approximately the same frequency ranges as cellular and broadband PCS.[13] Much of the information here is broadly applicable to those services as well, and specific information is provided in Appendix B for paging and narrowband PCS operations over frequency bands between 901 and 940 MHz.

Finally, this section only addresses the general population/uncontrolled exposure guidelines, since compliance with these guidelines generally causes the most concern to state and local governments. Compliance with occupational/controlled exposure limits should be examined independently.

A. Categorically Excluded Facilities.

As a first step in evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

B. Single Facility Sites.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed below and the tables and figures in Appendix B.

[13] The major exception is fixed wireless services, which often operate at much higher frequencies. In addition, some paging and other licensees operate at lower frequencies

If you "run the numbers" using the conservative approaches promoted in this paper and the site in question does not exceed these values, then you generally need look no further. Alternately, if the "numbers" don't pass muster, you may have a genuine concern. But remember, there may be other factors (*i.e*., power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

Where a site contains only one antenna array, the maximum exposure at any point in the horizontal plane can be predicted by calculations. The tables and graphs in Appendix B show the maximum distances in the horizontal plane from an antenna at which a person could possibly be exposed in excess of the guidelines at various levels of effective radiated power (ERP).[14] Thus, if people are not able to come closer to an antenna than the applicable distance shown in Appendix B, there should be no cause for concern about exposure exceeding the FCC guidelines. The tables and graphs apply to the following wireless antennas: (1) cellular omni-directional antennas (Table B1-1 and Figure B1-1); (2) cellular sectorized antennas (Table B1-2 and Figure B1-2); (3) broadband PCS sectorized antennas (Table B1-3 and Figure B1-3);[15] and (4) high-power (900 MHz-band) paging antennas (Table B1-4 and Figure B1-4). Table B1-4 and Figure B1-4 can also be used for omni-directional, narrowband (900 MHz) PCS antennas. Note that both tables and figures in Appendix B have been provided. In some cases it may be easier to use a table to estimate exposure distances, but figures may also be used when a more precise value is needed that may not be listed in a table.

It's important to note that the predicted distances set forth in Appendix B are based on a very conservative, "worst case" scenario. In other words, Appendix B identifies the furthest distance from the antenna that presents even a remote realistic possibility of RF exposure that could exceed the FCC guidelines. The power levels are based on the approximate maximum number of channels that an operator is likely to operate at one site. It is further assumed that each channel operates with the maximum power permitted under the FCC's rules and that all of these channels are "on" simultaneously, an unlikely scenario. This is a very conservative assumption. In reality, most sites operate at a fraction of the maximum permissible power and many sites use fewer than the maximum number of channels. Therefore, actual exposure levels would be expected to be well below the predicted values. Another mitigating factor could be the presence of intervening structures, such as walls, that will reduce RF exposure by variable amounts. For all these reasons, the values given in these tables and graphs are considered to be quite conservative and should over-predict actual exposure levels.

[14] ERP is the apparent effective amount of power leaving the transmit antenna. The ERP is determined by factors including but not limited to transmitter output power, coaxial line loss between the transmitter and the antenna, and the "gain" (focusing effect) of the antenna. In some cases, power may also be expressed in terms of EIRP (effective isotropically radiated power). Therefore, for convenience, the tables in Appendix B also include a column for EIRP. ERP and EIRP are related by the mathematical expression: (1.64) X ERP = EIRP.

[15] Because broadband PCS antennas are virtually always sectorized, no information is provided for omni-directional PCS antennas.

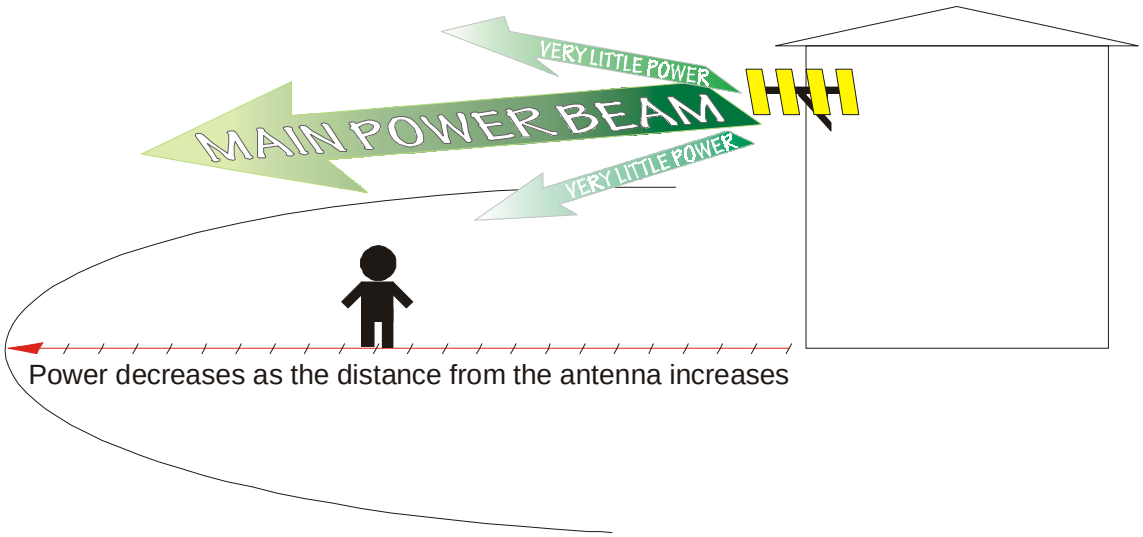


Illustration 5

Personal wireless service antennas typically do not emit high levels of RF energy directed above or below the horizontal plane of the antenna. Although the precise amount of energy transmitted outside the horizontal plane will depend upon the type of antenna used, we are aware of no wireless antennas that produce significant non-horizontal transmissions. Thus, exposures even a small distance below the horizontal plane of these antennas would be significantly less than in the horizontal plane. As discussed above, the tables and figures in Appendix B show distances in the horizontal plane from typical antennas at which exposures could potentially exceed the guidelines, assuming "worst case" operating conditions at maximum possible power levels. In any direction other than horizontal, including diagonal or straight down, these "worst case" distances would be significantly less.

Where unidirectional antennas are used, exposure levels within or outside the horizontal plane in directions other than those where the antennas are aimed will typically be insignificant. In addition, many new antennas are being designed with shielding capabilities to minimize emissions in undesired directions.

C. Multiple Facility Sites.

Where multiple facilities are located at a single site, the FCC's rules require the total exposure from all facilities to fall within the guideline limits, unless an EA is filed and approved. In such cases, however, calculations of predicted exposure levels and overall evaluation of the site may become much more complicated. For example, different transmitters at a site may operate different numbers of channels, or the operating power per channel may vary from transmitter to transmitter. Transmitters may also operate on different frequencies (for example, one antenna array may belong to a PCS operator, while the other belongs to a cellular operator). A large number of variables such as these make the calculations more time consuming, and make it difficult to apply a simple rule-of-thumb test. See the following illustration.

