We Are Up Project

PLN-2024-19020

Environmental Streamlining Checklist and General Plan Consistency Analysis

Public Resources Code § 21083.3 | CEQA Guidelines § 15183

Prepared for:

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1. Introduction

The We Are Up Mixed-Use Supportive Housing Project (Project) (PLN-2024-19020), as described in Section 2 below, is proposed to be located in the McKinleyville Community Plan Area within the County of Humboldt. The proposed Project Site is located at 1551, 1529, 1515 Central Avenue and 144 Weirup Lane on Assessor's Parcel Numbers (APNs) 509-181-003, 509-181-012, 509-181-005, and 509-181-061, respectively, in the unincorporated Humboldt County community of McKinleyville, California. The Site consists of approximately 17.38 contiguous acres east of Central Avenue between Bartow Road and Hideaway Court.

Pursuant to Public Resources Code section 21083.3 and CEQA Guidelines (Cal. Code Regs., tit. 14, § 15000 et seq.) section 15183, the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.) provides for an exemption from environmental review for projects "'consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified,' except as might be necessary to determine whether there are project-specific significant effects. Guidelines section 15183 was promulgated on the authority of . . . section 21083.3, which provides a public agency need examine only those environmental effects that are peculiar to the project and were not addressed or were insufficiently analyzed as significant effects in the prior EIR." (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 908–916 (*Hilltop Group*), citing *Lucas v. City of Pomona* (2023) 92 Cal.App.5th 508, 534.)

Specifically, projects that are consistent with the development density established by the existing zoning, community plan, or general plan policies for which an EIR was certified "*shall* not require additional review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." (CEQA Guidelines, § 15183, subd. (a), italics added.) These CEQA exemption provisions therefore function to allow the County, as lead agency, to avoid repeating analyses that were already provided in previously certified documents when considering the potential impacts of a proposed project that is consistent with those prior planning decisions. "Although agencies have discretion regarding which streamlining process to utilize (see CEQA Guidelines, § 15152, subd. (h)), they are required to limit their environmental review of a project when a program EIR has been certified for a general plan and a later project is consistent with the general plan." (*Hilltop Group*, *supra*, 99 Cal.App.5th at p. 912; Pub. Resources Code, § 21083.3.)

Once an agency determines, as the County has done here, that a project is eligible for the streamlined environmental review process in Guidelines section 15183, it must limit its examination of a proposed project's effects to those circumstances enumerated in Guidelines section 15183, subdivision (b)(1) through (4). In other words, those impacts that: (1) are peculiar to the project or the parcel on which the project would be located; (2) were not analyzed as significant effects in a prior EIR on the zoning action, general plan or community plan with which the project is consistent; (3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or (4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR. (CEQA Guidelines, § 15183, subd. (b)(1)–(4).)

If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for the project solely on the basis of that impact. (*Id*., subds. (c), (e).)

As discussed further in this document, the Project is consistent with the residential and commercial land uses established by the County's General Plan and the McKinleyville Community Plan (MCCP) after certification of an EIR. The Project is also consistent with the Site's underlying zoning designations under the Humboldt County Zoning Code (HCC). The potential environmental effects of the Project's proposed land uses were analyzed and mitigated in the certified Programmatic Environmental Impact Report (PEIR) prepared for the County's General Plan Update (GPU) as well as the Addendum to the GPU PEIR prepared for the most recent Housing Element update (HE Addendum), and the MCCP PEIR. Moreover, the Project's effects would also be adequately addressed by uniformly applied development policies and standards, along with permit conditions required by the County and responsible agencies. Accordingly, the Project is eligible for the CEQA streamlining and exemption provisions of Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

The County provides the following environmental review and checklist to disclose the County's evidence and reasoning for determining the Project's consistency with the Humboldt County General Plan (GPU), the McKinleyville Community Plan (MCCP), and the Humboldt County Zoning Code, and the Project's eligibility for streamlined analysis and an exemption from further environmental review based on the analyses conducted in the certified Programmatic Environmental Impact Report (PEIR) for the County's GPU, the HE Addendum, and the MCCP PEIR. This checklist was used to determine if there would be Project-specific impacts that are peculiar to the Project or its Site, or other changes requiring supplemental CEQA review. As demonstrated below, all potential impacts associated with the proposed Project fall within the scope of an analysis performed in the prior GPU PEIR, and/or HE Addendum, and/or MCCP PEIR, and/or would be adequately addressed by uniformly applied development policies, standards, and permit conditions, and thus do not present peculiar conditions that could trigger the preparation of a subsequent or supplemental CEQA document.

2. Project Description

2.1 Project Summary

The Project proposes the construction of a new infill mixed-use planned development consisting of up to 70 residential housing units (at various affordable rates), a community center, a greenhouse, a barn, and installation of associated site improvements, including an access road, walking trails, outdoor recreation activities (e.g. badminton, basketball), related lighting, stormwater control features, wetland creation, and riparian planting (see Figure 2.7). The Project is proposed to be located at 1551, 1529, 1515 Central Avenue and 144 Weirup Lane.

A mix of residents, including people with intellectual disabilities, seniors, and students in related fields of study, will create a community that celebrates belonging, empowers the abilities of its residents, provides better outcomes, and lowers societal costs. The Project intends to create an integrated, replicable "ecosystem of care" anchored in long term affordable housing, agriculture, workforce development, environmental preservation, enrichment, and community-building to transform the lives of residents, their families, and our region.

2.2 Project Background

The Project sponsor and applicant, We Are Up, is a 501(c)(3) nonprofit organization that was founded with the mission to build a vibrant and inclusive community that supports people with diverse abilities, ages, and socioeconomic backgrounds. The Community Center, educational offerings, and commercial kitchen will allow the community at large to benefit, value, contribute, and become part of the Project. Additionally, the Community Center will create important community integration and job opportunities for residents. Events at the community center can be staffed by residents who can provide flower arrangements, food preparation from the commercial kitchen, clean up, set up and ushering. This gives residents job skills that are transferable to other potential job opportunities in the larger community, thereby facilitating greater integration of residents and community members.

The Project's proposed housing units, agricultural activities, Community Center, and preservation of open space are all integral to and play a part in the overall success of the Project. The Project has been designed to accommodate a mix of residents, including: 1/3 people with autism spectrum disorder (ASD) and intellectual/developmental disabilities (I/DD); 1/3 seniors; 1/3 a mix of students in related fields of study who can support and gain valuable insights from living and working with ASD and I/DD residents; and visiting medical professionals who are presently lacking in the region and often cannot find housing.

The Project is needed, in part, because: (i) more than half of young adults with autism have not interacted with a friend in over a year; (ii) eighty percent of adults with developmental disabilities in California are living with aging parents who, in coming decades, will no longer be able to care for their adult children; (iii) the estimated unemployment rate for adults with autism is 90%; and (iv) seniors suffer from loneliness and long for meaningful engagement, they have much wisdom to offer their communities. The County also lacks the type of housing opportunities to the target residential population the Project would provide. The Project thus seeks to change these statistics by creating a vibrant community of support.

Each component of the Project will facilitate its overarching purpose. Housing alone will not solve the need for care that is experienced by adults with ASD and I/DD. This is a vulnerable group that is often left out of equity discussions and community involvement. By making an inclusive community with the amenities of agricultural activities, and a community center designed and built in, many will benefit. The greater community will have lower long-term costs of support, and parents will have peace of mind and residents will have better lives. The Project's design and amenities create a model in a relatively low-cost rural area that can be replicated elsewhere to improve health outcomes while potentially lowering societal costs and providing a lifetime of care for vulnerable populations.

2.3 Project Location and Setting

The proposed Project is located at 1551, 1529, 1515 Central Avenue and 144 Weirup Lane on Assessor's Parcel Numbers (APNs) 509-181-003, 509-181-012, 509-181-005, and 509-181-061, respectively, in the unincorporated Humboldt County community of McKinleyville, California. (Figure 2.1.) The proposed Project Site is located on approximately 17.38 contiguous acres east of Central Avenue between Bartow Road and Hideaway Court. (See Figure 2.2.)

2.3.1 Existing Conditions and Site Characteristics

The Project Site is located in the unincorporated town of McKinleyville, which is situated on the Pacific Coast, approximately 9 miles north of Eureka and 75 miles south of the Oregon border. McKinleyville is located in the middle of Humboldt County and the northern part of the Humboldt Bay Region — the County's most populated area. The nearby cities of Eureka and Arcata, which are located to the south, are connected to McKinleyville by Highway 101 — a four-lane highway with two northbound and two southbound lanes. Much of the flat land in McKinleyville is developed with commercial and residential uses. These major population centers are separated by timber production and other agricultural uses. The California Redwood Coast Humboldt County Airport (the County's largest airport) is located a little more than 2 miles north of the Project Site.

The Project Site can be accessed through one of two existing entrances. The main entrance is accessible from 1515 Central Avenue (APN 509-181-005) across from the Anna Sparks Way intersection on Central Ave, which serves the Mill Creek Marketplace. There is a secondary access point to the Project site on 144 Weirup Lane (APN 509-181-061) via Weirup Lane, south of Sutter Road, and then via a private road. (See Figure 2.2.)

The Project Site is situated within an established commercial and residential area and within an Urban Development Area under the McKinleyville Community Plan (Humboldt County 2017a). The Project Site is largely vacant and contains an open field, an orchard, two vacant duplexes, one vacant single-family home, and one dilapidated barn that is no longer usable. The remainder of the Project site is undeveloped. Terrain across the site gradually slopes to the southeast. Vegetation throughout the area consists of non-native grasses and other low-habitat value vegetation.

The area immediately surrounding the Project Site contains smaller parcels along Central Avenue, which are characterized as mixed-use developments with a combination of single-family homes, duplexes, and commercial buildings. The Mill Creek Shopping Center is directly west and across the street (Central Avenue) from the Project Site. The larger Weirup Lane property is bordered by retail commercial development along its western boundary and a combination of single-family homes, multifamily apartments, and the offices of

the McKinleyville Community Services District (MCSD) to the north. To the east and south, the property is bordered by Mill Creek, which leads into a riparian forest with wetlands and scattered single-family homesites.

Figure 2.1 – Project Location

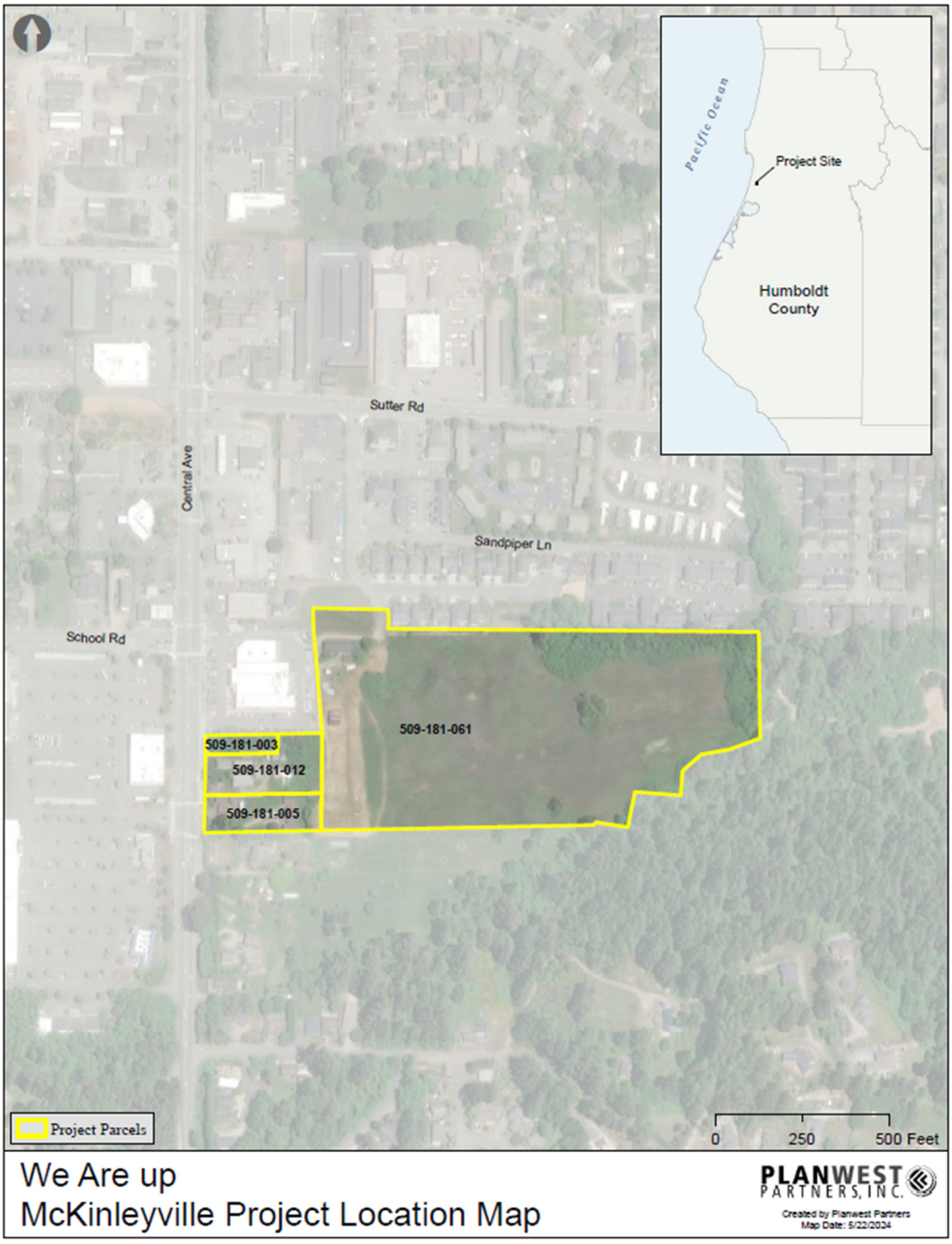
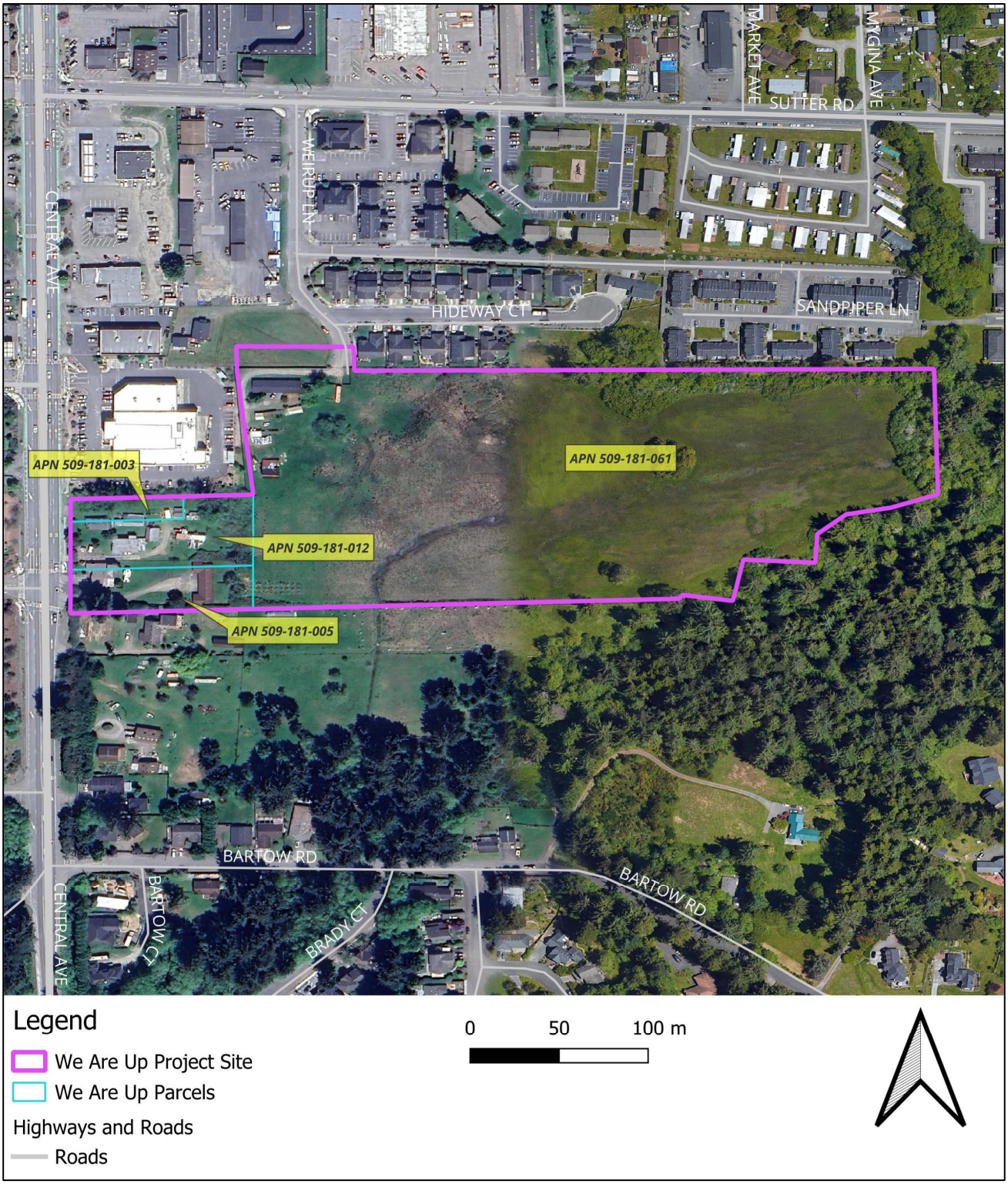


Figure 2.2 – Aerial View of Project Site



2.4 Project Features and Elements

The Project proposes to develop the western portion of the Project Site with residential units, a mixed-use community center, a greenhouse, a barn, associated agricultural features, and related accessory developments and site improvements, including an access road, walking trials, related lighting, stormwater features, and on-site parking. (See Figures 2.3, 2.4, 2.7.) Some wetland creation, habitat restoration, and riparian enhancements, would be carried out throughout portions of the remaining Project Site, consistent with County standards and the permits and approvals required from the USACE and RWQCB. (See Appendix C.1.)

Following construction, We Are Up staff and residents would maintain and operate the Project's various facilities. General operation and maintenance activities associated with the Project would be limited to typical housing and agricultural maintenance, including trash/debris removal, vegetation and animal management, repaving, and building repairs. Waste streams are anticipated to include compostable food waste, recyclable materials, and non-recyclable household waste items.

Figure 2.3 – Eastward Aerial View of Project Site with Project Improvement Areas

Source: Planwest Partners, 2025 (Imagery from Google Earth; accessed January 2025)

Figure 2.4 – Westward Aerial View of Project Site with Project Improvement Areas

Source: Planwest Partners, 2025 (Imagery from Google Earth; accessed February 2025)

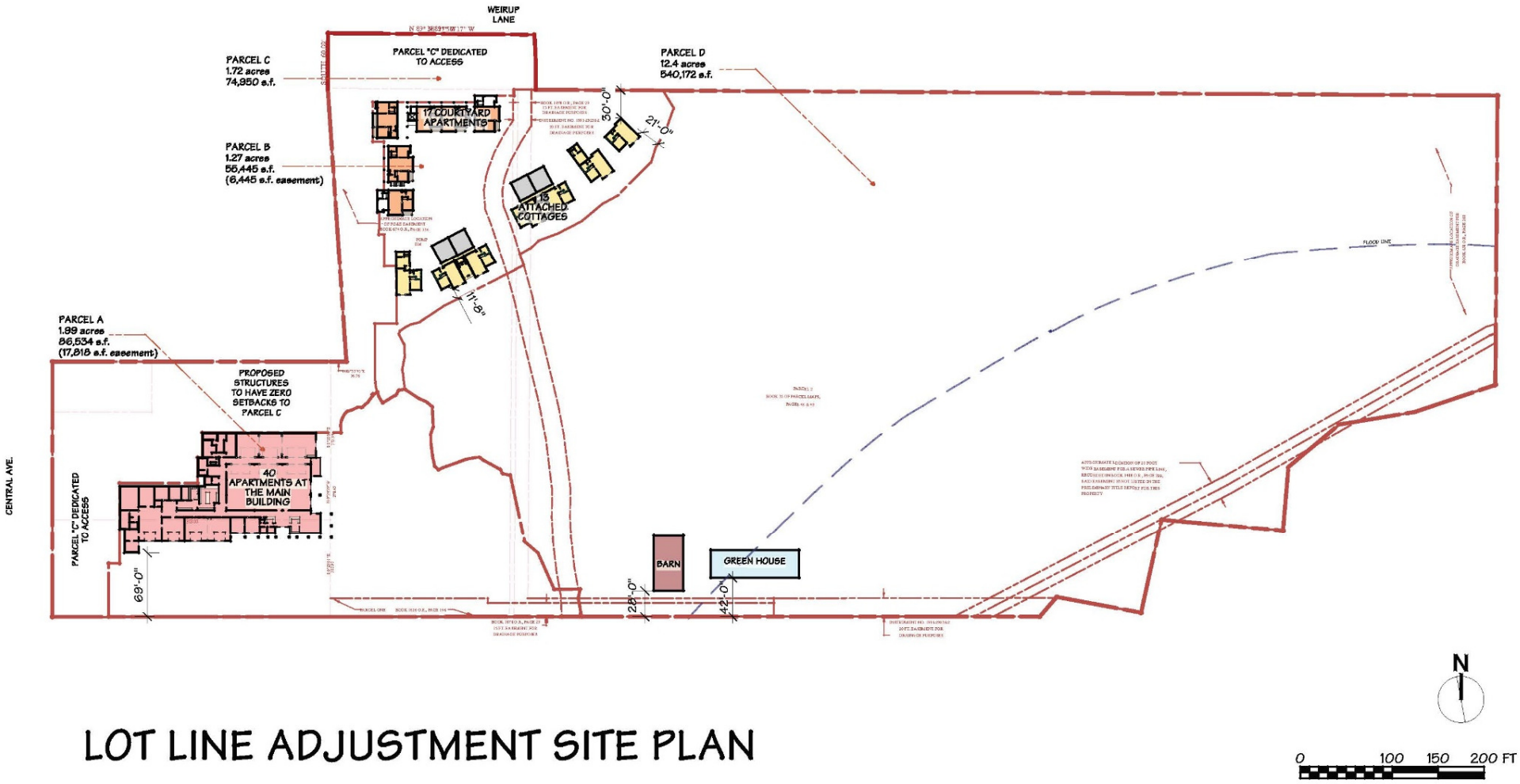
2.4.1 Lot Line Adjustment

A lot line adjustment is proposed to reconfigure the Project site's existing parcel lines to better accommodate the proposed uses and facilitate financing for the Project's affordable units and supportive services. The proposed parcels are shown on the Lot Line Adjustment site plan in Figure 2.5 below. A detailed comparison of the existing and proposed parcels is also shown in Table 2.1 below:

Table 2.1 – Existing and Proposed Parcels Before and After the Lot Line Adjustment

Existing Parcels (APN)	Existing Street Address	Existing Parcel Size (acres)	Proposed Parcels	Proposed Parcel Size (acres)
509-181-003	1551 Central Avenue	0.14 acres	Parcel A	1.99 acres
509-181-012	1529 Central Avenue	1.06 acres	Parcel B	1.27 acres
509-181-005	1515 Central Avenue	0.73acres	Parcel C	1.72 acres
509-181-061	144 Weirup Lane	15.45 acres	Parcel D	12.4 acres

Figure 2.5 – Proposed Lot Line Adjustment Site Plan



2.4.2 Residential Uses

The Project proposes construction of up to 70 residential units of various types and sizes (approximately 550 to 1,200 square feet), to house approximately 100 to 120 occupants, nearly all of whom will be from special needs populations. As shown in Figure 2.7 and Table 2.2 below, the residential units will be dispersed throughout two (2) of the Project Site's four (4) new parcels that will be created via the proposed Lot Line Adjustment (see Figure 2.5 above):

- Up to 40 units to be developed on the upper three floors of the Community Center, which will be developed on new Parcel A ("Community Center Units");
- Up to 13 units to be developed in attached cottages on new Parcel B ("Attached Cottages"); and,
- Up to 17 units to be developed as apartment units in two-story courtyard style buildings on new Parcel B ("Courtyard Apartments").

All proposed residential uses, including those within the Community Center and use of the commercial kitchen to prepare meals for guests and residents, will operate 24 hours/day, 7 days per week. Initially, the Project's residential uses will be supported by approximately eight (8) full-time employees for support, programming, and maintenance purposes, two (2) of whom are expected to live on site. As explained below, an additional two (2) employees will be hired to support agricultural and farming operations, thereby bringing the Project's total number of full-time employees to ten (10) employees. The anticipated mixture and function of these employees includes: one (1) executive director; one (1) maintenance manager; one (1) farm manager; one (1) inclusion concierge; one (1) housekeeper; one (1) farm and maintenance laborer; and two (2) office staffers. An additional six (6) employees may be hired once all phases of the Project are fully implemented and operational, such as those needed to assist with providing day programs for residents and the community at large.

Table 2.2 – Residential Unit Count (Upper Limit)

	Studio	One BR	Two BR	Three BR	TOTAL
Attached Cottages	0 units	**7 units**	**6 units**	0 units	**13 Attached Cottage Units**
Courtyard Apartments	0 units	**8 units**	**9 units**	0 units	**17 Courtyard Apartment Units**
Community Center	**7 units**	**16 units**	**11 units**	**6 units**	**40 Community Center Units**
2nd Floor	*3 units*	*4 units*	*3 units*	*1 unit*	*11 units (2nd floor)*
3rd Floor	*2 units*	*6 units*	*4 units*	*1 unit*	*13 units (3rd floor)*
4th Floor	*2 units*	*6 units*	*4 units*	*4 units*	*16 units (4th floor)*
TOTALS	**7 total studio units**	**31 total one-BR units**	**26 total two-BR units**	**6 total three-BR units**	**70 TOTAL RESIDENTIAL UNITS**

COMMUNITY CENTER UNITS

The Community Center building will be developed on new Parcel A and will be approximately 65 feet in height. The Center will contain up to 40 apartment units comprised of a mixture of studio, one-, two-, and

three-bedroom units, which will be constructed on the Center's upper second, third, and fourth floors (see Table 2.2 above). Each Community Center dwelling unit will feature an accessible full kitchen, an accessible bathroom, and living space, while each residential floor will contain shared laundry facilities for residential use. Of the Community Center's 40 total units, 4 units—3 studio units and 1 one-bedroom unit—will be reserved for the guests of on-site residents to rent for short stays of less than one (1) month at a time.

The Second Floor of the Community Center is proposed to be approximately 14,700 total sf, which will include 11 residential units (see Table 2.2 above), which will be comprised of: 3 studio units, 4 one-bedroom units, 3 two-bedroom units, and 1 three-bedroom unit. The studio units will be approximately 520 square feet, the one-bedroom units will be approximately 680 square feet, the two-bedroom units will be approximately 890 square feet with one bathroom and 990 square feet with two bathrooms, and the three-bedroom unit will be approximately 1,100 square feet in size. The Second Floor will also contain shared residential laundry facilities, and office/support staff rooms to be used by staff and residents for bookkeeping, library and computer uses, and other needs. The laundry facilities will be approximately 120 square feet, while the office and support staff rooms will be approximately 1,400 square feet in size.

The Third Floor of the Community Center is proposed to be approximately 20,400 total square feet, which will include 13 residential units (see Table 2.2 above) that will be comprised of: 2 studio units, 6 one-bedroom units, 4 two-bedroom units, and 1 three-bedroom unit. The studio units will be approximately 520 square feet, the one-bedroom units will be approximately 680 square feet, the two-bedroom units will be approximately 890 square feet with one bathroom and 990 square feet with two bathrooms, and the three-bedroom unit will be approximately 1,100 square feet in size. The Third Floor will also contain a 2,500-square-foot rooftop garden, a 2,300-square-foot assembly/support room for meetings and workshops, an 800-square foot sunroom, and residential laundry facilities that will be approximately 200 square feet in size.

The Fourth Floor of the Community Center is proposed to be approximately 17,400 total sf and will feature 16 residential units (see Table 2.2 above), which will include: 2 studio units, 6 one-bedroom units, 4 two-bedroom units, and 4 three-bedroom units. The studio units will be approximately 520 square feet, the one-bedroom units will be approximately 680 square feet, the two-bedroom units will be approximately 890 square feet with one-bathroom and 990 square feet with two bathrooms. For the three-bedroom units, one will be approximately 1,140 square feet in size, one will be 1,100 square feet and feature two stories, one will be 1,200 square feet and feature two stories (reserved for managers), and one will be 1,200 square feet and feature two stories and a 100-square-foot balcony (also reserved for managers). The Fourth Floor will also contain residential laundry facilities, a gathering room for games and movies, and support spaces. The laundry facilities will be approximately 120 square feet, the support spaces will be approximately 200 square feet, and the game/movie room will be approximately 600 square feet in size.

The Community Center will be surrounded by approximately 98 paved parking spaces, of which approximately 35 to 42 spaces are anticipated to be utilized for residential, staff, and guest use.

ATTACHED COTTAGE UNITS

The Project proposes to develop up to 13 residential units as Attached Cottages on new Parcel B, which will collectively total approximately 14,500 square feet. Of the 13 units, the Attached Cottages will contain 7 one-bedroom units, each of which will be approximately 620 square feet in size, and 6 two-bedroom units, each of which will be approximately 940 square feet in size. Twelve of the 13 cottages will be two-stories and approximately 30 feet in height. To reduce visual impacts to residences on parcels neighboring the Project

Site, the one Cottage Unit closest to those residences will be limited to a single story and be approximately 24 feet in height. All the Attached Cottages' residential units will contain full kitchens, bathrooms, living spaces, and laundry facilities.

Four (4) two-car garages (8 total spaces) are also proposed to be developed accessory to the Attached Cottages on Parcel B, each garage will be approximately 440 square feet, or 1,800 total square feet, and approximately 16 feet in height.

COURTYARD APARTMENT UNITS

On new Parcel B, the Project proposes to develop up to 17 residential units in 4 three-story courtyard style apartment buildings at no more than 40 feet in height and totaling approximately 22,500 square feet in area. Of the 17 units, the Courtyard Apartments will include 8 one-bedroom units, each of which will be approximately 665 square feet, and 9 two-bedroom units, each of which will be approximately 940 square feet in size. All residential units will contain full kitchens, bathrooms, living spaces, and laundry facilities.

