



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Rob Holmlund, AICP, Director

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CEQA Initial Study

Project Title: Waterfront Development: Public Restroom, Recreational Facility, and Commercial Hospitality

Project Applicant: City of Eureka Community Services Department and Travis Schneider and Stephanie Bode

Case No: ED-19-0003

Project Location: 1535 Waterfront Drive

APN(s): 002-241-013, 002-241-006, 002-241-001, 002-231-022

Zoning Designation(s): CW – Waterfront Commercial/WD –Development Water

General Plan Designation(s): WFC – Waterfront Commercial/WD – Water Development

Project Description: The City of Eureka Community Services Department and Travis Schneider and Stephanie Bode (collectively, “Applicants”) propose to construct public restroom, recreational, and commercial hospitality facilities on a number of previously developed waterfront parcels owned by the City of Eureka and by Mr. Schneider and Ms. Bode. The project will involve the removal of two existing structures, the construction of a 6,000 square foot building housing a public restroom and commercial recreation hospitality and office facility, and a recreational vehicle and transient resort rental park (RV park) with a 4,000 square foot private restroom, office, laundry, recreational and caretaker’s facility. The project will also include the construction of an additional floating dock, extending 100 feet into the Bay, with two new pilings on the western side of the existing Samoa boat ramp, and pedestrian safety modifications to the intersection of Waterfront and T Streets. Street vacations will occur for the portion of S Street between Waterfront Drive and Front Street, and the portion of Front Street between T and S Streets. The Project Area (see Figure A) is largely vacant, but the roughly 16.04 acre combined parcel area is the site of numerous public uses. A highly trafficked waterfront trail is located along the southern edge of Humboldt Bay, just to the north of the majority of the proposed construction. Furthermore, a public boat ramp, a public parking lot, and a public restroom (to be removed) are currently located in the Project Area. The recreational facilities will serve as retail space and a storage and staging area for various recreational uses related to the waterfront and Humboldt Bay and will be operated by Mr. Schneider and Ms. Bode for private use. The restroom facilities housed in the same structure will be public use and operated by the City of Eureka.

Lead Agency: City of Eureka, 531 “K” Street, Eureka, CA 95501-1165

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Project Applicant's Name and Address:

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Community Services Department
1011 Waterfront Drive
Eureka, CA 95501
Phone: (707) 441-4288
and
Travis Schneider and Stephanie Bode
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Setting: The Project Area sits upon four parcels comprising approximately 16.04-acres owned by the City of Eureka, and Mr. Schneider and Ms. Bode. Ground cover consists primarily of grasses, barren soils, rock aggregate and impervious pavement surfaces which mark the sites of historical development activity. Several trees are located on the northwest corner and along the southeast boundary of the parcel, none of which will be impacted by the proposed project. The parcel is not suitable habitat for any known species of concern.

An approximately 3,200 square foot building, owned by the Humboldt Bay Rowing Association, is located to the west of the Project Area and serves as a storage and staging area for recreational boating activities in Humboldt Bay. Paved public parking covers approximately 38,500 square feet directly below the Highway 255 Bridge near the west side of the Project Area and runs the entire length between the public Samoa boat ramp on Humboldt Bay at the northern parcel boundary and Waterfront Drive on the southern parcel boundary. The City-owned public restroom facility, approximately 680 square feet, is located in the parking lot area at the north boundary of the Project Area.

The site is bounded to the north by Humboldt Bay. Across the bay channel to the north is Woodley Island. Woodley Island hosts a public boat marina, a restaurant and offices for the Coast Guard, US Army Corps of Engineers and National Weather Service, as well as a "wildlife area". The wildlife area is conserved for protection of wildlife habitat. The Project Area is bounded to the south by Waterfront Drive, with a range of private housing and commercial office uses located approximately 200 feet further south along the bluff overlooking the Project Area and Humboldt Bay. Immediately east of the Project Area is currently vacant, with public and private properties located further east. West of the Project Area bordering Humboldt Bay is a vacant field often used for public festivals, the Sacco Amphitheater, the Adorni Recreation Center, and finally Humboldt State University's Boating Instruction and Safety Center (BISC). The majority of improved properties and land in the vicinity feature varying types, uses, and intensities of development.

Historical uses within the project area which led to the long-standing degradation of habitat were primarily of a industrial nature. Examples of historical uses within and surrounding the project area included the Shell Oil Terminal, the Carson Mill, and Eureka Boiler Works, as outlined in *Historical*

Resources Evaluation Report, Eureka Waterfront Trail, Phase C. Roscoe and Associates, July 2014. The historic development and prolonged commercial and industrial use of the project area led to the deterioration of the land.

The project will require no changes in zoning or land use designations, as the intended uses of the project area are compliant with the Waterfront Commercial and Development Water zoning as well as the Waterfront Commercial and Water Development land use designations. These zones are reserved for light industrial, commercial, and recreational development; the proposed project will enhance the project area and comply with the intent of the respective designations.

Surrounding Land Uses: Uses in Humboldt Bay include motorized and non-motorized boating for recreation (e.g., fishing, hunting and paddling) and commercial activities (e.g., shipping, fishing and shellfish farming). Properties in close proximity to the project area feature a range of uses including single and multi-family housing, natural resource lands, commercial and industrial uses, and public recreation.

Other Public Agencies whose approval is, or may be required (e.g. permits, financing approval, or participation agreement): California Coastal Commission, North Coast Regional Water Quality Control Board, California State Lands Commission, Environmental Protection Agency, California Fish and Wildlife Service, City of Eureka Public Works and Engineering Department, City of Eureka Community Development Department

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1?

No Yes

Date Consultation Offered: _____

Date Consultation Begun: _____

If yes, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

No Yes

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21080.3.2.) Information may also be available from the California Native American Heritage Commission’s Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

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

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

Determination: On the basis of this initial evaluation:

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

Rob Holmlund, AICP, Director
City of Eureka

Date

Summary of Potential Project Impacts: Below is a table that summarizes the impact potential for each category of impacts discussed and analyzed in this Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. Aesthetics		X		
II. Agriculture and Forestry Resources				X
III. Air Quality		X		
IV. Biological Resources		X		
V. Cultural Resources		X		
VI. Energy				X
VII. Geology/Soils			X	
VIII. Greenhouse Gas Emissions			X	
IX. Hazards and Hazardous Materials		X		
X. Hydrology/Water Quality		X		
XI. Land Use/Planning				X
XII. Mineral Resources				X
XIII. Noise		X		
XIV. Population/Housing				X
XV. Public Services			X	
XVI. Recreation		X		
XVII. Transportation		X		
XVIII. Tribal Cultural Resources		X		
XIX. Utilities/Service Systems		X		
XX. Wildfire				X
XXI. Mandatory Findings of Significance			X	

Recommended Mitigation Measures: Below is a list of mitigation measures that are identified in the following checklist and would be recommended as conditions of project approval.

I. Aesthetics

MITIGATION MEASURE NO. I-1.: No portion of the illuminated fixture or lens may extend below or beyond the canister or light shield. The location of all exterior lights shall be shown on the site plan submitted to and approved by the Design Review Committee. In addition, the applicants shall submit to the Design Review Committee for review and approval the specifications for the exterior lights, including a picture or diagram showing the cross section of the light that illustrates the illuminated portion of the fixture/lens does not extend beyond the shield.

II. Agriculture and Forestry Resources

III. Air Quality

MITIGATION MEASURE NO. III-1.: The applicant shall comply at all times with Air Quality Regulation 1, Chapter IV to the satisfaction of the NCUAQMD. This will require but may not be limited to: (1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and (2) the use

of water or chemicals for control of dust in the demolition or construction operations, the grading of roads or the clearing of land.

IV. Biological Resources

MITIGATION MEASURE NO. IV-1.: Wetland areas on this site will be protected using a minimum buffer or setback of 50 feet. The buffer area will commence at the perimeter of the vegetative population or at the wetland upland boundary so as to sufficiently protect the resources during active construction or other potentially harmful activities arising from regular operations.

MITIGATION MEASURE NO. IV-2.: 50-foot buffers will be maintained around any Environmentally Sensitive Habitat Areas (ESHA) within the project area.

MITIGATION MEASURE NO. IV-3.: Eel grass impacted or destroyed as a result of construction activities will be mitigated for by planting new eel grass shoots at a 3:1 ratio in a site separate from the project area, and in accordance with the National Marine Fisheries Service Guidelines on California Eelgrass Mitigation Policy. All planting of new eel grass beds will be performed by a qualified biologist and will be accompanied by a 5-year monitoring program to determine the efficacy of the mitigation efforts.

V. Cultural Resources

MITIGATION MEASURE NO. V-1.: If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

MITIGATION MEASURE NO. V-2.: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.8. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.

VI. Energy

VII. Geology/Soils

VIII. Greenhouse Gas Emissions

IX. Hazards and Hazardous Materials

MITIGATION MEASURE NO. IX-1.: During project construction, if there is any evidence which indicates contaminated soils are present on the site, either from visual observations or odors indicative of regulated substances, the applicants shall be responsible for performing soil sample analyses. The findings of the survey shall be submitted, as applicable, to the RWQCB, DTSC, and any other appropriate regulatory agencies. The applicants shall comply at all times with the requirements and regulations of the RWQCB, DTSC, and other agencies with regard to the handling, transport, and disposal of hazardous materials such as contaminated soils to the satisfaction of the applicable agencies.

X. Hydrology/Water Quality

MITIGATION MEASURE NO. X-1.: The contractor shall implement best management practices (BMPs) as contained in the California Stormwater Quality Association Stormwater Best Management Practice Handbook for Construction dated January 2015, or other generally recognized stormwater BMP compilations as may be required. All stormwater generated onsite post-construction shall be contained and filtrated onsite or directed towards the appropriate City of Eureka stormwater runoff system.

MITIGATION MEASURE NO. X-2.: Project construction shall commence only after the approval and implementation of a Contractor General Permit, including an approved Stormwater Pollution Prevention Plan, as required by the North Coast Regional Water Quality Control Board.

