

Scope of Work for the Humboldt Regional Climate Action Plan (CAP) Environmental Impact Report:

### **Program EIR**

Preparation of a Programmatic EIR for the Humboldt County Regional Climate Action Plan which addresses all seven incorporated cities within the County and the unincorporated area of the County. The EIR will be prepared as a program EIR consistent with CEQA Guidelines Section 15168. This approach will allow the EIR to evaluate the proposed CAP in sufficient detail to allow adoption, but also provide a broad level of analysis and coverage for subsequent implementation. The Program EIR approach will allow individual jurisdictions to utilize subsequent tiering that is environmentally protective but also cost- and time-efficient—limiting any future analysis to effects not identified as significant in the EIR.

The EIR will also be used for future project-specific environmental documents by being prepared consistent with the tiering and streamlining provisions of Section 15183.5(b)(2) of the State CEQA Guidelines. The EIR will provide the appropriate level of environmental review to allow future projects to tier from and streamline their analysis of GHG emissions pursuant to CEQA Guidelines Section 15183.5(b)(2).

Consistent with the requirements of CEQA Guidelines Section 15183.5 (b)(1)(E), the County and cities will monitor the CAP's progress and amend the CAP if it is determined that the plan is not achieving its specified targets. If amendments to the CAP are required they would be reviewed considering CEQA's requirements for subsequent environmental review as outlined in Section 15162 to 15164.

### **Project Description**

The project is the 4-7-22 Public Review Draft Humboldt Regional Climate Action Plan (CAP). The project description in the EIR will clearly describe to the public, stakeholders and regulatory agencies how the proposed CAP measures will be implemented to reduce Greenhouse Gas (GHG) emissions, the CAP's relationship with state emission reduction targets and other regional plans, and what regulatory and performance standards are proposed to address public health and safety and the environment.

### **Project Area**

The EIR will use clear/consistent language that won't confuse "county" when it means unincorporated area and when it means the County of Humboldt agency, versus when the EIR is referring to unincorporated and incorporated area combined. The proposed CAP is intended to apply to the unincorporated and incorporated areas of Humboldt County, which is the Project Area.

### **Focused Analysis of the EIR**

The scope of the EIR will focus the environmental analysis and mitigation on the anticipated impacts of the county-wide implementation of the CAP based on existing conditions and regulations. In accordance with Section 15126.2 of the State CEQA Guidelines, this Draft EIR will identify and focus on the significant direct and indirect environmental effects of the project, considering both its short-term and its long-term effects. (Short-term effects are generally those associated with construction, and long-term effects are generally those associated with operations.)

### **Public Outreach**

The County and cities have begun to engage the community during Draft CAP development including several outreach meetings and public hearings at key milestones in the process to engage the community and interested stakeholders. In considering the Draft CAP's readiness for environmental review, all the city councils and the Board of Supervisors expressed interest in having an extensive public outreach component while developing the draft EIR. Except for public scoping for the Notice of Preparation and public hearings considering the

environmental document, public outreach will be done separately from the EIR, but may result in implementation measures and alternatives for inclusion in the EIR.

## **DETAILED DISCUSSION**

The following discussion defines activities to be conducted in preparation of a Program EIR for the project.

### **TASK 1 PROJECT INITIATION AND KICK-OFF MEETING**

Consultant will participate in a project kick-off meeting with the County to discuss the project history and background, identify/confirm project objectives, discuss areas of controversy and potential strategies, and establish communication/review protocols. The project schedule will also be discussed and refined. Consultant will work with the County to set up the meeting and establish the agenda. The kick-off meeting will provide the consultant an opportunity to inquire further about the project and receive applicable background documents as well as the draft ordinance.

The County will provide guidance and/or policy information regarding EIR outline, format, content, etc. at (or shortly thereafter) the kick-off meeting. Consultant will review information provided for the project and will prepare a memo for the County documenting information needed to prepare the EIR.