On new Parcel C, 44 paved parking spaces are proposed to be developed accessory to the Attached Cottages and Courtyard Apartments, including 5 handicap spaces.

2.4.3 Mixed-Use Community Center

As described in Section 2.4.2 above, the Project proposes to develop a Mixed-Use Community Center on new Parcel A. The Center is proposed to be four (4) stories total, which will collectively make up a total floor area of approximately 76,000 square feet and reach approximately 65 feet in height. The total footprint for the Center's First/Ground Floor will be approximately 20,000 square feet in size.

The Community Center is intended to be used by residents, staff, and the community for classes (e.g., arts and crafts, makers classes, etc.), trainings, projects related to the Project's onsite gardens, livestock, and greenhouse production, shared meals, meetings, and events. In addition to the residential units that will be developed on the Center's upper floors (see Section 2.4.2 above), the Community Center would also serve the residential population by providing a site for regular classes, value-added product production and income generation, and important socialization opportunities. As more fully described in Section 2.4.5 – "Temporary Uses" below, the Center would also serve the community as a space available for rent for various types of events such as rotary meetings, weddings, community meals, corporate retreats, and other similar gatherings. Many of these uses would support tourism opportunities within the greater McKinleyville area and also provide supplemental income for the We Are Up and job opportunities for residents, thus decreasing the non-profit organization's need for grants or other forms of ongoing public funding.

The First/Ground Floor of the Community Center is proposed to be approximately 20,000 square feet, and will include various communal and commercial spaces, including: a 4,600-square-foot meeting room, along with two 740-square-foot partitionable spaces, which can be used in a variety of ways for meetings, fundraising events, workshops, and other gatherings. The First/Ground Floor will also contain a 960-square-foot arts and crafts room, a 200-square-foot retail store space, along with a reception space, support staff offices, and restrooms. Finally, the First/Ground Floor will feature an 1,800-square-foot commercial kitchen with an adjoining 1,400-square-foot space to be used for life skills and cooking classes, value-added product production, community events, catering rentals, and some daily residential needs. The kitchen will be complemented with dry, refrigerated, and freezer storage, which will facilitate increased food security by

allowing residents and staff to store food and goods produced on site. The commercial kitchen may be used during the day or night to accommodate the needs of residents, visitors, and rental catering services. Compostable food waste (separated and composted on site), recyclable paper and typical household use products, and non-recyclable items will be picked up weekly by Humboldt Sanitation.

The exterior of the Community Center's First Floor will feature a patio-like area with outdoor seating and native plantings, a small stage for residential uses (featuring non-amplified sounds), a recreational sports court for occasional residential team activities such as basketball, badminton, and/or volleyball, and smaller assembly/gathering areas for residential and community event uses. (See Figures 2.6, 2.7.)

The Community Center will be surrounded by approximately 98 paved parking spaces, of which approximately 35 to 42 spaces are anticipated to be utilized for residential and staff use, with 11 spaces reserved for accessible parking. The remaining parking spaces will be available for guests, employees, and event attendees. At least 2 of these parking spaces will be reserved for and provide on-site electric charging for electric vehicles. Onsite bicycle storage for up to 12 bikes will also be provided adjacent to the Community Center building, while a protected bicycle storage room within the Center will hold an additional 12 bikes.

The Community Center is anticipated to be open for daily general retail and commercial uses on Mondays through Sundays between the hours of 8:00 a.m. to 6:00 p.m. The Community Center will also be open and available to host smaller, temporary events, such as scheduled classes, trainings, and meetings, on Mondays through Saturdays usually between the hours of 8:00 a.m. and 6:00 p.m., or until 11:00 p.m. at the latest, subject to approval. (See Section 2.4.5 below.)

The Community Center is anticipated to be supported by approximately 8 full-time employees, 2 of whom will live on-site. These employees will help facilitate the organization's residential programing, staff the retail store and commercial kitchen, and provide general onsite building/grounds maintenance. On-site residents will also be employed as needed and as they may desire.

2.4.4 Agricultural Uses & Activities

To support programming and opportunities for onsite residents, the Project proposes to develop a variety of low-impact agricultural uses on new Parcel D, including a Greenhouse, a small Barn, an Orchard, and a Garden. These proposed agricultural activities are anticipated to be supported by one (1) full-time farm manager, and either at least one (1) full-time or two (2) part-time farm/maintenance employees, along with additional support from on-site residents and community volunteers (such as those from the County's 4-H Youth Development Program and the Future Farms of America [FFA] organization). For each of the Project's proposed agricultural uses and activities, nutrient fertilizers made from the purest commercial grade minerals that follow California's strict guidelines on standards and quality will be used, while unusable plant material will be composted, and water will be recycled onto other plants throughout the Project Site.

GREENHOUSE

On new Parcel D, the Project proposes to construct a 2,880-square-foot greenhouse building on a 3,600-square-foot permanent concrete pad foundation, which will accommodate and support persons with various mobility levels and needs. Construction of the Greenhouse and Barn (described below) and ancillary development supporting these uses will be the first phase of the Project. The Greenhouse will be constructed with arches and poly-carbonate walls. To support internal ventilation, the interior of the Greenhouse will include slow-moving, overhead horizontal air flow (HAF) fans and exhaust fans, along with intake shutters,

an automatic cooling pad, a heating system, and a climate controller. A 1,200-gallon, 8-foot-by-12-foot-by-6-foot water reservoir, or three 400-gallon underground tanks, will also be used to recycle and reuse water and nutrients used for the hydroponic growing of plants. The reservoir(s) will be buried in the ground to maintain a more constant temperature and reduce heating or cooling needs.

A strip of lawn space will be located directly adjacent to the southern portion of the Greenhouse and can be used to accommodate up to 16 parking spaces for occasional vehicles operated by support staff when delivering supplies and picking up produce, or as overflow spaces for temporary onsite events (see Section 2.4.5 – Temporary Uses). Four (4) additional paved parking spaces, including one (1) accessible space, will be located near the entry to the Greenhouse.

The Greenhouse will be open and used seven (7) days a week to hydroponically grow a variety of plants (e.g., vegetables, flowers, herbs, etc.). These activities and the greater Greenhouse space will provide an educational/teaching venue for residents and community members, and can also serve as an occasional gathering opportunity for community events (see Section 2.4.5 – Temporary Uses). Cannabis cultivation and/or processing is not a current or future proposed use in the Greenhouse.

BARN

The Project proposes constructing a small Barn adjacent to the Greenhouse on new Parcel D. The Barn's dimensions will be approximately 32 feet by 64 feet, totaling approximately 2,050 square feet. The Barn will be accompanied by a small outdoor, fenced enclosure for barnyard animals to graze during the day. The Barn will be used to house various livestock/farm-type animals such as chickens, sheep, goats, and/or cattle, consistent with what is allowed under Section 314-43.3 of the Humboldt County Code.

The Project Site was historically used for cattle grazing on the property. Consistent with Humboldt County Code section 314-43.3.6, the Project's proposed barnyard animals will be kept in a setback enclosure with fencing to keep them out of the Project Site's surrounding riparian areas and wetlands. During the summer and fall months, some livestock may graze throughout the Project Site's open spaces on Parcel D; however, livestock will be confined and monitored so as to prevent them from entering any of the Project Site's sensitive natural communities (SNCs). Fencing will also be installed on the southern property boundary and upland areas to keep out livestock and protect the Project's riparian enhancement plantings, and the existing riparian vegetation and Mill Creek. This will ensure that water quality of Mill Creek is also protected. Fencing will also be installed to ensure livestock are prevented from leaving the property.

ORCHARD, GARDEN, AND OTHER AGRICULTURAL USES

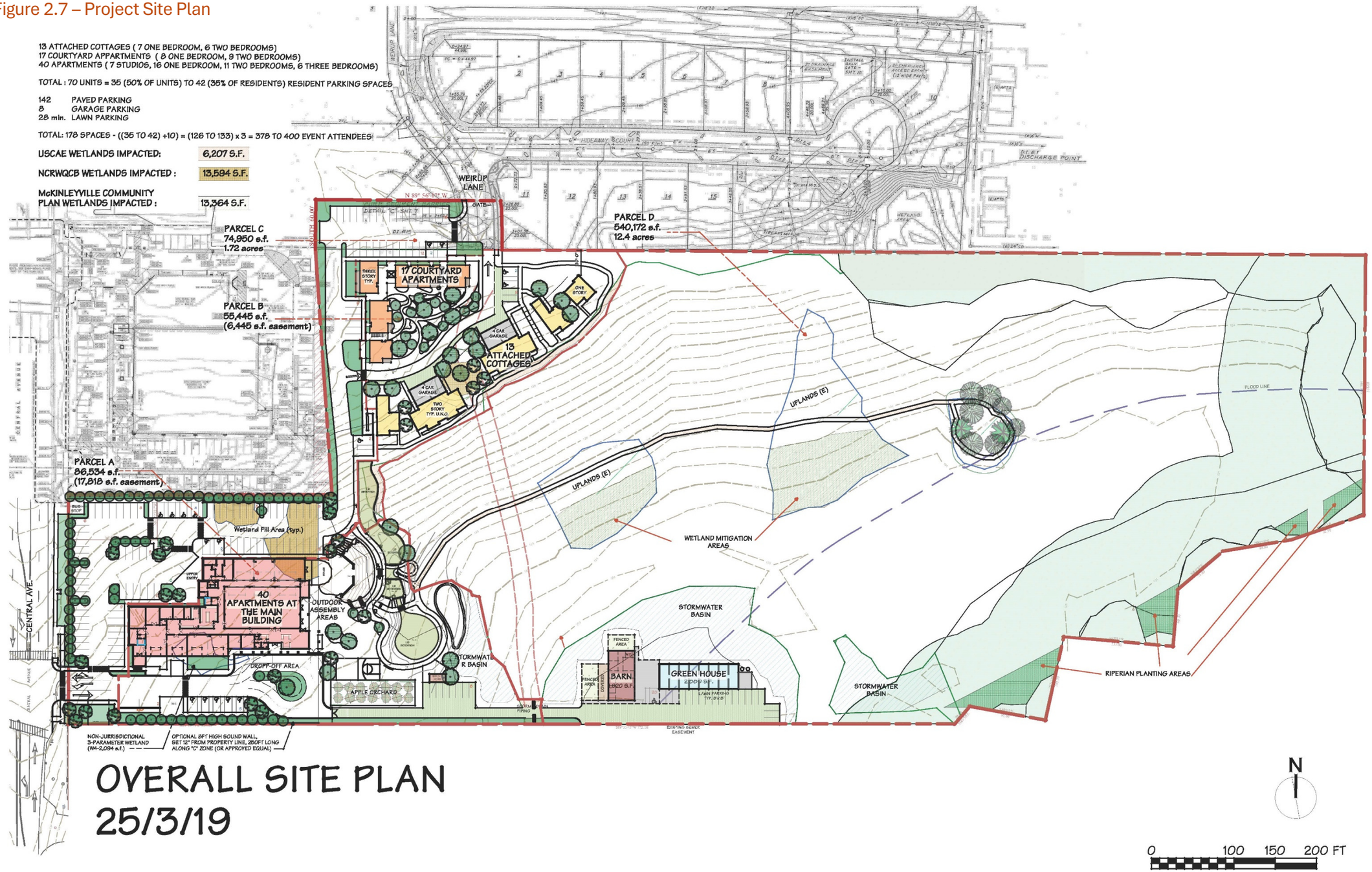
The Project proposes planting a small Orchard and a Garden on new Parcel D, which can be accessed via a walkway and will be located to the east of the proposed Barn and Greenhouse and to the south of the Community Center's outdoor areas. The Orchard will be approximately 3,200 square feet and feature fruit-producing trees. The Garden would install in-ground and raised bed plantings to grow various types of crops and plantings. A small, 200-square-foot storage shed would be constructed near the Orchard and Garden to store various gardening tools and equipment. To the south of the storage shed, there will be up to eight (8) parking spaces for vehicles operated by support staff when delivering supplies and picking up produce, or as temporary overflow spaces for occasional events. Onsite residents, staff, and occasional volunteers will maintain, utilize, and harvest the Orchard's and Garden's seasonal productions. The harvested crops and

products would then be utilized for residential programming activities, such as in income-generating value-added products and in food preparation during cooking classes.

Figure 2.6 – Artistic Rendering of Proposed Outdoor Seating Area

Source: RANA, THE COHABITAT CO., February 2025

Figure 2.7 – Project Site Plan



2.4.5 Temporary Uses & Events

In addition to the Project's daily residential, commercial, and agricultural activities described above, the Project Site will also be occasionally available as a venue for a limited number of temporary on-site uses and special events. As more fully described in the following sections and Table 2.3 below, only one of these occasional uses and events will be allowed to occur at a time and will be subject to various restrictions, including limits on the hours during which they can occur, the total number of guests and vehicles that can be accommodated on-site, and the types and levels of noises that can be projected.

PRIMARY EVENTS

The Project Site will be broadly available to host breakfasts and/or dinners, conferences, community fundraising or meals, workshops, and similar meetings and events. These events include those hosted by We Are Up, as well as those hosted by community members or third parties, subject to application and approval by We Are Up. There are no limitations on the number or frequency of Primary Events per year or month; though, all events not hosted by We Are Up will be subject to approval and execution of a use agreement with corresponding limitations on site usage, including those related to noise, parking, staffing, vendors, etc.

Primary Events may occur anywhere on the Project Site, either indoors or outdoors, or a combination of the two, and may host up to 150 persons per event, which includes all guests, employees, volunteers, and temporary staff. Primary Events will be allowed to occur any day of the week (e.g., Mondays through Sundays). Indoor events can be hosted anytime between the hours of 8:00 a.m. to 11:00 p.m. Outdoor events can be hosted anytime between the hours of 8:00 a.m. and 10:00 p.m. As explained in the Noise Study prepared for the Project (see **Appendix C.2**), the Project will obtain a Conditional Use Permit (CUP) to authorize the proposed Primary Events. As recommended in the Noise and Vibration Assessment, conditions of approval for the CUP require construction of a six-foot noise barrier fence approximately 210 in length along the south property line adjacent to an existing residence, and require all Temporary Events to be operated consistent with the Project Description for the lifetime of the Project. With these conditions of approval all noise generated by Primary Events will comply with County requirements including the daytime and nighttime decibel standards and limitations prescribed by General Plan Policy N-S7. .

WEDDINGS AND SPECIAL EVENTS

The CUP for the Primary Events also authorizes up to 35 special events per year, which may include events such as weddings, galas/fundraisers, conferences/retreats, or other similarly-styled educational and community events. Of the 35 annual Special Events, up to twenty (20) of those events may be hosted as "Indoor Special Events," and up to fifteen (15) may be hosted as "Outdoor Special Events" per year. Within these limits, no more than six (6) Indoor Events and three (3) Outdoor Events shall occur per month, for a total maximum of up to nine (9) Special Events per month.

Special Events will be allowed to host anywhere between 150 to 400 persons maximum, which includes all guests/attendees, employees, temporary and volunteer staff. These events may be hosted by We Are Up or community members/third parties, subject to approval by We Are Up and execution of a contractual use agreement with corresponding limitations (e.g., noise, parking, vendors, etc.) that event hosts must formally agree and adhere to.

During all Indoor and Outdoor Wedding/Special Events, a gate at the exit of the We Are Up Project Site and Weirup Lane will be closed to prevent guests and staff from using Weirup Lane, thus minimizing traffic impacts to residents who live along that street. The Project Site will also be able to provide a total of 178 parking spaces, including paved and designated overflow spaces. Should the number of guests who require parking exceed the total number of spaces available onsite, the host of the Special Event shall be required to provide an alternative form of transportation (e.g., shuttle, ride-share, etc.) to the Project Site to accommodate those attendees.

Indoor Weddings / Special Events

The Community Center and adjacent outdoor patio will also be available to host Indoor Weddings and other similar Special Events including, but not limited to, educational/community events, galas/fundraisers, or similar meetings and gatherings. While guests may gather and converse on the outdoor patio, any amplified music must take place inside the Community Center and must abide by the limitations set forth in the CUP that the Project will obtain, which will ensure compliance with the decibel limitations prescribed by General Plan Policy N-S7, as well as any other applicable recommendations set forth in the Noise Study prepared for the Project (see **Appendix C.2**).

Indoor Events will be allowed to occur Mondays through Sundays between the hours of 8:00 a.m. to 11:00 p.m. Noise from these events will also be subject to the limitations prescribed by the Project's CUP which includes a condition requiring compliance with General Plan policy NS-7 limiting noise to 65 decibels at the property line. As indicated above, the Project Site will be able to host up to twenty (20) Indoor Events per year, of which a maximum of six (6) Indoor Events can be held in a single month.

Outdoor Weddings / Special Events

The usable outdoor grounds of the Project Site will be available to host Outdoor Weddings or other similar Special Events. These events, including guest gatherings and conversations, will primarily occur outdoors with supporting uses (e.g., catering, cooking, support staff, etc.) occurring inside the Community Center. Subject to approval, outdoor events will allow guests to gather and converse outdoors and may have low volume outdoor music[1] for performers such as acoustic guitar players or classical/jazz musicians, which are limited to average sound levels of between 58 to 63 dBA Leq at 10 feet during 150 to 400 person events. As such, any low volume music or other outdoor noises must comply with these decibel limitations and any other conditions set forth in the Project's CUP, which will ensure compliance with General Plan Policy NS-7, along with any additional applicable recommendations set forth in the Noise and Vibration Assessment prepared for the Project (see **Appendix C.2**).

Outdoor events will be allowed to occur Mondays through Sundays between the hours of 12:00 p.m. to 10:00 p.m. As indicated above, the Project Site will be able to host up to fifteen (15) Outdoor Events per year, of which a maximum of three (3) Outdoor Events can be held in a single month.

[1] Low volume amplified music intended to allow for guests to maintain conversations, and not as a primary music event, is typically played at sound levels which are 10 dBA below that of the sound level of guests speaking in normal conversations levels so as not to compete with conversations. Given that the average sound levels normal speech at 10 feet from a groups of 150 and 400 guests are expected to, respectively, be 69 and 73 dBA Leq, this low volume amplified music would generally be limited to average sound levels of between 58 to 63 dBA Leq at 10 feet during 150 to 400 person events.

Table 2.3 – Temporary On-Site Uses: Primary & Special Events

	PRIMARY EVENTS		WEDDINGS & SPECIAL EVENTS	
Event types	Scheduled classes; trainings; community meals; breakfast/dinner gatherings; conferences and meetings; fundraisers, etc.		Weddings; larger educational, community, or fundraising events and meetings, etc.	
	Indoor Events	**Outdoor Events**	**Indoor Events**	**Outdoor Events**
Max. # of Persons*	Up to 150 persons max.	Up to 150 persons max.	Up to 400 persons max.	Up to 400 persons max.
Site Location	Community Center & Adjacent Patio	Anywhere on Project Site (e.g., Greenhouse, Barn, Lawns, Open Spaces, etc.) Community Center for Supporting Uses	Community Center & Adjacent Patio	Primary Outdoor Grounds (e.g., Greenhouse, Barn, Lawns, etc.) Community Center for Supporting Uses
Hours Allowed	8:00 AM – 11:00 PM	8:00 AM – 10:00 PM	8:00 AM – 11:00 PM	12:00 PM – 10:00 PM
Days Allowed*	Mondays through Sundays	Mondays through Sundays	Mondays through Sundays	Mondays through Sundays
Monthly Frequency*	No limit	No limit	6 events/month	3 events/month
Annual Frequency	No limit	No limit	20 events/year	15 events/year
Parking	On site paved spaces	On site paved spaces	• On site paved spaces • Designated lawn overflow spaces • Alternative transportation (e.g., shuttle, rideshare, etc.)	• On site paved spaces • Designated lawn overflow spaces • Alternative transportation (e.g., shuttle, rideshare, etc.)

Table 2.3 – Temporary On-Site Uses: Primary & Special Events

	PRIMARY EVENTS		WEDDINGS & SPECIAL EVENTS	
Event types	Scheduled classes; trainings; community meals; breakfast/dinner gatherings; conferences and meetings; fundraisers, etc.		Weddings; larger educational, community, or fundraising events and meetings, etc.	
	Indoor Events	**Outdoor Events**	**Indoor Events**	**Outdoor Events**
Restrictions	Any event-related amplified music must take place inside the Community Center and comply with applicable decibel limitations prescribed by the Project's CUP and recommended by the Project-specific Noise Study (see **Appendix C.2**).	Any event-related amplified music will be subject to approval and compliance with all decibel limitations prescribed by the Project's CUP and recommended by the Project-specific Noise Study (see **Appendix C.2**).	• Any event-related amplified music must take place inside the Community Center and comply with applicable decibel limitations prescribed by the Project's CUP and recommended by the Project-specific Noise Study (see **Appendix C.2**). • The gate at the site's Weirup Lane exit must remain closed during event operations.	• Any event-related amplified music will be subject to approval and compliance with all decibel limitations prescribed by the Project's CUP and recommended by the Project-specific Noise Study (see **Appendix C.2**). • The gate at the site's Weirup Lane exit must remain closed during event operations.

** The maximum number of onsite "persons" include all event guests/attendees, event staff/employees, and any additional support staff or volunteers.*

*** Only one event may occur at a single time.*

2.4.6 Accessory Developments

In addition to the uses described above, the following accessory developments are proposed to facilitate overall Project development and operation:

LIGHTING

Exterior lighting will be installed on all buildings and in improved parking areas to improve safety and comply with County and Americans with Disability Act (ADA) requirements. Driveway and parking area lights would be poles mounted at maximum 16 feet above ground, downcast, with fixtures equipped with hoods (i.e., shielded). Lighting at the eastern side of the Project buildings would be minimized to mitigate light encroachment into the undeveloped areas to the east. Outside light fixtures would be cut-off fixtures and would be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent properties.

Exterior lighting would be designed to protect wildlife and night-time views, including views of the night sky. The Project would be designed to be consistent with the recommendations of the International Dark- Sky

Association, which includes standards for fixtures, shielding, placement, height, and illumination levels. To comply with these requirements, lighting would be the minimum lumens necessary, directed downward, shielded, and pedestrian-level when feasible. This would ensure lighting is contained within the Site and does not cause significant lighting and glare impacts for surrounding land uses and sensitive habitat areas.

ACCESS

The main Project Site and Primary/Special Event entrance is from 1515 Central Avenue (APN 509-181-005) across from the Anna Sparks Way intersection on Central Ave, which serves the Mill Creek Marketplace. There is a secondary access point to the Project site on 144 Weirup Lane (APN 509-181-061) via Weirup Lane, south of Sutter Road.

To ensure any of the proposed Temporary Uses (i.e., Primary and Special Events) do not create additional traffic congestion along Central Avenue, the Project will complete a traffic signal system at the intersection by installing a new pole and mast arm on the south east corner, along with a new mast arm on the existing northwest traffic pole to reduce congestion at the intersection, along with pedestrian improvements along the frontage. The Project will also retrofit the Northeast corner ADA ramp to encompass the new configuration, and align the entrance of the proposed parking lot on Parcel A (adjacent to the Community Center) to Anna Sparks Lane, as recommended by the Humboldt County Department of Public Works. (See 2/21/2025 Memo.)

A gate at the site's Weirup Lane access will also be installed to limit vehicle access during large Primary and Special Events. Perimeter fences and gates will be constructed around and within the Project Site to provide privacy, security, and direct access.

PARKING

The Project proposes to develop a total of 178 parking spaces, of which approximately 142 will be paved spaces located around the Community Center and Courtyard Apartments on Parcels A and C; approximately 8 will be in garages accessory to the Attached Cottages on Parcel B; and at least 28 spaces will be available on designated lawn areas on Parcel D. The 8 garage spaces and 35 to 42 of the paved spaces will be reserved for residents and staff (based on +/- 0.5 spaces per residence, since less than half of all residents are expected to drive/own a car), while 126 to 133 paved and lawn spaces will be set aside for Temporary Use event parking, which is based on accommodating up to 400 guests (calculated based on a 3-passenger-per-vehicle assumption for these event types and sizes). The proposed driveways and parking areas will collectively total approximately 88,800 square feet.

WALKING PATHS, TRAILS, & OUTDOOR RECREATION

All-weather walking paths will be developed between major Project components, including the Community Center, the Courtyard Apartments, the Attached Cottages, the Greenhouse, the Barn, the Orchard and Garden, and elsewhere throughout the Site's major developed features (Figures 2.7, 2.14). These paths will be created by simple mowing of the vegetation to create a trail and may use wood chips or similar materials placed on the path to help identify the trail and to minimize maintenance needed. These pathways will also feature occasional ancillary trail features (e.g., benches, waste receptacles, etc.) and shielded pathway lighting.

The Project will also utilize landscaping and low-impact development (LID) features to separate the Project's developed uses from the Site's existing wetland areas and sensitive habitats. The Site will also feature an unimproved nature trail that can be accessed via a gravel pathway that will provide access and direct victors to a unique, attractive grove of Redwood trees, and help ensure any such foot traffic is directed away from nearby wetlands.

LANDSCAPING

The Project's proposed landscaping plan integrates ecological principles and processes to ensure systems for stormwater and other Site features are designed to complement and benefit the community spaces. The landscaping plan features a planting palette of native trees and shrubs intended to attract local and native birds, butterflies, and other pollinators. (See Figures 2.8 and 2.9 below.) As part of the Project's overall concept and intent to foster connectivity with nature throughout the developed Site, the landscaping plan also incorporates the Project's proposed Orchard and Garden by providing interconnected accessible pathways and seating areas/spaces that utilize reclaimed wood and other natural elements.

Figure 2.8 – Landscaping Plan: Native Plant Palette

Figure 2.9 – Landscaping Plan: Native Pollinators

HABITAT ENHANCEMENT: WETLAND CREATION AND RIPARIAN ENHANCEMENT

Project development would require filling wetlands to facilitate and enable the development of the Community Center and adjacent paved parking as well as access roads and stormwater drainage facilities.

The Project proposes filling a total of approximately 13,594 square feet of existing three-parameter wetlands jurisdictional to the State (of which 6,207 square feet are federally jurisdictional three-parameter wetlands). Most of the State-jurisdictional wetlands (13,364 square feet) are jurisdictional to the County under the MCCP.

As described more fully below as well as in the Wetland Habitat Mitigation and Monitoring Plan (WHMM Plan) prepared for the Project (**Appendix C.1**), these activities will require issuance of Clean Water Act (CWA) Section 404 permit from the U.S. Army Corps of Engineers (USACE) and a corresponding CWA Section 401 permit from the North Coast Regional Water Quality Control Board (NCRWQCB). Pursuant to the CWA Sections 404 and 401 consultation process, representatives from the Project Applicant and consultant teams have met and conferred with representatives from USACE, NCRWQCB, the California Department of Fish and Wildlife (CDFW), and the County to discuss the scope of the Project's proposed fill activities. Based on those discussions, the permitting agencies have vetted and approved the following wetland mitigation ratios and the Project's proposed creation of new, three-parameter wetlands, the details of which are more fully described in **Appendix C.1**.

More specifically, to offset the loss of these wetlands, the Project proposes converting 15,834 square feet of upland area on Parcel D into three-parameter wetlands (see Figure 2.11), which represents a 1.16:1 replacement ratio for State jurisdictional wetlands and a 1.18:1 replacement ratio for County jurisdictional wetlands. Federally jurisdictional wetlands will be compensated at a 1.3:1 ratio. Wetland creation would consist of excavating mapped uplands and replanting the excavated areas with native wetland plant species. (See **Appendix C.1**.) Protective fencing is proposed to be installed around the created three-parameter wetlands and along the restored and existing riparian area.

Rather than establishing wetland setback buffers, the Project proposes strategic placement of all-weather walking paths, landscaping and LID features to separate wetland areas from the residential, commercial, and outdoor recreation uses. Figure 2.14 below shows how these design features buffer wetlands from other uses occurring on the site. The unimproved nature trail providing access to an attractive grove of Redwood trees will direct visitors to this unique feature of the Project site via a gravel pathway so they will not have to cross the wetlands to get to it. Fences will also be used around the barn and animal enclosure adjacent to the barn to prevent the barnyard animals, residents and visitors from impacting nearby wetlands.

The Project's proposed stormwater design will further protect wetlands on the Project Site by incorporating extensive low-impact development (LID) features to closely mimic predevelopment hydrology. The Project's developed features and improvements are designed to avoid direct discharge into wetlands or riparian areas, with stormwater routed through vegetated swales and detention basins before it reaches the wetlands. (See Figures 2.10, 2.11, 2.12.a, 2.12.b.) In addition, the Project proposes 6,600 square feet of riparian enhancement and plantings within 50 feet of the Project Site's Streamside Management Area (SMA) setback zone, which results in an overall 1.64:1 wetland habitat mitigation ratio to compensate for State jurisdictional wetlands impacted by the Project. (See Figure 2.13.) These riparian plantings would be installed along the southeastern corner and eastern portions of the Project Site adjacent to existing riparian vegetation associated with Mill Creek. This area would be enhanced by planting native riparian vegetation (mainly trees, limited shrubs). (See Figure 2.14.)