MITIGATION MEASURE NO. X-3.: To prevent potential risks posed to individuals, property, or buildings as a result of projected sea-level rise, tsunami inundation, or flood, all structures will be designed and constructed with a minimum finished floor elevation of 15' above mean lower low water (MLLW).

XI. Land Use/Planning

XII. Mineral Resources

XIII. Noise

MITIGATION MEASURE NO. XIII-1.: Hours of construction activities shall be limited to daylight hours, generally from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m., Saturday through Sunday; the hours of construction may be increased with prior approval from the City based on an expressed need by the contractor.

MITIGATION MEASURE NO. XIII-2.: Noise and activity level restrictions shall be implemented to mirror the requirements of City of Eureka's Noise Level Performance Standard for New Projects Affected by or Including Non-transportation Sources.

XIV. Population/Housing

XV. Public Services

XVI. Recreation

MITIGATION MEASURE NO. IV-3.: Eel grass impacted or destroyed as a result of construction activities will be mitigated for by planting new eel grass shoots at a 3:1 ratio in a site separate from the project area, and in accordance with the National Marine Fisheries Service Guidelines on California Eelgrass Mitigation

Policy. All planting of new eel grass beds will be performed by a qualified biologist and will be accompanied by a 5-year monitoring program to determine the efficacy of the mitigation efforts.

XVII. Transportation

MITIGATION MEASURE NO. XVII-1.: Pedestrian access improvements will be made in the T Street corridor between Waterfront Drive and First Street in Eureka, CA, i to improve and provide safe pedestrian access to and from the project area, which may include, but will not be limited to, sidewalk improvements, signage, and crossing aids.

XVIII. Tribal Cultural Resources

MITIGATION MEASURE NO. XVIII-1.: If tribal cultural resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. The Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe will be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials.

XIX. Utilities and Service Systems

MITIGATION MEASURE NO.XIX-1.: Water and sewer shall tie into the City of Eureka mainlines via infrastructure in place adjacent to the project area.

XX. Wildfire

XXI. Mandatory Findings of Significance

Checklist and Evaluation of Environmental Impacts:

1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).

5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9) The explanation of each issue should identify:

- a) the significance criteria or threshold, if any, used to evaluate each question; and
- b) the mitigation measure identified, if any, to reduce the impact to less than significance

I. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			X	
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?		X		

DISCUSSION:

- a) The development of the public restroom, new dock, and commercial hospitality and recreational facilities may have minimal temporary impacts on the scenic vista available to residences and commercial businesses lining the bluff to the south of the project during construction phases. Temporary impacts to the scenic vista may include presence of construction equipment, heavy machinery, temporary material stockpiles and storage, and periods of ground disturbance which may affect the non-native grasses within the project area. However, these temporary impacts will be insignificant. Further, the construction of new restroom and recreational facilities will provide an updated and cleaner aesthetic to replace the older and generally less aesthetically pleasing structures currently in place, thus improving the scenic vista. Operation of the RV Park will have a minimal impact due to height restrictions imposed on motor vehicles; the recreational vehicles will only be on-site for a short duration (i.e Stays will be limited to <90 consecutive days), and will not be large enough to impact the scenic vista to a significant degree. Increases in oversight and routine maintenance of the project area will reduce or eliminate unsavory aesthetic elements currently prevalent on-site, such as littering, illegal or illegal camping.
- b) No substantial damage to any scenic resources will result from the proposed development; furthermore, no state scenic highways are located in the proximity of the Project Area.
- c) The project will improve the visual character of the area because it will revamp a currently vacant, largely unmaintained, and aesthetically displeasing view. Development of the subject parcels will include removal of significant amounts of litter and trash and will decrease future accumulation of litter through the presence of onsite staff and maintenance crews to provide clean-up.
- d) The new development will require additional lighting that could cause aesthetic impacts in the immediate vicinity of the project. In order to prevent additional light or glare from extending beyond the property line or affecting day or nighttime views, Mitigation Measure I-1 precludes the use of exposed exterior light bulbs and requires that no direct light or glare extend off the property. Night time use of the facility is expected to be negligible or non-existent, and any increases in after-hours visitors would not require additional night time lighting.

FINDINGS:

With mitigation, the proposed project will not substantially impact a scenic vista or resource or degrade the visual character or quality of the site and its surroundings, nor will it create a substantial source of light or glare. Based on the above discussion and with the following mitigation measure, the project will not result in adverse aesthetic impacts.

MITIGATION MEASURES:

MITIGATION MEASURE NO. I-1.: No portion of the illuminated fixture or lens may extend below or beyond the canister or light shield. The location of all exterior lights shall be shown on the site plan submitted to and approved by the Design Review Committee. In addition, the applicants shall submit to the Design Review Committee for review and approval the specifications for the exterior lights, including a picture or diagram showing the cross section of the light that illustrates the illuminated portion of the fixture/lens does not extend beyond the shield.

II. AGRICULTURE & FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

DISCUSSION:

- a.) None of the subject parcels are designated as areas of agricultural importance with relation to the above-mentioned programs or land area designations. The parcels in question are not suitable for agricultural use, and currently do not have land use or zoning designations compatible with any type of agricultural endeavors. All proposed development is compatible with the current zoning and land use classifications and is in keeping with the intended uses of the subject properties as prescribed by the relevant governing authority. No changes in land use regulation are required as a part of this project. No net loss of agricultural land inventory is proposed, and no effect on agricultural activities is anticipated.
- b.) The proposed project will not conflict with any existing zoning for agricultural use, or a Williamson Act contract.
- c.) The proposed project will not conflict with existing zoning for timber, forestland, or Timberland Production, nor require the rezoning of any parcels featuring the above designations.
- d.) The project will not result in the loss or conversion of forestland to non-forest use; neither the project area nor surrounding or proximal parcels meet any criteria for forestland.
- e.) No farmland or forest land will be impacted as a result of this project; therefore, there will be no change in the availability or use of agriculturally viable land or forest or timberland areas.

FINDINGS:

Based upon the above discussion, there will be no impact to agriculture resources as a result of this project.

MITIGATION MEASURES:

No mitigation required.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?		X		
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				X
c) Expose sensitive receptors to substantial pollutant concentrations?			X	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people)?				X

DISCUSSION:

- a.) The North Coast Unified Air Quality Management District (NCUAQMD) is responsible for monitoring and enforcing local and state air quality standards. Air quality standards are set for emissions that may include, but are not limited to: visible emissions, particulate matter, and fugitive dust. Pursuant to Air Quality Regulation 1, Chapter IV, Rule 400 – *General Limitations*, a person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance or annoyance to any considerable number of persons or to the public or which endanger the comfort, repose, health or safety of any such persons or the public or which cause or have a natural tendency to cause injury or damage to business or property. With the implementation of Mitigation Measure III-1, the temporary impacts of project construction, and the permanent impacts of the continued operation of the proposed development, are not anticipated to result in any significant impacts to the implementation of the applicable air quality plan.
- b.) With regard to particulate matter, all of Humboldt County has been designated by the California State Air Quality Board as being in “non-attainment” for PM-10 air emissions. PM-10 air emissions include chemical emissions and other inhalable particulate matter with an aerodynamic diameter of less than 10 microns. PM-10 emissions include smoke from wood stoves and airborne salts and other particulate matter naturally generated by ocean surf. Because, in part, of the large number of wood stoves in Humboldt County and because of the generally heavy surf and high winds common to this area, Humboldt County has exceeded the state standard for PM-10 air emissions. Therefore, any use or activity that generates unnecessary airborne particulate matter may be of concern to the NCUAQMD. The amount of dust and other small particulate matter created through the proposed project is of such a small scale that it clearly will not add to the PM-10 non-attainment. No significant impacts are anticipated.
- c.) Regarding sensitive receptors for air pollution, project construction may, for a short time, generate dust as buildings are erected and grading is conducted. Because the project will only emit dust during the relatively short construction period, the project will not result in substantial air quality impacts on or to sensitive receptors. Furthermore, no sensitive receptors have been identified within or in proximity to the project area.
- d.) With regard to objectionable odors, the project does not propose any use or construction technique that will result in odors that could reasonably be considered objectionable by the general public. Once construction has been completed, no dust will be generated as all development and activity will occur on impervious, hardpack surfaces such as asphalt, concrete, or paver stones. This will also reduce or eliminate particulate runoff. Appropriate drainage will be supplied to ensure that, in the event of rain events or other activities resulting in runoff, all runoff will be directed away from ESHAs and into proper sewer or disposal systems. Regular operations of the boating facilities, public trail, and RV park do not feature uses which are associated with the generation or presence of objectionable emissions or odors in excess or addition to those arising from existing surrounding uses.

FINDINGS:

Based on the conclusions above and with the mitigation measures listed below, the project will not result in adverse air quality impacts, nor result in a cumulatively considerable increase in the PM-10 non-attainment.

MITIGATION MEASURES:

MITIGATION MEASURE NO. III-1.: The applicant shall comply at all times with Air Quality Regulation 1, Chapter IV to the satisfaction of the NCUAQMD. This will require but may not be limited to: (1) covering open bodied trucks when used for transporting materials likely to give rise to airborne dust; and (2) the use of water or chemicals for control of dust in the demolition or construction operations, the grading of roads or the clearing of land.

IV. <u>BIOLOGICAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

DISCUSSION:

This discussion is based on information from the following sources: the GHD Inc. 2013 Wetland Delineation conducted for the Eureka Waterfront Trail project (Appendix B), California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDDB) search and California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants, and species list provided by the U.S. Fish and Wildlife Service (USFWS). Table IV-1 identifies sensitive species by type, which have the potential to be located adjacent to the project area.

- a.) As a component of the construction of the Eureka Waterfront Trail, biological studies were conducted to determine the presence of plant and animal species of concern relative to the trail's Area of Potential Effects (APE). The APE of Phase C of trail construction was expanded to include the majority of the project area via California Coastal Commission Coastal Development Permit Amendment 1-15-2054-A1 and NEPA/CEQA Revalidation ATPL 5017(043). Within the revalidation document, it was found that "while numerous sensitive species are known from within a mile radius, the heavily disturbed nature of the site indicates that no habitat for sensitive species is present." The document further found that "no sensitive biological resources will be impacted...and there will be no effect on any State or Federally-listed species." The highly modified and degraded habitat within the project

area that would be impacted by the proposed placement of new structures does not meet the habitat requirements for rare plants or wildlife known to occur in the vicinity.