#### **Deliverables/Meetings:**

- ▶ Kick-off meeting (includes agenda and notes)
- ▶ Information needs list (PDF)

### **TASK 2 PROJECT DESCRIPTION**

CEQA requires that the EIR address the “whole of the action.” While this may be obvious with some projects, the staged development and implementation of the CAP creates a challenge toward development of a clear and accurate project description. The project description will also need to include project objectives which will be used to help define alternatives to the project.

As discussed above, environmental effects concerning the project are related to the reasonably foreseeable actions implementing the CAP. Development of these reasonably foreseeable compliance responses is essential to determining the type of environmental impact that may occur. For instance, construction of electric vehicle charging stations would result in the reasonably foreseeable compliance response of earth moving activities and water quality concerns. These activities, in turn, may cause environmental impacts related to soil erosion and/or the loss of topsoil that may be addressed through compliance with the current provisions of County and city codes regulating grading activities.

Development of the project description must address that State laws and programs addressing GHG emissions are continually evolving. The project description will provide details on the content of the CAP and its regulations/performance standards and will include exhibits, as necessary, to illustrate the location of current and prospective activities (generally) and how this may change with proposed regulatory changes (e.g., mapping of where electric fueling stations, solar arrays etc. could be allowed).

A key aspect of the project description will be a clear description of the phasing of the proposed new regulations. Based on County comments, the consultant will revise the project description for inclusion in the EIR.

**Deliverables/Meetings:**

- ▶ Electronic copy of draft project description
- ▶ Electronic copy of final project description
- ▶ Attendance at up to three conference calls with County staff to review and discuss the project description

**TASK 3 NOTICE OF PREPARATION SCOPING MEETINGS**

County will prepare the NOP for the project. No initial study would be provided. The County will be responsible for distributing the NOP for public review and for printing and newspaper publication costs. County will submit the NOP with the Notice of Completion (NOC) to the State Clearinghouse.

County will also generate consultation-request letters to send to California Tribes that have requested notice pursuant to Assembly Bill 52 (AB 52). This scope of work assumes that all AB 52 consultation will be undertaken by the County and that consultant assistance will not be required.

Consultant will attend and facilitate portions of the public scoping meetings for the project, including CEQA process background and anticipated environmental issue areas to be evaluated in detail as part of the EIR. It is anticipated that the consultant will attend up to three (3) scoping meetings and will document all comments received and prepare a written summary of the comments.

The proposed CAP programs and implementation actions address how certain actions may be performed within a jurisdiction. The types of environmental impacts related to these measures is dependent on the reasonably foreseeable compliance responses that would be implemented by individuals, organizations and agencies. As a result, the types of environmental impacts that could occur from implementation of the CAP can be limited to topic areas that are related to implementation of the CAP's proposed measures and actions. For purposes of this scope of work, it is assumed that sufficient information may be available to eliminate certain environmental issues from further evaluation in the EIR through the scoping process.

**Deliverables/Meetings:**

- ▶ Participation in scoping meetings (up to three meetings)
- ▶ Electronic summary of comments received

**TASK 4 PREPARATION OF THE ADMINISTRATIVE DRAFT EIR**

Following County review and approval of the project description, consultant will prepare an Administrative Draft EIR. This document will consist of a full-scope EIR that contains all topic areas provided in Appendix G of the CEQA Guidelines, except as outlined in Task 3.

The project is expected to include a variety of measures aimed at environmental protection and public safety. It will be important that the environmental analysis consider the context of how new development would occur when compliant with the draft CAP. Consultant will work with the County to determine how best to present and evaluate these actions throughout the EIR. With respect to mitigation measures, all such measures will be drafted in the form of modifications to the draft CAP, to the degree it is feasible to do so, and if language has not been drafted, mitigation will be drafted as performance standards.

Consultant will also work with County on the development of an "Introduction to the Analysis and Assumptions" section to the EIR that will describe the extent of programmatic environmental review of project and how this EIR would be utilized for subsequent environmental review for the consideration of the implementation of the new CAP standards.