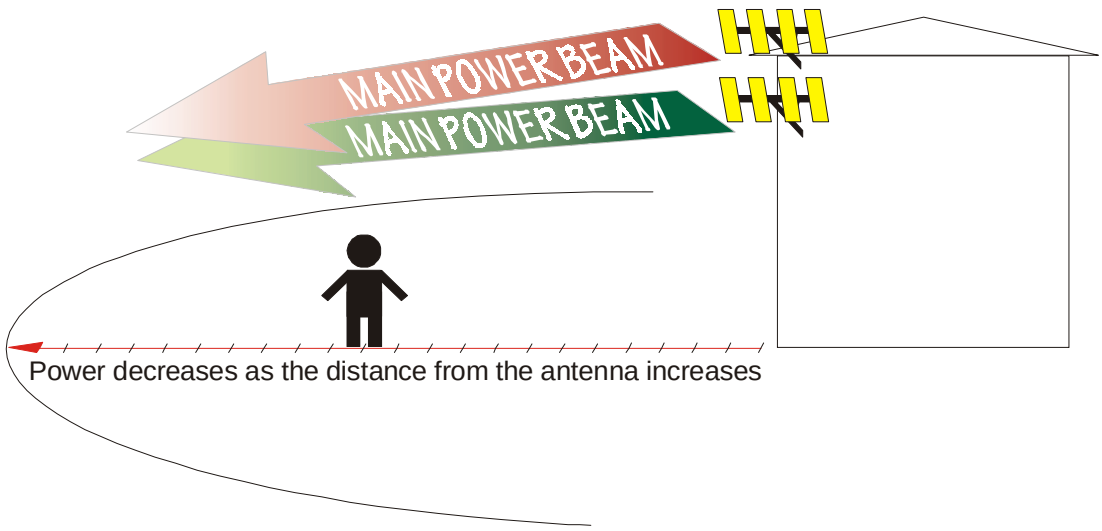


Illustration 6

However, we can be overly conservative and estimate a "worst case" exposure distance for compliance by assuming that the total power (e.g., ERP) of all transmitting antennas at the site is concentrated in the antenna that is closest to the area in question. (In the illustration above, this would be the antenna that is mounted lower on the building.) Then the values in the tables and graphs in Appendix B may be used as if this were the only antenna at the site, with radiated power equal to the sum of the actual radiated power of all antennas at the site. Actual RF exposure at any point will always be less than the exposure calculated using these assumptions. Thus, if people are not able to come closer to a group of antennas than the applicable distance shown in Appendix B using these assumptions, there should be no cause for concern about exposure exceeding the FCC guidelines. This is admittedly an extremely conservative procedure, but it may be of assistance in making a "first cut" at eliminating sites from further consideration.

IV. Conclusion.

We've highlighted many of the most common concerns and questions raised by the siting of wireless telecommunications and broadcast antennas. Applying the principles outlined in this guide will allow you to make initial conservative judgments about whether RF emissions are or should be of concern, consistent with the FCC's rules.

As we have explained, when first evaluating a siting application for compliance with the FCC's guidelines, you will probably want to consider whether the facility is categorically excluded under the FCC's rules from routine evaluation for compliance. The checklist in Appendix A will guide you in making this determination. Because categorically excluded facilities are unlikely to cause any exposure in excess of the FCC's guidelines, determination that a facility is categorically excluded should generally suffice to end the inquiry.

If a wireless telecommunications facility is not categorically excluded, you may want to evaluate potential exposure using the methods discussed in Part III of this paper and the tables and figures in Appendix B. If the site in question does not exceed the values, then you generally need look no further. Alternately, if the values don't pass muster, you may have a genuine concern. But

remember, there may be other factors (*i.e.*, power level, height, blockages, etc.) that contribute to whether the site complies with FCC guidelines.

If you have questions about compliance, your initial point of exploration should be with the facilities operator in question. That operator is required to understand the FCC's rules and to know how to apply them in specific cases at specific sites. If, after diligently pursuing answers from the operator, you still have genuine questions regarding compliance, you should contact the FCC at one of the numbers listed below. Provision of the information identified in the checklist in Appendix A may assist the FCC in evaluating your inquiry.

General Information: Compliance and Information Bureau, (888) CALL-FCC

> Concerns About RF Emissions Exposure at a Particular Site: Office of Engineering and Technology, RF Safety Program, phone (202) 418-2464, FAX (202) 418-1918, e-mail rfsafety@fcc.gov
>
> Licensing and Site Information Regarding Wireless Telecommunications Services: Wireless Telecommunications Bureau, Commercial Wireless Division, (202) 418-0620
>
> Licensing and Site Information Regarding Broadcast Radio Services: Mass Media Bureau, Audio Services Division, (202) 418-2700
>
> Licensing and Site Information Regarding Television Service (Including DTV): Mass Media Bureau, Video Services Division, (202) 418-1600

Also, note that the RF Safety Program Web site is a valuable source of general information on the topic of potential biological effects and hazards of RF energy. For example, OET recently updated its OET Bulletin 56 ("Questions and Answers about Biological Effects and Potential Hazards of Radiofrequency Electromagnetic Fields"). This latest version is available from the program and can be accessed and downloaded from the FCC's web site at:

http://www.fcc.gov/oet/rfsafety/

APPENDIX A

Optional Checklist for Determination

Of Whether a Facility is Categorically Excluded

Optional Checklist for Local Government To Determine Whether a Facility is Categorically Excluded

Purpose: The FCC has determined that many wireless facilities are unlikely to cause human exposures in excess of RF exposure guidelines. Operators of those facilities are exempt from routinely having to determine their compliance. These facilities are termed "categorically excluded." Section 1.1307(b)(1) of the Commission's rules defines those categorically excluded facilities. This checklist will assist state and local government agencies in identifying those wireless facilities that are categorically excluded, and thus are highly unlikely to cause exposure in excess of the FCC's guidelines. Provision of the information identified on this checklist may also assist FCC staff in evaluating any inquiry regarding a facility's compliance with the RF exposure guidelines.