Figure 2.10 – Wetland Fill Area

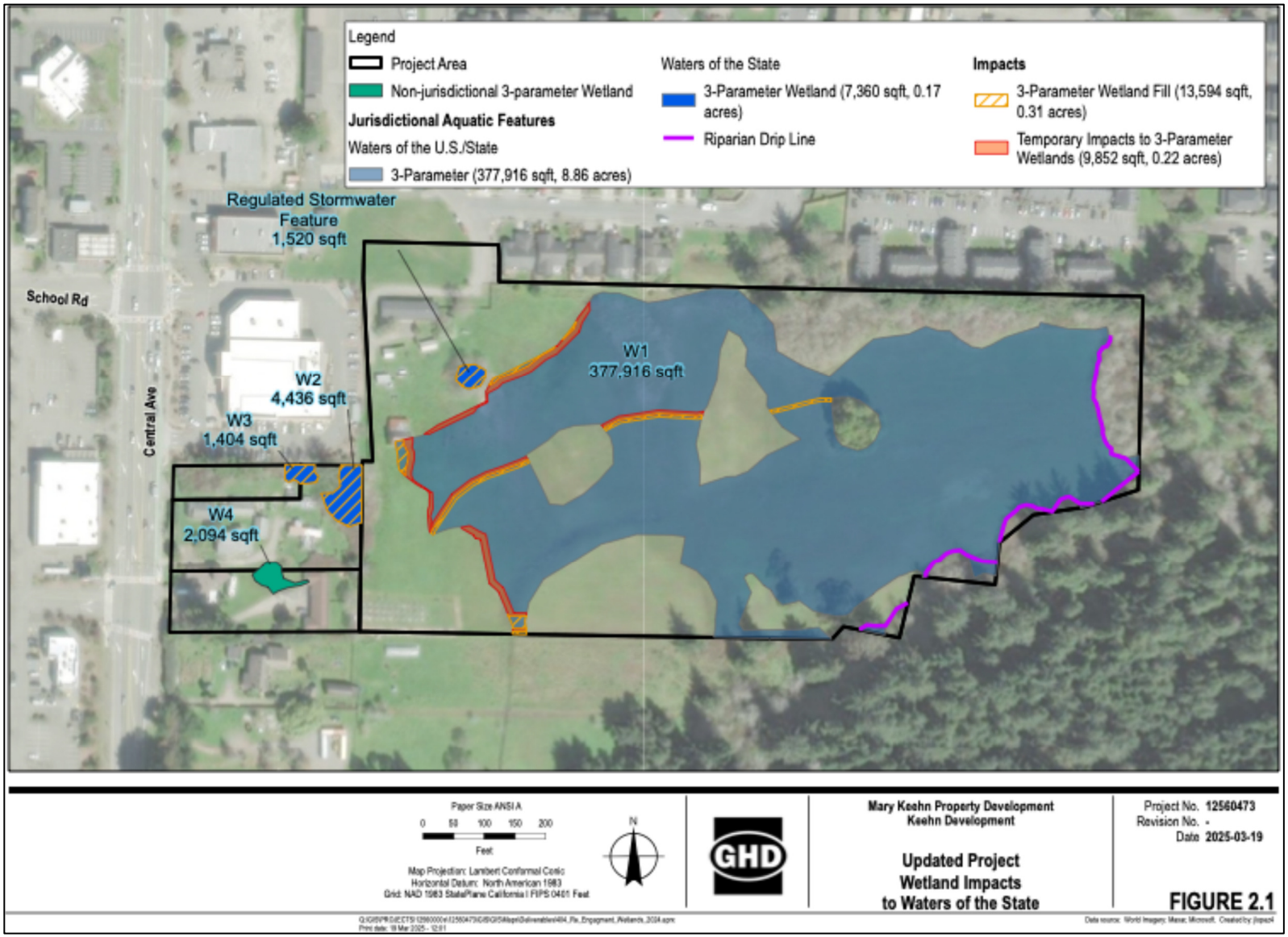
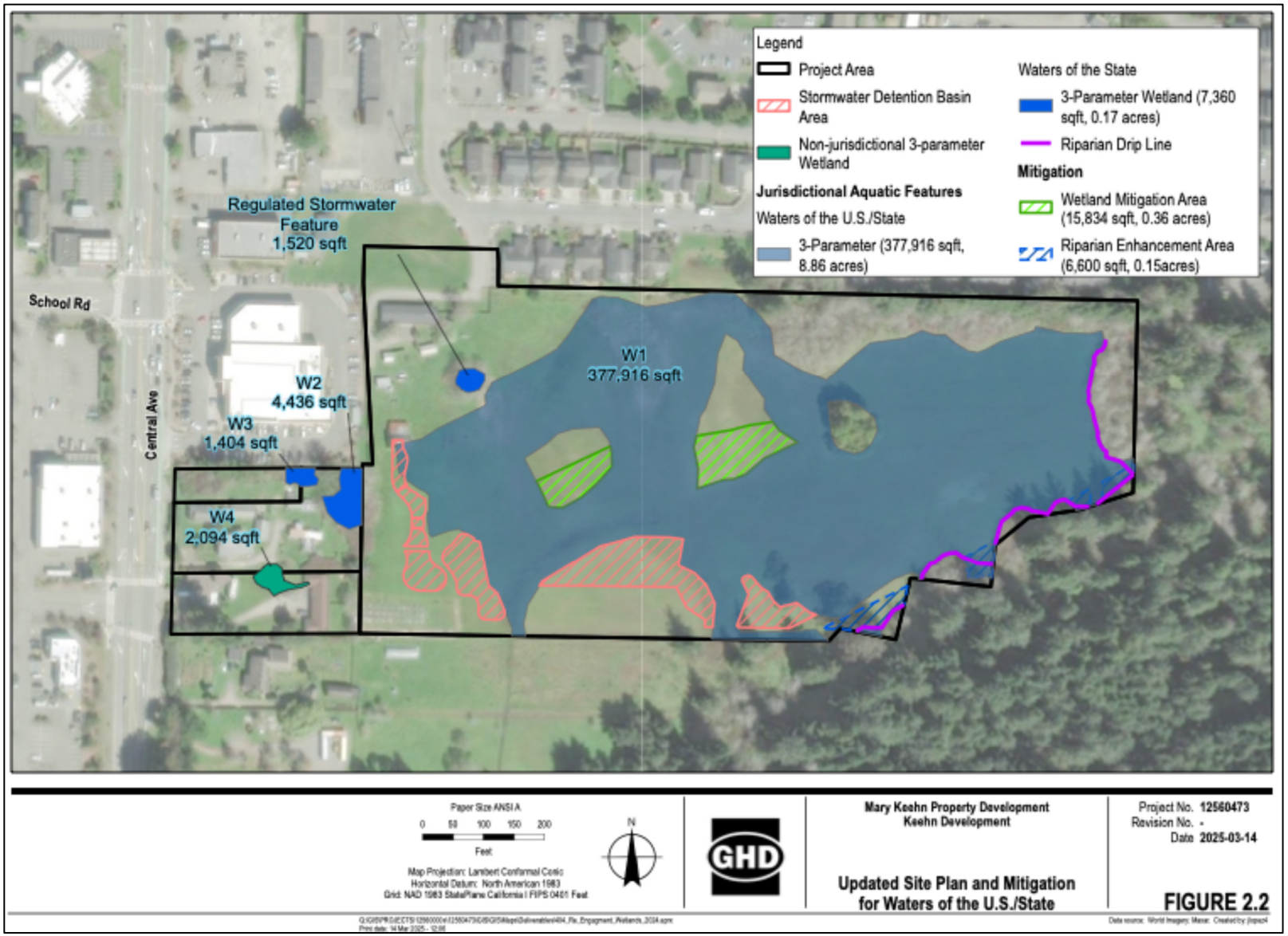
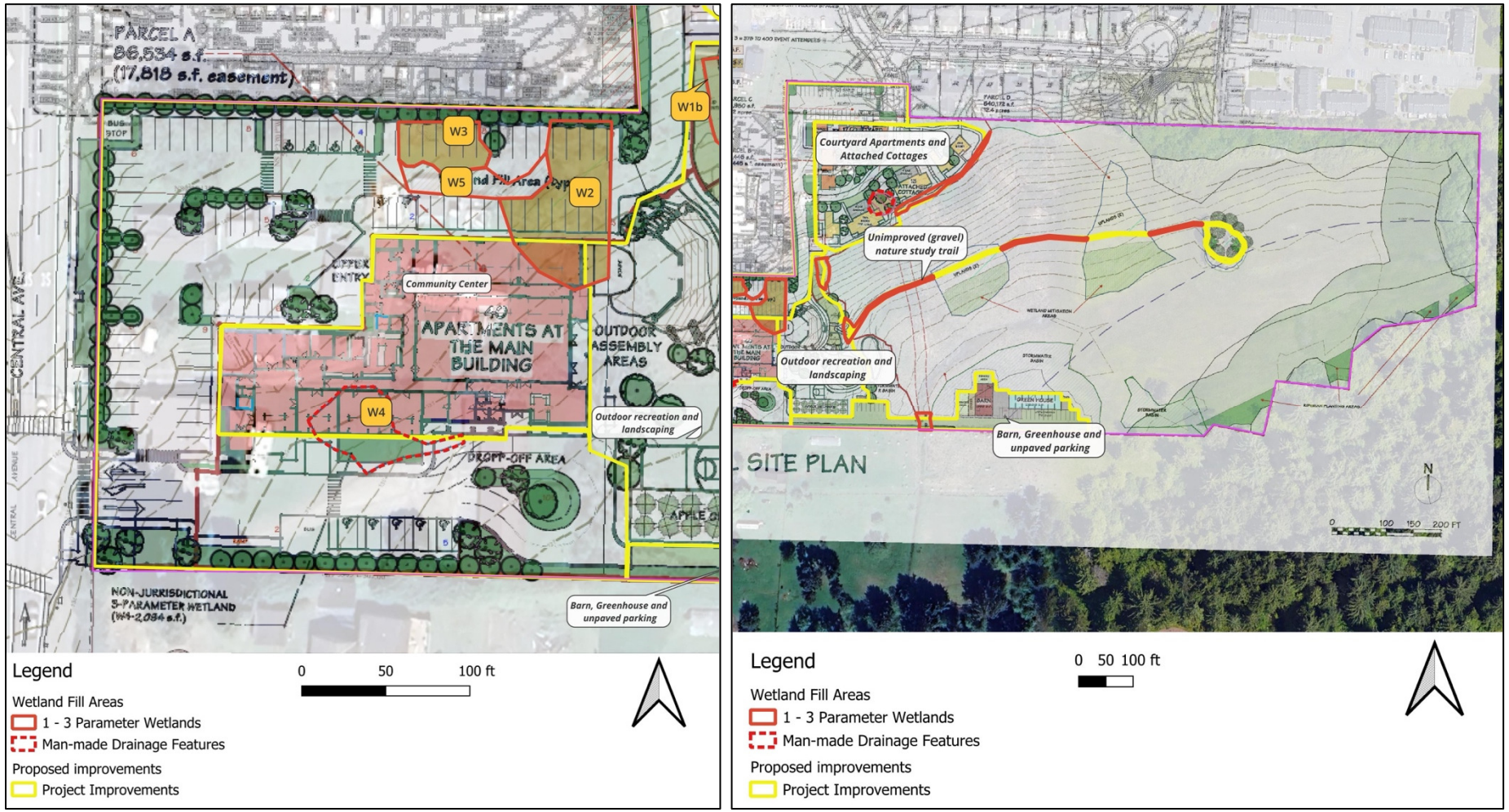


Figure 2.11 – Wetland Mitigation and Creation Areas

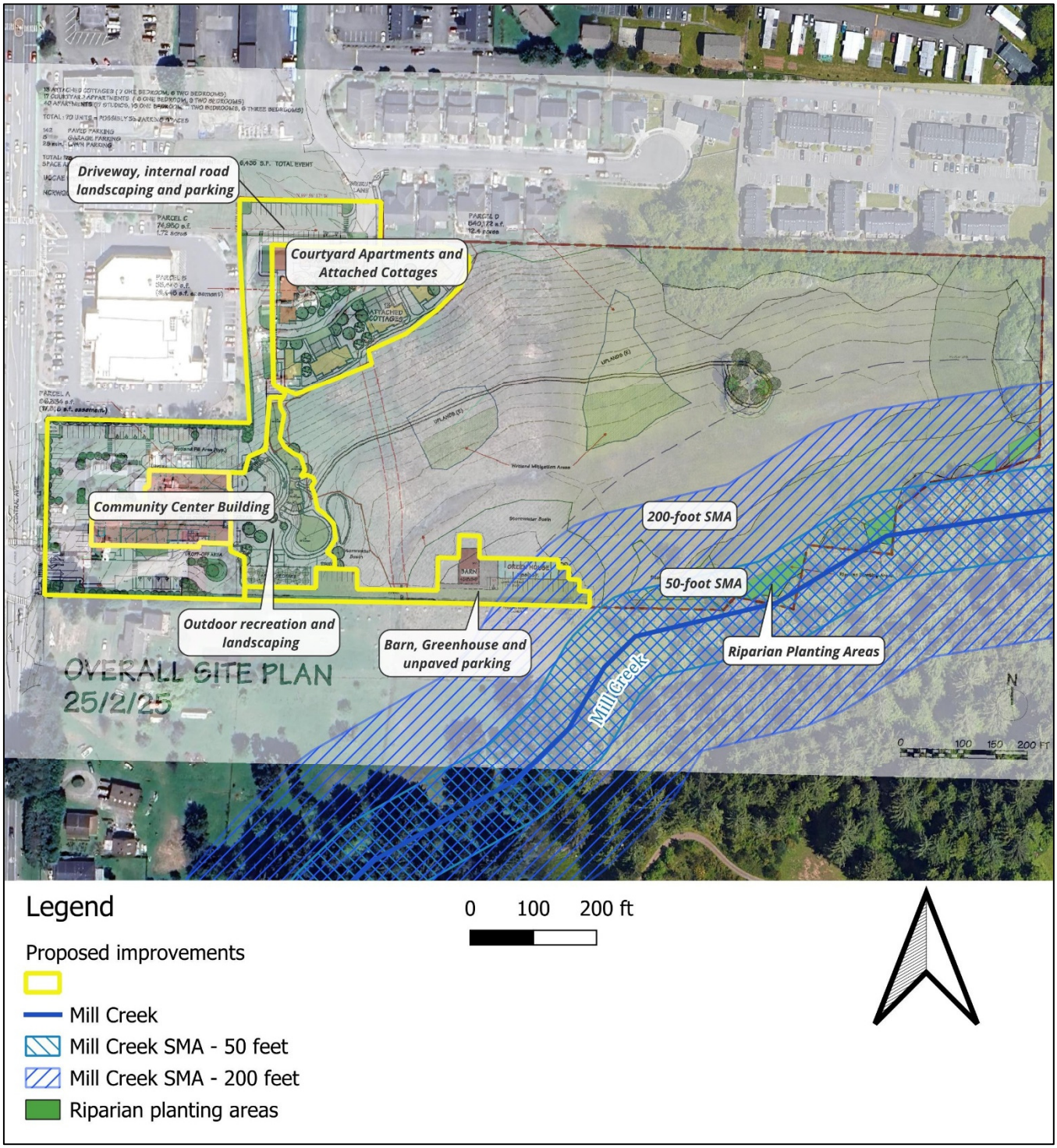


Figures 2.12.a and 2.12.b – Wetland Fill and Mitigation Areas



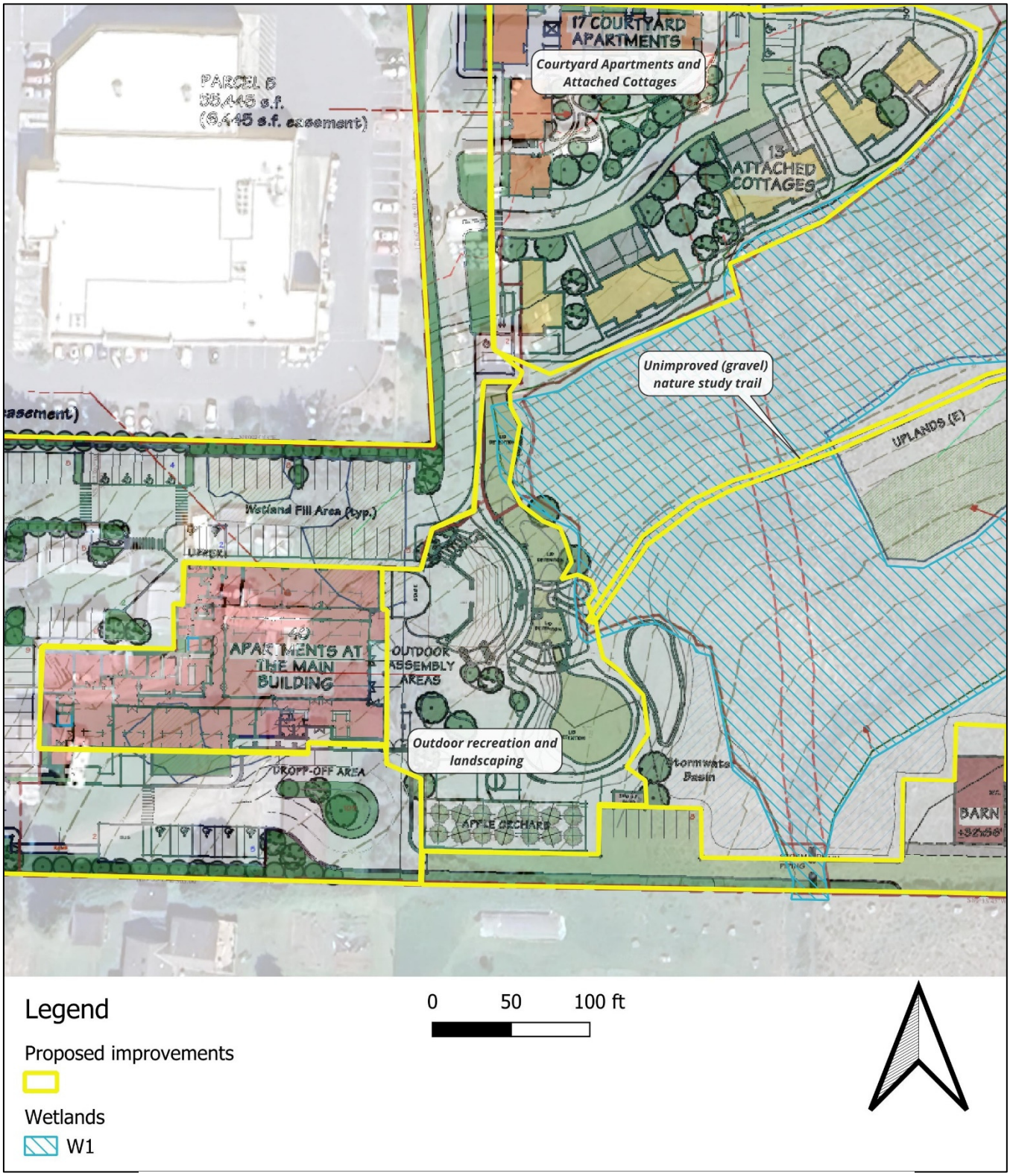
Source: Planwest Partners, 2025 (Based on the 2024–2025 GHD Section 404 Certification Report)

Figure 2.13 – Project Improvements and Streamside Management Areas (SMAs)



Source: Planwest Partners, 2025 (Based on the 2024–2025 GHD Section 404 Certification Report)

Figure 2.14 – Wetland Protection Features: All-Weather Walking Paths, Landscaping, LID



Source: Planwest Partners, 2025 (Based on the 2024–2025 GHD Section 404 Certification Report)

DRAINAGE AND STORMWATER IMPROVEMENTS

Because the Project lies within the County of Humboldt's regulated Municipal Separate Storm Sewer System (MS4) permit boundaries, it would be required to meet the stormwater requirements contained in the Humboldt Low Impact Development (LID) Standards Manual (Northcoast Stormwater Coalition 2021). Based on the Project size and anticipated impermeable surface area, it would be required to meet the Regulated, and Hydromodifications Project standards of the LID Manual.

As mentioned above, the overall stormwater design approach for the Site would be developed using a LID approach to mimic the site's predevelopment hydrology by using techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall with non-structural controls and conservation design measures as much as possible. The stormwater treatment design would also incorporate vegetated bioretention/ infiltration ponds, LID facilities, and subsurface infiltration piping to capture and infiltrate the stormwater runoff.

The existing onsite stormwater discharge from the neighboring property to the north and the MCSD stormwater piping (which discharges stormwater onsite to an existing detention basin) would be routed around the development areas of Project site and would not be subject to MS4 treatment standards. The rerouting would be achieved by the following:

- The onsite stormwater discharge from the property to the north adjacent to Weirup Lane would be captured at the northern boundary of the Project by a headwall and drainage inlet and piped via culvert to MCSD's existing nearby drainage inlet located along Weirup Lane.
- The onsite stormwater discharge from the existing MCSD pipe would be routed around the Project by rerouting the existing stormwater pipe to discharge to the ground surface at a new location beyond the footprint of the Project. The existing MCSD detention basin would be filled/abandoned, and a new discharge detention basin would be constructed at the discharge point of the new MCSD pipe. Excess stormwater flow from the new detention basin would discharge via surface flow to the existing natural channels in the area and would ultimately flow offsite at the existing stormwater discharge location.

The excess stormwater generated from the impervious surfaces of the Project would generally flow in a south southeastern direction via drainage inlets and piping, and surface discharge. The majority of the Site's stormwater would be collected and treated in a combination of vegetated swales and bio retention facilities that would run along the eastern boundary of the Project's development footprint. The excess stormwater from the new vegetated swales and bioretention facilities would discharge via surface flow to the existing onsite vegetated natural channel and would ultimately flow offsite via surface flow at the existing stormwater discharge location.

2.5 Project Construction

2.5.1 Construction Schedule & Phasing

Project development is anticipated to take place over two phases that are forecasted to take approximately 20 to 30 months: Phase 1 would occur in either late 2025 or early 2026 and commence with construction of the Greenhouse, Barn, access road, and related utilities; Phase 2 would begin in either late 2026 or early 2027 and develop the remaining Project features, including the Community Center, the Attached Cottages,

the Courtyard Apartments, and any other outstanding features. Mitigation work, including wetland creation, habitat restoration, and riparian enhancement would be carried out on the balance of the Project Site. During the construction period, demolition activities are anticipated to take approximately 60 days, grading activities are anticipated to take approximately 30 days, and infrastructure development is anticipated to take approximately 12 to 18 months.

2.5.2 Geotechnical Investigations

Prior to Project development and issuance of a building permit, the Applicant will retain a licensed geologist to perform any additional necessary geotechnical investigations and prepare a soil or geologic report in accordance with the County's geologic hazard development regulations that might be required to obtain necessary information to support the proposed building and road design. The investigation would occur at proposed building sites, pads, and road/driveway locations. The geotechnical investigations would employ drill rigs and ancillary equipment to the extent needed. Any excess sediments that result from geological investigations are expected to be relatively small in quantity and would be hauled off-site by the contractor for legal disposal or reuse. The final report will recommend any corrective action necessary to prevent damage to each building or structure, including driveways and access roads, proposed to be constructed. (HCC § 332-1.)

2.5.3 Demolition and Site Preparation

Demolition would include foundation excavation, as needed, approximately up to three feet below ground surface. Prior to demolition, hazardous materials surveys would be conducted to assess the structures in compliance with United States Environmental Protection Agency (USEPA) National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements. Identified hazardous materials, if any and as required, would be removed from the structures by a licensed contractor prior to commencement of demolition. The structures would be demolished using one or more crawler excavator(s) and other appropriate equipment. Open excavations and trenches would be backfilled with clean, compacted fill. The site would then be graded to match the surrounding topography.

Vegetation removal would be required for general clearing and grubbing within the Project construction footprint. Grading would need to occur over much of the Project construction footprint to achieve desired slopes needed for access. Similarly, fill would be placed and compacted within the Project construction footprint to establish suitable building sites and to accommodate stormwater features. It is anticipated that soil (cut and fill) would be balanced onsite.

2.5.4 Grading & Fill

Grading would occur within the development footprint to provide for the planned roads, sidewalks, parking areas, buildings, stormwater swales and detention facilities, landscaping areas, and to create wetlands within a portion of the existing upland areas located in the south-central area of the property. Overall site grading would be balanced, with the excess cut soils from wetland creation and other site grading being utilized onsite within the development area footprint. The development area would generally be sloped relatively flat and drain towards the interior of the Project Site.

The existing MCSD detention basin is within the development area footprint and would be filled and abandoned (this feature is not considered to be a jurisdictional wetland and is not part of the wetlands

mitigation package). The piping would be rerouted through the development area to discharge just south of the existing stormwater feature.

Development area grading and installation of stormwater features would require filling wetlands. The filling of wetlands would be offset by providing/creating the new wetlands areas described above. These new wetlands would be installed within the mapped upland areas located in the south-central region of the Project Site. (See Figures 2.11, 2.12.a, and 2.12.b.) New wetlands would be created by excavating depressions adjacent to existing wetlands, which would require approximately 2-3 feet of soil removal.

2.5.5 Utility Relocation & Improvements

Existing water, communications, gas, and electrical utilities are all provided to the Project Site near the northwest corner of the property adjacent to Weirup Lane and from Central Avenue. All of the existing utility infrastructure within the Project Site is located in the new development footprint and is of insufficient size to serve the proposed Project, and therefore would need to be demolished and removed or abandoned in place. While the site currently has electric service, it is not adequate for the anticipated power needs and it is anticipated that minor transformer upgrades to existing facilities will be needed.

Sewer tie-ins to the existing sewer pipe located near the southern boundary of the property would be required to connect the new structures to the MCSD sewer system. The existing MCSD drainage culvert would also be rerouted around the development area to drain further downslope and outside of the footprint of the development area of the Project.

2.5.6 Construction Activities & Equipment

The Project Construction Area would be accessed via Central Avenue and Weirup Lane. Construction equipment staging would occur within the upland portions of the Project Area. If feasible, vegetation clearing outside of the nesting bird and bee flight season would occur first, commencing between October through February. All construction activities would be accompanied by both temporary and permanent erosion and sediment control best management practices (BMPs). Project construction would include the following activities:

- **Drilling** – conducted in support of geotechnical investigations and potential retaining wall or building foundations.
- **Clearing, grubbing, and tree removal** – to clear the Project construction area.
- **Grading/Excavation** – throughout the Project area to achieve grade and dimensions to accommodate the trail, and parking areas and wetlands creation areas.
- **Hauling** – transport of construction and building materials to and from the Project area.
- **Jackhammering/Grinding** – site preparation/removal of existing material.
- **Concrete Paving and Structures** – at sidewalks, curb ramps, curbs, ADA parking stalls, and retaining wall areas.

- Hot Mix Asphalt Paving – along the driveway sidewalks, and parking areas.
- Striping – for the driveway and parking areas.
- Temporary construction fencing and gate installation – temporary construction fencing installed between residential units within the Courtyard Apartments and Attached Cottages, gate installation at existing western fence and fencing in the undeveloped areas.
- Erosion Control BMPs – to minimize erosion and prevent sediment from leaving Project area (see Appendix B).

Equipment required for construction would include those listed below. Jackhammers or similar pieces of equipment may be necessary to support removal of existing material. It is not anticipated that any temporary utility extensions, such as electric power or water, would be required for construction:

- Mini Excavator
- Bulldozer
- Grader
- Loader
- Large excavator
- Scraper
- Backhoe Loader
- Skid Steer
- Dump Truck
- Paver
- Large Roller
- Small Roller
- Concrete Truck
- Concrete Pump Truck
- Water Tender
- Tracked Manlift/Forklift
- Small Crane

ESTABLISH EXCLUSION AREAS AND EROSION CONTROL

A site wetland delineation has identified wetlands throughout the Project Area (GHD 2024). (See Appendix C.1.) Except for areas that would be unavoidably impacted during construction, resource areas to be protected would be identified prior to construction. In addition to the measures and requirements prescribed by the Clean Water Act Section 404 and 401 Permits that the Project must obtain, universally applicable erosion control BMPs would also be implemented prior to construction and maintained until the Site is stabilized. (See Appendix B.)

STOCKPILING AND STAGING

Stockpiling and staging areas would be located on developed or uplands areas in the Project Area. These areas are included in the overall Project footprint. Within the stockpiling and staging area, universally applicable BMPs would be utilized to prevent materials and hazardous materials from impacting the environment. (See Appendix B.) Excess soil, aggregate road base, and construction materials would be stored on site within designated stockpiling and staging areas. Excess materials may be re-used onsite for backfill and finished grading. Excess materials would not be stockpiled or disposed of onsite once the Project is complete. The contractor would haul additional excess materials off site for beneficial reuse, recycling, or legal disposal.

DEWATERING

Groundwater dewatering is generally not expected, as construction contractors would be required to supply water for various construction mitigation needs (e.g., dust suppression). However, to the extent any groundwater dewatering may be required, it would involve pumping water out of a trench or excavation

area. Groundwater would typically be pumped to settling ponds, settling tanks, or into dewatering bags. Dewatering water may also be percolated back into the ground (in uplands). Discharge directly into wetlands or riparian areas would not occur.

CONSIDERATIONS FOR PROTECTED SPECIES

Vegetation removal would be required to clear the areas proposed for development. As described more fully below and detailed in Appendix B, the Project will comply with universally applicable BMPs and GPU PEIR mitigation measures to ensure any potential impacts to protected species remain less-than-significant. For example, to minimize potential impacts to nesting birds, vegetation could be removed prior to March 15 or after August 15 to avoid the nesting bird season. If vegetation removal or ground disturbance cannot be confined to work outside of the nesting season, a qualified biologist will conduct pre-construction surveys within the vicinity of the Project Area, to check for nesting activity of native and migratory birds and to evaluate the site for presence of raptors and special-status bird species. If active nests are detected within the construction footprint or within the construction buffer established by the Project biologist, the biologist would flag a buffer around each nest. Buffers would vary in size considerate of the existing noise and disturbance setting, proximity of the nest to the construction area, species-specific needs, and California Department of Fish and Wildlife (CDFW) requirements.

SITE RESTORATION AND CLOSURE

Following construction, the contractor would demobilize and remove equipment, supplies, and construction waste. The disturbed areas would be restored to pre-construction conditions or stabilized with a combination of grass seed (broadcast or hydroseed), straw mulch, rolled erosion control fabric, and other plantings/revegetation. If required, revegetation would include replanting and any potential compliance monitoring in support of any measures required by resource agencies as permit conditions for impacts to regulated habitats, such as wetlands or Sensitive Natural Communities (SNCs). (See Appendix B.)

3. Consistency Checklist & Analysis

3.1 Project Summary & Overview

1. Project Title

We Are Up Mixed-Use Supportive Housing Project

2. Project Application/File Number

PLN-2024-19020

3. Lead Agency Name & Address

Humboldt County
Planning and Building Department
3015 H Street
Eureka, CA 95501

4. Contact Person, Phone Number, Email

Steven A. Santos, Senior Planner
sasantos@co.humboldt.ca.us
(707) 445-7541

5. Project Location

1551 Central Avenue (APN: 509-181-003) (0.14 acres)
1529 Central Avenue (APN: 509-181-005) (1.06 acres)
1515 Central Avenue (APN: 509-181-012) (0.73 acres)
144 Weirup Lane (APN: 509-181-061) (15.45 acres)
McKinleyville, Humboldt County, CA 95519

The proposed Project is located at 1551, 1529, 1515 Central Avenue and 144 Weirup Lane on Assessor's Parcel Numbers (APNs) 509-181-003, 509-181-012, 509-181-005, and 509-181-061, respectively, in the unincorporated Humboldt County community of McKinleyville, California. The proposed Project Site is located on approximately 17.38 contiguous acres east of Central Avenue between Bartow Road and Hideaway Court.