Standard BMPs relating to stormwater runoff intended to prevent construction-related water quality impacts will be implemented to avoid indirect impacts to special-status fish species known to inhabit nearby Humboldt Bay and Eureka Slough. Mitigation measures IV-1, IV-2, and IV-3 will serve to address and appropriately mitigate any impacts to sensitive habitat areas or wetlands adjacent to the project area.

The following table is a list of sensitive species which may potentially be present in proximity to the project area, regardless of presence of suitable habitat or lack thereof within the bounds of the project area. This table was created based on the California Natural Diversity Database (CNDDB) and Lists 1 and 2 of California Native Plant Society's (CNPS) Inventory of Rare and Endangered Vascular Plants of California:

TABLE IV-1: Sensitive Species Potentially Found in Project Area

<u>Scientific Name</u>	<u>Common Name</u>
Plants	
<i>Abronia umbellate</i> var. <i>breviflora</i>	Pink sand verbena
<i>Angelica lucida</i>	sea-watch
<i>Astragalus pycnostachyus</i> va. <i>pycnostachyus</i>	marsh milk vetch
<i>Carex arcta</i>	northern clustered sedge
<i>Carex lyngbyei</i>	Lyngbye's sedge
<i>Carex praticola</i>	northern meadow sedge
<i>Castilleja ambigua</i> ssp. <i>humboldtiensis</i>	Humboldt Bay owl's clover
<i>Castilleja affinis</i> ssp. <i>litoralis</i>	Oregon coast Indian paintbrush
<i>Chloropyron maritimum</i> ssp. <i>palustre</i>	Point Reyes bird's-beak
<i>Erysimum menziesii</i>	Menzies' wallflower
<i>Erythronium revolutum</i>	coast fawn lily
<i>Gilia capitata</i> ssp. <i>pacifica</i>	Pacific gilia
<i>Gilia millefoliata</i>	dark-eyed gilia
<i>Glehnia littoralis</i> ssp. <i>leiocarpa</i>	American glehnia
<i>Hesperevax sparsiflora</i> var. <i>brevifolia</i>	short-leaved evax
<i>Lathyrus japonicus</i>	seaside pea
<i>Lathyrus palustris</i>	marsh pea
<i>Layia carnosa</i>	beach layia
<i>Lilium occidentale</i>	western lily
<i>Lycopodium clavatum</i>	running-pine
<i>Monotropa uniflora</i>	Indian pipe
<i>Montia howellii</i>	ghost-pipe
<i>Oenothera wolfii</i>	Howell's montia
<i>Sidalcea malachroides</i>	Wolf's evening- primrose
<i>Sidalcea malviflora</i> ssp. <i>patula</i>	maple-leaved checkerbloom
<i>Spergularia canadensis</i> var. <i>occidentalis</i>	Siskiyou checkerbloom
<i>Zostera marina</i> L	Eel grass
<i>Viola palustris</i>	Western sand spurrey

Invertebrates	
<i>Haliotis cracherodii</i>	Black abalone
Fish	
<i>Acipenser medirostris</i>	Green sturgeon southern DPS
<i>Eucyclogobius newberryi</i>	Tidewater goby
<i>Oncorhynchus kisutch</i>	S. OR/N. CA coho salmon
<i>Oncorhynchus mykiss</i>	N. CA steelhead
<i>Oncorhynchus tshawytscha</i>	CA coastal Chinook salmon
Reptiles	
<i>Caretta caretta</i>	Loggerhead sea turtle
<i>Chelonia mydas (incl. agassizi)</i>	Green sea turtle
<i>Dermochelys coriacea</i>	Leatherback sea turtle
<i>Lepidochelys olivacea</i>	Olive (Pacific) ridley sea turtle
Birds	
<i>Brachyramphus marmoratus</i>	Marbled murrelet
<i>Charadrius alexandrinus nivosus</i>	Western snowy plover
<i>Coccyzus americanus</i>	Western yellow-billed cuckoo
<i>Phoebastris albatrus</i>	Short-tailed albatross
<i>Strix occidentalis caurina</i>	Northern spotted owl
<i>Synthliboramphus hypoleucas</i>	Xantus's murrelet
Mammals	
<i>Baleanoptera borealis</i>	Sei whale
<i>Baleanoptera musculus</i>	Blue whale
<i>Baleanoptera physalus</i>	Fin whale
<i>Eumetopias jubatus</i>	Steller (northern) sea lion
<i>Megoptera novaengliae</i>	Humpback whale
<i>Orcinus orca</i>	Killer whale, S. resident
<i>Physeter macrocephalus</i>	Sperm whale
<i>Baleanoptera borealis</i>	Sei whale

- b.) Based upon the CNDBB database, several varieties of potentially vulnerable riparian habitats are located within the general vicinity of the project area. Those habitats may include, but are not specifically limited to, salt marsh, coastal, vernal pools, and tidally inundated areas. Based upon surveys of the project area performed in advance of the Waterfront Trail construction, it has been determined that the highly modified and degraded habitat, created via the intensive historical development of the project area, and which comprises the great majority of the proposed project area, is not suitable for any species of concern as presented in Table IV-1. There are two primary areas of concern regarding potential impacts to sensitive riparian habitat within or adjacent to the project area as evidenced by the findings of NEPA/CEQA Revalidation ATPL 5017(043).

The first potential habitat area abuts the northeastern boundary of the project area and consists of a potential coastal zone jurisdictional wetland which also serves as a conduit or ditch for runoff from the surrounding properties. In order to eliminate or offset any potential impacts to this area, a 50-foot buffer will be maintained during all construction and regular operational activities.

The second habitat area consists of the tidally influenced mudflats immediately adjacent to the existing boat ramp on the northern boundary of the project area, which are potential habitat for eel grass, a critical tidal species of marine plant. For the purposes of this project, presence of eel grass in or around the project area where pilings and a floating dock are to be constructed is assumed. In order to combat impacts to eel grass, mitigation will be performed at a 3:1 ratio of new eel grass planting relative to any eel grass that may be destroyed. Mitigation Measure IV-3's stipulation of 3:1 replacement is in excess of the minimum eel grass mitigation as prescribed by the National Marine Fisheries Service's California Eelgrass Mitigation Policy guide and will be performed by a qualified biologist. Any subsequent mitigation planting of eel grass will be accompanied by a 5-year monitoring plan to assess the effectiveness and success of the mitigation.

Approximately 1.25 acres of the project area were not addressed in the biological evaluations performed as components of the Waterfront Trail construction. This acreage is comprised largely by the paved parking lot located below the State Highway 255 overpass, but also includes the intended site of the public restroom and the intended site of the new floating dock. Impacts to the tidal mudflat area are addressed by Measure IV-3. The upland area designated for the public restroom is highly similar to the project area which lies to the east of the developed parking lot, featuring heavily degraded and modified habitat area which is not suitable for any species of concern. A preliminary examination of the area confirmed that development in that specific area poses no credible threat or potential impact to biological resources or organisms. Furthermore, the area prescribed for the new restroom facility is regularly maintained and landscaped by City of Eureka Community Services Department, contributing to the notion that the area is not suitable habitat.

Mitigation measures IV-1, -2, and -3 minimize impacts to the two sensitive habitat areas of concern, and by extension to any organisms hosted by said habitat areas. No significant direct impacts to, or removal of, any wetland or sensitive habitat area are anticipated after mitigation measures are incorporated.

- c.) No wetlands protected by the state or federal governments will be adversely affected by direct removal or filling. Mitigation Measure Nos. IV-1, IV-2, IV-3 and IX-1 will work in concert to ensure that increased runoff or siltation resulting from the project are eliminated or reduced to less than significant levels. Prescribed setbacks and run-off controls will ensure all activities take place in a manner and at a sufficient distance to ensure that no habitat areas are adversely affected.
- d.) Wildlife movement corridors are areas that connect suitable wildlife habitat areas in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetative cover provide wildlife corridors. Wildlife movement corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas and facilitate the exchange of genetic traits between populations. The project does not include any features that would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. The project would not preclude wildlife mobility, breeding, or reproduction. No impact has been identified.
- e.) The project will be constructed consistent and in compliance with any applicable City policies or ordinances protecting biological resource, including all applicable policies of the City Local Coastal Program (Policies 6.A.1, 6.A.7, 6.A.8, 6.A.14, 6.A.16, and 6.A.19). No tree removal or alterations are proposed as part of this project.
- f.) The project will not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan because none exists for the project area. No impact has been identified.

FINDINGS:

Based on the results of the sensitive species queries, evaluation of the subject properties involved with the project, and incorporation of Mitigation Measure Nos. IV-1, IV-2, IV-3 which serve to reduce potential adverse effects to biological resources, it can be determined that the proposed project will not have an adverse effect on sensitive plants or animals.

MITIGATION MEASURES:

MITIGATION MEASURE NO. IV-1.: Wetland areas on or adjacent to the project area will be protected using a minimum buffer or setback of 50 feet. The buffer area will commence at the perimeter of the vegetative population or at the wetland upland boundary so as to sufficiently protect the resources during active construction or other potentially harmful activities arising from regular operations.

MITIGATION MEASURE NO. IV-2.: 50-foot buffers will be maintained around any Environmentally Sensitive Habitat Areas (ESHA) within or abutting the project area.

MITIGATION MEASURE NO. IV-3.: Eel grass impacted or destroyed as a result of construction activities will be mitigated for by planting new eel grass shoots at a 3:1 ratio in a site separate from the project area, and in accordance with the National Marine Fisheries Service Guidelines on California Eelgrass Mitigation Policy. All planting of new eel grass beds will be performed by a qualified biologist and will be accompanied by a 5-year monitoring program to determine the efficacy of the mitigation efforts.