BACKGROUND INFORMATION

1. Facility Operator's Legal Name: _____
2. Facility Operator's Mailing Address: _____
3. Facility Operator's Contact Name/Title: _____
4. Facility Operator's Office Telephone: _____
5. Facility Operator's Fax: _____
6. Facility Name: _____
7. Facility Address: _____
8. Facility City/Community: _____
9. Facility State and Zip Code: _____
10. Latitude: _____
11. Longitude: _____

continue →

Optional Local Government Checklist (page 2)

EVALUATION OF CATEGORICAL EXCLUSION

12. Licensed Radio Service (see attached Table 1): _____
13. Structure Type (free-standing or building/roof-mounted): _____
14. Antenna Type [omnidirectional or directional (includes sectored)]: _____
15. Height above ground of the lowest point of the antenna (in meters): _____
16. ☐ Check if all of the following are true:
    (a) This facility will be operated in the Multipoint Distribution Service, Paging and Radiotelephone Service, Cellular Radiotelephone Service, Narrowband or Broadband Personal Communications Service, Private Land Mobile Radio Services Paging Operations, Private Land Mobile Radio Service Specialized Mobile Radio, Local Multipoint Distribution Service, or service regulated under Part 74, Subpart I (see question 12).
    (b) This facility will not be mounted on a building (see question 13).
    (c) The lowest point of the antenna will be at least 10 meters above the ground (see question 15).

If box 16 is checked, this facility is categorically excluded and is unlikely to cause exposure in excess of the FCC's guidelines. The remainder of the checklist need not be completed. If box 16 is not checked, continue to question 17.

17. Enter the power threshold for categorical exclusion for this service from the attached Table 1 in watts ERP or EIRP* (note: EIRP = (1.64) X ERP): _____
18. Enter the total number of channels if this will be an omnidirectional antenna, or the maximum number of channels in any sector if this will be a sectored antenna:
19. Enter the ERP or EIRP per channel (using the same units as in question 17): _____
20. Multiply answer 18 by answer 19: _____
21. Is the answer to question 20 less than or equal to the value from question 17 (yes or no)?

If the answer to question 21 is YES, this facility is categorically excluded. It is unlikely to cause exposure in excess of the FCC's guidelines.

If the answer to question 21 is NO, this facility is not categorically excluded. Further investigation may be appropriate to verify whether the facility may cause exposure in excess of the FCC's guidelines.

*"ERP" means "effective radiated power" and "EIRP" means "effective isotropic radiated power

TABLE 1: TRANSMITTERS, FACILITIES AND OPERATIONS SUBJECT TO ROUTINE ENVIRONMENTAL EVALUATION

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Experimental Radio Services (part 5)	power > 100 W ERP (164 W EIRP)
Multipoint Distribution Service (subpart K of part 21)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP building-mounted antennas: power > 1640 W EIRP
Paging and Radiotelephone Service (subpart E of part 22)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1000 W ERP (1640 W EIRP) building-mounted antennas: power > 1000 W ERP (1640 W EIRP)
Cellular Radiotelephone Service (subpart H of part 22)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP) building-mounted antennas: total power of all channels > 1000 W ERP (1640 W EIRP)

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Personal Communications Services (part 24)	(1) Narrowband PCS (subpart D): non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP) building-mounted antennas: total power of all channels > 1000 W ERP (1640 W EIRP) (2) Broadband PCS (subpart E): non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 2000 W ERP (3280 W EIRP) building-mounted antennas: total power of all channels > 2000 W ERP (3280 W EIRP)
Satellite Communications (part 25)	all included
General Wireless Communications Service (part 26)	total power of all channels > 1640 W EIRP
Wireless Communications Service (part 27)	total power of all channels > 1640 W EIRP
Radio Broadcast Services (part 73)	all included

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Experimental, auxiliary, and special broadcast and other program distributional services (part 74)	subparts A, G, L: power > 100 W ERP subpart I: non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP building-mounted antennas: power > 1640 W EIRP
Stations in the Maritime Services (part 80)	ship earth stations only
Private Land Mobile Radio Services Paging Operations (part 90)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1000 W ERP (1640 W EIRP) building-mounted antennas: power > 1000 W ERP (1640 W EIRP)
Private Land Mobile Radio Services Specialized Mobile Radio (part 90)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and total power of all channels > 1000 W ERP (1640 W EIRP) building-mounted antennas: total power of all channels > 1000 W ERP (1640 W EIRP)

TABLE 1 (cont.)

SERVICE (TITLE 47 CFR RULE PART)	EVALUATION REQUIRED IF:
Amateur Radio Service (part 97)	transmitter output power > levels specified in § 97.13(c)(1) of this chapter
Local Multipoint Distribution Service (subpart L of part 101)	non-building-mounted antennas: height above ground level to lowest point of antenna < 10 m and power > 1640 W EIRP building-mounted antennas: power > 1640 W EIRP LMDS licensees are required to attach a label to subscriber transceiver antennas that: (1) provides adequate notice regarding potential radiofrequency safety hazards, *e.g.*, information regarding the safe minimum separation distance required between users and transceiver antennas; and (2) references the applicable FCC-adopted limits for radiofrequency exposure specified in § 1.1310 of this chapter.

APPENDIX B

Estimated "Worst Case" Distances that Should be Maintained from Single Cellular, PCS, and Paging Base Station Antennas

Table B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single, omni-directional, **cellular base-station** antenna to meet FCC RF exposure guidelines