To the extent feasible and appropriate, consultant will utilize the existing setting information compiled by County. It is understood that the County is still working on public engagement on the CAP. A brief description of the approach and analysis for each section that will be included in the Administrative Draft EIR's environmental analysis is presented below:

**Aesthetics.** This EIR section will qualitatively describe the County's and cities current visual resources, consistent with the County and city general plan setting information, as well as other resources (e.g., Caltrans Scenic Highway Program, etc.). The EIR analysis will describe how project implementation could generally change aesthetics within the County, especially from important viewpoints. Changes may include fences and other visual screens that block views of new development encouraged by the CAP. Siting requirements (i.e., required distances between project-related uses and "sensitive uses," setback specifications from public or private use types, and lighting standards) that are established by existing regulations will be reflected in the EIR's analysis. The analysis will also include a discussion of light- and glare-related impacts and a discussion of potential impacts to the existing viewshed. Visual and glare simulations are not included.

**Agriculture and Forest Resources.** The project is anticipated to allow for the location of renewable energy development into agriculture land, and potentially timberlands, including Timberland Production Zones (TPZ) areas. Based on assumptions for the project description developed in Task 2, projections related to the conversion of agricultural and forest lands to CAP-related uses will be evaluated, as well as the potential for conflicts with Williamson Act Contracts and TPZ.

**Air Quality/Greenhouse Gas (GHGs).** The project is located within the jurisdiction of the North Coast Unified Air Quality Management District (AQMD). A brief description of applicable federal, state, and local regulations, and regional and local conditions within the Project area will be presented, including current federal and state attainment designations. Using the land use change development assumptions developed as part of Task 2, consultant will evaluate the potential criteria pollutant operational emissions of the project, using the California Emissions Estimator Model (CalEEMod) and land-use-specific traffic data (i.e., trip generation and vehicle miles traveled [VMT]). The estimated emissions will be compared against the Air Pollution Control District-accepted thresholds for reactive organic gases, nitrogen oxides, and particulate matter.

Consultant will also perform a qualitative evaluation of project-generated toxic air contaminants utilizing existing siting and buffer-distance recommendations made by the California ARB and in other appropriate documents to determine significance.

Consultant will also qualitatively evaluate potential odor impacts associated with the project. For instance, increased generation and use of organic compost encouraged by the CAP may have odors, and the larger the size of composting activities, the greater the potential for odor to be evident. Due to the subjective nature of odor assessments, odor impacts are typically determined based on proximity of source and receptor and the number of annual complaints received by the AQMD and local law enforcement (e.g., Humboldt County Sherriff). Consultant will analyze potential impacts of the project, using available information from other local jurisdictions, including relevant experience from jurisdictions along California's North Coast. To the extent feasible, consultant will take into account the size and type of each reported operation.

The analysis of GHGs will include a brief discussion on the current state of the science along with applicable regulatory framework and relevant guidance (e.g., Assembly Bill [AB] 32 and Senate Bill [SB] 32). The analysis will evaluate the project in terms of its consistency with California's GHG reduction goals, recommendations contained in the AB 32 Scoping Plan, and other recent guidance documents, for determining whether project-generated GHG emissions would be a cumulatively considerable contribution to the global impact of climate change. Changes in carbon sequestration associated with implementation actions will be considered.

**Biological Resources.** Consultant will conduct an electronic search of the CDFW's California Natural Diversity Database (CNDDDB), which identifies listed species that may occur in the project area. County and city general plan information will be utilized as well. An electronic search of the California Native Plant Society's (CNPS) Electronic Inventory will also be conducted to obtain current information regarding sensitive plant species. Due to the size of Humboldt County, no site reconnaissance surveys will be conducted. The analysis will consider whether native habitat may be affected and relevant controls. The CAP may not restrict conversion of habitat, but is anticipated to provide for regulatory consideration consistent with the California Fish and Game Code and other provisions. Based on information obtained through document review, the environmental setting section will be prepared. A brief overview of relevant federal, state, and local laws and regulations pertaining to the protection of biological resources at the project site will also be included, and potential permitting needs will be identified and discussed.