6. Project Sponsor

We Are Up
144 Weirup Lane
McKinleyville, CA 95519

7. General Plan Land Use Designation

Commercial Services (CS)
Residential Medium Density (RM)
Residential Low Density (RL 1-7)
McKinleyville Community Plan (MCCP) – Urban Development Area (UDA)

As shown in Figures 3.1 and 3.2 below, the 2017 Humboldt County General Plan applies the Commercial Services (CS), Residential Medium Density (RM), and Residential Low Density (RL 1-7) land use designations to the Project Site's parcels as follows (Humboldt County 2022b):

Table 3.1 – Project Site Land Use Designations

Address	APN	Size	Zoning Designation
1551 Central Avenue	509-181-003	0.14 acres	**CS:** Commercial Services
1529 Central Avenue	509-181-005	1.06 acres	**CS:** Commercial Services
1515 Central Avenue	509-181-012	0.73 acres	**CS:** Commercial Services
144 Weirup Lane	509-181-061	15.45 acres	**CS:** Commercial Services – approx. 60 ft. along northern property line **RM:** Residential Medium Density – approx. 100 ft. along western property line **RL 1-7:** Residential Low Density – remainder of parcel

The **CS: Commercial Services** land use designation applies to 2.0 acres along Central Avenue in the western part of the Project Site and to 0.31 acres of the Site's northern property line along Weirup Lane. The CS land use designation authorizes heavy commercial uses (e.g., scrap yards), occasional light/less-intensive industrial uses, commercial uses such as professional offices, retail sales and services, transient habitation, visitor serving facilities, bed and breakfast inns, civic uses such as community assembly spaces and essential or health care services, and residential uses that are subordinate to the principal use. The maximum floor area ratio in this zone is 3.0. A full range of urban services is required (i.e., adequate access, public sewer and water, electricity, fire protection, and waste disposal).

The **RM: Residential Medium Density** land use designation applies to approximately 1.35 acres of Project Site parcels that are adjacent to those with the CS: Commercial Services designation. The RM designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments, and in manufactured home park developments. The allowed residential density range is 7-30 units/acre, and allowable use types include: single-family residential units, accessory dwelling units, multi-family residential units, manufactured home parks, group residential units, planned developments, emergency shelters, transitional housing, and residential accessory uses, such as community care facilities, family day care centers, and family day care homes. The RM designation also authorizes other compatible uses, such as cottage industries, bed and breakfast inns, community assembly spaces, neighborhood commercial uses, office and professional uses, private institutions, and essential services.

The **RL 1-7: Residential Low Density** land use designation applies to the Project Site's remaining 15.23 acres. The RL 1-7 designation applies to areas suitable for residential use where urban services are available. Single-family units on individual lots are the dominant use, but the designation can accommodate a mixture of housing types including multi-family residential units, accessory dwelling units, guest houses, townhouses, common-wall clustered units, and residential accessory uses, such as community care facilities, family day care centers, and family day care homes. The RL zone also authorizes other compatible uses, including cottage industries, bed and breakfast inns, community assembly spaces, neighborhood commercial uses, private institutions, and essential services. The allowed residential density range is 1-7 units/acre.

The Project Site is also situated within the **UDA: Urban Development Area** under the McKinleyville Community Plan (MCCP). The MCCP designates the UDA as the primary area where the majority of growth in McKinleyville should occur. Because the area is adequately served by community and water sewer systems, the MCCP calls for development densities within the UDA to exceed more than one dwelling unit per acre.

Figure 3.1 – Project Site: General Plan Land Use Designations

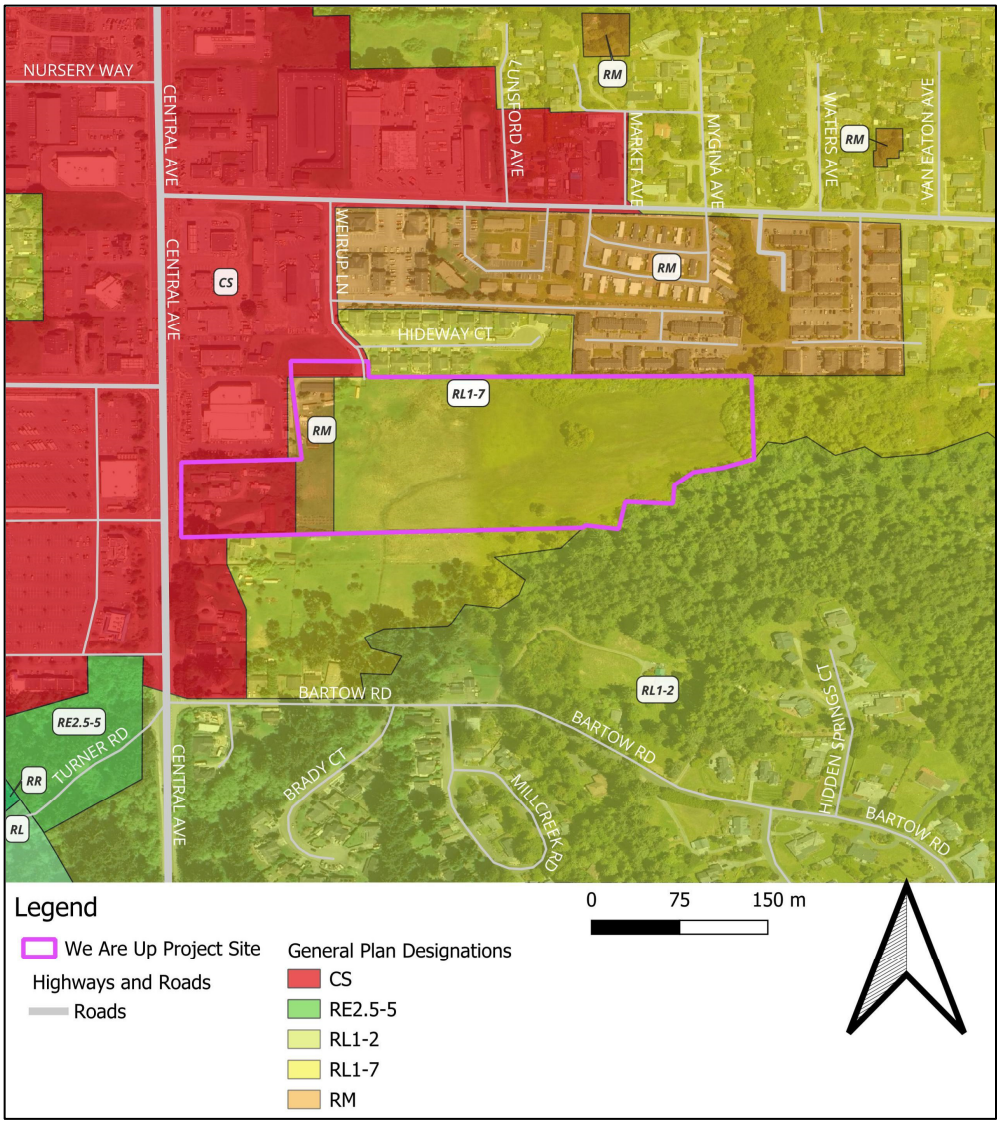
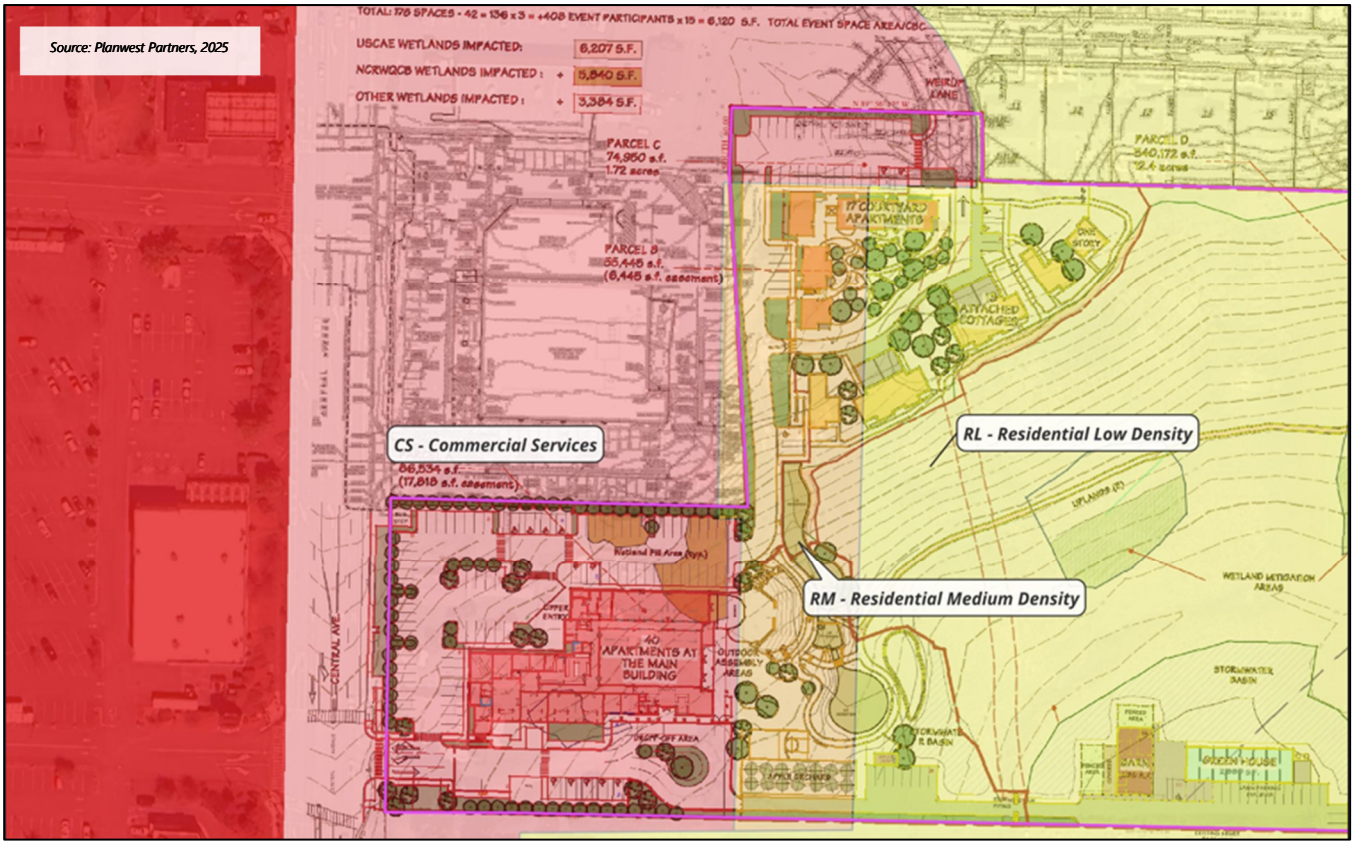


Figure 3.2 – Project Site Plan: General Plan Land Use Designations



8. Zoning Designation

Residential One-Family (R-1)
Community Commercial (C-2)
Noise Impact Combining Zone (N)
Streamside Management Areas and Wetlands Combining Zone (WR)
Planned Development Combining Zone (P)
McKinleyville Community Plan (MCCP) – Housing Opportunity Zone

As shown in Figures 3.3 and 3.4 below, the Humboldt County Zoning Code (HCC) zones the Project Site's parcels with the Community Commercial (C-2) and Residential One-Family (R-1) zones and applies the Noise (N) and Streamside Management Areas and Wetlands (WR) Combining Zones to the Project's parcels as follows:

Table 3.2 – Project Site Zoning Designations

Address	APN	Size	Zoning Designation
1551 Central Avenue	509-181-003	0.14 acres	**C-2-N:** Community Commercial Zone with Noise Impact Combining Zone

1529 Central Avenue	509-181-005	1.06 acres	**C-2-N-WR:** Community Commercial Zone with Noise Impact and Streamside Management Areas and Wetlands Combining Zones
1515 Central Avenue	509-181-012	0.73 acres	**C-2-N-WR:** Community Commercial with Noise Impact and Streamside Management Areas and Wetlands Combining Zones
144 Weirup Lane	509-181-061	15.45 acres	**C-2:** Community Commercial Zone with Noise Impact Combining Zone – approximately 60 feet along the northern property line **R-1-WR:** Residential One-Family Zone with Streamside Management Areas and Wetlands Combining Zone – remainder of parcel

The **C-2: Community Commercial Zone** applies to approximately 0.38 acres of the Project Site's northwest corner and to approximately 2.11 acres of the Project Site's western side fronting Central Avenue. The C-2 Zone applies to areas where more complete commercial facilities are necessary for community convenience, and thus allows for a broad variety of commercial uses including heavy commercial uses, such as lumber yards, as well as light commercial uses, such as professional offices and retail sales/services. For parcels within the C-2 Zone and within a Housing Opportunity Zone, apartments are allowed as a principally permitted use if they are developed above the first floor of a commercial building. The C-2 Zone also identifies development standards such as minimum setback requirements, minimum parcel size and lot width and maximum ground coverage and building height. (HCC § 314-2.2.)

The **R-1: Residential One-Family Zone** applies to the Project Site's remaining 15.09 acres. The R-1 Zone applies to areas that are suitable and desirable for low-density residential development by allowing for single-family dwellings, accessory dwelling units, single-unit supportive and transitional housing, and employee housing for up to 2 persons not employed on the premises.

The **N: Noise Impact Combining Zone** establishes regulations to maintain low exposure levels to airport and major road noise within single-family homes, multi-family buildings, and structures designed for transient habitation. The N: Noise Impact Combining Zone attaches to the Project parcels zoned C-2: Community Commercial Zone to address noise impacts from Central Avenue, which borders the western side of the Project Site. The Project is otherwise not located within an Airport Land Use Compatibility Zone.

The **WR: Streamside Management Areas and Wetlands Combining Zone** applies standards for the use and development of land located within streamside management areas, wetlands, and other wet areas. The WR Combining Zone attaches to some of the Project Site parcels zoned C-2 and to the parcel zoned R-1. The WR Combining Zone's standards are intended to protect Mill Creek, which runs along the far south-eastern corner of the Project site.

The Project Site also qualifies for the **P: Planned Development Combining Zone** — a designation that encourages planned developments by providing flexibility in how certain development standards are applied so as to allow multiple types of uses to be combined together into a single project. Projects that qualify for this designation include those that are in the public interest and are either: (i) on any site where more than four (4) dwelling units, commercial buildings, or industrial buildings, or a combination thereof are proposed; (ii) within a residential zone and include residential and nonresidential development; or (iii) of a nature where

application of these zoning regulations would provide a better means of carrying out the intent of the County's General Plan. (HCC § 314-31.) Here, the Project satisfies the first and second criteria for applying the P: Planning Development Combining Zone because it: (i) proposes more than 4 residential dwelling units and a mixed-use Community Center; and (ii) is located within a residential zone and includes residential and nonresidential development. The Project is also in the public interest because it provides affordable housing for special needs populations (e.g., developmentally disabled; senior), consistent with Housing Element Policy H-P2: *Flexibly Apply Development Standards to Low-Income Housing*.

The Project Site is also located within a **Housing Opportunity Zone** under the McKinleyville Community Plan (MCCP) because it is located within a quarter mile of a variety of urban services, including a grocery store, health care facilities, a hardware store, several restaurants, pharmacies, convenience stores, a bank, a fitness club, a nature trail, a movie theater, and a bus stop. The Housing Opportunity Zone allows apartments on the Project Site's C-2 zoned parcels so long as those units are developed above the first floor of a commercial building. Here, the Project proposes to develop residential units on the second, third, and fourth floors of the Community Center. The Community Center's first floor will feature a commercial community kitchen, spaces for special events, and a commercial retail shop.

Figure 3.3 – Project Site: Zoning Designations

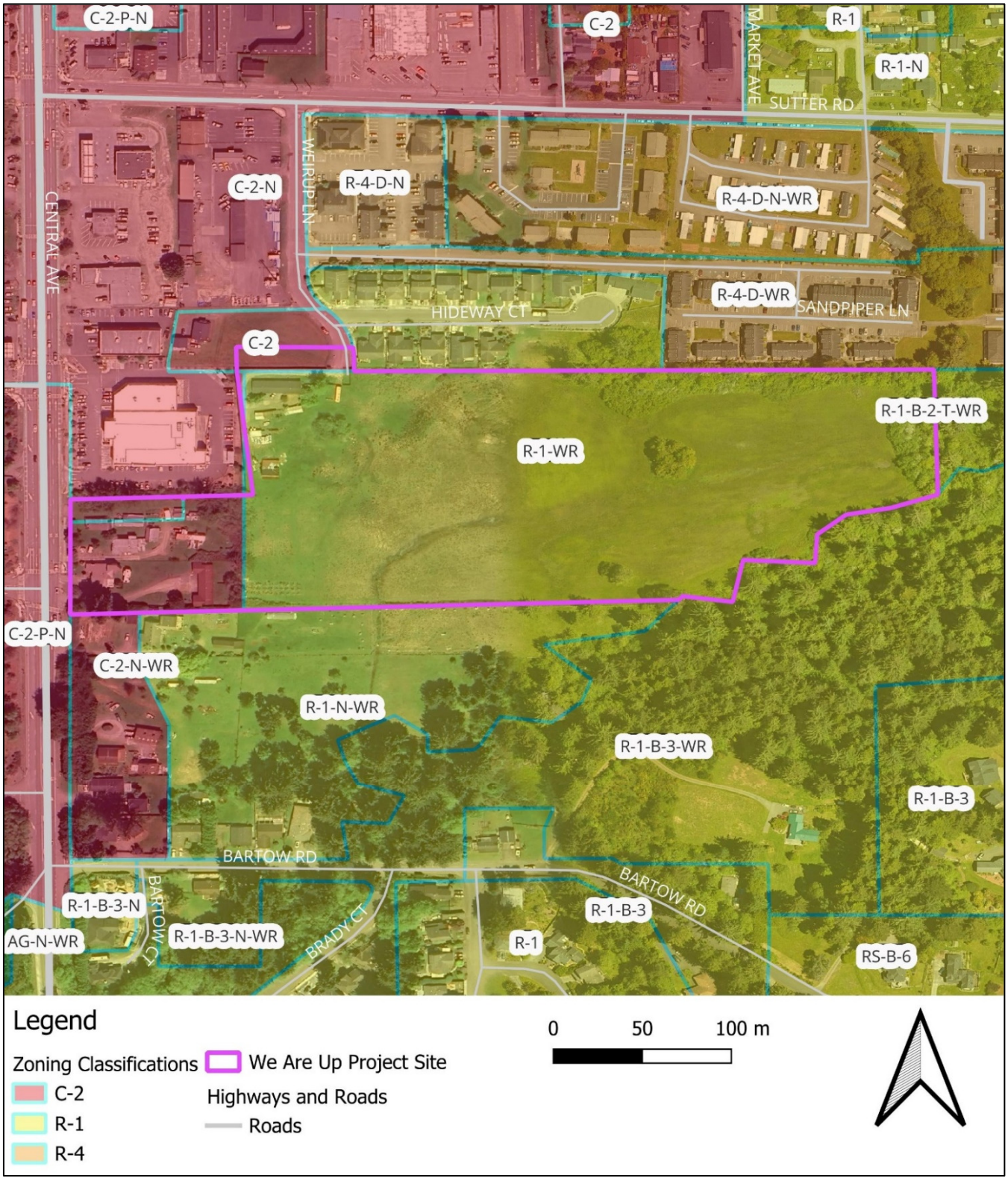
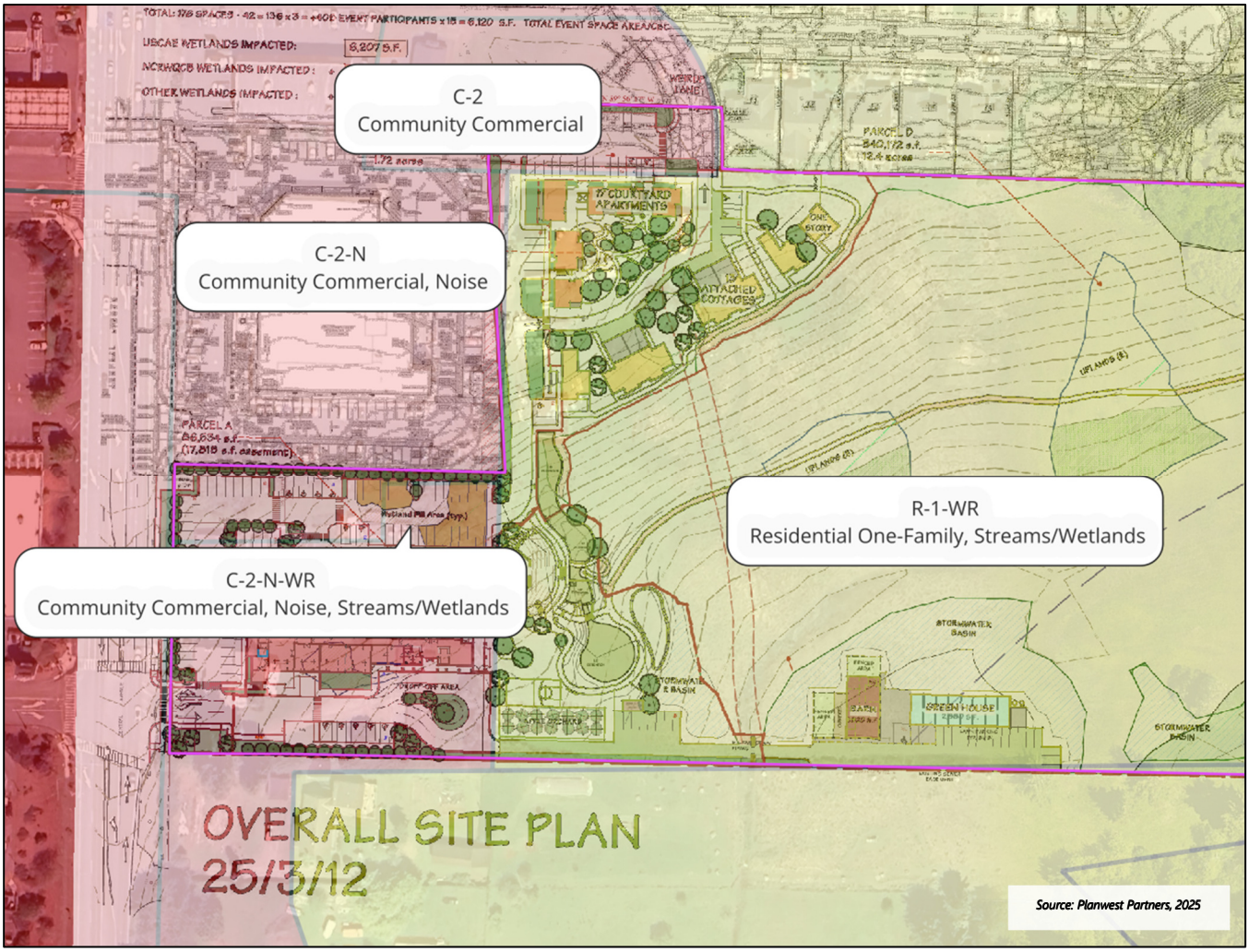


Figure 3.4 – Project Site Plan: Zoning Classifications and Designations



9. Surrounding Land Uses and Setting

The Project Site is located in the unincorporated town of McKinleyville, which is situated on the Pacific Coast, approximately 9 miles north of Eureka and 75 miles south of the Oregon border. McKinleyville is located in the middle of Humboldt County and the northern part of the Humboldt Bay Region — the County's most populated area. The nearby cities of Eureka and Arcata, which are located to the south, are connected to McKinleyville by Highway 101 — a four-lane highway with two northbound and two southbound lanes. Much of the flat land in McKinleyville is developed with commercial and residential uses. These major population centers are separated by timber production and other agricultural uses. The California Redwood Coast Humboldt County Airport (the County's largest airport) is located a little more than 2 miles north of the Project site.

The area immediately surrounding the Project Site contains smaller parcels along Central Avenue, which are characterized as mixed-use developments with a combination of single-family homes, duplexes, and commercial buildings. The Mill Creek Shopping Center is directly west and across the street (Central Avenue) from the Project Site. The larger Weirup Lane property is bordered by retail commercial development along

its western boundary and a combination of single-family homes, multifamily apartments, and the offices of the McKinleyville Community Services District (MCSD) to the north. To the east and south, the property is bordered by Mill Creek, which leads into a riparian forest with wetlands and scattered single-family homesites.

Table 3.3 – Surrounding Land Uses

Direction from Project Site	Existing Land Use Designation	Existing Zoning Designation	Existing or Planned Use(s)
North	CS: Commercial Services	C-2: Community Commercial Zone	Large retail stores; gas station; McKinleyville Community Services District (MCSD) office and corporation yard
	RM: Residential Medium Density	R-4-D-WR: Apartment Professional Zone with Design Control and Streamside Management Areas and Wetlands Combining Zones	Multifamily apartments
	RL 1-7: Residential Low Density	R-1: Residential One-Family Zone	Single-family homes
South	RL 1-7: Residential Low Density	R-1-N-WR: Residential One-Family Zone with Noise Impact and Streamside Management Areas and Wetlands Combining Zones	Single-family homes; open space; riparian corridor forest (separating Mill Creek)
	RL 1-2: Residential Low Density	R-1-B-3-WR: Residential One-Family Zone with Special Building Site and Streamside Management Areas and Wetlands Combining Zones	
East	RL 1-7: Residential Low Density	R-1-B-2-T-WR: Residential One-Family Zone with Special Building Site, Manufactured Home, and Streamside Management Areas and Wetlands Combining Zones	Single-family home; riparian corridor forest (separating Mill Creek)
West	CS: Commercial Services	C-2: Community Commercial Zone	Central Avenue; 3-way intersection with Central Avenue and Anna Sparks Way; Mill Creek Shopping Center

North of the Project Site: Several different types of existing land uses are located adjacent to the northern side of the Project Site. Along Central Avenue, there are large retail stores. A gas station on the corner of Central Avenue and Sutter Road is located to the north of those stores. Moving east from Central Avenue is the office and corporation yard of the McKinleyville Community Services District. Moving east from there

along the northern property line, the adjacent land uses turn into a combination of single-family homes and multifamily apartments.

South of the Project Site: Two single-family residences are located to the south of the Project Site. One home is located on a long parcel that is mostly open space and uses Central Avenue for access. The remainder of the Project Site's southern property line is adjacent to a riparian forest associated with Mill Creek, which separates the Project Site from another single-family residence that takes access off Bartow Road further to the south.

East of the Project Site: To the east, the Project Site borders another single-family residence, which is separated from the Project site by the riparian forest associated with Mill Creek. This residence takes access from Scott Road to the east.

West of the Project Site: Central Avenue is located to the west of the Project Site. Central Avenue is a paved, two-land road that travels south, along with one lane travelling north, which turns into two northbound lanes adjacent to the Project Site. A traffic light controls a 3-way intersection on Central Avenue near the southwest corner of the Project Site. At that intersection, Anna Sparks Way enters Central Avenue, which provides access to the Mill Creek Shopping Center. The Mill Creek Shopping Center contains a variety of retail commercial uses, including a large U-Haul facility, restaurants, and a pharmacy.

10. Description of the Proposed Project

The Project proposes the construction of a new infill mixed-use planned development consisting of up to 70 affordable, supportive residential housing units, a community center, a greenhouse, a barn, and installation of associated site improvements, including an access road, walking trails, outdoor recreation activities (e.g. badminton, basketball), related lighting, stormwater features, wetland creation, and riparian planting. The Project intends to create an integrated, replicable "ecosystem of care" anchored in long term affordable housing, agriculture, workforce development, environmental preservation, enrichment, and community-building to transform the lives of residents, their families, and our region. A mix of residents, including people with intellectual disabilities, seniors, students in related fields of study, will create a community that celebrates belonging, empowers the abilities of its residents, provides better outcomes, and lowers societal costs. The community center, educational offerings, and commercial kitchen allow the community at large to benefit, value, contribute, and become part of the project. Additionally, the community center will create important community integration and job opportunities for residents. Events at the Community Center can be staffed by residents who can provide flower arrangements, food preparation from the commercial kitchen, clean up, set up and ushering. This gives residents job skills that are transferable and integrates them into the wider community. For a more detailed description of the Project, including its proposed uses, features, and operations, please see *Section 2 – Project Description* above.

11. Project Approvals and Responsible Agencies

U.S. Army Corps of Engineers (USACE)
State Water Resources Control Board (SWRCB)
North Coast Unified Air Quality Management District (NCUAQMD)
North Coast Regional Water Quality Control Board (NCRWQCB)
County of Humboldt, Planning and Building Department
County of Humboldt, Department of Public Works

The Project will fill 6,207 square feet of federal wetlands and 13,594 square feet of State wetlands (which include the 6,207 square feet of federal wetlands impacted). These fill activities require permits from the United States Army Corps of Engineering (USACE) under Section 404 of the Clean Water Act (CWA), and a corresponding Water Quality Certification from the North Coast Regional Water Quality Control Board (NCRWQCB) under Section 401 of the CWA. Apart from these federal and State jurisdictional wetlands, and as confirmed and agreed upon through agency consultation with NCRWQCB and USACE, the Project Site also features on 2,094-square foot three-parameter wetland that is neither State nor federally jurisdictional because it is an anthropogenically derived stormwater feature. (See **Appendix C.1**.)

The Project would not directly or indirectly impact anadromous waterways; therefore, no consultation with the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act would occur. The Project is not expected to require consultation with the United States Fish and Wildlife Service (USFWS), as potential impacts to federal special status plants or wildlife species are not anticipated. The Project also would not impact a stream, banks of stream or riparian vegetation so a permit from the California Department of Fish and Wildlife (CDFW) is not anticipated. While no permitting is anticipated, consultation with CDFW has led to several uniform standards required as conditions of approval to protect special status species that may occur on the Project site.

The Project would also require a Permit to Construct from the North Coast Unified Air Quality Management District (NCUAQMD), which will ensure the Project complies with local air quality emissions standards and BMPs during Project construction activities.