V. <u>CULTURAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of an historical resource pursuant to §15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

DISCUSSION:

a.) The majority of the project area was evaluated for historical resources in two separate documents, *Historical Resources Evaluation Report* by Roscoe & Associates and the *Historical Property Survey Report* by the California Department of Transportation. Both reports found that the study area contained no historical resources which are relevant to the CEQA process.

A small portion of the project area, encompassing the paved parking lot beneath the State Highway 255 overpass and the area designated for the construction of the new public restroom facility, was not evaluated as a component of the Waterfront Trail project’s historic resource studies. However, the similarities of the intended site of the restroom area compared with the rest of the project area which was evaluated, combined with the degraded and previously developed land area, lead to the conclusion that no historical resources are present.

There are no registered historical landmarks or historical resources which meet the criteria of a significant historical resource as defined by §15064.5 within the project area; no impact is anticipated. Should any historical resources be encountered during construction activities, Mitigation Measure No. V-1 will serve to effectively preserve and protect any resources discovered.

b.) There are no known archaeological resources which meet the criteria of a significant historical or archaeological resource as defined by §15064.5 within the project area; no impact is anticipated. The majority of the project area was evaluated for historical resources in two separate documents, *Historical Resources Evaluation Report* by Roscoe & Associates and the *Historical Property Survey Report* by the California Department of Transportation. Both reports found that the study area contained no historical resources which are relevant to the CEQA process. Should any archaeological resources be encountered during construction activities, Mitigation Measure No. V-1 will serve to effectively preserve and protect any resources discovered.

c.) The proposed project area has experienced significant use and development activity in the past. Because any human remains on the site would be buried under several feet of existing fill, and because ground disturbing

activities of the project include mostly grading and only limited excavation, it is unlikely that remains will be encountered during construction. However, since there will be ground disturbance and it is possible, though unlikely, that work will uncover remains, resource protective mitigation is warranted and included in Mitigation Measure No. V-2.

FINDINGS:

No registered or readily apparent historical or archaeological resources are present within the project area. Historical development and extensive past construction and excavation activities on the subject parcels leads to the conclusion that the discovery of any such resources as a result of this project is highly unlikely. However, should such an unexpected discovery occur, applicant will comply with Mitigation Measures No. V-1 and V-2 to ensure the preservation of historical resources and to avoid any further impacts.

MITIGATION MEASURES:

MITIGATION MEASURE NO. V-1.: If archaeological resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. For discoveries known or likely to be associated with native American heritage (prehistoric sites and select historic period sites), the Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. Historic archaeological discoveries may include 19th century building foundations; structural remains; or concentrations of artifacts made of glass, ceramic, metal or other materials found in buried pits, old wells or privies.

MITIGATION MEASURE NO. V-2.: In the event of discovery or recognition of any human remains during construction activities, the landowner or person responsible for excavation would be required to comply with the State Health and Safety Code 7050.5. Construction activities within 100 feet of the find shall cease until the Humboldt County Coroner has been contacted to determine that no investigation of the cause of death is required. If the remains are determined to be, or potentially be, Native American, the landowner or person responsible for excavation would be required to comply with Public Resources Code Section 5097.8. In part, PRC Section 5097.98 requires that the Native American Heritage Commission (NAHC) shall be contacted within 24 hours if it is determined that the remains are Native American. The NAHC would then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to the landowner or the person responsible for the excavation work for the appropriate means of treating the human remains and any associated grave goods within 48 hours of being granted access to the site. Additional provisions of Public Resources Code Section 5097.98 shall be complied with as may be required.

VI. <u>ENERGY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in potentially significant environment impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

DISCUSSION:

- a.) All construction and regular operation activities of the project will be conducted in a manner consistent with state guidelines regarding the use of energy resources. The design process and multiple layers of regulatory authority and inspections throughout the project’s duration will ensure that the project is in compliance at all times with existing strictures regarding the use of energy resources. No impact is anticipated.

- b.) The project will be operated and developed in compliance with all local and state regulations regarding the design, construction, and operation of a commercial and public recreation facilities. By virtue of obtaining the required construction and operating permits required by state and local authorities, the project will be compliant with any existing energy plans. No impact is anticipated.

FINDINGS:

The local and state regulations pertaining to new construction and business operations will ensure that the project is compliant with energy efficiency plans and will eliminate any unnecessary consumption of energy resources. No further mitigation will be required.

MITIGATION MEASURES:

No mitigation required.

VII. <u>GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

DISCUSSION:

a.i-iii) The North Coast is the location of numerous fault lines and is near the intersection of three tectonic plates. However, based upon a review of the Alquist-Priolo Earthquake Fault Zoning Maps, the proposed project is not in an area where fault rupture is known or expected, therefore, potential impacts resulting from fault rupture are less than significant. Based on a study of geologic maps, the Mad River fault zone is approximately 11.7 miles to the northeast of the site, the Alquist-Priolo Fault Hazard Zone is approximately 7.5 miles to the southwest of the site, and the Little Salmon Fault Zone is approximately 7.2 miles to the southwest of the site. Due to the regional geology and history of the area, the probability of strong seismic shaking at some time in the future is high. Suitable building design in accordance with current codes will reduce the potential for property damage and injury.

Most property within the City of Eureka is located in ‘Seismic Design Category E’ as prescribed by the

California Building Code (CBC). Therefore, all new construction must comply with the construction standards for Seismic Design Category E. Because all construction must comply with the Seismic Design Category E standards of the CBC, and because construction that conforms to the CBC is presumed to meet the building safety standard, the potential impacts from seismic ground shaking and seismic ground failure, including liquefaction, are considered less than significant.

Liquefaction of sediment occurs when its shear strength is lost as a result of an increase in pore water pressure in response to cyclic loading. As such, liquefaction is a potentially damaging response to seismic shaking. Young, poorly consolidated, poorly graded sandy soils are prone to undergo liquefaction during strong earthquakes. The occurrence of liquefaction will result in foundation settlement. Taking into consideration the nature of the native soils and the depth to groundwater, there is a small probability of liquefaction occurring on this site during a significant seismic shaking event in the future. The soils are primarily sandy in nature and high seasonal groundwater is believed to be present.

- a.iv) Nearly all of the 9.46 acres comprising the Project Area consist of buildable area. The subject parcel has a very gradual slope, if any, within the buildable area, with the max slope being approximately 1-2%. Due to site conditions and proximity of Humboldt Bay, the buildable areas of the proposed development have been set back from the shoreline and the waterfront trail. Based on the presumed site conditions, the results of the quantitative slope stability analysis indicate the project area is stable under static and seismic conditions.

According to the Humboldt County General Plan “Slope Stability and Tsunami Run-up Zones” map, the site is located in a zone of Low Instability ground. No evidence of recent or active landslides was observed near the proposed building site. Construction activities, including cut, fill, removal of vegetation, and operation of heavy equipment would disturb soil and, therefore, have the potential to cause erosion. These activities would be performed in compliance with the Best Management Practices (BMPs) prescribed in the Eureka Municipal Code, Regional Water Quality Control Board (RWQCB) regulations and the CBC. BMPs may include: silt fences, straw bales and wattles, soil stabilization controls, site watering for controlling dust, and sediment detention basins. In areas where the project would be located within or in close proximity to designated ESHA, BMPs would be implemented to prevent erosion and sedimentation from project construction. Protection measures include a SWPPP which would be required prior to any grading or construction activities in excess of one acre. Therefore, no substantial soil erosion or loss of topsoil would result from the project and a less than significant impact is expected to occur as a result of the project.

- b.) Construction activities, including cut, fill, removal of vegetation, and operation of heavy equipment would disturb soil and, therefore, have the potential to cause erosion. These activities would be performed in compliance with the Best Management Practices (BMPs) prescribed in the Eureka Municipal Code, Regional Water Quality Control Board (RWQCB) regulations and the CBC. BMPs may include: silt fences, straw bales and wattles, soil stabilization controls, site watering for controlling dust, and sediment detention basins. In areas where the project would be located within or in close proximity to designated ESHA, BMPs would be implemented to prevent erosion and sedimentation from project construction. Protection measures include a SWPPP which would be required prior to any grading or construction activities in excess of one acre. No significant erosion or loss of topsoil is anticipated as a result of this project.
- c-d.) Natural site soils generally consist of a brown, hard sandy loam material overlain by a brown sandy topsoil. The sandy loam material, beneath a 12-18-inch layer of sandy topsoil, is a silty, fine grained sand with a small amount of clays that becomes harder and medium grained sandy material with depth. However, previous development on the subject parcels introduced fill material which is less sandy in composition and more prone to compression and yields a hard-packed soil layer. The majority of the subject parcels’ surface layers consist of this clay-like dirt material.

Static settlement is the result of consolidation (compression) of soil beneath an applied load, with consolidation generally resulting from a reduction in voids within the soil under pressure. Given the lightly-loaded nature of the proposed development, and proposed location of the on-site buildings in the southern portion of the site, total building settlement over the project life would be an estimated 0.5 inches, with differential settlement

along continuous footings or between adjacent isolated spread footings no more than approximately one-half of the total settlement. This settlement level is deemed minimal, and thus the settlement impact would be less than significant.

Lateral spreading, which is the lateral displacement of surficial soils, is usually associated with liquefaction or sliding of the underlying soils. Given that the liquefaction and landslide hazards beneath the proposed buildings and on the project site are considered as “low”, the potential for lateral spreading is also considered as “low.” Therefore, the lateral spreading impact would be less than significant.

Expansive soils represent a significant structural hazard to buildings, especially where seasonal fluctuations in soil moisture occur. Existing development in the vicinity of the project site show no evidence to suggest that expansive soils are locally present and detrimentally affecting foundations, slabs or pavements. Additionally, detrimental expansive soils have not been documented within the Pleistocene marine terrace deposits in Eureka.

- e.) The project will be connected to the City of Eureka sewage disposal system; therefore, the project will not have septic tanks or other alternative wastewater disposal systems.
- f.) The project will neither directly nor indirectly destroy a unique paleontological resource or site nor a unique geological feature or site; no such resources exist within the project area. No impact is anticipated.