The effects of biological resources will be considered in light of the existing conditions compared to the reasonably foreseeable compliance responses associated with the project as well as protection measures within the existing regulations of the County and cities (e.g., stream protection standards). This evaluation will be based on a review of available literature. Impacts will be evaluated in light of how management practices may change at sites where development is encouraged by CAP. policies, with enforceable performance standards, will be provided as needed to reduce potentially significant impacts.

**Cultural Resources and California Tribal Cultural Resources.** The analysis of cultural resources will be developed based on existing information (Archaeological Information Center data, local plans, plan EIRs, County and city general plan data, and other relevant documents) and information provided from the County from the AB 52 consultation process to make environmental conclusions. Given the size of Humboldt County, analysis will be limited to a literature review. This section will include a discussion of the applicable federal, state, and local policies and regulations; a brief summary of the prehistory and history of the area; a summary of the methods used to evaluate cultural resources; a listing of the criteria for determining significance; a description of historic properties or historical resources; and identification of impacts and related mitigation measures. This scope of work assumes that County staff will initiate consultation with applicable tribes, per AB 52. Any information pertaining to Native American Resources gleaned from consultation will be incorporated into the EIR's analysis.

**Geology and Soils.** Consultant will use existing information from soil surveys, the County and city general plan, and other readily available documents to describe the geologic setting of the Humboldt County including topography and soil characteristics. This information will be used to evaluate impacts related to unstable soil and slopes, and soil erosion, particularly as it may relate to project-related activities on steeper slopes. Impacts will be identified and assessed, and mitigation measures will be recommended for any significant or potentially significant impacts. The project would not be expected to affect risks associated with seismic ground shaking, so seismic-related issues will be scoped out of the EIR.

**Hazards and Hazardous Materials.** Using available information, the EIR will identify typical hazardous materials used in developments encouraged by the CAP and will evaluate the effectiveness of the project and existing regulations to mitigate potential impacts. This work effort will involve utilizing existing County and city (e.g., Division of Environmental Health) information as well as other data sources.

#### **Hydrology and Water Quality.**

The EIR will describe the existing hydrologic setting of the County and cities based on available documentation (i.e., water quality information, flood and topographic mapping, and previous documentation, including information from the North Coast Regional Water Quality Control Board). Water quality and watershed health conditions related to ongoing development in the Project Area? will be discussed. Consultant will also

summarize appropriate federal, state, and County and city regulations and policies related to these issues, including those of the North Coast Regional Water Quality Control Board. Using this information, consultant will qualitatively evaluate the effects of the CAP on run-off volumes and drainage patterns, pollutant discharges to surface and ground waters, and potential flooding hazards and downstream flooding impacts. The analysis will also address surface water and groundwater resource impacts associated with water supply needs. No formal engineering evaluations are considered necessary at this time.

**Land Use and Planning.** The project is anticipated to include the requirements for Zoning Clearance Certificates and other permit requirements for all activities encouraged by the CAP.

Using the projected growth consultant will evaluate the project relative to the County and cities' general plan land use diagrams and policies. Since the project would involve a modification of existing County and city Code provisions, it is assumed that the crux of this analysis will focus on consistency with existing policies adopted for the purpose of reducing environmental impacts. However, consultant will also qualitatively describe existing land use within the County and cities and describe any potential for division of existing communities.