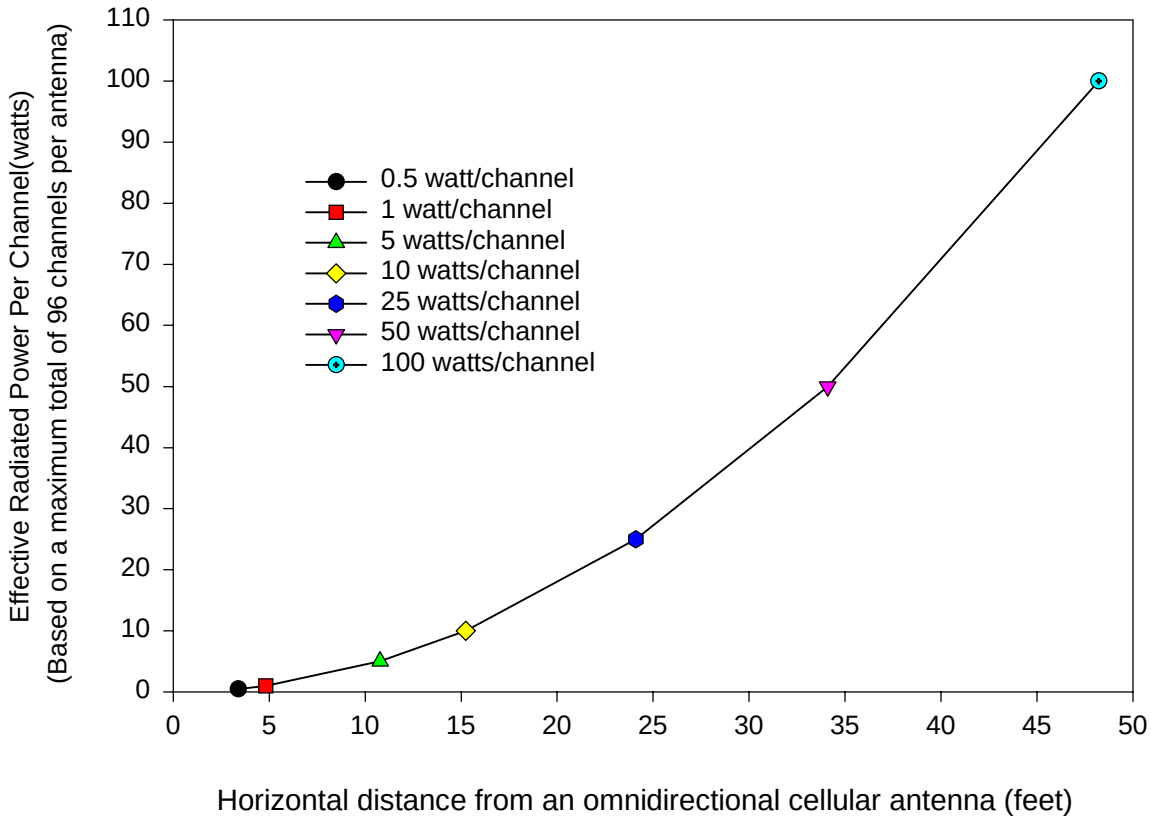
Effective Radiated Power (watts) per channel based on maximum total of 96 channels per antenna	Effective Isotropic Radiated Power (watts) per channel based on a maximum total of 96 channels per antenna	Horizontal* distance (feet) that should be maintained from a single omni-directional cellular antenna
0.5	0.82	3.4
1	1.6	4.8
5	8.2	10.8
10	16.4	15.2
25	41	24.1
50	82	34.1
100	164	48.2

For intermediate values not shown on this table, please refer to the Figure B1-1

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-1. Estimated "worst case" horizontal* distances that should be maintained from a single omni-directional **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are worst case, assuming an omnidirectional antenna using 96 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular omnidirectional antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy directly toward the ground.

Table B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single, sectorized, **cellular base-station** antenna to meet FCC RF exposure guidelines

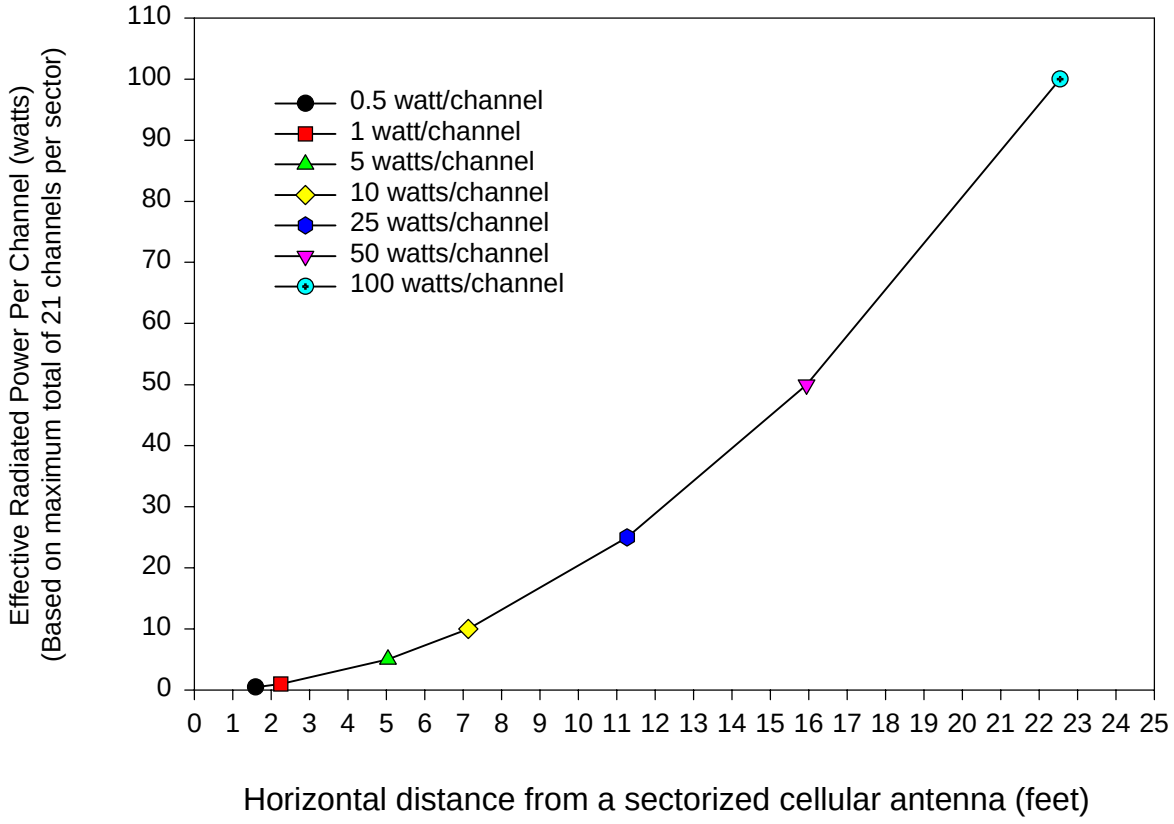
Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Horizontal* distance (feet) that should be maintained from a single sectorized cellular antenna
0.5	0.82	1.6
1	1.6	2.3
5	8.2	5
10	16.4	7.1
25	41	11.3
50	82	16
100	164	22.6

For intermediate values not shown on this table, please refer to the Figure B1-2

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-2. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **cellular base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. Cellular sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized **Broadband PCS base station** antenna to meet FCC RF exposure guidelines