The Project would also require several permits to be issued by the Humboldt County Planning Department pursuant to the Humboldt County Code (HCC), including: a lot line adjustment (LLA) to facilitate the four (4) new parcels described above; a conditional use permit (CUP) to permit temporary uses on the Site, such as the proposed occasional Primary and Special Temporary Events; a planned development permit (PDP) to authorize various aspects of the Project's planned development, including the proposed mixture of multi-family residential, single-family residential, and commercial uses on the Site; a special permit (SP) to authorize the proposed riparian plantings in the Streamside Management Area, wetland fill, wetland setback modifications, and wetland restoration, and to authorize an exception to the 35-foot maximum height restriction in the R-1 Zone so that the Courtyard Apartments can be constructed up to 40 feet in height.

The Project also requires an encroachment permit from the Humboldt County Department of Public Works to perform any proposed roadway improvements in the County's right-of-way, along with improvements to connect the Project Site's driveway to Central Avenue and Weirup Lane. An encroachment permit is also required to construct the frontage improvements and install the traffic pole on Central Avenue and Anna Sparks Lane. Finally, the Department of Public Works must also approve the Project's final parking lot layout at the time the Applicant submits the Project's encroachment and/or building permit applications. (See **Appendix B**.)

A summary of the anticipated permits and approvals that the Project will be required to obtain are summarized in Table 3.4 below:

Table 3.4 – Required Permits and Approvals

Permitting Authority/Agency	Permit Type	Regulated Activity
United States Army Corps of Engineers (USACE)	Clean Water Act, Section 404 – Nationwide Permit / Letter of Permission	Fill of and impacts to 6,207 square feet of federal wetlands.
North Coast Regional Water Quality Control Board (NCRWQCB)	Clean Water Act, Section 401 – Water Quality Certification	Fill of and impacts to 13,594 square feet of State/regional wetlands.
	National Polluant Discharge Elimination System (NPDES) Permit	Water quality – pollution control measures of water discharge and stormwater runoff during Project operations.
State Water Resources Control Board (SWRCB)	Storm Water Pollution Prevention Plan (SWPPP)	Water quality – identification of pollutant sources, BMPs, erosion and sediment control measures, dust control practices and pollution prevention measures and control to be implemented prior to initiating site construction activities.
	Waste Discharge Requirements Permit (WDR) / Construction General Permit (CGP)	Stormwater runoff from Project construction activities; Notice of Intent submittal before construction activities are undertaken.
North Coast Unified Air Quality Management District (ACUAQMD)	Permit to Construct	Air quality from daily emissions generated during Project construction.
County of Humboldt – Department of Public Works	Humboldt County Code, §§ 411-11, 411-51 – Encroachment Permit (EP)	• Roadway improvements to connect the Project driveway to Central Avenue and Weirup Lane. • Construction of frontage improvements on Central Avenue, including installation of traffic pole at southeast corner of the intersection at Anna Sparks Lane and Central Avenue, aligning entrance of parking lot to Anna Sparks Lane, and replacing residential driveways to construct curb, gutter, and sidewalk. • Driveway and internal roadway improvements. • Annual encroachment permit for temporary traffic control measures at the intersection of Sutter/Weirup during periodic Temporary Events.
County of Humboldt – Planning and Building Department	Humboldt County Code, § 314-85 – Conditional Use Permit (CUP)	The CUP will permit the Project's Temporary Uses on the Site, including weddings and other special and community events (see HCC § 314-62.1). Conditions of approval for the CUP will ensure the Project remains

		consistent with all Zoning and General Plan requirements including those of the Noise Element . The CUP also addresses requirements of HCC Section 314-31.1.4 (Permitted Uses in the P – Planned Development Combining Zone) and authorizes the Project more broadly as a "quasi-public use." (See HCC §§ 314-85.1, 314-152).
	Humboldt County Code, § 312-3.1.4 – Planned Development Permit (PDP)	The PDP will authorize the proposed planned development aspects of the Project including the multifamily and multiple single-family uses in the area zoned R-1 and the integrated commercial and residential uses across the various general plan designations/zones that apply to the site (see HCC § 314-31.1). It also allows flexible development standards to be applied to cope with difficulties due to topography and to better provide for the protection and enhancement of sensitive habitats such as wetlands and riparian areas.
	Humboldt County Code, § 312-3.1.2 – Special Permit (SP)	The SP will authorize the proposed riparian plantings and stormwater detention basins in the Streamside Management Area, wetland fill, temporary wetland impacts, wetland setback modification, and wetland restoration. (See HCC § 314-38.3.) The SP will also authorize an exception to the maximum height limit of the R-1: Residential One-Family Zone to allow the Courtyard Apartments to be constructed up to 40 feet in height, i.e., five (5) feet taller than the Zone's standard 35-foot height limit. (See HCC § 314-99.1.1.)
	Humboldt County Code, § 325.5 – Lot Line Adjustment (LLA)	The lot line adjustment will enable the internal property lines to be moved to better accommodate the proposed Project. (See HCC § 325.5-5.) Doing so will create four distinct parcels—Parcels A, B, C, and D—on which each of the Project's various structures and components will be developed.
	Humboldt County Code, §331-11 – Building Permit (BP) and § 331-14 – Grading Permit (GP)	The GP will authorize the grading and excavation construction activities required to facilitate development of the Project's improvement and features, including the Community Center, Courtyard Apartments, Attached Cottages, Barn, Greenhouse, and ancillary uses. The BP authorizes construction of these buildings and ancillary uses. The Project will comply with any and all conditions and performance measures set forth in the BP and GP.

3.2 Humboldt County General Plan and Prior Environmental Review

3.2.1 Overview of Streamlined CEQA Analysis for Projects Consistent with an Approved General Plan, Community Plan, or Zoning Action for which an EIR was Previously Certified (Pub. Resources Code § 21083.3; CEQA Guidelines § 15183)

Public Resources Code section 21083.3 and its parallel CEQA Guidelines provision, section 15183, provide an exemption and streamlined environmental review of proposed projects that are consistent with an approved general plan, community plan, or zoning action for which an EIR or other environmental document was previously certified. These CEQA provisions allow the County, as lead agency, to avoid repeating analyses that were already provided in that previously certified document when considering the potential impacts of a proposed project that is consistent with those prior planning decisions.

Subdivision (a) of Public Resources Code section 21083.3 provides that "[i]f a parcel has been zoned to accommodate a particular density of development or has been designated in a community plan to accommodate a particular density of development and an [EIR] was certified for that zoning or planning action, the application of [CEQA] to the approval of any subdivision map or other project that is consistent with the zoning or community plan shall be limited to effects upon the environment which are peculiar to the parcel or to the project and which were not addressed as significant effects in the prior [EIR], or which substantial new information shows will be more significant than described in the prior [EIR]."

Subdivision (b) of section 21083.3 lays out similar principles for proposed projects consistent with previously approved general plans for which EIRs have been certified. Under subdivision (b), if a development project is consistent with the general plan for which an EIR was certified, the application of CEQA shall be limited to effects on the environment that are "peculiar to the parcel or to the project" and that were not addressed as significant effects in the prior EIR, or which substantial new information shows will be more significant than described in the prior EIR. An effect or "physical change in the environment will be peculiar to [a project] if that physical change belongs exclusively and especially to the [project] or it is characteristic of only the [project]." (*Wal-Mart Stores, Inc. v. City of Turlock* (2006) 138 Cal.App.4th 273, 294.)

However, subdivision (d) of section 21083.3 clarifies that the environmental effects of a project *shall not* be considered "peculiar to the parcel or to the project" if "uniformly applied development policies or standards" that the County has previously adopted with corresponding findings will substantially mitigate that environmental effect, unless substantial new information shows otherwise. CEQA Guidelines section 15183, subdivision (f), adds that "[w]here a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision making body of the city or county, prior to approving such a future project pursuant to this section, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project." Thus, under these provisions of CEQA, a project that is consistent with a general plan that was adopted pursuant to a certified EIR could be partially or wholly exempt from further CEQA analysis.

CEQA Guidelines section 15183 expands upon Public Resources Code section 21083.3 by providing more detailed guidance on this streamlined review process. Section 15183, subdivision (b), provides that, for any proposed project that is consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified, the County shall limit its examination of environmental effects to those which the County determines, in an initial study or other analysis:

(1) Are peculiar to the project or the parcel on which the project would be located;

(2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;

(3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan, or zoning action; or

(4) Are previously identified significant effects which, as a result of substantial new information that was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

Section 15183, subdivision (c), further provides that "if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards…then an additional EIR need not be prepared for the project solely on the basis of that impact." Subdivision (f) clarifies that "development policies or standards need not apply throughout the entire city or county, but can apply only within the zoning district in which the project is located . . . . Moreover, such policies or standards need not be part of the general plan or any community plan, but can be found within another pertinent planning document such as a zoning ordinance." Thus, "[e]ven if evidence in the record demonstrates the existence of project-specific environmental effects, an environmental impact" "shall *not* be considered peculiar to a project if uniformly applied development policies or standards will substantially mitigate the effect." (*Hilltop Group, Inc. v. County of San Diego* (2024) 99 Cal.App.5th 890, 916 (*Hilltop Group*).)

Taken together, these streamlining and exemption provisions permit streamlined environmental review "not because a project does not have *any* potential environmental effects, or because those effects should not be analyzed—[but] because the project's effects were *already* sufficiently taken into account and addressed in a programmatic EIR" and substantial evidence shows that any project-specific impacts will be substantially mitigated by uniform development policies or mitigation measures prescribed by the prior EIR. (*Hilltop Group*, *supra*, 99 Cal.App.5th at pp. 915–916, 918.)

3.2.2 Reliance on Previously Certified Environmental Documents & Adopted Land Use Plans and Zoning Actions

2017 Humboldt County General Plan Update – Certified Program EIR

The Humboldt County Board of Supervisors certified the programmatic Revised Draft EIR (RDEIR) and Final EIR (FEIR) (collectively, GPU PEIR) for its comprehensive Update to the 1984 Humboldt County General Plan (GPU) on October 10, 2017 (SCH #2007012089) (Resolution Nos. 17-94, 17-95). Together, the RDEIR and FEIR identified the likely environmental consequences of the GPU and recommended a Mitigation Monitoring and Reporting Program (MMRP) with measures to reduce or eliminate significant impacts. In certifying the

EIR and adopting the MMRP, the Board found that implementation of the mitigation measures contained therein can mitigate potential significant effects to less than significant levels.

The GPU expresses the community's goal for the distribution of future public and private land uses until the year 2040, and establishes policies, standards, and implementation measures for future developments. The EIR reviewed and revised basic assumptions regarding population projections and future land use demand, and proposed land use designations and maps, together with policies, to meet that demand in a manner consistent with State law. The GPU provides for modest expansion of the County's urban areas that are currently reflected in corresponding Community Plans. As updated, the General Plan calls for increasing infill opportunities and development in urban-service areas, while maintaining policies to protect resource lands from fragmentation. Additional industrial and commercial lands would be made available for use based on historic demand in proportion to residential land uses.

The GPU PEIR is a "program" EIR prepared pursuant to CEQA Guidelines section 15168. The PEIR reviewed environmental impacts associated with future development and buildout within the County's planning area that would be accommodated by the updated General Plan. A program EIR can be used for subsequent projects implemented within the scope of the program/plan.

2017 McKinleyville Community Plan Amendments

The GPU and certified PEIR also evaluated the potential environmental impacts of implementing forecasted development that would be facilitated by amendments to the McKinleyville Community Plan (MCCP), which was originally adopted by the County on October 10, 2002 (see below). The County amended the MCCP and incorporated it into the GPU to ensure future development within the McKinleyville Community Planning Area would be consistent with the new land use designations approved under the GPU. The certified GPU PEIR included these amendments in its project description, analyzed their potential environmental effects, and applied mitigation measures to the extent necessary. The Board of Supervisors adopted the MCCP Amendments concurrently with its adoption of the 2017 GPU and its certification of the GPU PEIR on October 23, 2017 (Resolution No. 17-96).

2019 HOUSING ELEMENT UPDATE – CERTIFIED ADDENDUM

On August 20, 2019, as part of the State's mandated periodic update cycle, the Board of Supervisors adopted the 2019 Update to the General Plan's Housing Element (Resolution No. 19-84). The 2019 Housing Element Update included amendments to existing goals, objectives, policies, and programs so that the County can better achieve the State's statutory housing goals.

In updating the Housing Element, pursuant to CEQA Guidelines sections 15162, 15164, and 15168, the County reviewed the GPU PEIR and determined it sufficiently analyzed the changes and forecasted housing development scenarios contemplated in the 2019 Housing Element Update. The County thus prepared and ultimately certified an Addendum (HE Addendum) to the GPU PEIR that found the PEIR sufficiently addressed the potential environmental impacts associated with adopting the 2019 Housing Element Update, that there was no substantial evidence that the Update would have a significant environmental effect, and that no additional mitigation measures were necessary for the proposed Zoning Code amendments called for by the Update. The Board thus adopted findings that concluded no substantial evidence had been submitted showing: (i) that the changes proposed by the 2019 Housing Element Update would require major revisions to the programmatic GPU PEIR; (ii) that there were substantial changes to the circumstances under which

the 2019 Housing Element Update were being undertaken that would require major revisions to the GPU PEIR; or, (iii) that there was new information that had become available which was not previously known at the time the GPU PEIR was certified that would consequently require major revisions to the GPU PEIR.

2002 McKinleyville Community Plan Update – Certified Program EIR

On December 10, 2002, the Humboldt County Board of Supervisors certified the programmatic Recirculated Draft EIR (RDEIR) and Final EIR (FEIR) (collectively, MCCP PEIR) for its comprehensive Update to the 1985 McKinleyville Community Plan (MCCP) (SCH #98082024) (Resolution No. 02-106). Together, the RDEIR and FEIR identified the likely environmental consequences of the MCCP and recommended a Mitigation Monitoring and Reporting Program (MMRP) with measures to reduce or eliminate significant impacts. In certifying the PEIR and adopting the MMRP, the Board found that implementation of the mitigation measures contained therein can mitigate potential significant effects to less than significant levels.

The MCCP expresses the community's goal for the distribution of future public and private land uses for a roughly 20-year planning period, and establishes policies, standards, and implementation measures for future developments. The PEIR reviewed and revised basic assumptions regarding population projections and future land use demand, and proposed land use designations, zoning designations and maps, together with policies, to meet that demand in a manner consistent with State law. The MCCP provides for modest expansion of the community's urban areas. As updated, the MCCP calls for increasing infill opportunities and development in urban-service areas, while maintaining policies to protect resource lands for continued natural resource production. Additional industrial and commercial lands were also identified.

As with the GPU PEIR, the MCCP PEIR is also a "program" EIR that the County prepared pursuant to CEQA Guidelines section 15168. The PEIR reviewed environmental impacts associated with future development and buildout that could be accommodated within the McKinleyville Community Planning Area and can therefore be used for subsequent projects implemented within the scope of the MCCP. As further described above, in 2017, the GPU included amendments to the MCCP, the effects for which were analyzed in the GPU PEIR.

Documents Incorporated by Reference

As indicated above, pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, certain (or potentially all) aspects of the proposed Project that are consistent with the certified GPU PEIR may be exempt from additional CEQA analysis of environmental issues that were adequately covered in that certified PEIR. Accordingly, the analysis in this document incorporates by reference the following environmental documents associated with the GPU and Housing Element Update that have been certified by the Humboldt County Board of Supervisors. Copies of these documents are available to the public for viewing at the Humboldt County Planning and Building Department, 3015 H Street, Eureka, CA, 95501, or online at the Planning and Building Department's website: https://humboldtgov.org/205/General-Plan, https://humboldtgov.org/273/General-Plan-Update, and https://humboldtgov.org/2448/2019-Housing-Element:

- *Humboldt County General Plan Update, Findings of Fact, and Mitigation Monitoring and Reporting Program*, adopted by the Humboldt County Board of Supervisors on October 23, 2017 (Resolution No. 17-95).

- *Humboldt County General Plan Update – Revised Draft and Final Environmental Impact Report (SCH #2008012089), CEQA Findings of Fact, and Statement of Overriding Considerations*, certified and adopted by the Humboldt County Board of Supervisors on October 23, 2017 (Resolution No. 17-94).
- *Humboldt County General Plan Update – Amendments to the 2002 McKinleyville Community Plan, Findings of Fact, and Land Use Maps*, approved and adopted by the Humboldt County Board of Supervisors on October 23, 2017 (Resolution No. 17-96).
- *Humboldt County General Plan – 2019 Housing Element Update, CEQA Addendum, and Findings of Fact*, approved and adopted by the Humboldt County Board of Supervisors on August 20, 2019 (Resolution No. 19-84), and certified by the California Department of Housing and Community Development (HCD) on October 23, 2019.
- *McKinleyville Community Plan Update – Recirculated Draft and Final Programmatic Environmental Impact Report (SCH #98082024), CEQA Findings of Fact, Statement of Overriding Considerations, and Mitigation Monitoring and Reporting Program,* certified and adopted by the Humboldt County Board of Supervisors on December 10, 2002 (Resolution No. 02-106).

The environmental documents listed above include mitigation measures imposed on the General Plan, MCCP, and Housing Element, and activities authorized therein and in subsequent projects to mitigate plan-level environmental impacts, many of which are applicable to the proposed Project. The applicable mitigation measures are referenced specifically throughout this document and are incorporated by reference in the environmental analysis. The Applicant will be required to agree, as part of the conditions of approval for the Project, to comply with each of those mitigation measures. Pursuant to Public Resources Code section 21083.3, subdivision (c), the County will make a finding at a public hearing that the feasible and applicable mitigation measures specified in the GPU PEIR, MCCP PEIR, and HE Addendum, and any uniformly applicable development policies, standards, and permit conditions will be undertaken.

3.2.3 Humboldt County General Plan Consistency Analysis

As indicated above, pursuant to Public Resources Code section 21083.3, certain (or potentially all) aspects of a development project that are consistent with a General Plan and/or Community Plan for which an EIR was certified may be exempt from additional CEQA analyses (i.e., negative declaration, mitigated negative declaration, or EIR) of issues that were adequately covered in the GPU PEIR and MCCP PEIR.

LAND USE ELEMENT DESIGNATIONS

As shown in Figures 3.1 and 3.2 above, the GPU's Land Use Element designates the Project Site for Commercial Services (CS), Residential Medium Density (RM), and Residential Low Density (RL 1-7) land uses. The CS designation applies to proposed Parcels A and C; the RM designation applies to portions of proposed Parcels B and C, and the RL 1-7 designation applies to portions of proposed Parcels B and D. The proposed Project is consistent with these land use designations. As more fully detailed in **Appendix A**, the Project's consistency with these land use designations will help facilitate applicable GPU land use goals, objectives, and policies by developing a mixed-use, affordable residential infill development that facilitates diverse economic opportunities and agricultural cottage industries while preserving and enhancing the Site's existing open space, streamside, and riparian resources.

Community Services (CS)

The CS land use designation applies to approximately 2.0 acres in the western part of the Project Site along Central Avenue, as well as to 0.31 acres (approximately 60 feet) along the northern property line bordering Weirup Lane. The CS designation allows commercial uses such as professional offices, retail sales, transient habitation, civic/community assembly spaces, private recreation, and residential uses subordinate to the principal use. The designation also requires a full range of urban services, including adequate site access, public sewer and water, electricity, fire protection, and waste disposal.

Here, the Project proposes developing the Mixed-Use Community Center on proposed Parcel A, which is designated for CS land uses. The Mixed-Use Community Center is consistent with this designation, as it will provide: professional offices for onsite support staff; a small boutique with retail sales; a large community assembly space for civic uses such as community events, workshops, and classes; limited short-term transient habitation for guests of onsite residents; private outdoor recreation areas and walking paths; and dwelling units for an underserved residential population on the three upper floors above the ground/first floor, which will be inherently subordinate to the ground/first floor's commercial uses. Accordingly, the Community Center's proposed uses are principally permitted by the CS land use designation. Similarly, the Project proposes developing a paved parking lot on Parcel C to support the nearby Courtyard Apartment units and is therefore also consistent with the CS land use designation.

Parcels A and C, as well as the greater Project Site, are also adequately served by a full range of public services. The Site can be accessed through one of two entrances on Central Avenue and Weirup Lane, while public transportation provided by the Redwood Transit System is also available along Central Avenue as well as via the bus stop located approximately 600 feet from the Site's main entrance, which the Department of Public Works has proposed to relocate to the Project Site, pending further discussions with the Applicant, Department officials, and other applicable agencies on design and feasibility. The Project also proposes developing onsite roadways, parking, and a turnaround for compact buses and will feature electric vehicle charging, along with onsite bicycle parking and storage. The Community Center will be connected to public water, power, and sewer via existing and expanded onsite utility infrastructure. MCSD will provide water and sewer services, while PG&E will provide gas and electricity. The Arcata Fire District's McKinleyville Fire Station is located approximately 0.7 miles north of the Project Site and can adequately serve Project operations. Finally, Humboldt Sanitation will be contracted to pick-up waste from the Project Site on a weekly basis.

The CS designation allows a floor area ratio (FAR) of up to 3.0. Here, after the Lot Line Adjustment, Parcel A will be approximately 86,534 square feet. The total floor area for the proposed Mixed-Use Community Center and its ancillary uses (e.g., paved parking, outdoor spaces, landscaping, access roads/pathways, etc.) is anticipated to be approximately 76,000 square feet, with the Community Center building itself constituting approximately 20,000 total square feet. Based on these estimates, the FAR for the entire Community Center and ancillary uses is 0.88 FAR, while the Community Center building's FAR is 0.23. Therefore, the proposed Community Center and its ancillary uses fall within the 3.0 FAR limitation.

In summary, the proposed land use and density of the Project's proposed Community Center and parking lot are consistent with the underlying CS designation for proposed Parcels A and C. Together, they facilitate the GPU's goal of establishing increased residential densities and encouraging the provision of diverse housing choices, commercial facilities, and infrastructure to accommodate forecasted growth while

protecting resource and the established character of urban and rural neighborhoods. (See GPU DEIR, p. 3.1-21; GPU, p. 1-3.)

Residential Medium Density (RM)

The RM land use designation applies to approximately 1.35 acres of land adjacent to the CS designated areas. The RM designation is used in areas with full urban services and where common-walled units and apartments are appropriate, including duplexes, townhouses, and apartments, and in manufactured home park developments. The RM designation allows residential uses with a density range of 7-30 dwelling units/acre, including single-family units, multifamily units, accessory dwelling units, group residential units, planned developments, transitional housing units, and residential accessory uses such as community care facilities. The designation also allows other uses compatible with the underlying residential use, including cottage industries, community assembly spaces, neighborhood commercial uses, offices and professional uses, private institutions and essential services.

Here, as shown in Figures 3.1 and 3.2 above, the RM designation applies to portions of proposed Parcels B and C. Within the RM-designated portions of those Parcels, the Project proposes developing a portion of the Courtyard Apartments and Attached Cottage residential units, outdoor assembly areas to support the Community Center, and the proposed Orchard and Garden. The proposed Courtyard Apartments will include 17 apartment/multi-family style common-walled residential units, while the Attached Cottages will include 13 townhome-style common-walled residential units. Accordingly, both types of residential uses are allowed uses under the RM designation and will comply with the allowed density of 7-30 du/acre. The proposed outdoor assembly areas are also consistent with the RM designation, as they are compatible with the Project's underlying residential uses by providing open space gathering areas for onsite residents. These spaces can also be used as community assembly spaces during onsite events. The proposed Orchard and Garden are also authorized by the RM designation, as they will support the onsite residential population by providing a value-added and income-generating cottage agricultural industry opportunity for residents to engage in through growing, harvesting, and selling seasonal fruits, vegetables and crops. Finally, as described above, Parcels B and C will be adequately served by urban services and utilities, including water, sewer, electricity, gas, waste disposal, and transportation services.

In summary, the proposed land uses and density of the Project's proposed Courtyard Apartments, Attached Cottages, outdoor assembly areas, Orchard, and Garden are consistent with the underlying RM designation for portions of proposed Parcels B and C. Together, they facilitate the GPU's goal of promoting and facilitating the creation of affordable housing opportunities for a historically underserved vulnerable residential population to meet the County's current and future housing demands. (GPU, p. 1-3.)

Residential Low-Density (RL 1-7)

The RL 1-7 designation applies to the Project Site's remaining 15.23 acres. The RL 1-7 designation applies to areas suitable for residential use where urban services are available. The RL 1-7 designation allows a residential density of 1-7 du/acre and primarily allows single-family residential use types, but also accommodates other housing types, including multi-family residential units, guest houses, townhouses, common-wall clustered units, and residential accessory uses, such as community care facilities, cottage industries, community assembly spaces, and neighborhood commercial uses.

Here, as shown in Figures 3.1 and 3.2 above, the RL 1-7 designation applies to portions of proposed Parcels B and D. Within the RL 1-7-designated area on Parcel B, the Project proposes developing the remainder of the Courtyard Apartment and majority of the Attached Cottage units and their associated ancillary uses such as 4 two-car garages and lawn spaces. The Courtyard Apartments' and Attached Cottage's multi-family, common-wall, and townhome-style residential uses are consistent with the allowable residential use types permitted under the RL 1-7 designation. Moreover, because portions of those residential structures will be developed across both the RM and RL 1-7 designated areas on Parcels B and C, the number of units constructed within the RL 1-7 designated area will not collectively exceed the 1-7 du/acre allowed density.

Within the RL 1-7 designated area on Parcel D, the Project proposes developing the Greenhouse, Barn, lawn space, and ancillary uses, such as the 200-foot storage shed. The Greenhouse, Barn, and lawn space uses are similarly consistent with the types of uses allowed under the RL 1-7 designation, as they can be used as community assembly spaces during onsite events. The lawn spaces will also serve as overflow parking spaces during onsite events, and can provide outdoor recreational spaces for onsite residents. The Greenhouse, Barn, and other related spaces are also intended to function as residential accessory uses that will support onsite residents by providing them with a value-added and income-generating cottage agricultural industry opportunity through growing, harvesting, and selling crops and livestock products. Finally, as described above, Parcels B and D will be adequately served by urban services and utilities, including water, sewer, electricity, gas, waste disposal, and transportation services.

In summary, and as more fully detailed in **Appendix A**, the proposed land uses and density of the Project's proposed Courtyard Apartments, Attached Cottages, Greenhouse, Barn, and ancillary uses are consistent with the underlying RL 1-7 designation for portions of proposed Parcels B and D. Together, they facilitate the GPU's goal of promoting and facilitating the creation of affordable housing opportunities for a historically underserved vulnerable residential population to meet the County's current and future housing demands, while also incentivizing unique economic opportunities through agricultural services. (GPU, p. 1-3.)

COMMUNITY INFRASTRUCTURE AND SERVICES ELEMENT

As more fully detailed in **Appendix A**, the Project is consistent with applicable goals, objectives, and policies of the GPU's Community Infrastructure and Services Element. As explained above, the Project's proposed mixture of residential, community/commercial, agricultural, open space, and supportive uses will be adequately served by existing utility infrastructure and service providers, including MCSD (water, sewer, and waste), PG&E (electricity and gas), and emergency response and fire suppression services (Arcata Fire District). (GPU, pp. 5-5 [IS-P3], 5-7 [IS-P25], 5-8 [IS-S6].) Because the Project is within an urban development area (UDA) and the number of residential units will not exceed those contemplated by the GPU, the proposed uses will not adversely impact health, welfare, and safety or any plans to provide infrastructure or services to other parts of the McKinleyville community. (GPU, p. 5-5 [IS-P3].) To this end, the Project's proposed site access enhancements, including construction of the traffic signal on Central Avenue at Anna Sparks Way, will ensure that surrounding roadway facilities can adequately support the Project's infrastructure and proposed uses. (GPU, p. 5-6 [IS-P7].)

In summary, and as detailed in **Appendix A**, the proposed Project is consistent with the applicable provisions of the GPU's Community Infrastructure and Services Element.

CIRCULATION ELEMENT

As more fully detailed in **Appendices A and C.2**, the Project is consistent with applicable goals, objectives, and policies of the GPU's Circulation Element. The Project's proposed uses will be adequately supported by a mixture of transportation options that will not significantly burden or adversely affect surrounding roadways or infrastructure. The Applicant anticipates that most of its residents will not drive or own a car and will access their general needs by walking or bicycling to the grocery store, bank, health care facilities, movie theater, health club, or restaurants that are located within a few blocks from the Project Site with access via existing sidewalks. The Applicant will also encourage bicycle use by providing an abundance of onsite bicycle parking and a protected bicycle storage room in the Community Center building. Nearby public transportation provided by Redwood Coast Transit is also available, including via an existing bus stop within 600 feet of the Project Site's main entrance on Central Avenue. To this end, under normal operating use, the project and its residents would not contribute to significant use on Weirup Lane, or the roads that feed into it. Classes held on-site will be for residents only and will not generate significant additional traffic. Internal onsite roadways, parking, and a turnaround for compact buses will also be developed and will feature at least two (2) charging stations for electric vehicles. As such, the Project will utilize and help facilitate use of a diverse range of transportation opportunities that are conducive to the surrounding area, including improved access to non-motorized modes of transportation. (GPU, p. 7-3 [C-G2, C-G4].)

Offsite roadway access to the Site is provided by via Central Avenue and Weirup Lane. To reduce potential congestion and facilitate vehicle accessibility and pedestrian walkability, the Applicant has agreed to obtain an encroachment permit from the Department of Public Works to construct a traffic signal system at the intersection of Anna Sparks Way and Central Avenue and install pedestrian improvements along the frontage to reduce congestion and facilitate accessibility and walkability. (GPU, p. 7-11 [C-S11]; see 2/21/2025 Memo.) The Project will also provide ample onsite paved and overflow parking spaces for residents, employees, and guests/attendees during occasional Temporary Special Events. Moreover, the Applicant will also employ temporary traffic control measures and personnel during Temporary Events and will manage events to prevent simultaneous entry and exit during such events. With regard to vehicle trips, these events will not generate additional trips regionally because they are not uniquely generated by the Project—i.e., they would have taken place at other locations within the County, therefore, these events would not generate new (Countywide) trips. To this end, because McKinleyville has few event venues, local community members can use the Project for their event needs, thus potentially reducing VMT by minimizing the need for those patrons to travel to more distant locations elsewhere.

Accordingly, the Project will help ensure adequate access to the existing circulation system and incorporate design features that improve connectivity and minimize disruptions to the flow of traffic, while promoting additional bicycle and pedestrian connectivity. (GPU, p. 7-4 [C-P1], p. 7-5 [C-P9], p. 7-8 [C-P35, C-P36, C-P39].) For these reasons, and as more fully detailed in **Appendices A** and **C.3**, the proposed Project is consistent with the applicable provisions of the GPU's Circulation Element.