**Noise.** The noise setting will generally describe the existing noise environment within the County and cities based on existing environmental documentation. This will include identification of existing areas with concentrations of noise-sensitive receptors and major noise sources, ambient levels, and natural factors that relate to the attenuation thereof, including topographic features. Noise levels of specific equipment used for activities encouraged by the CAP will be briefly discussed and the distance at which such effects can substantially affect sensitive receptors will be determined. No noise measurements will be taken as part of this analysis. The EIR will assess the exposure of sensitive receptors to or generation of excessive ground borne vibration or noise levels from these types of construction and operational equipment that may result from uses allowed under the CAP. This analysis will be based on documented source-specific vibration levels and standard modeling procedures. The significance of short- term and long-term noise impacts will be determined based on comparisons with applicable federal, state, and County and City noise standards.

**Public Services.** The project would likely encourage expanded or new activities that may result in additional need for law enforcement, fire protection personnel, schools, parks, and other governmental facilities. The EIR will evaluate how the CAP may affect service ratios, response times, or other performance objectives related to these public services.

**Transportation and Circulation.** The project may allow for increases in localized traffic congestion, although substantial traffic generation is not expected and a traffic engineer is not needed on the team. Trip counts and roadway/intersection analyses are not proposed and are assumed to not be needed. Traffic safety will also be addressed. See Scope of Work for VMT Screening Thresholds.

**Utilities and Service System.** The project may induce the need for substantial amounts of electricity. The EIR will evaluate how changes to the CAP may affect the provision of utilities and related service systems. This evaluation will be based on assumptions established under Task 2, and studies related to utility demands associated with CAP implementation. This will include an analysis consistent with Appendix F of the CEQA Guidelines and recent case law on energy use impact analysis.

**Cumulative Impacts.** This section will evaluate whether the CAP's incremental contribution to an existing significant cumulative impact is considerable, and will consider the potential effects of the CAP as a whole, based in part on the new development encouraged by the CAP.

In order to evaluate the project's contribution to cumulative effects, it is necessary to identify the cumulative context. While the specific actions are not yet known, illustrative examples include an increase in the number of

applications for renewable energy development, and expansions of areas where such developments may occur. The EIR will then go through each environmental issue area analyzed in detail as part of the EIR and evaluate whether the project's contribution would be significant. Consultant and County staff will work together to determine what may be reasonably foreseeable, in a manner similar to as described in Task 2 for the proposed project.

**Impacts from Growth Inducement.** This section will qualitatively evaluate the project's potential to induce growth and any related environmental impacts that would occur (pursuant to CEQA Guidelines Section 15126[d]).

**Significant and Unavoidable Impacts.** This section provides a summary of any significant and unavoidable impacts identified in the previous sections.

**Significant Irreversible Changes.** As part of the approval of a new ordinance, the EIR will need to describe significant irreversible changes to the environment with the implementation of the project.

**Alternatives.** In coordination with County staff, consultant will develop up to three project alternatives for evaluation as part of the EIR. Consistent with CEQA requirements, one of the alternatives will be a "No Project" alternative, defined as no change to existing regulations, while the other two will examine variations of the project, to be developed based on coordination with and direction from the County staff.

It is assumed that the alternatives to be developed will examine further refinement of the implementation actions in the CAP. Such issues that will be considered include, but are not limited to, distance between large-scale renewable energy development sites, proximity to schools and other sensitive land uses, minimization of agricultural operations and timberland conflicts, slope stability and soil erosion, habitat conditions, and visibility of operations and impacts of visual screening.

The Alternatives Chapter will compare the impacts of each alternative to the proposed project impacts. Using this comparison, the Environmentally Superior Alternative will be identified. A brief qualitative discussion of the potential environmental impacts of the alternatives will be carried through each alternative's analysis.

**Administrative Record.** As part of preparation of the administrative Draft EIR, consultant will compile an electronic copy of all cited literature, studies, personal communications, and reference materials used in the preparation of the EIR. These materials will be provided with the Public Draft EIR deliverable (see Task 5), and updated as needed at the Final EIR stage (see Task 8). Consultant will submit the Administrative Draft EIR electronically for County staff review.