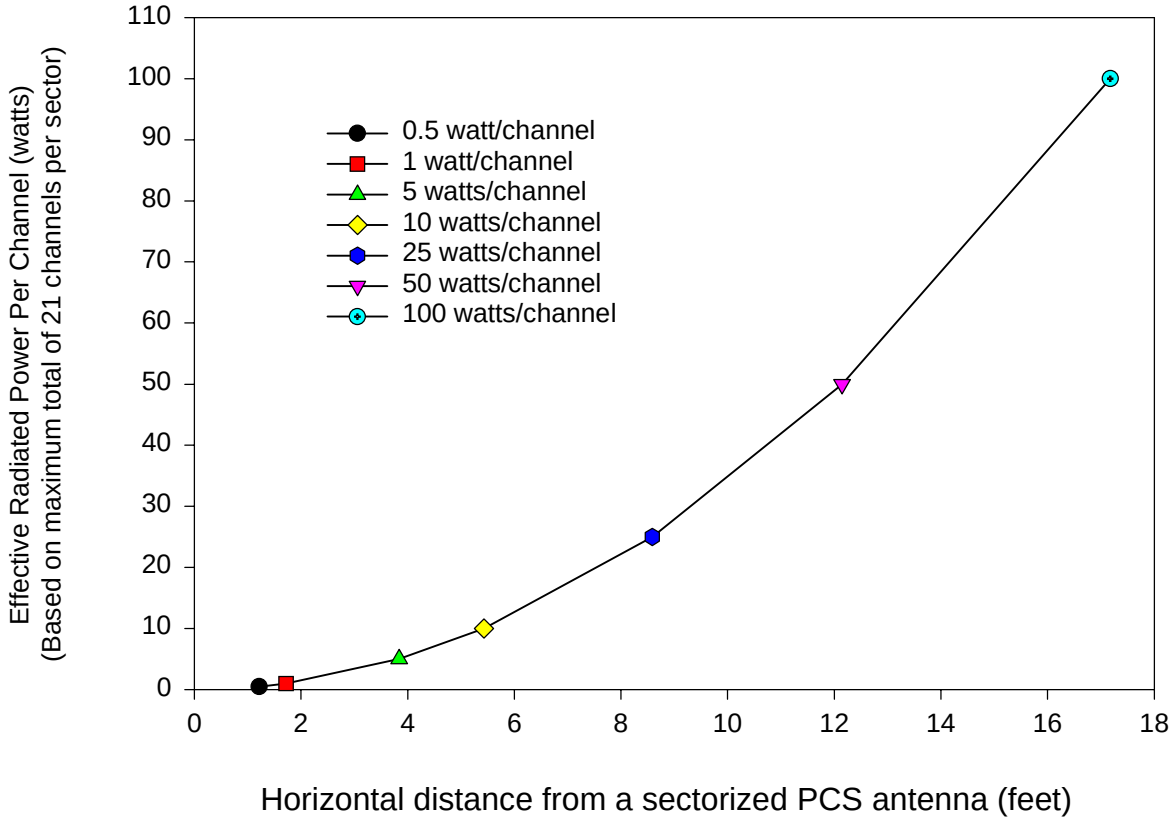
Effective Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Effective Isotropic Radiated Power (watts) per channel based on maximum total of 21 channels per sector	Horizontal* distance (feet) that should be maintained from a single sectorized Broadband PCS antenna
0.5	0.82	1.2
1	1.6	1.7
5	8.2	3.8
10	16.4	5.4
25	41	8.6
50	82	12.1
100	164	17.2

For intermediate values not shown on this table, please refer to the Figure B1-3

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case," assuming a sectorized antenna using 21 channels. If the system is using fewer than 21 channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-3. Estimated "worst case" horizontal* distances that should be maintained from a single sectorized, **PCS base station** antenna to meet FCC RF exposure guidelines



* These distances are based on exposure at same level as antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These estimates are "worst case", assuming a sectorized antenna using 21 channels. If the systems are using fewer channels, the actual horizontal distances that must be maintained will be less. PCS sectorized antennas transmit more or less in one direction from the antenna in a horizontal direction and transmit relatively little energy directly toward the ground.

Table B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines. Note: this table and the associated figure only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values.

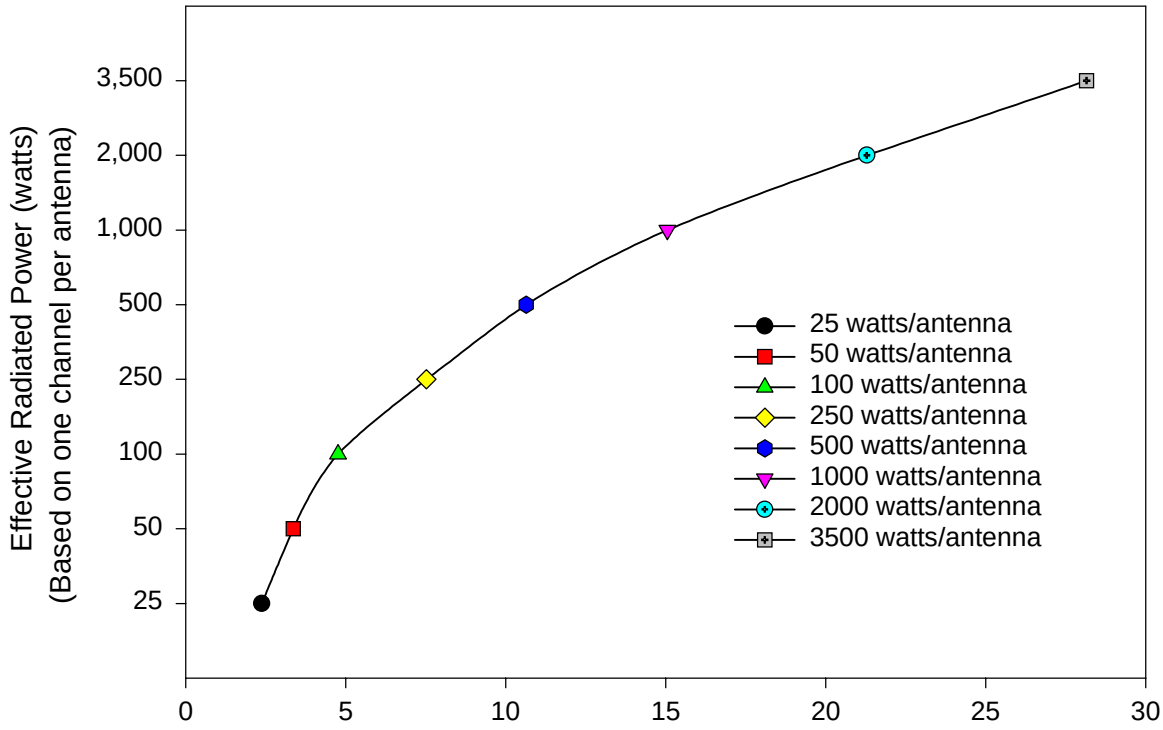
Effective Radiated Power (watts) based on one channel per antenna	Effective Isotropic Radiated Power (watts)	Horizontal* distance (feet) that should be maintained from a single omnidirectional paging or narrowband PCS antenna
50	82	3.4
100	164	4.8
250	410	7.5
500	820	10.6
1,000	1,640	15.1
2,000	3,280	21.3
3,500	5,740	28. 2

For intermediate values not shown on this table, please refer to the Figure B1-4

*These distances are based on exposure at same level as the antenna, for example, on a rooftop or in a building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy toward the ground. Therefore, these distances are even more conservative for "non-horizontal" distances, for example, distances directly below an antenna.