FINDINGS:

Based on these conclusions, the project will not result in substantial adverse impacts relating to geology and/or soils.

MITIGATION:

VIII. GREEN HOUSE GAS EMISSIONS. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

DISCUSSION:

a-b.) California now recognizes seven greenhouse gases (GHG): carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆) (California Health and Safety Code section 38505(g)), and nitrogen trifluoride (NF₃). Carbon dioxide is the reference gas for climate change because it gets the most attention and is considered the most important GHG. To account for the warming potential of different GHGs, GHG emissions are quantified and reported as CO₂ equivalents (CO₂E). The effects of GHG emission sources (i.e., individual projects) are reported in metric tons/year of CO₂E. The project will involve use of construction equipment and vehicles that produce GHG. Heavy equipment operation produces GHG mainly in the form of carbon dioxide with small amounts of methane and nitrous oxide. GHG emissions will be temporary, coinciding with construction activities.

Neither the City of Eureka nor Humboldt County General Plans include numeric limits on GHG emissions. The County and incorporated cities are in the process of developing a Climate Action Plan which will be designed to achieve reductions in GHG emissions consistent with the state Global Warming Solutions Act of 2006. The proposed project does not conflict with any plans or policies related to GHG emissions reduction.

California has passed Assembly Bill 32, mandating a reduction in Greenhouse Gas (GHG) emission and Senate Bill 97 (SB 97), evaluating and addressing GHG emissions under CEQA. On April 13, 2009, Governor’s Office of Planning and Research (OPR) submitted to the Secretary for Natural Resources its proposed amendments to

the state CEQA Guidelines for GHG emission, as required by SB 98 (Chapter 185, 2007). At this time, it is not clearly established how to evaluate a project’s production and contribution of GHG because thresholds of significance have not been set by the California Air Resources Board or the North Coast Unified Air Quality Management District.

FINDINGS:

Due to the small nature of the project and the minor resulting contribution to GHG emissions, the proposed project’s cumulative impacts to GHG emission is less than significant.

MITIGATION MEASURES:

No mitigation required.

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

DISCUSSION:

a-b.) Assuming adherence to existing laws, the project is not expected to result in a substantial hazard to the public or environment due to the transport, use, or disposal of hazardous materials. There is no evidence to indicate that contaminated soils are present at the proposed project site. However, during project construction, if there is any evidence that indicates contaminated soils are present on the site, either from visual observations or odors indicative of regulated substances, the applicants shall be responsible for performing soil sample analyses. Based on the results of the analysis, the applicants shall consult with jurisdictional agencies regarding follow-up procedures. The applicants shall comply with all requirements/regulations of the appropriate agencies with regard to handling, transport and disposal of potential hazardous substances to the satisfaction of the applicable agency. Mitigation Measure IX-1 states the steps that need to be taken if contaminated soils are present on site.

Numerous federal and state laws and regulations ensure the safe transportation, use, storage and disposal of hazardous materials. Worker safety regulations cover hazards related to exposure to hazardous materials. Regulations and criteria for the disposal of hazardous materials mandate disposal at appropriate landfills. Because the City of Eureka, contractors, and other construction service providers would be required to comply

with existing hazardous materials laws and regulations for the transport, use, and disposal of hazardous materials, the impacts associated with the potential to create a significant hazard to the public or the environment would be less than significant.

- c.) There are no schools located within one-quarter mile of the project area. Additionally, any potential hazardous materials would only include short term construction related materials and the chance of emission is slim.
- d.) There are no active hazardous material sites located within the project area. Per the NCRWQCB, a historic cleanup site (*Samoa Bridge Site T0602393232*) related to the operation of the Carson Mill that is located within the project area was closed as of October 7, 2013, and the cleanup operation deemed complete. Reference: Department of Toxic Substance Control; NCRWQCB.
- e.) Murray Field, an airport owned and operated by the County of Humboldt, is located approximately 1.75 miles from the proposed development area. However, the location of the project area relative to the airport and flight paths used by air traffic utilizing Murray Field would not result in any safety hazard to people using or working in the project area. No impact is anticipated.
- f.) A small portion of the proposed development falls within a tsunami evacuation zone according to the Tsunami Inundation Map for Emergency Planning for the Eureka quadrangle (CalEMA et al. 2009). The Pacific Tsunami Warning Center in Ewa Beach, Hawaii, is staffed full-time by scientists, who quickly collect and analyze incoming tsunami data and decide whether to issue a tsunami warning. In the event of a tsunami warning, the City of Eureka Emergency Operations employees are trained in disaster preparedness including broadcasting an emergency tsunami warning (and sirens) and giving direction to the public on the actions they should take in the event of a potential tsunami in Humboldt Bay. To help educate public users along the Humboldt Bay waterfront of tsunami hazards and evacuation procedures, adequate signage notifying the public of tsunami hazards and evacuation routes currently exists within and adjacent to the project area. Because there are existing tsunami evacuation plans for the area, the project would not interfere with any existing emergency response plans. Therefore, the project will have a less than significant impact.
- g.) The presence of vegetation on or near the project parcels is minimal, and of types that are not conducive to extensive or severe wildfire activity. Additionally, all areas surrounding the project area are urbanized and a significant distance from wildlands which could experience wildfire activity. The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These Fire Hazard Severity Zones (FHSZ) influence how people construct buildings and protect property to reduce risk associated with wildland fires. The project alignment is located in a local responsibility area (LRA) meaning an area where local governments have financial responsibility for wildland fire protection. The project alignment is in the “LRA Unzoned” and “Other Unzoned” zones, meaning that the project alignment is in an area that has low potential for wildland fire. The impact is less than significant.

FINDINGS:

Based on the discussion above, and with the mitigations as described below, it is concluded that the project will not result in any substantial impacts with regards to hazards and hazardous materials.

MITIGATION MEASURES:

MITIGATION MEASURE NO. IX-1.: During project construction, if there is any evidence which indicates contaminated soils are present on the site, either from visual observations or odors indicative of regulated substances, the applicants shall be responsible for performing soil sample analyses. The findings of the survey shall be submitted, as applicable, to the RWQCB, DTSC, and any other appropriate regulatory agencies. The applicants shall comply at all times with the requirements and regulations of the RWQCB, DTSC, and other agencies with regard to the handling, transport, and disposal of hazardous materials such as contaminated soils to the satisfaction of the applicable agencies.

X. <u>HYDROLOGY AND WATER QUALITY</u> . Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:		X		
i) result in substantial erosion or siltation on- or off-site;			X	
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			X	
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or			X	
iv) impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?		X		
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?		X		

DISCUSSION:

- a.) Minor grading necessary for project construction would be conducted in accordance with the BMPs described in the Eureka Municipal Code, CBC, California Stormwater Quality Association (CASQA) BMP guidelines and the regulations of the RWQCB. Because the project involves only the removal of groundcover vegetation as necessary for construction of roads or structures, excavation, grading and other earthwork activities, and includes BMPs, no violations to water quality standards or waste discharge requirements are expected to result. If minor earthwork activities need to occur outside the dry season, they would be conducted in accordance with the requirements of the Eureka Municipal Code and RWQCB. The project will have a less than significant impact.
- b.) The project will not draw any groundwater for any purpose, including irrigation, domestic, or commercial demands. The project does not involve operations that would substantially deplete groundwater supplies or interfere with groundwater recharge. Also, the amount of impervious surface created by the project is minimal when compared to the remaining adjacent undeveloped surfaces, thereby not affecting groundwater recharge. The project is not expected to result in any change in the use or recharge of any groundwater source or aquifer. Therefore, the project will have a less than significant impact.
- c.i,ii) There are no proposed changes to drainage patterns associated with the proposed project, and the project will not affect flooding potential. The project will include more than one acre of ground disturbance (approximately two acres). To mitigate for potentially significant runoff impacts, and as required by the North Coast Regional Water Quality Control Board (NCRWQCB), the project applicants will obtain a Construction General Permit (CGP) from the NCRWQCB before initiating construction. The CGP, which includes the requirement of a Stormwater Pollution Prevention Plan (SWPPP), will take into account any stormwater impacts arising from the project. Implementation of the SWPPP, and compliance with the requirements of the CGP, will mitigate possible complications or impacts resulting from stormwater run-off. Furthermore, a self-imposed construction requirement stipulating that all structures at risk from projected sea level rise on site be erected with a minimum finished floor elevation of 12' above mean lower low water (MLLW).
- c.iii) There are no existing underground or alternative water quality treatment facilities on the site; the existing public restroom and all proposed new construction will all tie into the City sewer system. All water runoff from the site currently gathers in the ground and flows northwesterly to the bay or adjacent wetland, or travels southerly towards Waterfront Drive, where it is collected by the City's stormwater system. The project does not have the potential to substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level because of

the high groundwater table in the vicinity of the site. Additional impervious surface area will be created on the site due to increased roof and asphalt area but will not substantially increase the runoff of the site since the site is highly compacted, and there will be sufficient impervious ground cover included with the project. All runoff and all drainage will be filtrated, contained, or otherwise directed to the City of Eureka's stormwater drain network.

c.iv.) According to the Federal Emergency Management Agency's (FEMA) Flood Map Service Center, portions of the project area are within FEMA Zone AE (EL 10 feet) or VE (EL 15 feet) (Panel 06023C0845B, 06-21-17). Mitigation Measure X-3 stipulates that all structures within the project area will be designed and constructed with a minimum finished floor elevation of 15' MLLW, which will bring construction above the flood level.

d.) Due to the known seismic activity in the Pacific Rim, a tsunami could impact Humboldt Bay. It is expected that the impact of a tsunami on Humboldt Bay would primarily occur along the north and south spits and the King Salmon and Fields Landing areas, which are located directly across from the opening to Humboldt Bay. Humboldt State University has conducted a number of studies on the impacts to Humboldt Bay resulting from tsunami inundation. These studies indicate that, although a wave from 12 to 20 feet high could threaten the southern end of the north spit, including the U.S. Coast Guard base, Fairhaven and parts of Samoa, the largest tsunamis occurring on Humboldt Bay, including those dating back as early as 1700 A.D., did not entirely inundate the north spit. The last recorded tsunami of any observable height to occur in Humboldt Bay was in 1964 as a result of the Gulf of Alaska earthquake. It had a recorded maximum height of 12 feet on the inside of the north spit and breached a 10-foot seawall at the Eureka Boat Basin. The Bay was filled with logs and debris and nine changes in tidal height were reported over the night causing high current velocities within the Bay. Fourteen-knot currents were reported in the channel opposite the Coast Guard Stations (Lander and others, 1993).