**Quality Assurance.** Consultant will conduct a thorough review of the document prior to submittal to the County to ensure it meets the requirements of CEQA (including case law), is consistent from section to section, and reflects a high quality of readability.

**Deliverables/Meetings:**

- ▶ Electronic copy of Administrative Draft EIR

## **TASK 5 PREPARATION OF THE PUBLIC DRAFT EIR**

Upon receipt of one consolidated and reconciled set of comments from County staff on the Administrative Draft EIR, Consultant will revise the Administrative Draft EIR and prepare a Screencheck Draft EIR for County staff review prior to circulation of the Draft EIR. Upon completion of County review of the Screencheck Draft EIR,

consultant will revise the EIR and prepare the Draft EIR for public release.

**Deliverables/Meetings:**

- ▶ Conference call with County staff to review and discuss Administrative Draft EIR comments
- ▶ Electronic copy of Screencheck Draft EIR
- ▶ Attendance at public hearing on the Draft EIR

## **TASK 6 FINAL EIR**

The County will be responsible for receiving all public comments on the Draft EIR and providing the comment letters to consultant. Upon receipt of an organized set of Draft EIR comments from County staff, consultant will closely review all comments received during the Draft EIR comment period, as well as any late comments that require response. Consultant and County staff will conduct a conference call(s) to discuss comments received, response strategy, and to confirm whether a change in scope is necessary in order to provide thorough, well-substantiated responses for any comment that raises issues with the Draft EIR's environmental analysis.

Consultant will thoughtfully respond to the comments received and will provide thorough, well-substantiated responses for any comment that raises issues with the Draft EIR's environmental analysis. The volume and type of comments cannot be determined at this juncture. A total of 100 hours of technical time should be set aside in this scope. Additional time for word processing and graphics should also be included.

Consultant will submit an electronic copy of an Administrative Final EIR for County staff's review and comment. The document will consist of three major sections: 1) an "introduction," which will include a matrix of comment letters received and a summary of the environmental issues raised by each letter; 2) the "response to comments," which will include individually bracketed and numbered comments with the corresponding responses, as well as any master responses; and 3) the "changes to the Draft EIR," which will include the specific text changes for those instances in which the Draft EIR requires revision.

Upon receipt of one set of consolidated and reconciled County comments, consultant will conduct a conference call with County staff to discuss comments on the Administrative Final EIR and. Following the meeting, consultant will revise the document in accordance with review comments from the County and prepare the Final EIR. Consultant will submit one (1) hard copy and an electronic copy of the Final EIR to County staff for publishing and distribution.

**Deliverables:**

- ▶ Conference calls with County staff to review and discuss Draft EIR public comments and comments on the Administrative Final EIR
- ▶ Preparation of revised scope of work and cost estimate if necessary
- ▶ Electronic copy of Administrative Final EIR

## **TASK 7 PREPARATION OF DRAFT MITIGATION MONITORING PLAN (MMP) AND CEQA FINDINGS**

Consultant will prepare the Mitigation Monitoring Plan (MMP) for County staff review and approval. Assuming that all mitigation would be incorporated into the CAP via implementation action modification, the MMP will lay out the information necessary for staff to determine if and when a mitigation measure is complete or whether ongoing mitigation is implemented in conformance with the EIR.

**Deliverables:**

- ▶ Electronic copy of administrative draft and final MMP



## TASK 8 MEETINGS AND HEARINGS

Consultant will manage the EIR to maintain the schedule. Consultant will stay in close communication with County staff via phone calls and emails to ensure the County's objectives are met, the schedule is kept, and the project is implemented within established budget parameters.

Beyond those meetings identified above, it is assumed that the consultant project manager will attend up to three (3) additional meetings/public hearings with County staff and other agencies. Each meeting/public hearing is assumed to require approximately eight hours for preparation, travel time, and attendance. Additional meetings, including additional public outreach efforts deemed necessary by the County staff, could be included as an optional task.