Figure B1-4. Estimated "worst case" horizontal* distances that should be maintained from a single omnidirectional **paging** or **narrowband PCS** antenna to meet FCC RF exposure guidelines. Note: this figure and the associated table only apply to the 900-940 MHz band; paging antennas at other frequencies are subject to different values



* These distances are based on exposure at the same level as the antenna, for example, on a rooftop or building directly across from and at the same height as the antenna.

Note: These distances assume only one frequency (channel) per antenna. Distances would be greater if more than one channel is used per antenna. Omnidirectional paging and narrowband PCS antennas transmit more or less equally from the antenna in all horizontal directions and transmit relatively little energy towards the ground.

APPENDIX C

Text of 47 U.S.C. § 332(c)(7)

(7) PRESERVATION OF LOCAL ZONING AUTHORITY.

(A) GENERAL AUTHORITY. Except as provided in this paragraph, nothing in this Act shall limit or affect the authority of a State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) LIMITATIONS.

(i) The regulation of the placement, construction, and modification of personal wireless service facilities by and State or local government or instrumentality thereof (I) shall not unreasonably discriminate among providers of functionally equivalent services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

(ii) A State or local government or instrumentality thereof shall act on any request for authorization to place, construct, or modify personal wireless service facilities within a reasonable period of time after the request is duly filed with such government or instrumentality, taking into account the nature and scope of such request.

(iii) Any decision by a State or local government or instrumentality thereof to deny a request to place, construct, or modify personal wireless service facilities shall be in writing and supported by substantial evidence contained in a written record.

(iv) No State or local government or instrumentality thereof may regulate the placement, construction, or modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

(v) Any person adversely affected by any final action or failure to act by a State or local government or any instrumentality thereof that is inconsistent with this subparagraph may, within 30 days after such action or failure to act, commence an action in any court of competent jurisdiction. The court shall hear and decide such action on an expedited basis. Any person adversely affected by an act or failure to act by a State or local government or any instrumentality thereof that is inconsistent with clause (iv) may petition the Commission for relief.

(C) DEFINITIONS. For purposes of this paragraph

(i) the term "personal wireless services" means commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access services;

(ii) the term "personal wireless service facilities" means facilities for the provision of personal wireless services; and

(iii) the term "unlicensed wireless service" means the offering of telecommunications service using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services (as defined in section 303(v)).

RESOLUTION NO. PC-2026-01

A RESOLUTION OF THE PLANNING COMMISSION OF THE COUNTY OF TRINITY

Approving Conditional Use Permit for a Wireless Communications Facility in Hayfork (Verizon Wireless (P-24-14))

WHEREAS, the Trinity County Planning Division has considered a request for a Conditional Use Permit for a Wireless Communications Facility in Hayfork at 320 Reservoir Rd (APN: 014-330-036-000), filed by Verizon, in accordance with Title 17, Trinity County Zoning Code Section 17.29 and 17.30.030.

WHEREAS, the Airport Land Use Commission approved the project with the recommended condition that lighting for the wireless facility will be installed at the top of the tower for air traffic safety purposes in accordance with FAA Advisory circular 70/7460-1 M Change 1; and

WHEREAS, County staff has reviewed the submitted application and evidence and has referred the application and evidence to all governmental and utility agencies affected by the development to allow the opportunity for conducting site inspections and providing comments and recommendations; and

WHEREAS, the Planning Commission held a public hearing and considered this matter at the regular meeting held on January 22, 2026,

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the County of Trinity:

Makes the following findings:

1. Pursuant to the State CEQA Guidelines, the Planning Commission of the County of Trinity makes the following environmental findings:
    a. The Trinity County Planning Commission finds the project categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15303 (Class 3), which applies to the construction and location of limited numbers of new, small facilities or structures and the installation of small new equipment and facilities in small structures.
    b. The Trinity County Planning Commission finds that the exceptions to the use of a categorical exemption in CEQA Guidelines Section 15300.2 do not apply to the project.
2. Pursuant to Chapter 17.32 (Use Permits) of the County Code of Ordinances, the Planning Commission of the County of Trinity makes the following findings for the Use Permit:
    a. Sound Principles of Land Use. As required per Trinity County Code Section (TCC) (§)17.30.030 – Utilities- Section B and TCC 17.29.030- Public Facilities (PF) District, the applicant is applying for a Conditional Use Permit to build a cell tower in a Public Facilities (PF) zoning district in order to provide cellular services to the local community. The project proposed is:
        i. compatible with the General Plan land use designation and public facility uses
    b. Not injurious. The project as proposed, designed, and conditioned, will not cause detrimental to the public health, safety or welfare, or result in the creation of a public nuisance. Additionally, the proposed project is consistent with FCC guidelines for radio frequencies and therefore, it is not anticipated that the community will be negatively impacted by the project.
    c. Plan Consistency. The project, as proposed, designed, and conditioned, is consistent with the goals and objectives of the County General Plan, Housing Element, and Public Facilities Zoning District.

3. The Planning Commission of the County of Trinity hereby approves the Conditional Use Permit P-24-14, subject to the conditions set forth in Exhibit "A", attached hereto and made a part hereof.

DULY PASSED AND ADOPTED this Thursday, January 22, 2026 by the Planning Commission of the County of Trinity by the following vote:

AYES:
NAYS:
ABSENT:
ABSTAIN:
RECUSE:

_____
RORY BARRETT, CHAIR
Planning Commission
County of Trinity
State of California

ATTEST:

By: _____
DREW PLEBANI
Secretary of the Planning Commission
County of Trinity, State of California

EXHIBIT A

Conditions of Approval

1. Airport Land Use Commission
    a. Lighting for the wireless facility shall be installed at the top of the tower for air traffic safety purposes in accordance with FAA Advisory circular 70/7460-1 M Change 1.
2. Hayfork Volunteer Fire District
    a. Access roads shall meet fire safe road standards and Public Resource Code 4290 must be complied with before finalization of building permit.
3. Building Division
    a. Building permits are required for this facility.
4. Environmental Health
    a. Hazardous Materials Business Plan shall be submitted to CERS prior to finalization of building permit.
    b. A copy of Hazardous Materials Business Plan draft shall be submitted with the building permit, as well as generator specifications for Environmental Health to review.
5. Planning Division
    a. The project must be constructed and operated consistent with the project description, best management practices, and project design elements proposed by the applicant and approved by the use permit.
    b. No deviation from a project for which a use permit is granted may be made where such deviation is from an aspect of the project submitted to the planning commission and considered by it in granting the use permit unless:
        i. prior approval for deviation is granted by the planning director; or
        ii. the modification of the use permit is approved by the planning commission.

END OF CONDITIONS
NOTE: Approval of this use permit will expire on January 24, 2028. Any request for an extension and accompanying fees must be received by the Trinity County Planning Department 30 days prior to this expiration date.