The National Oceanographic and Atmospheric Administration (NOAA) published a tsunami inundation model of the Humboldt Bay region which mathematically computed the expected inundation levels caused by a magnitude 8.4 earthquake on the Cascadia Subduction Zone (CSZ) (Bernard and others, 1994). In the model, the north and south spit bear the brunt of the impact. Both spits are overrun, and the waves travel across Humboldt Bay flooding Woodley and Indian Islands. The shallowness of the bay dissipates the wave energy and flooding on the east side of the bay is expected only in the immediate waterfront area west of the project area.

Configuration of the coastline, shape of the ocean floor, and character of the advancing waves play an important role in the destruction wrought by tsunamis along any coast, whether near the generating area or thousands of kilometers from it. The project area is located adjacent to Humboldt Bay, and a portion of the project area is within the Tsunami Inundation Area as mapped by the California Emergency Management Agency, California Geological Survey and University of Southern California (CalEMA 2009). The site is also within high and moderate inundation areas according to the Tsunami Hazards Map. Certain amounts of destruction in the face of a catastrophic tsunami event are unavoidable. However, the location and construction of the proposed project would not expose the surrounding area to any significantly increased risk of pollutant release due to a tsunami event as negligible pollutants or materials of concern would be introduced to the project area as a result of construction and operation.

e.) No water quality control plan or sustainable groundwater management plan specifically designed to control or enhance these functions within the project area are currently implemented. As a requirement of the project involves the development of water quality management plan in the form of a SWPPP, and the use of low-impact development design choices such as bio-swales are required by Mitigation Measure X-1, it stands to reason that the water quality and groundwater management characteristics of the project site will in fact be enhanced.

FINDINGS:

Based on the discussion above, and with the incorporation of the proposed mitigation measures as described below, the project will not result in a substantial impact regarding hydrology and water quality.

MITIGATION MEASURES:

MITIGATION MEASURE NO. X-1.: The contractor shall implement best management practices (BMPs) as contained in the California Stormwater Quality Association Stormwater Best Management Practice Handbook for Construction dated January 2015, or other generally recognized stormwater BMP compilations as may be required. All stormwater generated onsite post-construction shall be contained and filtrated onsite or directed towards the appropriate City of Eureka stormwater runoff system.

MITIGATION MEASURE NO. X-2.: Project construction shall commence only after the approval and implementation of a Contractor General Permit, including an approved Stormwater Pollution Prevention Plan, as required by the North Coast Regional Water Quality Control Board.

MITIGATION MEASURE NO. X-3.: To prevent potential risks posed to individuals, property, or buildings as a result of projected sea-level rise, tsunami inundation, or flood, all structures will be designed and constructed with a minimum finished floor elevation of 15' above mean lower low water (MLLW).

XI. <u>LAND USE/PLANNING.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

DISCUSSION:

- a.) The project is located within an area designated for waterfront commercial development, in keeping with the proposed use of the properties in question. This use would blend with the numerous commercial developments along the Eureka waterfront, and would not divide any established community. Improvements proposed as a part of this project would serve to enhance the community characteristics of the proposed project.
- b.) No significant environmental impacts are expected to arise from the project due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. The land use and zoning of the subject parcels are all conducive to the type of proposed development. Furthermore, as most historical development activity onsite occurred without the benefit of environmental oversight in accordance with current rigorous standards, the project will likely improve the environmental stewardship of the subject parcels.

FINDINGS:

Based on the above discussion, the project will not have an adverse impact on land use or planning.

MITIGATION MEASURES:

No mitigation required.

XII. <u>MINERAL RESOURCES.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X

b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X
<p>DISCUSSION:</p> <p>a.) Mineral resources used in connection with the proposed project are primarily limited to rock, sand and gravel used for landscaping and construction. Estimates of material necessary for the development have not been calculated. There are no mineral extraction operations within the City of Eureka. Most mining occurs in the unincorporated area of Humboldt County. Mining occurs in quarries and along most of the major rivers, including the Mad River, Van Duzen River, and the Eel River; the quantity of material mined annually fluctuates based upon demand, however entitlements would allow several million tons of material to be mined annually. Although the precise quantity of mineral resources needed for this project is not known, it will be minimal compared to the several million cubic yards of minerals mined in Humboldt County annually.</p> <p>b.) There are no locally important mineral resource recovery sites in the project vicinity, and the project site contains no mineral resources that would be impacted by the project. No impact has been identified.</p> <p>FINDINGS:</p> <p>Based on the above discussion, the proposed project will not result in the loss of availability of a known locally valuable mineral resource, nor in the loss of a locally important mineral resource recovery site as delineated by a local general plan or similar planning document.</p> <p>MITIGATION MEASURES:</p> <p>No mitigation required.</p>				

XIII. NOISE. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Result in the generation of excessive ground borne vibration or ground borne noise levels?		X		
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
<p>DISCUSSION:</p> <p>a.) Noise is the quintessential local environmental impact. It does not travel well, it has no staying power beyond that of its source, and it does not accumulate in the environment. Nonetheless, prolonged noise exposure is a serious threat to human health, resulting in high stress levels and impaired hearing. Noise is not simply a matter of loudness, in scientific terms; it is actually a composite of three criteria that determine its impact: Intensity, Frequency, and Duration.</p> <p><i>Intensity.</i> Intensity is measured in decibels (dB) on a logarithmic scale (i.e., a sound of 60dB will be 10 times louder than one of 50dB, not merely 20 percent louder). The table below shows common identifiable noise sources and the approximate noise level measured in decibels. Often, for municipal noise enforcement purposes, the A-weighting scale, which is weighted toward the higher frequencies to account for human ear responses to sound, is the most commonly used and recommended. The use of the A-weighting scale is noted in the use of the abbreviation dBA.</p> <p><i>Common Noise Levels in Decibels</i></p>				

	200	Noise Weapon
	190	
LETHAL LEVEL	180	
	170	
	160	
	150	Jet Aircraft (at 200')
	140	
	130	Pneumatic Riveter; Air Raid Siren
THRESHOLD OF PAIN	120	
	110	Amplified Rock Music (2-4' away)
	100	Food Blender (2-4' away); Motorcycle; Subway Train
	90	
	80	
DANGER LEVEL	70	Busy Street
	60	Normal Conversation
	50	Quiet Street (average urban interior)
	40	Quiet Room (residential area at night)
	30	Tick of a Watch (at 2')
	20	Whisper
	10	Leaves Rustling in the Wind
THRESHOLD OF HEARING	0	

Frequency. Frequency is measured in hertz (Hz) and relates to the number of cycles per second of sound wave. High frequencies within the human hearing range (approx. 100Hz to 20,000Hz) produce the "ear splitting" sensation associated with high-pitched tones. The concentration of a sound in a narrow frequency band, such as the whine of an incoming jet, is also more intensely felt than a mix of sounds across a wide range of frequencies.

Duration. Duration simply refers to the length of time a sound lasts. This, too, has important and obvious consequences for human sensitivity. For instance, intermittent sounds are typically more annoying than steady ones, but the degree of discomfort depends greatly on the other two factors. In addition, very loud sounds do more hearing damage the longer they last. Time of day also matters. Nighttime noise is known to be more annoying than daytime noise, a factor that has caused the Federal Aviation Administration to adopt a weight measurement scheme for aircraft noise labeled Ldn (level day-night), which adds 10dB to evening noise in measuring cumulative impact. All three criteria must be considered in determining noise impacts.

The City's certified Local Coastal Plan specifies standards for non-transportation related noise (see Table 7-1 taken from the General Plan below):

TABLE 7-1 NOISE LEVEL PERFORMANCE STANDARDS New Projects Affected by or Including Non-transportation Sources		
Noise Level Descriptor	Daytime (7am to 10pm)	Nighttime (10pm to 7am)
Hourly L_{eq} , dB	50	45
Maximum level, dB	70	65
Each of the noise levels specified above shall be lowered by five dB for simple tone noises, noises consisting primarily of speech or music, or for recurring impulsive noises. These noise level standards do not apply to residential units established in conjunction with industrial or commercial uses (e.g., caretaker dwellings).		

For non-transportation related noise, the maximum allowable noise at the property line cannot exceed 65-70dB (see Table 7-1). Noise levels generally decrease by 6dB at 50' and then an additional 6dB with a doubling of the distance from the noise source. The actual level of attenuation may increase depending on the introduction of noise insulation in construction, adjacent uses, distance to noise source, and intervening topography, vegetation, and other buffers. The parameters used for estimating transportation related noise include the traffic, the roadway, and the receiver. Traffic parameters affecting noise are the number and type of vehicles passing a point during a particular time period, and the average speed of the vehicles. Traffic noise increases as the number and average speed of automobiles increase. For example, if the automobile traffic volume doubles, the noise level from automobiles increases by about 3dBA. However, if the speed decreases to half, the noise level from automobiles decreases by about 6dBA. The engine-exhaust system and tire roadway interaction contribute prominently to overall automobile noise. The noise levels generated by the proposed project are within the range of acceptable noise as specified in the adopted Local Coastal Program.

The project will result in temporary short-term increases in existing noise levels. The highest noise levels generated by the project would occur during site preparation and construction. Under the Noise Element of the adopted General Plan, general construction noise is considered acceptable because such noise, although loud and often annoying, is of limited duration and intensity. Therefore, the project will not generate noise in excess of established standards. General construction of the site includes backhoe usage, hammering, use of saws, etc. The expected duration for construction of the proposed buildings is unknown. To reduce noise impacts, Mitigation Measure XIII-1 states the proposed construction hours for this project.