HOUSING ELEMENT

As more fully detailed in **Appendix A**, the Project is consistent with applicable goals, objectives, and policies of the General Plan's Housing Element, which was most recently updated in 2019 (2019 HE Update). One of the 2019 HE's key priorities is "to increase the supply of housing affordable for all income levels by implementing regulatory policies, practices, and financial incentives that promote the creation of housing

that is affordable to residents. This priority extends to all income levels and includes the housing needs of the vulnerable populations including residents experiencing homelessness, seniors, and farmworkers." (2019 HE Update, p. 8-2.) In unincorporated parts of the County, the 2019 HE anticipates a need for 1,413 new residential units affordable to varying income levels to meet projected housing needs for the 2019–2027 planning period. (2019 HE Update, p. 8-6.)

The Project proposes construction of up to 70 supportive residential units of varying sizes and types on a vacant, underdeveloped, infill site situated within an Urban Development Area (UDA) and Housing Opportunity Zone. (2019 HE Update, p. 8-12 [H-G2], p. 8-14 [H-P12, H-P17, H-P18, H-P21], p. 8-15 [H-P22].) All 70 supportive units will be 100% affordable to lower-income households and will serve a residential population exclusively comprised of people with intellectual disabilities, seniors, and students in related fields of study. (2019 HE Update, p. 8-12 [H-G5, H-G6, H-G7], p. 8-13 [H-P2, H-P6], p. 8-14 [H-P12], p. 8-16 [H-P35], p. 8-23 [H-IM13], p. 8-29 [H-IM51], p. 8-33 [H-IM71].) Office and administrative spaces will be developed within the proposed Community Center for the onsite staff members and caregivers who will provide round-the-clock care and supportive services to residents. (2019 HE Update, p. 8-14 [H-P12], p. 8-16 [H-P35].) The Community Center, as well as the Greenhouse, Barn, Orchard, and Garden, will also provide educational offerings, transferable life-skills, and job opportunities to residents who can later integrate them into the surrounding community given the Project Site's proximity to nearby commercial uses, local businesses, and transit corridors. (2019 HE Update, p. 8-12 [H-G3, H-G6], p. 8-14 [H-P21].) The Project's proposed Site Plan (see Figure 2.7) will cluster the residential units towards those northwestern portions of the Project Site that border existing commercial and urban uses, which will help reduce and avoid impacts to the biological resources and wetlands located in the southeastern portions of the Project Site. (2019 HE Update, p. 8-14 [H-P16], p. 8-18 [H-S4].)

Finally, the 2019 HE and corresponding CEQA Addendum found that the GPU PEIR adequately analyzed the cumulative impacts of residential development in Housing Opportunity Zones. Accordingly, Implementation Measure H-IM2 of the 2019 HE requires that the County tier environmental analysis off the GP PEIR to appropriately focus environmental review of individual residential projects in Housing Opportunity Zones. (2019 HE Update, p. 8-21 [H-IM2].) This document and the Environmental Checklist below fulfill Implementation Measure H-IM2 by relying on the GPU and MCCP PEIRs and HE Addendum to conclude that the proposed Project will not have significant environmental impacts that are peculiar to the Project Site or otherwise cannot be adequately addressed through the application of permit conditions, uniformly applicable development standards, or compliance with the mitigation measures prescribed by the GPU and MCCP PEIRs.

In summary, and as more fully detailed in **Appendix A**, the proposed Project is consistent with the applicable provisions of the 2019 HE Update, as it will help the County fulfill its priority of providing more supportive housing units at varying levels of affordability to a special needs population, on an urban infill site within a Housing Opportunity Zone.

CONSERVATION AND OPEN SPACE ELEMENT

As more fully detailed in **Appendix A**, the Project is consistent with applicable goals, objectives, and policies of the General Plan's Conservation and Open Space Element.

The Project is consistent with the applicable goals, policies, and standards of the Conservation and Open Space Element pertaining to Sensitive and Critical Habitats. Pursuant to Standard BR-S2 (*Agency*

Consultation) and Implementation Measure BR-IM2 (*State and Federal Agency Permitting Coordination*) the Applicant and consultant team have met with agencies with jurisdiction over the onsite wetlands and SMAs, including the USACE, the NCRWQCB, and the County. As part of this consultation process and in accordance with Policies BR-P5 (*Streamside Management Areas*), BR-P7 (*Wetland Identification*), and BR-P11 (*Biological Resources Map*), the Applicant's consultant team prepared a Project-specific Wetland Habitat Mitigation and Monitoring Plan which contains a biological resources and wetland delineation report that identified wetlands, SMAs, and other potential special status species, and an avoidance and mitigation plan. (See **Appendix C.1**.) Each agency has vetted and approved the Project's proposed wetland creation and mitigation ratio proposal, which collectively incorporates the agencies' recommended measures and comport with the requirements prescribed by Standards BR-S7 (*Development within Streamside Management Areas*), BR-S8 (*Required Mitigation Measures*), BR-S9 (*Erosion Control*), and BR-S10 (*Development Standards for Wetlands*), and Policy BR-P6 (*Development Within Streamside Management Areas*). Conditions of approval require conformance with the WHMM Plan for the life of the Project.

The Project has complied and will continue to comply with the applicable goals, policies, and standards of the Conservation and Open Space Element pertaining to Cultural Resources. The Project was referred to the Northwest Information Center (NWIC), the Bear River Band of Rohnerville Rancheria, the Blue Lake Rancheria, and the Wiyot Tribe. None of the tribes sought further consultation. A Cultural Resources Survey was also prepared for the Project. The Study concludes that the Project is not expected to impact significant historic or prehistoric archaeological resources. Nevertheless, to address the unlikely event that buried cultural or paleontological resource deposits and/or human remains are discovered during Project construction activities, the standard inadvertent discovery protocol is included among the Project's conditions of approval. (See **Appendix B**.)

The Project is also consistent with the Conservation and Open Space Element's Scenic Resources policies related to restricting light and glare. The Project Site is not located near any designated scenic highway or scenic vistas. As such, the Project is designed and conditioned to follow International Dark Sky Association Standards, which exceed the requirements of Scenic Resources Standard SR-S4 (*Light and Glare*), by requiring onsite lighting to be fully shielded so as to minimize off-site lighting and direct light within Project Site boundaries.

For these reasons, and as more fully detailed in **Appendix A**, the Project is consistent with the Conservation and open Space Element.

NOISE ELEMENT

As more fully detailed in **Appendices A** and **C.2**, the Project is consistent with applicable goals, objectives, and policies of the General Plan's Noise Element. The GPU's Noise Element seeks to provide a quiet and healthful environment with limited disagreeable noise by arranging land uses to reduce annoyance and complaints, and to minimize community residents' exposure to excessive noise. (GPU, pp. 13-7–13-8 [Goals N-G1, N-G2; Policy N-P4].)

Noise Element Standard N-S1 (*Land Use/Noise Compatibility Matrix*) provides a Land Use and Noise Compatibility Matrix, which is used as a guide to ensure land uses and their anticipated noise levels are compatible. Certain types of developments may occur in areas that identify "normally unacceptable" decibel limitations so long as project features, development standards, or mitigation measures can reduce anticipated indoor noise levels to "Maximum Interior Noise Levels" and anticipated outdoor noise levels to

the maximum "Normally Acceptable" value for the given land use category. (GPU, pp. 13-8–13-9; see **Appendix C.2,** p. 10.)

Noise Element Standard N-S4 (*Noise Study Requirements*) requires discretionary projects that may generate noise levels that exceed those prescribed by the Compatibility Matrix standards to prepare a noise study to ensure compliance with all applicable noise standards. (GPU, p. 13-9.) The noise study must be prepared by a qualified expert and measure or model, as appropriate, Community Noise Equivalent Levels (CNEL) and Maximum Noise Levels (Lmax) at the property lines and, if feasible, at the locations of potential sensitive receptors. The study must analyze the Project's characteristics in relation to noise levels, forecast projected noise levels, and identify feasible mitigation measures or project design features that can reduce noise levels to appropriate levels. (GPU, pp. 13-9–13-10.)

Noise Element Standard N-S5 (*Noise Standards for Habitable Rooms*) requires new developments that construct habitable rooms to achieve a maximum of 45 CNEL for interior noise levels. (GPU, p. 13-9.)

Standard N-S6 (*Noise Reduction Requirements for Exterior Areas in Residential Zones*) requires developments on single-family residential lots of 5,000+ square feet to contain a usable outdoor area of at least 200 square feet per dwelling unit that meets the 60 CNEL standard. (GPU, p. 13-9.)

Under Standard N-S7 (*Short-Term Noise Performance Standards (Lmax)*) apply to variously-zoned parcels during daytime (6:00 a.m. to 10:00 p.m. dBA) and nighttime (10:00 p,m. to 6:00 a.m.) hours. (GPU, p. 13-9.) Commercially zoned properties are subject to 75 dBA during daytime hours and 65 dBA during nighttime hours. (GPU, p. 13-9.) Residentially zoned properties are subject to 65 dBA during daytime hours and 60 dBA during nighttime hours. (GPU, p. 13-9.)

As more fully detailed in the Project-specific Noise Study contained in **Appendix C.2**, the Project is consistent with the GPU's Noise Element and these applicable Standards. The Project complies with Standard N-S4 (*Noise Study Appendix*) because the Applicant retained a qualified expert who prepared a noise study that measured and modeled the Project's potential CNEL and Lmax levels and recommended applicable design features to ensure the Project's anticipated noise levels do not have a significant impact.

The Project, as designed, will comply with Standard N-S5 (*Noise Standards for Habitable Rooms*). Conditions of approval require building plans for the Community Center include the design elements recommended in the Noise and Vibration Assessment to achieve compliance with N-S5. The Project, as designed, will also satisfy Standard N-S6 (*Noise Reduction Requirements for Exterior Areas in Residential Zones*) because it proposes to dedicate more than 200 square feet per dwelling unit of outdoor space, which will ensure any residential outdoor noises meets the 60 CNEL standard. The Noise and Vibration Assessment for the Project shows a usable outdoor area of more than an acre meeting N-S6 standards, far above the minimum area required.

The Project will also obtain a CUP to authorize its proposed Temporary Events. The Noise and Vibration Assessment recommends a project design feature – a +/- 250 foot long, six foot tall noise barrier fence along the south property line - be added to ensure the Primary and Special Temporary Events comply with Noise Element Standard N-S7's Short-Term Lmax standards. (GPU, pp. 13-9–13-10 [Standard N-S7].) Accordingly, conditions of approval require construction of the noise barrier fence and conformance with the Project Description which states, among many other limitations, that all outdoor events will be prohibited from using amplified music and to end by 10:00 p.m.

In summary, and as more fully detailed in **Appendices A** and **C.2**, the Project as conditioned will be consistent with the GPU's Noise Element and will be designed and operated in such a way that will not produce excessive or significant levels of noise.

WATER RESOURCES ELEMENT

As more fully detailed in **Appendix A**, the Project is consistent with applicable goals, objectives, and policies of the General Plan's Water Resources Element. The GPU's Water Resources Element addresses water planning issues including river and stream water quality, stormwater runoff, groundwater management, water needs of fish and wildlife, water consumption, conservation and re-use methods, and state and federal regulations.

Water Resources Element Policy WR-P10 (*Erosion and Sediment Discharge*) and WR-P42 (*Erosion and Sediment Control Measures*) provide that projects requiring a grading permit shall comply with performance standards adopted by the County or be conditioned to minimize erosion and discharge of sediments into surface runoff and drainage systems, consistent with BMPs. Similarly, Policy WR-P35 (*Implementation of NPDES Permit*) requires that the County enforce and require compliance with the National Pollutant Discharge Elimination Systems (NPDES) Permit issued by the SWRCB is designated portions of the County. Prior to Project construction, the Applicant will obtain a grading permit. Project approval is thus conditioned on acquiring that permit and complying with the permit's corresponding conditions and BMPs, including those related to erosion and sediment discharge, and any others that require compliance with the County's NPDES Permit. Moreover, the Project has been designed to incorporate Low-Impact Development (LID) features to ensure that sediment and erosion do not impair nearby streams and water resources. Accordingly, the Project will be consistent with these Water Resources Element policies.

Policy WR-P12 (*Project Design*) requires developments be designed to complement and not detract from the function of rivers, streams, ponds, wetlands, and their setback areas. Similarly, Goal WR-G10 (*Storm Drainage*) and Policy WR-P44 (*Storm Drainage Impact Reduction*) encourage storm drainage systems utilize onsite filtration, natural drainage channels, and watercourses, and comply with Low-Impact Development (LID) standards to minimize erosion and runoff, particularly for areas within the County's MS4 boundary. Here, the Project has been designed so that it will not detract from the function of nearby wetlands and their setback areas—instead, the Project seeks to enhance those natural resources by avoiding development within those areas and by creating additional wetlands on the Project Site. Similarly, the Project's stormwater drainage systems have been designed to maintain stormwater at pre-development levels, including stormwater detention, vegetated bioretention/infiltration ponds, LID facilities, and subsurface infiltration piping to capture and infiltrate stormwater runoff.

For these reasons, and as more fully elaborated in **Appendix A**, the Project will be consistent with the GPU's Water Resources Element and comply with all applicable goals, policies, and standards prescribed therein.

SAFETY ELEMENT

As more fully detailed in **Appendix A**, the Project is consistent with applicable goals, objectives, and policies of the General Plan's Safety Element.

The purpose of the General Plan Safety Element is to prevent unnecessary exposure to hazards and minimize loss to communities. GPU Safety Element Standard S-S1 (*Geologic Report Requirements*) requires that technical reports be prepared for discretionary developments that address onsite and surrounding geologic

hazards and conditions. These reports must be prepared in compliance with the County's Land Use and Development regulations for Geologic Hazards, which require the underlying proposed development to be sited, designed, and constructed in accordance with the recommendations of the geologic report in order to minimize risk to life and property on the project site and for any other affected properties. (HCC, Tit. III, Div. 3, Ch. 6, § 336-5.) Similarly, Policy S-P11 (*Site Suitability*) provides that new developments may only be approved if it can be demonstrated that they will not create or significantly contribute to geologic instability or hazards. The Project complies with Standard S-S1 (*Geologic Report Requirements*) and Policy S-P11 (*Site Suitability*) because the Project has prepared a soils report, which indicated that the site is suitable for the proposed development and will not create or significantly contribute to geologic instability. (See **Appendix C.1**.)

The Safety Element also prescribes policies and standards that govern potential hazards and risks associated with developments in 100-year flood zones mapped by FEMA. According to the Humboldt County Geographic Information System (GIS), the southeast low-lying one-third of the Project Site is within the 100-year floodplain of Mill Creek. However, none of the Project's critical structural elements would be located within this zone. As such, because no construction is proposed within the 100-year flood zone, the Project is consistent with Safety Element Policy S-P15 (*Construction Within Special Flood Hazard Areas*) and Standard S-S6 (*Flood Plains*).

The GPU's Safety Element also contains policies that would lessen the effects of strong seismic ground shaking. The Project has been designed to comply with Policy S-P7 (*Structural Hazards*) by requiring that its structures be developed to conform to the State's building codes to ensure life and property are protected in the event of a ground shaking seismic event.

Lastly, the Safety Element provides policies and standards to protect developments and citizens from risks and hazards associated with wildfires. The Project Site is within a mapped Moderate Fire Hazard severity area and within the State Responsibility Area (SRA). Because the site is not in a High or Very High Fire Hazard severity zone, the Project is consistent with Policy S-P15 (*Conformance with State Responsibility Areas [SRA] Fire Safe Regulations*), which requires conformance to SRA Fire Safe Regulations for developments within High or Very High Fire Hazard severity zones. Moreover, the Project Site is within the Arcata Fire Protection District, approximately ¾ of a mile from the McKinleyville Station. The fire department has indicated that it has capacity to serve the Project in the event of a fire emergency, therefore, the Project's proposed operations will not interfere or conflict with the County's existing emergency response efforts and operations plans.

For these reasons, and as more fully detailed in **Appendix A**, the Project is consistent with the applicable goals, policies, and standards of the GPU's Safety Element.

3.2.5 McKinleyville Community Plan Consistency Analysis

The entire Project Site is also within the McKinleyville Community Plan (MCCP)—a designated land planning area and subset of the County's General Plan that allows for more precise mapping and application of Plan policies. As a community plan area, McKinleyville is one of several communities that includes most of the County's population and urban infrastructure, and is thus slated to be the focus of development activity contemplated under the GPU. In conjunction with the land use designations prescribed by the GPU, the MCCP prescribes more specific goals, policies, standards, and implementation measures that are tailored to the McKinleyville area.

In addition to the land use designations the GPU applies to the Project Site, the MCCP further designates the Project Site as falling within an Urban Development Area (UDA) (See GPU, p. 4-9; MCCP, p. 25.) The MCCP designates the UDA as the primary area where majority of growth in McKinleyville should occur given that it is already adequately served by community infrastructure and water/sewer systems. (See MCCP p. 22 [Section 2630 (*Development Timing*)].) Within the UDA, residential uses are anticipated and encouraged to exceed one dwelling unit per acre. Accordingly, the MCCP encourages planned unit development within the UDA to facilitate the clustering of residential and commercial uses. Clustered development also facilitates the MCCP's goal of encouraging the protection and enhancement of the community's rural qualities within the UDA, such as streamside management areas (SMAs), wetlands, open spaces, recreational areas, and publicly accessible parks. (See MCCP, p. 21.)

As detailed in **Appendix A** and more fully described below, the proposed Project would be consistent with and help facilitate the goals, policies, and standards of the MCCP. In particular, the Project's proposed residential, commercial, agricultural, and open space uses are consistent with the MCCP's UDA overlay designation for the Project Site and Section 2630's (*Development Timing*) policies. As designed, the Project's proposed residential and recreational uses will help facilitate the MCCP's housing production goals while ensuring pedestrian and bicycle connectivity to the surrounding urban area. The Project also meets the MCCP's public safety goals by conforming to policies that reduce risks from geologic, flood, noise, airport, and stormwater/drainage hazards. (See MCCP Section 3210, pp. 35–41 [geologic stability], Section 3220, p. 41 [flooding], Section 3240, pp. 43–44 [noise], Section 3250, pp. 47–48 [airport], Section 3301, pp. 52–54 [stormwater/drainage].)

Similarly, and as further detailed in **Appendix B**, the Project has been designed and/or conditioned to incorporate all relevant development standards and performance standards prescribed by applicable MCCP policies related to those hazards. Finally, the Project meets the MCCP's resource conservation goals by developing clustered units for a special-needs population, while preserving and enhancing the Site's existing wetlands and streamside resources.

HOUSING

The Project's proposed 70 residential units will facilitate housing at a density of more than one dwelling unit per acre. Moreover, and as explained above, the Project Site is already adequately serviced by water, sewer, electricity, and waste disposal infrastructure services, and can therefore support the future onsite residential population. The proposed residential units will also be clustered within three individual buildings to the north and west of the Project Site. As a result, Project development will largely avoid majority of the Site's existing SMAs, wetlands, open spaces, and recreational areas, while also preserving and enhancing them by creating additional wetland areas and riparian plantings within streamside buffer zones. Accordingly, the Project aligns with the goals of the MCCP's UDA overlay by balancing its planned urban uses with support for the existing natural environment.

The Project also helps achieve the MCCP's housing goals by developing group residences and self-help programs for individual with intellectual disabilities and seniors—two historically underserved residential populations. (See MCCP, p. 13 [Section 2400].) Moreover, because nearly 100% of the Project's proposed residential units will be affordable and supported by subsidy funding, the Project will also provide a variety of housing types to meet the needs of all socio-economic sectors of the community. (MCCP, p. 13.)

Finally, the Project's proposed number of residential units will not exceed the total potential residential units authorized within the MCCP planning area. For lands designated RL, the MCCP anticipates 4,560 total potential residential units; for lands designated RM, the MCCP anticipates 2,538 total potential residential units; and for lands designated CS, the MCCP anticipates 100 total potential residential units. Here, the Project proposes construction of up to 70 residential units in areas designated CS, RM, and RL 1-7, and are thus well within the anticipated potential residential units allowed under the MCCP.

CIRCULATION

The Project is consistent with the Circulation policies of the MCCP. Public transportation provided by Redwood Transit System is available nearby, including via an existing bus stop located within 600 feet of the Project Site's main entrance on Central Avenue. As explained above, this bus stop is proposed to be relocated to the Project Site, which will allow residents, staff, volunteers, and visitors to easily access the Site and surrounding urban services. Moreover, to reduce potential congestion and facilitate vehicle accessibility and pedestrian walkability, the Project's design has been conditioned to construct a traffic signal system at the intersection of Anna Sparks Way and Central Avenue and install pedestrian improvements along the frontage. (MCCP, p. 63 [Circulation Policies 4230(7) and 4230(8)]; see **Appendices B, C.3,** and **D**.)

The Project will also incorporate design features that improve bicycle and pedestrian connectivity. (MCCP, p. 63 [Circulation Policy 4230(8)]; For example, the Project proposes various walking pathways throughout the Project Site, which will allow residents to connect to the surrounding off-site pedestrian infrastructure. Similarly, the Project will provide onsite bicycle parking and a protected bicycle storage room in the Community Center building, which will encourage bicycle use by local staff and connect residents to the area's surrounding bicycle infrastructure. As such, the Project will utilize and help facilitate use of a diverse range of transportation opportunities that are conducive to the surrounding area, including improved access to non-motorized modes of transportation. (MCCP, p. 63 [Circulation Policies 4230(7) and 4230(8)].)

BIOLOGICAL RESOURCES

The Project is consistent with the biological resource protection policies and standards of the MCCP's Sensitive and Critical Habitats Section 3420 which strive to protect biological resources and open space including listed plant and animal species, streams and riparian corridors and wetlands. . Conditions of approval require avoidance to listed plant and animal species and conformance with the WHMM Plan which contains measures for protection of streams and riparian corridors, and minimization of permanent impacts and temporary impacts to wetlands during construction, restoration of pre-Project conditions at the conclusion of construction. Development of the Community Center, adjacent parking and access roads, and stormwater drainage facilities involves filling of 13,594 square feet of wetlands. The WHMM Plan details methods and specifications for the construction of replacement wetlands on site at a 1.2:1 ratio and planting of riparian vegetation in open areas adjacent to Mill Creek to achieve an overall mitigation ratio of 1.8:1.

In consultation with CDFW, rather than establishing wetland setback buffers, the Project strategically places all-weather walking paths, landscaping and LID features to separate wetland areas from the residential, commercial, and outdoor recreation uses. Figure 2.14 above shows how these design features buffer wetlands from other uses occurring on the site in compliance with MCCP wetlands policies. (See **Appendix C.1**.)

3.2.6 Humboldt County Zoning Code Consistency Analysis

As shown in Figures 3.3 and 3.4 above, the Humboldt County Zoning Code (HCC) applies the Community Commercial Zone with Noise Impact Combining Zone (C-2-N), the Community Commercial Zone with Noise Impact and Streamside Management Areas and Wetlands Combining Zones (C-2-N-WR), and the Residential One-Family Zone with Streamside Management Areas and Wetlands Combining Zone (R-1-WR) to the Project Site. The C-2-N-WR zone applies to proposed Parcel A, the C-2-N Zone applies to a portion of Proposed Parcel C, and the R-1-WR zone applies to portions of proposed Parcels B, C, and D. Given the Project's proposed uses, the Project Site also qualifies for the Planned Development Combining Zone (P), which provides flexibility in how certain development standards are applied so as to facilitate multiple types of onsite uses.

As more fully detailed in **Appendix A**, the proposed Project is consistent with these zoning designations because it will develop a mixed-use, affordable residential infill development of up to 70 dwelling units, along with a Community Center that will provide a mixture of community and commercial uses, while preserving and enhancing the Site's existing open space, streamside, and riparian resources, and maintaining low noise levels from proposed activities.

C-2: Community Commercial Zone

The *C-2: Community Commercial Zone* applies to approximately 0.38 acres of the Project Site's northwest corner and to approximately 2.11 acres of the Project Site's western side fronting Central Avenue. The C-2 Zone applies to areas where more complete commercial facilities are necessary for community convenience, and thus allows for a broad variety of commercial uses including heavy commercial uses, such as lumber yards, as well as light commercial uses, such as professional offices and retail sales/services. For parcels within the C-2 Zone and within a Housing Opportunity Zone, apartments are allowed as a principally permitted use if they are developed above the first floor of a commercial building. The C-2 Zone also identifies development standards such as minimum setback requirements, minimum parcel size and lot width and maximum ground coverage and building height. (HCC § 314-2.2.) For example, the maximum building height in the C-2 Zone is 75 feet.

Here, the Project is consistent with the C-2 Zone because it proposes a mixed-use housing development with commercial features in a Housing Opportunity Zone. In particular, the ground/first floor of the Project's Community Center building will feature a retail shop, offices, and a commercial kitchen that can be rented for event uses by community members. The Community Center's upper floors (i.e., above the mixed-use commercial uses of the ground/first floor) will feature supportive apartment units for the Project's onsite residential population. Finally, the Community Center Building is proposed to be constructed at 65 feet in height—i.e., 10 feet lower than the 75-foot maximum otherwise allowed in the C-2 Zone. Accordingly, the Project's proposed features and operations are principally permitted uses within the C-2 Zone and conform to the corresponding development standards.

R-1: Residential One-Family Zone

The *R-1: Residential One-Family Zone* applies to the Project Site's remaining 15.09 acres. The R-1 Zone applies to areas that are suitable and desirable for low-density residential development by allowing for single-family dwellings, accessory dwelling units, single-unit supportive and transitional housing, and employee housing for up to 2 persons not employed on the premises.

Here, the Project is consistent with the R-1 Zone because, in the areas within that zoning designation, the Project proposes construction of supportive and transitional residential housing units. Because these units will be located within the townhome and multi-family styled Attached Cottages and Courtyard Apartment, the Project will obtain a conditional use permit (CUP) to authorize these unit types as a "quasi-public use." (HCC § 314-6.2.) The Project qualifies as a "quasi-public use" because it will be one operated by a private non-profit organization—i.e., the Applicant, We Are Up. (HCC § 314-152.) Moreover, the Project will obtain a planned development permit (PDP) to authorize these multi-family and multiply single-family uses in the R-1 Zone to further ensure consistency with the underlying designation. (HCC § 312-3.1.4.) The PDP will allow the Project to enjoy flexible development standards that will be necessary to accommodate certain topographical difficulties that exist on the Project Site, and to ensure that development of these units can maximize protection and enhancement of nearby sensitive habitats, such as the wetlands and riparian areas on the Project Site. Together, these two permits will also allow the Courtyard Apartments to be constructed at 40 feet in height, as opposed to the R-1 Zone's 30-foot height limitation. The Attached Cottage Units, however, are proposed to be up to 30 feet in height and are thus consistent with the R-1 Zone's height limitation.

For these reasons, the Project's proposed uses, coupled with its acquisition of a CUP and PDP, will ensure the Project is consistent with the allowable scope of uses and development standards prescribed by the R-1 Zone.

N: Noise Impact Combining Zone

The *N: Noise Impact Combining Zone* establishes regulations to maintain low exposure levels to airport and major road noise within single-family homes, multi-family buildings, and structures designed for transient habitation. (HCC § 314-29.1) The N Combining Zone attaches to the Project parcels zoned C-2: Community Commercial Zone to address noise impacts from vehicle traffic along Central Avenue, which borders the western side of the Project Site. In particular, there is a small strip of land where the Project's proposes to develop the Community Center building where excessive levels of noise from vehicle traffic are anticipated. The Project is otherwise not located within an Airport Land Use Compatibility Zone.

Construction of the Project's proposed Community Center would fall within the N Combining Zone on the C-2 zoned parcel. Accordingly, and as more fully described in **Appendices B** and **C.2**, the Community Center building will be developed according to the N Combining Zone's development standards by employing corresponding features and treatments to ensure the upper residences and other habitable areas achieve acceptable internal noise levels (i.e., ~45 dB CNEL-LDN). (HCC § 314-29.1.5.) The Project's compliance with the N Combining Zone's building standards and requirements will also ensure the Project complies with the GPU Noise Element's policies and standards that relate to protecting resident uses from excessive noise.

The Project will also obtain a CUP to authorize the Project's proposed Temporary Event uses. The Noise and Vibration Assessment recommends construction of six-foot noise barrier fence approximately 250 feet in length along of the south property line adjacent to an existing residence to reduce noise impacts from special Temporary Events consistent with standards in the Noise Element. Conditions of approval require construction of the recommended noise barrier fence, and require all Temporary Events to be operated consistent with the Project Description for the lifetime of the Project. The CUP will ensure periodic noises generated from these relatively infrequent events do not exceed Noise Element standards.

WR: Streamside Management Areas and Wetlands Combining Zone

The *WR: Streamside Management Areas and Wetlands Combining Zone* applies standards for the use and development of land located within Streamside Management Areas (SMAs), wetlands, and other related resource areas. The WR Combining Zone attaches to some of the Project Site parcels zoned C-2 and to the parcel zoned R-1. The WR Combining Zone's standards are intended to protect Mill Creek, which runs along the far southeastern corner of the Project Site.

As applied to the Project Site, the WR Combining Zone is intended to protect Mill Creek, which runs along the far southeastern corner of the property. As more fully described above, because construction of some of the Project's elements will require filling some of the wetlands on those parcels within the WR Combining Zones, the Project will be required to obtain a special permit pursuant to the SMAWO and fill permits from USACE and NCRWQCB under Sections 401 and 404 of the Clean Water Act. The WHMM Plan incorporates Project-specific compliance measures that are consistent with the SMAWO and the Conservation and Open Space Element's biological resources policies, standards, and measures described above and more fully in Appendix A.

For example, to offset wetland filling, the WHMM Plan describes measures to create new wetland areas on the Project Site's existing uplands. Moreover, and as more fully detailed in **Appendix B**, Project approval will be conditioned on complying with the WR Zone and MCCP wetland protection policies and requirements. The Project will employ all applicable protective measures during Project construction to ensure such activities do not significantly impact the Project Site's on-site and nearby wetlands. These efforts will be further bolstered by the Project's adherence to the BMPs and conditions prescribed by the WHMM Plan and CWA Section 401 and 404 permits issued by the USACE and NCRWQCB. The Project will also comply with measures to ensure wetland areas remain protected during operational activities. In addition to planting native riparian vegetation and removing nonnative invasive species, the Project's proposed trails and natural walking features will be integrated in a sustainable manner so as to avoid foot traffic over sensitive areas. Finally, the Project's proposed Barn and agricultural cultivation activities will be sufficiently distanced and fenced so that livestock cannot graze on or near wetland/streamside areas.