EXHIBIT "A" to Resolution PC-26-0X

Staff Report

Department:	Community Development - Planning
Contact:	Drew Plebani
Phone:	530-623-1351
Item Title:	2050 General Plan Update: Environmental Review Sco

Project Description:
2050 General Plan Update: Environmental Review Scoping Meeting

Summary:
Receive a presentation from County staff and Rincon Consultants and conduct a Public Scoping Meeting regarding preparation of the Environmental Impact Report for the Trinity County 2050 General Plan and Zoning Code Update.

Staff Report:
A Notice of Preparation (NOP) has been issued to notify interested parties of the preparation of an Environmental Impact Report (EIR) for the Trinity County General Plan Update Project (project). The County will be the lead agency under the California Environmental Quality Act (CEQA) and will prepare an EIR to evaluate the environmental effects associated with the project. This NOP has been issued to provide an opportunity for the public, as well as responsible and trustee agencies to submit comments on the scope of the EIR in relation to the project description. Agencies should comment on such information as it relates to their statutory responsibilities in connection with the project.
The programmatic EIR will evaluate the potential impacts associated with the development of the preferred land use scenario that may occur within the Plan Area through the year 2050. Following the adoption of the updated General Plan, subsequent projects that are consistent with the General Plan would undergo a streamlined CEQA environmental review and approval process. This NOP and background documents associated with the project are available for review on the County's webpage at: https://www.trinitycounty.org/636/Planning-Environmental-Review.

Project Description
Trinity County is updating its General Plan, the State-mandated document that guides how and where the county will grow over the next 25 years. The Plan covers topics such as land use, transportation, housing, conservation, open space, and public safety. It will shape Trinity County's future and define County priorities for years to come. The objectives of the General Plan Update include:

- Express the community's vision for Trinity County's future
- Provide a balance between growth and conservation that meets community needs and protects Trinity County's quality of life
- Inform residents, developers, and decision makers of the ground rules that guide development
- Ensure that development occurs in an efficient, orderly manner that minimizes costs to

taxpayers
- Engage in a comprehensive and inclusive outreach process

The project also includes related updates to the County's Zoning Code to more specifically outline allowable uses and permitting processes for development on parcels throughout the county, to reflect changes in State law, and ensure consistency with the 2050 General Plan. In addition, the County is undertaking countywide rezonings primarily to acknowledge the federal jurisdiction of large areas of public land in the county, and updates to the Cannabis Ordinance within the Zoning Code to clarify existing requirements.

Potential Environmental Effects and Scope of the EIR
The EIR for the project will focus on the resource areas/issues germane to this particular project. The EIR will evaluate the potentially significant environmental impacts of the project and, if any significant environmental effects are identified, will evaluate whether there are feasible mitigation measures that may lessen or avoid such impacts. The EIR will also identify and evaluate alternatives to the project that could lessen or avoid any significant environmental impacts. As to the topics identified for study in the EIR, the EIR will evaluate all environmental issue areas identified in Appendix G of the CEQA Guidelines. Potential impacts will be addressed at both project and cumulative levels. As of the date of this NOP and based on currently available information, it is anticipated that the proposed project may have potentially significant impacts in connection with: Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Population and Housing, Public Services, Recreation, Transportation, Tribal Cultural Resources, Utilities and Service Systems, Wildfire, and Mandatory Findings of Significance.

EIR Public Scoping Meetings
Trinity County will conduct two public scoping sessions. The first session was held at the regularly scheduled Board of Supervisors Meeting on January 20, 2026.
The second session is being held at this scheduled Planning Commission Meeting of January 22, 2026.

Departmental Recommendations:
Conduct EIR public scoping meeting and receive input.

RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers



Trinity County General Plan Update: Environmental Review Scoping Meeting

January 20, 2026

Agenda

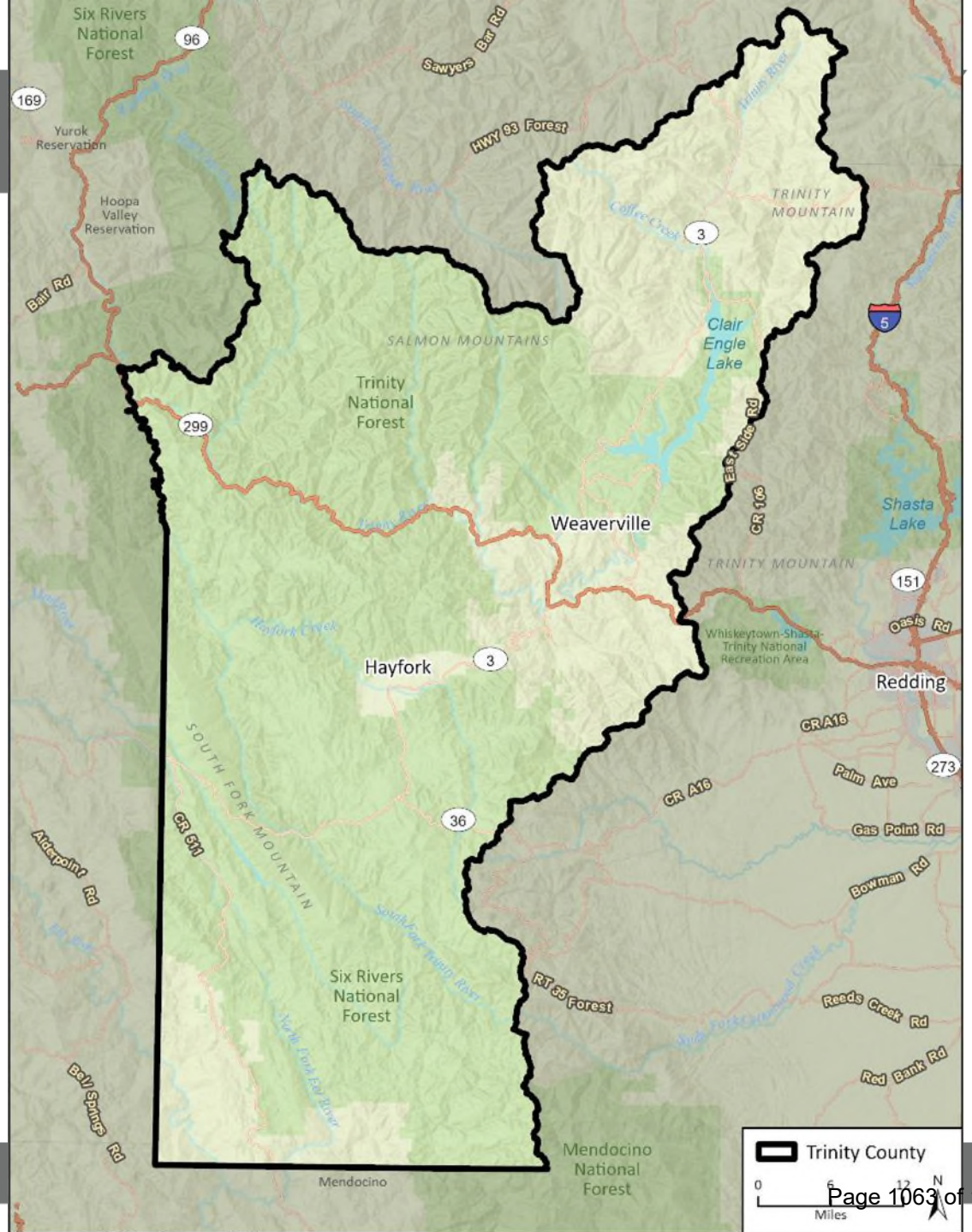
- Introduction
- Project Description, Schedule & Highlights
- Introduction to CEQA
- What is Scoping?
- How to Submit Comments
- Questions & Comments