Temporary short-term increases in existing noise levels will also result from the operation of the proposed development; however, these operations will be limited to light vehicle traffic and will be further curtailed by strict and self-imposed noise-level regulations in keeping with the Noise Level Performance Standard for New Projects Affected by or Including Non-transportation Sources, as outlined by the City of Eureka (Table 7-1, above.) To reduce noise impacts, Mitigation Measure XIII-2 states the proposed noise-level restrictions for the project.

- b.) Proposed construction would include the use of heavy trucks and earth moving equipment. The use of this equipment could potentially generate some ground born noise and vibration perceptible by off-site adjacent uses. However, this would not be excessive because construction and operational activities would not include pile driving, blasting, metal stamping, or other activities most often associated with high ground born noise and vibration levels; and construction activities would occur during daytime hours.
- c.) The project site is not located within an airport land use plan area or in the vicinity of a private airstrip, but is approximately 1.75 miles northwest of Murray Field, a public use airport. The project would not have the potential to expose people working on site to excessive aircraft noise from this airport because the project site is not located within the airport's takeoff or landing approaches, and is not a noise-sensitive use, combined with the extremely low aircraft traffic volumes at this airport, and the type of aircraft served by the airport (e.g., small commuter planes; no commercial aircraft).

FINDINGS:

Based on the above discussion, and with the incorporation of the migration measures listed below, the project will not result in significant adverse impacts with regard to noise generation.

MITIGATION MEASURES:

MITIGATION MEASURE NO. XIII-1.: Hours of construction activities shall be limited to daylight hours, generally from 7:00 a.m. to 7:00 p.m., Monday through Friday, and 8:00 a.m. to 6:00 p.m., Saturday through Sunday; the hours of construction may be increased with prior approval from the City based on an expressed need by the contractor.

MITIGATION MEASURE NO. XIII-2.: Noise and activity level restrictions shall be implemented to mirror the requirements of City of Eureka's Noise Level Performance Standard for New Projects Affected by or Including Non-transportation Sources.

XIV. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
<p><u>DISCUSSION:</u></p> <p>a.) Eureka was ‘founded’ in 1850 and incorporated in 1856. The 1860 population was approximately 615. By 1920 Eureka had a population of roughly 12,500. According to the City of Eureka’s first General Plan, adopted in 1965, the population of Eureka in 1950 had grown to 23,058 and in 1960 it was 28,137. Based on data presented by the Center for Economic Development, California State University, Chico, the 1980 population was 24,350 and the population in 2002 was 26,050. This statistical data is provided to illustrate that Eureka’s population growth over the past half-decade has been constant, regardless of the economic and population trends in the rest of the country. Therefore, it would take a remarkable project to induce ‘substantial’ population growth or decline, in Eureka.</p> <p>As proposed, the project involves no construction of new housing or of any growth-inducing operational aspects. No permanent residential or multi-family structures are proposed, and no facet of the proposed operations of the public facilities or RV park are anticipated to induce growth. The project does propose transient occupancy in the form of an RV park; however, the proposed RV park will operate akin to a hotel or other temporary lodging facility. No permanent or long-term guests will be housed onsite. Additionally, all infrastructure required for the project are currently in place. The carrying capacity of the existing utilities (i.e. sewer, stormwater drains, electrical, water) are more than sufficient to accommodate the proposed development. Based on the City of Eureka WebGis Utility Locator system, utilities are already located near the subject parcels along Waterfront Drive, and extensive improvements or expansion of utility services will not be required to serve the project.</p> <p>b.) No form of housing exists on the subject parcels; as such, the project will not necessitate the replacement or relocation of housing.</p>				
<p><u>FINDINGS:</u></p> <p>Findings reflect that the project will not result in substantial adverse impacts regarding population and housing.</p>				
<p><u>MITIGATION MEASURES:</u></p> <p>No mitigation required.</p>				

XV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?				X
e) Other public facilities?			X	
<p><u>DISCUSSION:</u></p>				

a,b.) The project is required to meet all state and local requirements related to fire suppression and emergency response. Building permit applications are circulated by the City Building Department to the Humboldt Bay Fire Department and other appropriate agencies prior to construction. With the exception of Public Works, no other agency is expected to require the provision or need for new or physically altered governmental facilities as a result of the project.

The project area is within the Eureka City limits and is served by City Police and Humboldt Bay Fire Departments. All buildings will be inspected by the Humboldt Bay Fire Department. As such, the buildings and access road will be constructed to comply with City fire access and suppression standards. A reduction in emergency response plans or times is not expected to result from this proposal. The project will not result in an adverse alteration in police service for the area. Due to the location and the absence of other public services, schools and parks will not be affected.

- c.) The construction and operation of the project will not produce any impacts on the need for, or use of, schools.
- d.) The project will not require any new or physically altered park services that will cause significant impacts; the project may result in an increase in the use of public recreational facilities due to increased tourism generated by the RV park and the construction of a new recreational facility. However, such increases will be minimal and will not require any modification or increase in public facilities, nor will it cause existing public facilities to degrade in any quantifiable manner.
- e.) The project will not require any new or physically altered governmental services that will cause significant impacts; the project may result in an increase in the use of public recreational facilities due to increased tourism. However, such increases will be minimal and will not require any modification or increase in public facilities, nor will it cause existing public facilities to degrade in any quantifiable manner.

FINDINGS:

The project will not result in an adverse impact on public services.

MITIGATION MEASURES:

No mitigation required.

XVI. RECREATION. Would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?		X		

DISCUSSION:

- a.) An increase in the use of existing neighborhood or regional parks will likely occur as a result of this project’s implementation. A driving factor behind the applicants’ proposal is to increase the use of existing recreational facilities near to the subject parcels, and improvements and updates to those facilities are central to the project. While increased use of these facilities is likely, the distinction between type and intensity of current versus future use is essential to consider. Current public use of both the private and public properties often lacks oversight and results in large amounts of debris, litter, or pollution which impacts local landscapes and waterways. The implementation of the project will lead to increased oversight and involvement from both private and government entities; the enhanced stewardship and revamped facilities will accordingly improve the area to a degree which will offset any potential negative impacts from increased use.

- b.) Recreational facilities which will be constructed as part of this project include a new public restroom and an additional floating dock adjacent to a currently functioning public boat ramp. The new restroom facility will replace an existing and highly degraded structure. The construction of the secondary dock will potentially necessitate the removal of eel grass from tidal shallows in the area of proposed construction. However, Mitigation Measure No. IV-3 (see Section IV. *Biological Resources*) will serve to offset any negative impacts to the eel grass which may be disturbed via direct mitigation, replacement, and monitoring.

FINDINGS:

Based upon the above discussion, and with the incorporation of the below mitigation measure to reduce the environmental impact of the new construction of public recreational facilities, no significant impacts are anticipated

MITIGATION MEASURES:

Biological Resources MITIGATION MEASURE NO. IV-3.: Eel grass impacted or destroyed as a result of construction activities will be mitigated for by planting new eel grass shoots at a 3:1 ratio in a site separate from the project area, and in accordance with the National Marine Fisheries Service Guidelines on California Eelgrass Mitigation Policy. All planting of new eel grass beds will be performed by a qualified biologist and will be accompanied by a 5-year monitoring program to determine the efficacy of the mitigation efforts.

XVII. TRANSPORTATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		X		
b) Conflict or be inconsistent with CEQA guidelines section 15064.3 (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?		X		
d) Result in inadequate emergency access?			X	

DISCUSSION:

- a.) The project will not conflict with any existing local plan, ordinance, or policy addressing the circulation system. It is anticipated that the project will enhance and encourage the use of the newly constructed Waterfront Trail along the shore of Humboldt Bay, a multi-agency effort intended to increase recreational use and enjoyment of the area while simultaneously providing a pedestrian and non-motorized vehicle transit corridor for the public.

Pedestrian access to Waterfront Drive and the project area via T Street in Eureka is inadequate and presents a potential hazard to pedestrians accessing the project area and Waterfront Trail. To remediate impacts caused by increased pedestrian traffic encouraged by the project, Mitigation Measure No. XVII-1 will stipulate improvements to pedestrian access along the T Street corridor between First Street and Waterfront Drive with the goal of improving the intersection between T Street and Waterfront Drive. These improvements will have positive impacts on pedestrian safety and access along T Street and will also improve safety and access to the Waterfront Trail along the shoreline of Humboldt Bay. All improvements will be limited to the public right of way corridor and will effect no neighboring private property.

- b.) CEQA Guidelines section 15064.3 (b) (1) *Land Use Projects* states that: “Generally, projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact.” The project area is located below Highway 255 (Samoa Bridge), and approximately .17 miles from the Highway 101 Corridor passing through the City of Eureka. The Redwood Transit System has bus service stops located at 4th and U Streets, and 4th and Q Streets (Greyhound Bus Lines); the Eureka Transit Service has stops at 3rd and T Streets, and 2nd and L Streets as it traverses Waterfront

Drive. These stops are all located less than .5 miles from the project area. In accordance with CEQA policy, the close proximity of two high quality and high-volume traffic corridors, as well as four nearby stops on transit routes, leads to the conclusion that the project will be consistent with CEQA guidelines and have a less than substantial impact.

- c.) Any curves required for the access road will be gentle and will not create any hazards to the public. A stop sign will be located at the access road intersection with Waterfront Drive. The access road entrance will be wider than a city-standard driveway in order to accommodate the large vehicles anticipated to use the development.

As discussed in a.) above, Mitigation Measure XVII-1 is intended to resolve inadequate pedestrian access to Waterfront Drive and the project area via T Street by incorporating improvements to the pedestrian access in the right-of-way along the T Street corridor between First Street and Waterfront Drive. These improvements will substantially reduce hazards that may be encountered by pedestrians to a less than significant level.

- d.) The development will be designed in compliance with all applicable emergency access standards. Therefore, the project will have no negative impacts on emergency access; the proposed development will in fact provide more highly developed and easily negotiable emergency access by virtue of improvements made to the project area which is largely inaccessible to emergency vehicles.

FINDINGS:

Based on the above findings, and with the below mitigation measure incorporated into the planned development, the project will not result in significant adverse impacts on transportation.