Finally, in acquiring a CUP and Special Use Permit (HCC § 314-61.1.5), the Project will be a conditionally permitted quasi-public use with conditions of approval that ensure the Project complies with GPU and MCCP wetlands policies and the activities, measures, and standards prescribed therein..

For these reasons, the Project, as designed, conditioned, and permitted, will be consistent with the standards and permitted uses of the WR Combining Zone.

P: Planning Development Combining Zone

The *P: Planning Development Combining Zone* encourages planned developments by providing flexibility in how certain development standards are applied so as to allow multiple types of uses to be combined together into a single project. Projects that qualify for this designation include those that are in the public interest and are either: (i) on any site where more than four (4) dwelling units, commercial buildings, or industrial buildings, or a combination thereof are proposed; (ii) within a residential zone and include residential and nonresidential development; or (iii) of a nature where application of these zoning regulations would provide a better means of carrying out the intent of the County's General Plan. (HCC § 314-31.)

Here, the Project satisfies the first and second criteria because it: (i) proposes more than 4 residential dwelling units and a mixed-use Community Center; and (ii) is located within a residential zone and includes residential and nonresidential development. The Project is also in the public interest because it provides affordable,

supportive housing for underserved special needs populations (e.g., those with intellectual/developmental disabilities and seniors).

Housing Opportunity Zone

The Housing Element applies the *Housing Opportunity Zone* overlay to parcels with urban services and encourages development of residential uses through relaxed development standards and streamlined review of housing projects.

Here, the Project would provide a safe and affordable mixture of housing types for residents with disabilities and seniors, thus addressing the urgent need for new housing in the region with a focus on the shortage of supportive housing for these types of underserved resident populations. The Project Site is connected to urban services, including public water and sewer, and is surrounded by a mixture of urban uses that support the proposed residential and commercial operations, including a grocery store, health care facilities, a hardware store, several restaurants, pharmacies, convenience stores, a bank, a fitness club, a nature trail, a movie theater, and a bus stop. The Housing Opportunity Zone allows apartments on the Project Site's C-2 zoned parcels so long as those units are developed above the first floor of a commercial building. Here, the Project is consistent with this use as it proposes to develop residential units on the upper floors of the Community Center. The Community Center's first/ground floor will otherwise maintain allowable commercial uses by featuring a commercial community kitchen, spaces for special events, and a commercial retail shop. Thus, the Project is consistent with the Housing Opportunity Zone and the proposed number of residential units would not be unplanned.

3.2.7 Summary of Environmental Checklist Consistency Analysis

Based on the following review and corresponding attachments, the County finds that the Project is eligible for the exemption and streamlined CEQA process provided in Public Resources Code section 21083.3 and CEQA Guidelines section 15183 for projects consistent with a community plan, general plan, or zoning for which EIRs have previously been prepared and certified.

After consideration of the Project's consistency with the development density established by the existing zoning, community plan, and general plan policies, standards, and designations described above, the County has determined that the GPU and MCCP PEIRs and the HE Addendum adequately address the following issues related to the Project, such that no further environmental review is required. In particular, substantial evidence establishes that there are either no Project-specific effects that are peculiar to the Project or Project Site, or certain effects have been analyzed and determined to be less than significant due to substantial mitigation resulting from: GPU, HE Update, and MCCP policies; Humboldt County zoning regulations and standards; regulatory compliance and permit conditions; uniformly applicable development standards that applied to development projects throughout the County; and/or applicable mitigation measures prescribed by the GPU PEIR, MCCP PEIR, or HE Addendum. The policies, standards, design features, and measures that the Project must comply with are set forth in **Appendix B** along with the technical studies included in **Appendix C**.

For these reasons, the County concludes that all potential off-site and cumulative impacts, and impacts peculiar to the project and the project site, have been adequately analyzed and addressed in the following CEQA analysis and other regulatory permits required for the GPU, the 2002 MCCP, the 2017 MCCP Amendments, the 2019 Housing Element Update (HE Update), and/or the proposed Project; thus, pursuant

to Public Resources Code section 21083.3 and CEQA Guidelines section 15183, no further environmental analysis is required.

Because the Project is exempt from CEQA under this streamlined analysis, though not required, the County provides the Checklist below to explore considerations raised by Guidelines section 15183 because the Checklist provides a convenient vehicle for disclosing the County's substantial evidence and reasoning underlying its consistency determination. The policies, standards, conditions, design features, and mitigation measures that the Project will comply with are also set forth in **Appendix B**. Furthermore, the County has had prepared site-specific studies pursuant to the requirements set forth in the mitigation measures and conditions of approval adopted for the GPU under the GPU PEIR and HE Update Addendum, and for the MCCP under the MCCP PEIR for subsequent development projects (see **Appendix C**). These studies support the conclusion that the Project would not result in any new significant or substantially more severe impacts that are peculiar to the Project or Project Site, as discussed in more detail in the Checklist below.

4. Environmental Checklist Consistency Analysis

PURPOSE

The detailed Environmental Checklist Consistency Analysis presented on the following pages evaluates the impact categories covered in the County's certified GPU PEIR and HE Addendum to determine whether the Project's impacts have been adequately analyzed in those documents or whether any new significant impacts peculiar to the Project or Site would result. Where an impact resulting from the Project was adequately analyzed in the previous GPU PEIR and/or HE Addendum and/or MCCP PEIR, the Checklist's review provides a cross-reference to the pages in the GPU PEIR and/or HE Addendum and/or MCCP PEIR where information and analysis may be found relative to the environmental issue listed under each topic.

The purpose of the Checklist below is, pursuant to CEQA Guidelines section 15183, subdivision (b), to evaluate the resource categories in terms of any "changed conditions' (i.e., changed circumstances, Project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the GPU PEIR and/or HE Addendum and/or MCCP PEIR. The Checklist thus identifies whether the Project involves new significant impacts or substantially more severe impacts than those analyzed in the GPU PEIR and/or HE Addendum and/or MCCP PEIR or new significant impacts peculiar to the Project and/or Project Site. As indicated above, an impact would not be considered "peculiar" to the Project or Site if mitigation measures from the GPU PEIR and/or MCCP PEIR or uniformly applied development policies or standards would substantially mitigate the environmental effect. Therefore, the following review includes mitigation measures identified in the GPU PEIR and/or MCCP PEIR that would be applicable to the Project or Project Site and/or relevant applicable development policies, standards, conditions of approval, or permit conditions imposed by other responsible agencies that would be applied to the Project.

The row titles of the following environmental checklist include the full range of environmental topics, as presented in the current Appendix G of the CEQA Guidelines. The column titles of the Checklist have been modified from the Appendix G presentation to assess the Project's qualifications for streamlining provided by Public Resources Code section 21083.3 and CEQA Guidelines sections 15183. The Checklist adheres to criteria in Public Resources Code section 21083.3 and its parallel Guidelines provision, section 15183, which provide for exempt and streamlined environmental review for projects consistent with the development densities established by existing zoning, general plan, or community plan policies for which an EIR was certified. As previously summarized above, such projects require no further environmental review except as might be necessary to address effects that (a) are peculiar to the project or the parcel on which the project would be located; (b) were not analyzed as significant effects in the prior EIR; (c) are potentially significant off-site impacts or cumulative impacts not discussed in the prior EIR; or (d) were previously identified significant effects but are more severe than previously assumed in light of substantial new information not known when the prior EIR was certified.

If an impact is not peculiar to the parcel or to the Project, has been addressed as a significant impact in the GPU PEIR or HE Addendum or MCCP PEIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR or other CEQA document need not be prepared for the Project solely on the basis of that impact. As discussed more fully below, many of these impacts were determined to be less than significant (with no need for mitigation) or reduced to less than

significant levels by the mitigation measures proposed or through the incorporation of uniformly applied development standards and/or permit conditions.

4.1 Aesthetics

	Where Impact was Analyzed in the Prior GPU PEIR, MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
I. **AESTHETICS** – Would the project:					
a) Have a substantial adverse effect on a scenic vista?	GPU PEIR: § 3.16.3, pp. 3.16-5–3.16-9 MCCP PEIR: § 4.8, pp. 4-87–4-98 HE Addendum: § 3.3.1, pp. 9–10	No.	No.	No.	N/A
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	GPU PEIR: § 3.16.3, pp. 3.16-5–3.16-9 MCCP PEIR: § 4.8, pp. 4-87–4-98 HE Addendum: § 3.3.1, pp. 9–10	No.	No.	No.	N/A
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	GPU PEIR: § 3.16.3.2, pp. 3.16-9–3.16-13 MCCP PEIR: § 4.8, pp. 4-87–4-98 HE Addendum: § 3.3.1, pp. 9–10	No.	No.	No.	GPU: UL-P18, UL-S6 MCCP – Landscaping: Policies 2652.1, 2652.2; Standard 2653

	Where Impact was Analyzed in the Prior GPU PEIR, MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
regulations governing scenic quality?					
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	GPU PEIR: § 3.16.3.3, pp. 3.16-13–3.16-15 MCCP PEIR: § 4.8, pp. 4-87–4-98 HE Addendum: § 3.3.1, pp. 9–10	No.	No.	No.	GPU: SR-S4, SR-IM5, IS-S9 GPU PEIR: MM 3.16.3.3.a MCCP EIR: MM 4.9.4.3

Prior EIR Summary

Section 3.16 of the GPU PEIR (pp. 3.16-1–3.16-15) analyzes aesthetic impacts associated with implementing the GPU. The PEIR estimates that certain forms of development in specified areas could result in adverse changes to scenic resources and community character under certain circumstances. The GPU estimates that 1,721 housing units will be needed to accommodate demand and population estimates; however, 90% of that development is anticipated to occur within already urbanized community planning areas. For these reasons, the GPU and PEIR incorporate general policies and standards for development projects to reduce potential visual impacts to scenic vistas and community character. The PEIR concludes that implementation of scenic resource and development policies would ensure that projects are designed in a manner that would lessen significant impacts to scenic views and community character.

The GPU PEIR also finds that development authorized under the GPU, of which the McKinleyville Community Plan is a part, would allow development near wetland and streamside management areas, which could introduce new exterior lighting. Accordingly, the HCC contains general exterior lighting requirements for new developments within D and P combining zones, as well as for other prescribed uses, to ensure new lighting is compatible with the surrounding setting. The GPU PEIR imposes Mitigation Measure 3.16.3.3.a, which adds Program SR-IMX (*Lighting Design Guidelines*) to the Open Space Element and requires the HCC be revised to incorporate that program's lighting design guidelines. Future developments must be consistent with this program to ensure lighting impacts are mitigated to the greatest extent feasible.

Section 3.3.1 (pp. 9–10) of the HE Addendum relies on the GPU PEIR's aesthetics impact analysis to analyze the aesthetic impacts to scenic vistas, community character, and light/glare associated with implementing the HE Update. The Addendum finds that residential development contemplated by the HE was also analyzed under the GPU PEIR, therefore, implementing the HE Update would not result in new or significantly more severe aesthetic impacts. The HE Addendum explains that the policies and mitigation measures imposed by the GPU PEIR would remain the same and would apply to any development resulting from certain goals, objectives, and policies implemented by the HE Update. For these reasons, the HE Addendum

concludes that the HE Update would not introduce new aesthetic impacts not previously examined or that are substantially more severe.

The McKinleyville PEIR analysis (Section 4.9, pp 4-97) concludes the County's land use regulatory program effectively serves to avoid and/or mitigate light & glare impacts to insignificant levels for all sources within the scope of MCCP. To further address visual impacts, the PEIR acknowledges application of policies encouraging clustered development of rural properties with significant scenic resources to limit development in a relatively small footprint, leaving the majority of the property as open space. It also cites the policies that concentrate new development within Urban Development Area, conserving the more rural parts of the community in resource production (primarily agriculture and timber production) which protects the scenic qualities of the rural areas. Finally, the PEIR points to MCCP policies providing design review and landscaping requirements in the Town Center for protection of aesthetic impacts from new development (Section 4.9, pp 4-94).

Project-Specific Analysis

a) Would the project have a substantial adverse effect on a scenic vista?

The proposed Project would redevelop a site that has been disturbed in the past by development and currently hosts several older structures. The Project Site is located in an urbanized area with limited public vantage points that offer scenic vistas across the Site. Figures 2.1, 2.2, 2.3, and 2.4 above show existing structures and vegetation obstruct scenic views of the Project site's open pasture and Mill Creek riparian forest from Central Avenue. However, the end of Weirup Lane offers a generally scenic view for people walking or driving on Weirup Lane. To the west of the road, existing structures, trees and a fence obstruct the scenic view of the open pasture and Mill Creek riparian forest. A single-family residence and fence obstruct the scenic view east of the road. A fence partially blocks the scenic view directly in front of the road.

The Project's proposed elements will develop the Community Center, Attached Cottages, Courtyard Apartments, Barn, Greenhouse, ancillary developments, and paved parking. These elements will be concentrated along the western third of the Project Site where existing views from publicly accessible vantage points are currently limited due to the adjacent Grocery Outlet building and existing duplex.

The Project's Courtyard Apartments are proposed to be constructed on the west side of Weirup Lane. A Special Permit would allow these structures to be built to a height of 40 feet, which is ten (5) feet taller than the standard maximum 35-foot building height allowed in the R-1 Zone. Since the scenic view of the open pasture and Mill Creek riparian forest is already obstructed in this location by existing structures, trees, and a fence, this impact is considered **less than significant**.

The Project also involves construction of new housing in Attached Cottages at the end of Weirup Lane, which presently offers a scenic vista looking out over open pasture bordered by the riparian forest along Mill Creek. The view is currently constricted by other nearby existing homes on either side, but the +/- 100 feet opening between the buildings offers an unobstructed view of the Mill Creek riparian forest from a public street. The Project's Attached Cottages are proposed to be constructed directly in front of Weirup Lane, which may partially obstruct the existing scenic view of the open pasture and Mill Creek riparian forest shown in Figures 2.3 and 2.4. The Attached Cottages, however, are proposed to be constructed to a height lower than the R-1 Zone's allowable 35-foot maximum height standard, thus ensuring majority of the viewshed remains intact and within allowable zoning limits. To this end, development of these structures could be considered to have

a potentially significant impact if there was evidence of people taking advantage of the scenic view, or if there were plan policies or regulations encouraging protection of this particular scenic vista.

There are no plan policies or regulations that encourage protection of this particular scenic area which is not a formally designated scenic vista. Moreover, there are no preexisting improvements at this location that encourage public viewing of the generally scenic vista and there is no evidence that this location is used as a public viewing area, either on a consistent or impromptu basis. Some limited scenic views will be maintained between the Project's buildings, while impediments to the remaining scenic vista will be softened through the Project's proposed landscaping, maintaining the pasture as open space, and riparian tree planting. Otherwise, given that low-density residential and commercial construction is common in the areas adjacent to and near the Project Site, and elements that are directly limiting existing residents are limited, any potential impact on a scenic vista would be less than significant.

With removal of the existing structures, the GPU, the MCCP, and the HCC would allow as a principally permitted use construction of a large single-family residence in the same location and with the same footprint as the Attached Cottages, which would obstruct the scenic vista from view in the same way as the Attached Cottages would. Due to the absence of policy or regulatory protections of this scenic view, coupled with existing structures in the surrounding area, the low profile of the proposed development that would potentially obstruct the view from the public street, and the Project's conservation of open space and natural features on the Project Site that will maintain and enhance the remaining scenic vista, this impact is considered **less than significant**. As a result, the Project will not result in impacts peculiar to the Project or Project Site or yield substantially more severe impacts than those analyzed in the GPU PEIR, MCCP EIR, or the HE Addendum, therefore no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

The Project Site is not located on, within, near, or within view of a proposed or designated state scenic highway (Caltrans, 2024). Additionally, the Project Site does not contain rock outcroppings and the trees that are proposed to be removed serve only as landscaping. There is no evidence that these trees are considered scenic resources, and there is no evidence of other scenic resources on the property that need to be considered for protection. The structures that are proposed to be removed from the Site are not listed on any national or State historic register, and while they are old enough to be considered historic, they are not significant in their architectural style or features, as described in more detail in the Historic/Cultural Resources Study contained in **Appendix C.5**. For these reasons, the Project will result in **no impact** to these types of scenic resources and therefore will not result in impacts peculiar to the Project or Project Site, or yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR. Accordingly, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) In non-urbanized areas, would the project 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?

As more fully described in the General Plan Consistency Analysis above, the Project is located in a designated Urban Cluster Area. The Project's proposed uses and development footprint complies with the applicable development standards of the C-2 and R-1 Zones. While the proposed Courtyard Apartments are proposed to exceed the 35-foot height limit of the R-1 Zone by five (5) feet, a Special Permit issued pursuant to HCC section 314-99.1 would authorize this height exceedance, which will be proportional to the building's overall footprint and proposed setbacks. (See HCC § 314-99.1 ["Such excess height, when allowed, will normally be conditioned upon proportional increases in the yards required…"].)

More specifically, the Site Plan shows the Courtyard Apartments will be 70 feet from the north (front) property line. Because the R-1 Zone typically requires a 20-foot minimum front yard setback, the Courtyard Apartments' proposed front yard is 50 feet deeper than required, which is a 5:1 ratio compared to the 10-foot height increase for those buildings requested in the Special Permit. The side yards are also proportional to the requested increase in building height. The Site Plan shows the proposed side yards for the Courtyard Apartments are between 40 and 60 feet, where a minimum 5-foot setback is otherwise required. As such, the 35-to-55-foot deeper side yards result in a 7:1 to 11:1 ratio when compared to the requested 10-foot increase in building height. Accordingly, the Project's proposed increase in yardage setbacks for the Courtyard Apartments is proportional to the increase in maximum height allowed under the R-1 Zone.

The Project also incorporates design elements consistent with the Planned Unit Development Design Guidelines (HCC § 314-31.1.6). The proposed development's architectural style is designed to integrate with the surrounding area. The outdoor spaces are also designed to blend with the surrounding area, as shown in renderings of the outdoor seating area (Figure 2.6). The landscaping plans feature plantings that incorporate native plant species, which will encourage native pollinators and the retention of existing vegetation where feasible. (See Figures 2.8 and 2.9.) Furthermore, the proposed pastureland and riparian planting areas are consistent the Design Guidelines' emphasis on conservation of natural features.

The Site Plan (Figure 2.7) and Figures 2.6, 2.8, and 2.9 above show the Project's proposed landscaped areas will improve the appearance of the parking areas consistent with General Plan Policy UL-P18: *Landscaping*, General Plan Standard UL-S6: *Landscaping Standards*, and MCCP Landscaping Policies 2652.1 and 2652.2 and Standard 2653. The Project's proposed housing units also fall within the number of units anticipated by the HE Addendum, which concluded that compliance with County design guidelines will ensure impacts remain less than significant. For these reasons, the Project will not conflict with any applicable land use policies or zoning regulations governing scenic quality. As such, the Project will also not result in aesthetic impacts peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, thereby resulting in a **less than significant impact**, such that no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The Project includes outdoor lighting installations for safety and security, such as exterior building lighting, parking lot and pathway lighting, and lighting for the Greenhouse and other facilities. The Project has the potential to increase nighttime lighting that could affect adjacent residential areas and wildlife habitats if the lighting to be installed is either unshielded or improperly directed.

The Project Description above describes how the Project will reduce potential lighting and glare impacts, stating that the Project's "driveway and parking area lights would be poles mounted at maximum 16 feet above ground, downcast, with fixtures equipped with hoods (i.e., shielded). Lighting at the eastern side of the Project buildings would be minimized to mitigate light encroachment into the undeveloped areas to the east. Outside light fixtures would be cut-off fixtures and would be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent properties…Exterior lighting would be designed to protect wildlife and night-time views, including views of the night sky. The Project would be designed to be consistent with the recommendations of the International Dark-Sky Association, which includes standards for fixtures, shielding, placement, height, and illumination levels. To comply with these requirements, lighting would be the minimum lumens necessary, directed downward, shielded, and pedestrian level when feasible. This would ensure lighting is contained within the site and does not cause significant lighting and glare impacts for surrounding land uses and sensitive habitat areas."

Based on the proposed configuration, style, location, and features of the Project's proposed lighting fixtures, the Project complies with GPU Policy IS-P20 (*Street Lighting*) and Implementing Measure IS-S9 (*Street Lighting*), which collectively require streetlights be designed to block upward transmission of light, avoid light trespass, and achieve design illumination in prescribed areas with limited scatter. The Project will also comply with GPU Policy SR-S4 (*Light and Glare*) and Implementing Measure SR-IM5 (*Lighting Design Guidelines*), and GPU PEIR MM 3.16.3.3.a, which collectively require that new outdoor lighting be compatible with the existing setting, including exterior lighting be fully shield and designed to minimize off-site and direct lighting within property boundaries. The Project will implement lighting improvements, including the installation of shielded, downcast fixtures that comply with ADA requirements and minimize light spillover into adjacent properties and undeveloped areas. Moreover, the Project's design will adhere to International Dark-Sky Association standards, which will ensure the Project's light fixtures have minimal impacts on nighttime views and local wildlife. As such, the Project will not result in lighting or glare impacts peculiar to the Project or Project Site, or yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, thereby resulting in a **less than significant impact**, such that no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the MCCP PEIR and 2017 Amendments, and the HE Addendum, and would not result in any new impacts or increase the severity of any previously identified aesthetic impacts as compared to what was already identified and disclosed, either individually or cumulatively. Moreover, by complying with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe aesthetic impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of the HCC, compliance with MM 3.16.3.3.a of the GPU PEIR MMRP (see **Appendix B, p. 4**), and incorporation of identified

Project design features substantially mitigate potentially significant impacts to a less than significant level.

2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the MCCP PEIR, the 2017 MCCP Amendments, or the HE Addendum.

3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the MCCP PEIR, the 2017 MCCP Amendments, or the HE Addendum.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the MCCP PEIR, the 2017 MCCP Amendments, or the HE Addendum.

4.2 Agriculture and Forestry Resources

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
II. AGRICULTURE AND FORESTRY 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. 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:					
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?	GPU PEIR: § 3.2.3.1, pp. 3.2-19–3.2-40 MCCP PEIR: § 4.10, pp. 4-94–4-114 HE Addendum: § 3.3.2, pp. 10–11	No.	No.	No.	MCCP: Policy No. 2523.B

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	GPU PEIR: § 3.2.3.2, pp. 3.2-40–3.2-41 MCCP PEIR: § 4.10, pp. 4-94–4-114 HE Addendum: § 3.3.2, pp. 10–11	No.	No.	No.	N/A
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	GPU PEIR: § 3.2.3.2, pp. 3.2-40–3.2-41 MCCP PEIR: § 4.10, pp. 4-94–4-114 HE Addendum: § 3.3.2, pp. 10–11	No.	No.	No.	N/A
d) Result in the loss of forest land or conversion of forest land to non-forest use?	GPU PEIR: § 3.2.3.1, pp. 3.2-19–3.2-40 MCCP PEIR: § 4.10, pp. 4-94–4-114 HE Addendum: § 3.3.2, pp. 10–11	No.	No.	No.	N/A

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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?	GPU PEIR: § 3.2.3.1, pp. 3.2-19–3.2-40 MCCP PEIR: § 4.10, pp. 4-94–4-114 HE Addendum: § 3.3.2, pp. 10–11	No.	No.	No.	N/A

Prior EIR Summary

Section 3.2 of the GPU PEIR (pages 3.2-1 to 3.2-41) evaluates the environmental effects to agriculture and forestry resources associated with implementing the GPU. The PEIR finds that implementing GPU objectives, policies, and implementation measures partially mitigate the loss of agricultural lands by identifying policies and programs that can help protect and preserve such lands. However, once agricultural land has been converted to non-agricultural uses, the loss of agricultural lands cannot be mitigated to a less than significant level. For these reasons, the GPU PEIR finds that impacts to agricultural lands will be significant and unavoidable to the extent the development authorized by the GPU results in the conversion of (and thus permanent loss of) agricultural lands to non-agricultural land uses.

Section 4.10 of the MCCP PEIR pp. 4-94–4-114 reaches a similar conclusion. It found the impacts relating to the loss of agricultural land have been substantially lessened by the following measures:

a) zoning all currently productive agricultural lands for continued agricultural use with enforceable protective zoning;
b) limits non agricultural subdivision of such lands;
c) establishes Urban Development boundaries and development timing policies which reduce the potential for urban sprawl; and
d) includes clustering policies and zoning implementation to reduce loss of prime soils and open space values.

However, even with these mitigation measures, the Board of Supervisors made a finding of significant and unavoidable impacts on agricultural lands resulting from the MCCP.

Section 3.3.2 (pages 10 to 11) of the HE Addendum relies on the GPU PEIR's agricultural and forestry resources impact analysis to analyze the potential impacts to agriculture and forestry that may result from implementing the HE Update. The HE Addendum explains that certain objectives, policies, and programs could have potential indirect impacts to agricultural resources, such as those that indirectly promote development of housing with incentives and fee deferrals, or those that carry out State-mandated housing

programs on agricultural lands (e.g., farm employee housing, which is authorized by-right on agricultural lands under H-IM50). Moreover, some measures could potentially and indirectly make conversion of agricultural or forest lands more likely by encouraging housing in undeveloped areas. However, the HE Update does not involve changes in the land use or zoning designations prescribed by the GPU. Moreover, the HE Update encourages housing development in areas with existing urban levels of service and in Housing Opportunity Zones, thereby reducing impacts to agricultural resources, which would occur on lands outside these urban clusters. For these reasons, the Addendum concludes that implementing the HE Update would not introduce new agricultural or forest effects not previously examined or that are more substantially severe.

Project-Specific Analysis

a) Would the project 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?

The Project Site is considered an urban infill location in an "Urban Cluster Area" that is surrounded by urban development on all sides (i.e., residences and commercial to the north and west, and residences to the south and east). Outside the Project site, areas planned and zoned for agricultural uses (AE) lie approximately 600 feet to the east and are separated by commercially-zoned properties and Central Avenue (a paved, 2-to-4-lane collector street).

According to the "SoilWeb"[2] online map prepared by the U.S. Department of Agriculture's Natural Resources Conservation Service and the University of California at Davis's Agriculture and Natural Resources Department, as well as the Soil Assessment from the 2024 Aquatic Resources Delineation Study (see **Appendix C.1**), approximately 90% of the Project Site is mapped with 226-Arcata and Candymountain soils with 2–9% slopes, which are considered Farmland of Statewide Importance but only if those areas/soils are irrigated. The areas of the Project Site that contain those soils, however, are not irrigated, therefore, they are not considered Prime Farmland. Moreover, as of the date of this writing, the Department of Conservation (DOC)'s Farmland Mapping and Monitoring Program has not been completed for Humboldt County. Therefore, lands within the Project area have not been formally analyzed by the DOC to determine if they meet the criteria for being designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Lastly, the "Soils of Western Humboldt County," published in 1965, also classifies soils on the Project Site as "Hookton 3" soils. However, the MCCP does not treat those soil types as "Prime Agricultural Soils."[3]

Apart from these resources, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment ("LESA") prepared by the DOC as an optional model to use in assessing the significance of a project's impacts on agriculture and farmland. The LESA model uses soil types and characteristics, relative project size, water availability, and surrounding uses as factors to rate a proposed project based on its agricultural value. Together, these factors produce two subscores: a Land Evaluation Subscore (i.e., soil types and agricultural characteristics) and a Site Assessment subscore (i.e., project size, water availability,

[2] https://casoilresource.lawr.ucdavis.edu/gmap/ (accessed 7/17/2024).

[3] https://humboldtgov.org/DocumentCenter/View/51438/Northern-Humboldt-Prime-Soils-Map-PDF accessed 12/18/2024 (based on McLaughlin, James and Frank Harradine, UC Davis. Soils of Western Humboldt County, Nov 1965).

surrounding agricultural uses). A Final LESA Score is comprised of these two subscores, which are determined based on weighted ranks of these individual factors. A Final LESA Score is considered significant only if each subscore is greater than or equal to 20 points.

Here, the LESA model was used to analyze the potential significance of converting farmland on the Project Site. The LESA model report and findings prepared for the Project are included in **Appendix C.6.** The Final LESA Score for the Project was 41.46, with a Land Evaluation subscore of 36.96 and a Site Assessment subscore of 4.5. Because the Project's Site Assessment subscore was less than 20 points, the Project's Final LESA Score is not considered significant; therefore, development on the Project Site's agricultural soils would not be considered significant impact to agricultural resources. Accordingly, the Project would have **no impact** related to converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland).

The proposed Project would also not conflict with the MCCP policies for protecting agricultural land. The Project Site is within the MCCP's Urban Development Area, which is where development is intended to occur so as to protect agricultural lands outside those areas. (See MCCP Policy No. 2523.B.) The Project Site is also considered to be in an urban infill area because it is surrounded by urban uses and is designated (CS, RM, RL1-7) and zoned for (C-2, R-1) a mixture of urban commercial and residential uses. Accordingly, as evidenced by these land use and zoning designations and the County's intention for future uses of the property, the proposed Project would not result in the conversion of land that could feasibly or practically be utilized for or planned for agricultural production. Further, some agricultural activities would continue to be supported because most of the Project Site (approximately 13 acres) is proposed to remain vacant, allowing for low-impact agricultural and recreational use via the proposed Greenhouse and Barn, consistent with an urban/suburban setting.

For these reasons, the Project will have **no impact** related to converting Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

The Project Site is more than 600 feet from the nearest agriculturally zoned property and separated by properties developed with commercial businesses, so it is unlikely proposed development on the Project Site would cause any conflicts with the agriculturally zoned properties nearby. The Project would also not conflict with any Williamson Act Contract, as the nearest property under such a contract is more than a mile to the southwest in the Arcata Bottoms area. Accordingly, the Project would have **no impact** by virtue of a conflict with existing zoning for agricultural uses or a Williamson Act contract. As such, the Project will not have any related impacts that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code § 12220, subd. (g)), timberland (as defined by Public Resources Code § 4526), or timberland zoned Timberland Production (as defined by Government Code § 51104, subd. (g))?