Introduction

- County Staff
  - Drew Plebani, Community Development Department Director/ Planning Director
- Rincon Consultants – Environmental Analysis
  - Aileen Mahoney, Senior Environmental Planner
- Mintier Harnish – Lead Consultant
  - Brent Gibbons, Principal Planner
  - Michael Gibbons, Project Manager

Plan Area

- Plan Area includes:
  - Entirety of County of Trinity
- Land use: Various
- Zoning: Various



Project Description

- General Plan Update, covering a 25-year period
- Objectives
  - Express the community's vision for Trinity County's future
  - Provide a balance between growth and conservation that meets community needs and protects Trinity County's quality of life
  - Inform residents, developers, and decision makers of the ground rules that guide development
  - Ensure that development occurs in an efficient, orderly manner that minimizes costs to taxpayers
  - Engage in a comprehensive and inclusive outreach process

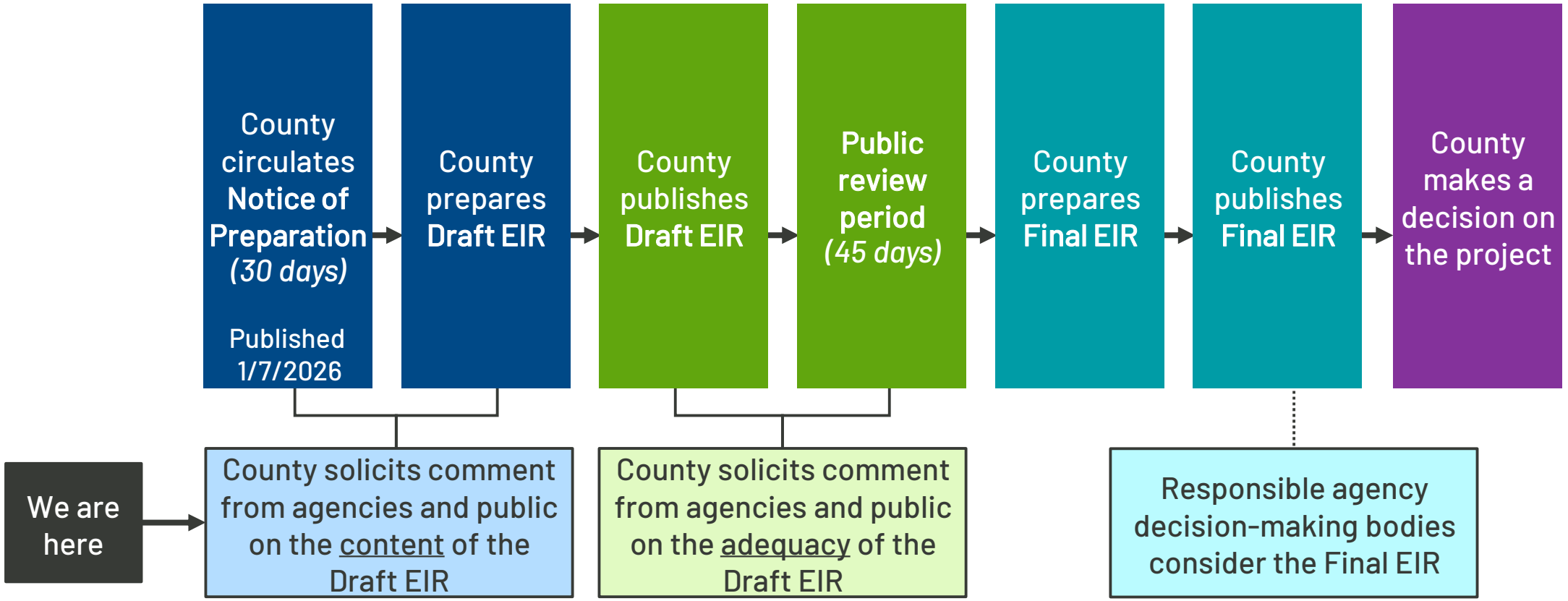
Project Description (continued)

- Zoning Code Update
  - Outline allowable uses and permitting processes for development
  - Reflect changes in State law
  - Ensure consistency with the 2050 General Plan
- Countywide Rezonings
  - Acknowledge the federal jurisdiction of public lands
  - Address the Unclassified Zoning District
- Update Cannabis Ordinance within Zoning Code
  - Clarify existing requirements

Introduction to CEQA

- California Environmental Quality Act (1970)
- Public disclosure and input process
- Minimize, reduce, or avoid environmental impacts
- Adopt mitigation monitoring program

CEQA Process



Purpose of Scoping Session

- Public input on the environmental analyses
- Topic areas
- Issues of concern
- Potential alternatives to the project
- Propose mitigation measures

Environmental Analysis

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Energy
- Wildfire
- Public Services
- Transportation
- Land Use and Planning
- Hydrology and Water Quality



- Hazards and Hazardous Materials
- Tribal Cultural Resources
- Population and Housing
- Aesthetics/Visual
- Recreation
- Noise
- Air Quality
- Mineral Resources
- Greenhouse Gas Emissions
- Utilities and Service Systems

EIR Structure

- Introduction and Summary
- Project Description
- Environmental Impact Analysis
- Alternatives
- Other Impacts

Each topic area includes:

- Environmental Setting
- Potential Impacts
- Mitigation Measures *(where potentially significant impacts are identified)*

How to Submit Comments

Deadline: February 6, 2026

- Physical address
  - Drew Plebani
    Director, Community Development Department
    County of Trinity
    530 Main Street
    Weaverville, California 96093
- Email address
  - trinity2050@trinitycounty.org
  - Subject Line: “Trinity County General Plan Update NOP”

Thank you!