MITIGATION MEASURES:

MITIGATION MEASURE NO. XVII-1.: Pedestrian access improvements will be made in the T Street corridor between Waterfront Drive and First Street in Eureka, CA, to improve and provide safe pedestrian access to and from the project area, which may include, but will not be limited to, sidewalk improvements, signage, and crossing aids.

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

DISCUSSION:

- a.) The subject area is not listed in the California Register of Historical Resources or local register of historical resource, nor do any observable site conditions lend credence to the notion that the site would be eligible for listing.

As discussed in *Section III. Cultural Resources* elsewhere in this document, previous intensive development activity on the subject parcels greatly diminish the possibility that the site holds any significant historical value as tribal cultural resource. However, as a precaution against the disturbance of a culturally significant resource, applicants will adhere to Mitigation Measure No. XVIII-1 in the event that any potentially significant discoveries are made.

FINDINGS:

Based on the above considerations, and with the incorporation of the below mitigation measure, no impacts are anticipated.

MITIGATION MEASURES:

MITIGATION MEASURE NO. XVIII-1.: If tribal cultural resources are encountered during construction activities, all onsite work shall cease in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist shall be retained to evaluate and assess the significance of the discovery, and develop and implement an avoidance or mitigation plan, as appropriate. The Tribal Historic Preservation Officers for the Bear River Band of Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe will be contacted immediately to evaluate the discovery and, in consultation with the project proponent, City of Eureka, and consulting archaeologist, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials.

XIX. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?		X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?				X
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

DISCUSSION:

a.) No significant expansion or construction of critical utility systems which may cause a substantial negative environmental impact are required for this project. As demonstrated by the City of Eureka’s Utility Locator web tool, all utilities are available and currently located at the edge of Waterfront Drive along the southern boundary of the project area.

The property is located in the City limits of Eureka, and therefore will draw on utilities from the City of Eureka utility mainlines, as stipulated in Mitigation Measure XIX-1.

An 8-inch water main runs the length of the parcel’s eastern border, along S Street. The City’s municipal supply operates at 4.4 million gallons per day (MGD) while its capacity is 8 MGD. An existing 8-inch wastewater main is sited roughly parallel to the southern border of the Project Area along Waterfront Drive, in addition to five

existing lateral line connections along the same expanse. With ample supply and capacity available, the project will not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

The remaining utilities (electricity and gas, telephone, and cable) will be routed to the properties via a joint utilities trench from the existing utilities near the intersection of Waterfront Drive and S Street. An alternative joint utilities trench is also proposed from the existing utilities at the intersection of Waterfront Drive and T Street.

The project will not require the construction or relocation of existing stormwater facilities. The structures proposed as part of this project will replace facilities that fulfill the same function and provide the same levels of service. New structures will have roughly the same imprint as the existing structures. Similarly, telecommunications, natural gas, and electric power infrastructure already exist with sufficient capacity near to the subject area that expansion of the systems in questions would require only the minimal amount needed to connect the project to said utilities located along Waterfront Drive. Such required new construction would be minimal and will not pose a significant threat to the environment.

- b.) Water service in the project area will be provided by the City of Eureka. An existing 10-inch water main runs the length of the project area's southern edge along Waterfront Drive. 6-inch water mains run the extent of both the northern and eastern boundaries of the parcel, along Front Street and T Street, respectively. An 8-inch water main runs the length of the parcel's western border, along S Street. The City's municipal supply operates at 4.4 million gallons per day (MGD) while its capacity is 8 MGD. There is no indication that, with a large surplus capacity of water service and reserves, this project will place any significant strain on available water resources.
- c.) Wastewater treatment service will be provided by the City of Eureka's Elk River Wastewater Treatment Plant, a facility which serves the City of Eureka and the adjacent Humboldt Community Services District. The system include a 5.2 million gallon per day (average dry weather flow) treatment plant utilizing the trickling filter/solids contact process, three large pumping stations, 139 acres of wetlands that are maintained as wildlife habitat, and a 98 acres biosolids reclamation site. An existing 8-inch wastewater main is sited roughly parallel to the southern border of the project area along Waterfront Drive, in addition to three existing lateral line connections along the same expanse. The wastewater treatment service demonstrably possesses the needed capacity to absorb the impact of this project, and will in all likelihood make that determination.
- d.) The solid waste provider is the Humboldt Waste Management Authority (HWMA). HWMA has formulated a joint powers agreement with the County and most of the incorporated Cities within the County for the disposal of waste. HWMA has contracted with ECDC Environmental to ship solid waste produced in the County to state licensed landfills located outside of Humboldt County. Currently solid waste is trucked to Medford, Oregon to a new triple line state licensed landfill. Solid waste will be collected and transferred to the HWMA transfer station for shipment to the landfill discussed above. The amount of solid waste generated by the project will not significantly contribute to the waste stream volumes transferred out of the County, and based on information from the Medford, Oregon landfill, the project will not cumulatively result in amounts of waste that exceed the capacity of the landfill. Because this is a new landfill, it has a large excess capacity and can accept the minimal amount of waste to be generated by the proposed project.
- e.) The project is not expected to violate any federal, state, and local statutes and regulations related to solid waste.

FINDINGS:

With consideration given to the discussion above, and with the incorporation of the below mitigation measure, no significant impact is anticipated.

MITIGATION MEASURES:

MITIGATION MEASURE NO.XIX-1.: Water and sewer shall tie into the City of Eureka mainlines via infrastructure in place adjacent to the project area.

XX. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X
<p><u>DISCUSSION:</u> a-d.) No aspect of the site conditions present on the subject parcels of this proposal would lead to an increased potential for risk due to wildfire. Further, the project area is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. No impact is anticipated.</p> <p><u>FINDINGS:</u> Based on the above discussion, no impact is anticipated.</p> <p><u>MITIGATION MEASURES:</u> No mitigation necessary.</p>				

XXI. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			X	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).			X	
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?			X	
<p><u>DISCUSSION:</u> As discussed herein, the project will have no impact on agricultural and forestry resources, energy, land use and planning, population and housing, and wildfire. The project as proposed in combination with mitigation measures will have a less than significant impact associated with aesthetics, air quality, biological resources, cultural resources, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, public services, recreation, transportation, tribal cultural resources, and utilities and service systems. Any cumulatively considerable impacts will not be added due to the project. The mitigation measure(s) recommended herein will reduce the potential impacts of the project to a level that is considered less than significant.</p>				

- a.) As discussed herein, the project, with incorporation of mitigation measures, does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.
- b.) A cumulative impact is any environmental impact that would occur due to the combination of the proposed project together with other projects causing related impacts. These impacts occur when the incremental impact of the project, when combined with the effects of other past, present and reasonably foreseeable future projects, are cumulatively considerable. This typically occurs when impacts compound or increase existing environmental problems. As discussed in Section XI. Land Use and Planning, the project is consistent with the development contemplated in the City of Eureka's General Plan. The project's impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, historic resources, traffic impacts, or air or water quality degradation. Incremental impacts, if any, would be negligible and undetectable.
- c.) The project has been designed to avoid significant environmental impacts. This Initial Study identifies additional mitigation measures which are expected to reduce environmental impacts to a less than significant level. As discussed herein, the project is not expected to cause any environmental effects that would cause harm to human beings either directly or indirectly.

FINDINGS:

Based on the above discussion, and all considerations of this Initial Study and the nature of this project, no impact is identified.

MITIGATION MEASURES:

No mitigation required.

EARLIER ANALYSES

1) Earlier Analyses Used. The following document(s), available at the Development Services Department, have adequately analyzed one or more effects of the project. Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (CEQA Guidelines Section 15063 (c)(3)(D)).

City of Eureka, *Eureka Waterfront Trail Phase C CEQA Initial Study & Proposed Mitigated Negative Declaration* (February 2014)

NEPA/CEQA Revalidation: Waterfront Trail Phase C, ATPL 5017(043), November 18, 2015.

Coastal Development Permit Amendment 1-15-2054-A1, California Coastal Commission, August 8, 2018.

2) Impacts Adequately Addressed. The following effects from the above checklist were within the scope of and adequately analyzed in the document(s) listed above, pursuant to applicable legal standards.

N/A

3) Mitigation Measures. The following mitigation measures from the document(s) listed above have been incorporated into the checklist.

N/A

SOURCE/REFERENCE LIST: The following documents were used in the preparation of this Initial Study.

- 1) Eureka Municipal Code
- 2) Adopted and Certified City of Eureka 1997 Local Coastal Program
- 3) Project File(s) for the project for which this Initial Study was prepared
- 4) California Code Title 14. Natural Resources, Division 6, California Natural Resources Agency Chapter 3. *Guidelines for the Implementation of the California Environmental Quality Act*
- 5) California State Waterboard Stormwater Factsheet
(https://www.waterboards.ca.gov/water_issues/programs/stormwater/docs/stormwater_factsheet.pdf)
- 6) City of Eureka, *Eureka Waterfront Trail Phase C CEQA Initial Study & Proposed Mitigated Negative Declaration* (February 2014)
- 7) Department of Toxic Substance Control EnviroStor Tracking Center:
(<http://www.envirostor.dtsc.ca.gov/public/>)
- 8) City of Eureka WebGIS Utility Viewer: (<http://gis.ci.eureka.ca.gov/flexviewers/UtilityViewer/>)
- 9) FEMA Flood Map Service Center: (<https://msc.fema.gov/portal/home>)
- 10) *Historical Resources Evaluation Report, Eureka Waterfront Trail, Phase C*. Roscoe and Associates, July 2014.
- 11) State of California Transportation Agency, Department of Transportation. *Historic Property Survey Report*. Federal-Aid Project Number RPSTPL 5017(038). July 30, 2014.
- 12) *NEPA/CEQA Revalidation: Waterfront Trail Phase C*, ATPL 5017(043), November 18, 2015.
- 13) *Coastal Development Permit Amendment 1-15-2054-A1*, California Coastal Commission, August 8, 2018.

Figures

FIGURE A
Site Plan and Project Area Boundary