The Project Site is not zoned for and does not contain timber harvesting uses. The Project's proposed uses and development does not propose timber harvesting. Outside the Project Site, there is an area zoned TPZ approximately 4,600 feet to the west, which is separated by properties zoned for and developed with single and multifamily family homes.

The Project Site is zoned a combination of commercial (C-2 – Community Commercial) and single-family residential (R-1 – Residential One-Family). The Project's proposal to develop the property with a combination of commercial and residential uses is thus consistent with the Site's existing zoning.

Moreover, the Project Site is more than 600 feet from the nearest agriculturally zoned property, which is separated by properties developed with commercial businesses. As such, it is unlikely development on the Project Site would cause any conflicts with or result in the rezoning of any nearby agriculturally zoned properties. The Project Site is more than 4,000 feet from the nearest property zoned "TPZ – Timberland Production," so it is similarly unlikely the Project's proposed development would result in any conflict with or result in the rezoning of timberland zoned properties in the vicinity.

Accordingly, the Project would not create any conflicts with existing agricultural, forest land, or timberland zoning. Therefore, this impact would be **less than significant**. For these reasons, the Project will likewise have no impacts that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

The Project would not result in the loss of forest land or conversion of forest land to non-forest use. The trees proposed to be removed serve as landscaping and are not contiguous to other forest resource areas, so they have only marginal economic value as timber products. Accordingly, the impact would be **less than significant**. For these reasons, the Project will likewise have no impacts that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

e) Would the project 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?

Around the Project Site, there is a substantial amount of existing development including paved roads, homes, and businesses, all of which separate the Project Site from areas where agriculture and forest resource production currently occurs. The existing development between the Project Site and these resource production areas will buffer those uses from any potential impacts associated with development on the Project Site.

Conversely, the existing development between the Project Site and the nearby agricultural/timber resource production areas will likewise buffer the Project's new residents, staff, and guests from impacts associated with those areas' ongoing resource production. For example, timber operations occurring on properties zoned TPZ with approved Timber Harvest Plans are unlikely to have significant noise, visual or other impacts

on those persons living on or visiting the Project Site because of the large distance and existing development separating those timberlands from the Project Site as shown in Figures 2.3 and 2.4 above.

For these reasons, the Project would not 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. The impact would be **less than significant**. For these reasons, the Project will likewise have no impacts that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the MCCP PEIR, the 2017 MCCP Amendments, and the HE Addendum, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies and standards identified in the GPU, MCCP, and HE Update, and their associated environmental documents, the Project would not have any new significant or substantially more severe agricultural and forestry resources impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards (see **Appendix B, pp. 7-8**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.3 Air Quality

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
III. AIR QUALITY – Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	GPU PEIR: § 3.12.4.1, pp. 3.12-8–3.12-12 MCCP PEIR: § 4.3, pp. 4-24–4-27 HE Addendum: § 3.3.3, pp. 11–12	No.	No.	No.	GPU Policies AQ-P5, AQ-P7, AQ-IM2: Compliance with NCUAQMD Rule 104, Section D. GPU Policies AQ-P4, AQ-S1: Uniformly applicable BMPs imposed as conditions of approval to reduce air emissions related to PM10 fugitive dust.
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?	GPU PEIR: § 3.12.4.1, pp. 3.12-8–3.12-12 MCCP PEIR: § 4.3, pp. 4-24–4-27 HE Addendum: § 3.3.3, pp. 11–12	No.	No.	No.	GPU Policies AQ-P5, AQ-P7: Compliance with NCUAQMD Rule 104, Section D. GPU Policies AQ-P4, AQ-S1: Uniformly applicable BCMs/BMPs imposed as conditions of approval to reduce air emissions related to PM10 fugitive dust.

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
c) Expose sensitive receptors to substantial pollutant concentrations?	GPU PEIR: § 3.12.4.2, pp. 3.12-12–3.12-16 MCCP PEIR: § 4.3, pp. 4-24–4-27 HE Addendum: § 3.3.3, pp. 11–12	No.	No.	No.	GPU Policies AQ-P5, AQ-P7, AQ-S4: Compliance with NCUAQMD Rule 104, Section D. GPU Policies AQ-P4, AQ-S1, AQ-S3: Uniformly applicable BCMs/BMPs imposed as conditions of approval to reduce air emissions related to PM10 fugitive dust.
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	GPU PEIR: § 3.12.4.3, pp. 3.12-16–3.12-17 MCCP PEIR: § 4.3, pp. 4-24–4-27 HE Addendum: § 3.3.3, pp. 11–12	No.	No.	No.	Compliance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements

Prior EIR Summary

Section 3.12 of the GPU PEIR (pages 3.12-1 to 3.12-17) evaluates the air quality impacts associated with implementing the GPU. The GPU PEIR explains that, while Humboldt County is in attainment for all federal and state criteria air pollutant standards, it is out of attainment for State particulate matter 10 (PM10) levels, for which the entire North Coast Air Basin (which includes Humboldt County) is currently designated as a "non-attainment" area. Accordingly, increases in PM10 emissions that could increase exceedances would be considered significant; therefore, applying GPU policies and standards would reduce impacts that might otherwise be greater, particularly those to sensitive receptors and odors. However, even with application of these policies, standards, and other uniformly applicable permit and development standards, impacts from buildout of the General Plan Update would remain significant and unavoidable.

The MCCP PEIR took a different approach. It found that PM10 impacts would be reduced to less than significant levels by implementing the plan policies for pedestrian and bicycle trails, a walking-scale Town Center, and related subdivision and development design standards to facilitate the reduction of dependence

on motorized transportation which in turn reduces the generation of related PM10 emissions (Mitigation Measure 4.3.4.1). It also directed the County to coordinate with North Coast Unified Air Quality Management District (NCUAQMD), Humboldt County Association of Governments, California Department of Forestry and Fire Protection, and other involved agencies, in the development of systematic programs for the reduction of traffic congestion, open burning and other sources of particulate matter and other significant air pollutants, and to include an Air Quality element in the General Plan Update (Mitigation Measure 4.3.4.2).

These findings align with the discussion of land use and transportation control measures to reduce PM10 emissions in the NCAQMD's 1995 PM10 Attainment Plan. The Plan encourages local governments to plan the land use and transportation systems of their communities in ways that reduces vehicle trips, miles traveled and development related emissions (pp. VI-4).

Section 3.3.3 (pages 11 to 12) of the HE Addendum analyze air quality impacts associated with implementing the HE Update. The Addendum relies on the GPU PEIR's determination that impacts related to PM10 emissions would be significant and unavoidable, even with implementation of GPU policies, standards, and other permit conditions and BMPs. However, while some HE measures could indirectly impact air quality by stimulating development of new housing, measures H-IM38, H-IM40, H-IM50, and H-IM58 are intended to develop housing in smaller, unincorporated communities where services are available so that people working in those areas would not need to commute from larger urban areas. Moreover, because the HE Update proposes developing fewer units than the maximum amount analyzed in the GPU PEIR, potential air quality impacts associated with development under the HE Update would not exceed those previously considered.

Project-Specific Analysis

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

The Project is located within the Humboldt County portion of the North Coast Air Basin (Air Basin) which is managed by the North Coast Unified Air Quality Management District (NCUAQMD). The NCUAQMD monitors air quality; enforces local, State, and federal air quality regulations for counties within its jurisdiction; inventories and assesses the health risks of Toxic Air Contaminants (TACs); and adopts rules that limit pollution.

Within the Project vicinity, the NCUAQMD is responsible for monitoring and enforcing local, state, and federal air quality standards. As indicated in the GPU PEIR, Humboldt County is designated "attainment" for all National Ambient Air Quality Standards (NAAQS). Pursuant to California Ambient Air Quality Standards, Humboldt County is designated attainment for all criteria air pollutants except PM10, where it is designated as "non-attainment." PM10 refers to inhalable particulate matter with an aerodynamic diameter of less than 10 microns. PM10 includes emission of small particles that consist of dry solid fragments, droplets of water, or solid cores with liquid coatings. The particles vary in shape, size, and composition. PM10 emissions include unpaved road dust, smoke from wood stoves, construction dust, open burning of vegetation, and airborne salts and other particulate matter naturally generated by ocean surf. Therefore, any use or activity that generates airborne particulate matter may be of concern to the NCUAQMD.

To address non-attainment for PM10, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995, which presents available information about the nature and causes of PM10 standard exceedances and identifies cost-effective control measures to reduce PM10 emissions to levels necessary to meet California Ambient Air Quality Standards. However, the NCUAQMD states that the plan, "should be used cautiously as

it is not a document that is required in order for the [NCUAQMD] to come into attainment for the state standard." (NCUAQMD 2022.) NCUAQMD relies on its Rule 104, Section D – Fugitive Dust Emissions to address non-attainment for PM10. Pursuant to this Rule, the handling, transporting, or open storage of materials in such a manner, which allows or may allow unnecessary amounts of particulate matter to become airborne, shall not be permitted. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to covering open bodied trucks when used for transporting materials likely to give rise to airborne dust and the use of water during the grading of roads or the clearing of land. During earth moving activities, fugitive dust (PM10) would be generated. The amount of dust generated at any given time would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions.

As detailed in the GPU PEIR (see pp. 3.12-8 to 3.12-12), the GPU's Air Quality Element helps NCUAQMD facilitate these goals by prescribing policies, standards, and implementation measures to help mitigate air quality emissions impacts associated with projects developed under GPU buildout. GPU Policy AQ-P1 (*Reduce Length and Frequency of Vehicle Trips)* encourages mixed use developments and compact development patterns to reduce PM10 emissions from vehicles consistent with the land use discussion in the NCUAQMD PM10 Attainment Plan.

GPU Policy AQ-P7 (*Interagency Coordination*) and Implementation Measure AQ-IM2 (*North Coast Air Quality Management Permitting Coordination* direct the County to coordinate with NCUAQMD during the permit review process to identify regulatory outcomes and minimize delays for projects involving CEQA review, while also relying on compatible air quality standards to define thresholds of significance and potential mitigation measures. (GPU, pp. 15-4–15-5, 15-8.) GPU Policy AQ-P4 and Standard AQ-S1 (*Construction and Grading Dust Control*) require ground disturbing construction and grading activities to employ fugitive dust control practices and strategies to prevent visible emissions from exceeding NCUAQMD standards. (GPU, pp. 15-4, 15-6.) GPU Policy AQ-P5 (*Air Quality Impacts from New Development*) and Standard AQ-S3 (*Evaluate Air Quality Impacts*) provide that, during environmental review of discretionary permits, the County must reduce emissions of air pollutants from new commercial development by using analytical methods and significance criteria used or recommended by NCUAQMD, and requiring, to the extent necessary, feasible mitigation measures or permit conditions to achieve NCUAQMD standards. For example, GPU Policy AQ-P15 (*Energy Efficient Building Design*) recommends that the County encourage and provide incentives for construction of buildings and energy saving measures for residential and commercial projects, while GPU Policy AQ-P16 (*Electric Vehicle Accommodations*) recommends that the County encourage and provide incentives for commercial and residential design that supports charging of electric vehicles. (GPU, p. 15-5.)

With the implementation of these policies and standards, the GPU PEIR finds that, although there are no additional mitigation measures that can reasonably be expected to reduce County-wide PM10 levels below those that would not violate applicable standards to a less than significant impact, application of these policies and standards would reduce impacts that might otherwise be greater. (GPU PEIR, pp. 3.12-11–3.12-12.) For these reasons, the HE Addendum likewise concludes that, while the GPU PEIR has not identified feasible mitigation measures to reduce PM10 emissions to less than significant levels, development under the HE Update would not exceed those previously considered in the GPU PEIR. (HE Addendum, pp. 11–12.)

The proposed Project would create PM10 emissions in part through occasional vehicles coming and going to the Project Site and through the temporary construction activity associated with the Project's proposed development. Unless controlled, fugitive dust emissions during grading of the Project site could be a

potentially significant impact. For these reasons, and as a condition of Project approval, the Project must implement and comply with best management practices (BMPs) that ensure potential impacts related to fugitive dust emissions from Project construction activities will be sufficiently reduced. In addition to the standards imposed by NCUAQMD, the Project's approval is also conditioned on implementing uniformly applicable fugitive dust reducing BMPs, which are more fully detailed in subsection (b) below and in **Appendix B (pp. 8-9).**

Lastly, as explained above in *Section 3.2.3 – Humboldt County General Plan Consistency Analysis* and below in *Section 4.6 – Energy* the Project intends to construct its buildings using energy efficient designs and will also provide onsite chargers for electric vehicle (EV) charging. Through these permit conditions, universally applicable BMPs, and Project design features, the Project would be consistent with GPU Policies and Standards AQ-P4, AQ-P5, AQ-P7, AQ-P15, AQ-P16, AQ-S1, AQ-S3, and AQ-IM2. Moreover, the Project would be consistent with HE Standard H-S2 and MCCP Policy 2400 by developing supportive housing on an urban infill site in a Housing Opportunity Zone, thus reducing impacts to nearby land uses. (**See Appendix A**.)

Operation of the Project would not include the handling, transporting, or open storage of materials in which particulate matter may become airborne. Due to the absence of handling, transport, or open storage of materials that would generate particulate matter, operation of the Project is not expected to conflict with NCUAQMD Rule 104 Section D, therefore, **no impact** from operation of the Project would result.

To this end, and as more fully explained in the "Transportation" section, the Project's compliance with the Transportation and Land Use control measures prescribed by the NUCAQMD's air quality plan will ensure transportation PM10 emissions remain less than significant, including:

- There is an abundance of pedestrian and bicycle infrastructure in the area surrounding the Project site as well as numerous retail opportunities within walking distance of the site that could be accessed without a vehicle, including Grocery Outlet adjacent to the site, Rite Aid across the street from the Project site, and a variety of nearby restaurants. Proposed Project improvements directly connect the Community Center and each of the new residences to the offsite pedestrian and bicycle infrastructure.
- The Project will enhance the existing pedestrian crosswalks across Central Avenue, and the proposed Community Center building will encourage bicycle use by residents and visitors by providing covered and non-covered bicycle parking areas.
- The adjacent streets include sidewalks providing access to nearby retail stores, and there are bike lanes along Central Avenue and Sutter Road, which support the use of non-vehicle transportation modes and provide access to a wide variety of stores and services that meet daily needs of residents.
- The Project will be adding a bus stop on Central Avenue adjacent to the Project Site and additional bus stops are located on Central Avenue less than 700 feet from the Project Site, offering an additional non-vehicle transportation option.
- The Project would provide an event space that, compared with existing venues, would require less travel for attendees originating in McKinleyville or communities to the north. Without the availability of the proposed event space, events attended by residents of McKinleyville or communities to the north would generally need to be held at facilities in Arcata, Eureka, or other communities farther south, requiring longer travel distances.

- Since the Project's residents would be primarily individuals with disabilities and seniors, the Project's trip generation rates are lower than most development projects because fewer residents would drive.
- Of the eight full-time employees at the site, two are expected to live on site and would therefore not commute.

Based on these considerations, along with the Project's satisfaction of future housing needs within the County, the Project is consistent with the transportation and land use control measures and primary housing goals of the NCUAQMD air quality plan.

Accordingly, the Project's adherence to universally applicable BMPs and conditions will ensure that the Project complies with NCUAQMD Rule 104 Section D, therefore, any impacts to air quality will be **less than significant**. Moreover, in light of the GPU PEIR and HE Addendum, the Project's potential impacts to air quality will not exceed those previously considered.

As such, the Project will not result in impacts related to conflicts with an adopted air quality management plan that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project 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?

As noted above, the GPU PEIR explains that Humboldt County is designated as a "non-attainment area" under the State's PM10 standard but is otherwise designated "in attainment" for all other State and federal standards. With respect to the Project, potential impacts of concern would be exceedances of State or federal standards for PM10. Localized PM10 is of concern during construction because of the potential to emit fugitive dust during earth-disturbing activities.

Project Construction Emissions

The Project would include clearing and grubbing, grading, vegetation removal, asphalt paving, building construction, and landscaping activity. Generally, the most substantial localized air pollutant emissions would be dust generated from site clearing, demolition, and grading. If uncontrolled, these emissions could lead to both health and nuisance impacts. Construction activities would also temporarily generate emissions of equipment exhaust and other air contaminants. The Project's potential impacts from equipment exhaust are assessed separately below.

The NCUAQMD does not have formally adopted thresholds of significance for fugitive, dust-related particulate matter emissions above and beyond Rule 104, Section D, which does not provide quantitative standards. Pursuant to common County practice, this analysis therefore uses the Bay Area Air Quality Management District's (BAAQMD) approach to determining significance for fugitive dust emissions from Project construction. The BAAQMD bases the determination of significance for fugitive dust on the control measures to be implemented. If all appropriate emissions control measures recommended by BAAQMD are implemented by the Project, then fugitive dust emissions during construction are not considered significant. BAAQMD recommends a specific set of "Basic Construction Measures" (BCMs or BMPs) to reduce emissions

of construction generated PM10 to less than significant levels. Without incorporation of these BCMs/BMPs, the Project's construction-generated fugitive PM10 (dust) would result in a potentially significant impact.

The BAAQMD's BCM/BMP controls for fugitive dust emissions (PM10) would be incorporated into and imposed on the Project as conditions of approval and would be monitored pursuant to County requirements (see also **Appendix B, pp. 8-9**):

Condition of Approval/Universally Applicable Standard – Compliance with Air Quality BCMs/BMPs

The contractor shall implement the following BMPs during construction:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, active graded areas, excavations, and unpaved access roads) shall be watered two times per day in areas of active construction as necessary.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph, unless the unpaved road surface has been treated for dust suppression with water, rock, wood chip mulch, or other dust prevention measures.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within.

These control measures are consistent with NCUAQMD Rule 104 Section D – Fugitive Dust Emission and provide supplemental, additional control of fugitive dust emissions beyond that which would occur with Rule 104 Section D compliance alone. Therefore, with incorporation of BAAQMD's uniformly applicable BCMs/BMPs (see above and **Appendix B, pp. 8-11**), the Project would result in a **less than significant impact** for construction-period PM10 generation and would not violate or substantially contribute to an existing or projected air quality violation.

Regional Criteria Pollutants

The NCUAQMD does not have established CEQA significance criteria to determine the significance of impacts that would result from projects such as the proposed Project; however, the NCUAQMD does have criteria pollutant BACT thresholds for new or modified stationary source projects proposed within the

NCUAQMD's jurisdiction. For construction emissions, the NCUAQMD has indicated that emissions are not considered regionally significant for projects whose construction would be of relatively short duration, lasting less than one year. NCUAQMD has indicated that it is appropriate for lead agencies to compare proposed construction emissions that last more than one year to their BACT thresholds for stationary sources identified in Rule 110(E)(1), which are:

- Nitrogen Oxides – 40.0 tons per year, 50.0 pounds per day
- Reactive Organic Gases – 40.0 tons per year, 50.0 pounds per day
- PM10 – 15.0 tons per year, 80.0 pounds per day
- Carbon Monoxide – 100 tons per year, 50.0 pounds per day

The BAAQMD Screening Tool[4] which incorporates CalEEMod version 2020.4.0 parameters was used to estimate air pollutant emissions from Project construction (**Appendix C.7**). The screening tool was also used to estimate mobile source emissions based on factors from the California Air Resources Board's (CARB) EMFAC2021 model. Each land use subcategory was modeled to determine the project size at which any criteria air pollutant or precursor threshold of significance may be exceeded. Construction-related fugitive dust was not included in the development of the screening table because these emissions are controlled through best management practices described above and below.

The screening tool was run with the following data:

Land Use Category	*Land Use Type*	*Unit*	*Project Land Use Size*
Residential	Apartments Mid Rise	One dwelling unit	40.0
Residential	Condo-Townhouse	One dwelling unit	17.0
Residential	Single Family Housing	One dwelling unit	13.0
Commercial	General Office Building	1,000 square feet	20.0

The results from running the model indicate the Project does not exceed any criteria air pollutant including PM_{10} emissions thresholds for both the Project's construction and operational phases. Further analysis is therefore not required because the Project's air quality impacts are **less than significant**. As set forth above, below, and more fully in **Appendix B (pp. 8-11)**, the analysis assumes that the Project will implement the BMPs for fugitive dust control during the construction phase.

As shown in the tables below, the Project would not exceed the NCUAQMD's thresholds of significance. Therefore, the Project's construction emissions are considered to have a less than significant impact.

Table 4.3-1a – Annual Construction Regional Pollutant Emissions

[4] https://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/tools/baaqmd-screening-tool_050622_final-xlsm.xlsm?rev=9b1a2d9e625b4c3e991f0f6c06aef706&sc_lang=en accessed March 2025

Land Use	ROG (tons/yr)	NOx (tons/yr)	PM10 (tons/yr)	CO (tons/yr)
Community Center				
Apartments	0.9	0.9	1.3	< 0.1
Commercial/Office	0.4	0.4	0.7	< 0.1
Courtyard Apartments	0.4	0.4	0.6	< 0.1
Detached Cottages	0.6	0.6	0.8	< 0.1
TOTAL	**2.3**	**2.3**	**3.4**	**0.1**
Maximum Allowed	**40.0**	**40.0**	**15.0**	**100.0**

Source: Planwest Partners, 2025

Table 4.3-1b – Daily Construction Regional Pollutant Emissions

Land Use	ROG (lb/day)	NOx (lb/day)	PM10 (lb/day)	CO (lb/day)
Community Center				
Apartments	4.7	4.7	7.2	0.1
Commercial/Office	2.4	2.4	3.6	0.1
Courtyard Apartments	2.1	2.1	3.2	0.1
Detached Cottages	3.0	3.0	4.5	0.1
TOTAL	**12.2**	**12.2**	**18.5**	**0.3**
Maximum Allowed	**50.0**	**50.0**	**80.0**	**50.0**

Source: Planwest Partners, 2025

Operational Emissions

Following construction, the Project would not include any stationary sources that would produce air emissions. The Project will generate emissions from vehicle trips, as well as from landscaping activity, and occasional prescribed burns. Project operational emissions were estimated using the BAAQMD Screening Tool which incorporates CalEEMod version 2020.4.0 and CARB's EMFAC2021 model. Emissions were modeled for year 2026. As shown in Table 4.3-2, the Project's operational emissions will not exceed the NCUAQMD's stationary sources emission thresholds. Therefore, the Project's operational emissions are considered to have a **less than significant impact**.

Table 4.3-2 – Operational Regional Pollutant Emissions (2026)

Land Use	ROG (tons/yr)	NOx (tons/yr)	PM10 (tons/yr)	CO (tons/yr)
Community Center				
Apartments	0.9	0.9	1.3	< 0.1
Commercial/Office	0.4	0.4	0.7	< 0.1
Courtyard Apartments	0.4	0.4	0.6	< 0.1
Detached Cottages	0.6	0.6	0.8	< 0.1
TOTAL	2.3	2.3	3.4	0.1
Maximum Allowed	40.0	40.0	15.0	100.0

Source: Planwest Partners, 2025

For the above reasons, the Project will likewise not have any cumulatively considerable net increase of any criteria air pollutant that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors include school-aged children (schools, daycare, playgrounds), the elderly (retirement community, nursing homes), the infirm (medical facilities and offices), and those who exercise outdoors regularly (public and private exercise facilities, parks). The nearest sensitive receptors to the Project Site include residential housing, with the nearest residence from the property line of the Project located approximately 35 feet away on Hideaway Court. There are no schools within close proximity to the Project.

The BCMs/BMPs described above (see **Appendix B, pp. 8-11**) minimize idling times for trucks and equipment to five minutes (as required by the California Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, included in Title 13, Section 2485 of California Code of Regulations [CCR]) and ensure construction equipment is maintained in accordance with manufacturer's specifications.

Although various project construction activities may occur periodically over two construction seasons, the total length of construction is not anticipated to exceed 20 to 30 months with grading anticipated to be completed in three months. The Project would therefore not result in consistent or prolonged construction equipment use. Due to distance to the nearest potential receptor, the limited duration and activity for construction, and the implementation of uniformly applicable BCMs/BMPs as conditions of Project and permit approval, which would control fugitive dust, the Project would not result in the exposure of sensitive receptors to substantial pollutant concentrations. Therefore, construction-related impacts to sensitive receptors would be **less than significant**.

Following construction, the Project will not include any stationary sources of air emissions or new emissions that will result in substantial long-term operational emissions of criteria air pollutants that will substantially affect sensitive receptors. Therefore, Project operation will not expose nearby sensitive receptors to substantial pollutant concentrations, thus yielding **no impact**.

The GPU PEIR further explains that considering buffers between new commercial uses and adjacent sensitive uses (Mitigation Measure 3.12.4.2), along with implementing GPU Policies AQ-P4, AQ-P5, and AQ-P7 (described above), will ensure land use planning for new development projects do not further expose sensitive receptors to potential sources of toxic air contaminants. (GPU PEIR, pp. 3.12-15–3.12-16.) As more fully explained above, the Project's implementation of construction BCMs/BMPs (see **Appendix B, pp. 8-9**), will ensure that Project emissions remain less than significant and thus do not adversely impact sensitive receptors. Moreover, pursuant to the GPU and HE Update, the Project's proposed commercial and residential land uses are consistent with the Project Site's underlying land use and zoning designations that expressly authorize those types of uses. Therefore, the Project would not result in a land use type that could expose sensitive receptors to a potential toxic pollutant source.

For these reasons, the Project will likewise not expose sensitive receptors to substantial pollutant concentrations that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Implementation of the Project would not result in major sources of odor. The Project type is not one of the common types of facilities known to produce odors (i.e., landfill, coffee roaster, wastewater treatment facility, etc.). Minor odors from the use of equipment during construction activities would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance. The Project emissions or odors caused by construction would not adversely affect a substantial amount of people. Moreover, the Project's proposed residential and commercial land use types are the types of developments that do not create significant sources of odors. The Project's proposed Barn will accommodate farm animals, which will be located 450 feet from the nearest neighboring single-family residence, thus ensuring that any ensuing odors will naturally disperse and not affect nearby receptors.

Project demolition could result in exposure of construction workers to Asbestos Containing Material (ACM) that may be present in the existing facilities. During demolition and construction asbestos abatement would be conducted, as necessary, to remove existing ACM from existing Project Site structures prior to building demolition. Appropriate notifications would be made to the NCUAQMD in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements prior to the commencement of asbestos abatement and/or demolition work at the Projects Site. A licensed abatement contractor would be engaged by the Project applicant, or the General Contractor, to conduct abatement work in accordance with specifications. Building and structure demolition would commence once asbestos abatement work is complete, as applicable to each structure. Therefore, implementation of regulatory requirements would ensure that potential impacts from exposure to ACM during demolition would be **less than significant**.

Following construction, Project operations will not result in any major sources of odor or emissions, thus resulting in a **less than significant** impact.

For these reasons, the Project will likewise not result in major sources of odor or other emissions affecting a substantial number of people that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any

unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, and the MCCP PEIR, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above BCMs/BMPs and permit conditions (see also **Appendix B, pp. 8-11**), along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe air quality impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and HE Update policies and standards, along with permit conditions and uniformly applicable BCMs/BMPs (see **Appendix B, pp. 8-11**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.4 Biological Resources

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
IV. BIOLOGICAL RESOURCES – Would the project:					
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?	GPU PEIR: § 3.11, pp. 3.11-7–3.11-12 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	MCCP: Section 3422 Regulatory Permit Compliance: CWA §§ 401, 404 HMMP
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	GPU PEIR: § 3.11, pp. 3.11-7–3.11-12 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	GPU: BR-P4, BR-P6, BR-P12, BR-S1, BR-S6, BR-S7, BR-S8, BR-S10 MCCP: Standard 3422.4.E HCC: § 314-61.1 Regulatory Permit Compliance: CWA §§ 401, 404 HMMP
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?	GPU PEIR: § 3.11, pp. 3.11-12–3.11-15 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	GPU: BR-P5, BR-S5, BR-P6, BR-S7, BR-S8, BR-S9, BR-S10, BR-S11, MCCP: Section 3422 HCC: §§ 314-38.3, 314-61.1, 331-14 Regulatory Permit Compliance: CWA §§ 401, 404 HMMP

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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?	GPU PEIR: § 3.11, pp. 3.11-15–3.11-16 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	N/A
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	GPU PEIR: § 3.11, pp. 3.11-16–3.11-17 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	GPU: BR-S4, BR-S12, BR-S13, MCCP: Standard 2634.2.E Regulatory Permit Compliance: CWA §§ 401, 404 HMMP Condition of Approval: Submittal of development plan (MCCP § 2634.2.E.)
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?	GPU PEIR: § 3.11, pp. 3.11-17–3.11-18 MCCP PEIR: § 4.5, pp. 4-51–4-58 HE Addendum: § 3.3.4, p. 12	No.	No.	No.	N/A

Prior EIR Summary

Section 3.11 (pages 3.11-1 to 3.11-18) of the GPU PEIR analyzes potential impacts to biological resources based on development contemplated from buildout of the GPU. Where the GPU policies/standards overlap the MCCP policies/standards the GPU defers to the community-specific MCCP policies and standards.

The Project Area, as explained herein, was zoned and analyzed in the GPU PEIR, Community Plan and HE Addendum for commercial and residential development, among other potential uses. The GPU PEIR concluded that impacts from such development will have less than significant impacts on biological resources generally. In particular, as part of the review process for discretionary permits, species protection is assured by assessing development impacts on species diversity in sensitive resource areas, including those located in/near wetlands, mapped sensitive habitats, threatened/endangered species ranges, and streamside management areas (SMA). The GPU PEIR also redefines "wetlands," restricts development and adds buffers around wildlife corridors and nursery sites and maps biological resources to reduce potential conflicts.

The MCCP PEIR took a similar approach. It acknowledges the MCCP defines SMAs and wetlands and uses suite of policies to protect them in making a finding the MCCP will have a less than significant impact on biological resources. It notes the MCCP uses a "one parameter" definition of wetland which has the effect of increasing protected areas compared to most other parts of Humboldt County. The PEIR also noted a different approach to establishing wetland buffers. Rather than identifying a specific width, the MCCP requires the width of wetland buffers be established in consultation with the California Department of Fish and Wildlife during the CEQA review process.

Section 3.3.4 of the HE Addendum (page 12) relies on the GPU PEIR's analysis to analyze potential impacts to biological resources based on housing development contemplated under the HE Update. The Addendum explains that future residential/housing development could have potential indirect impacts resulting from developments in wetlands or natural areas. However, the mitigation measures outlined in the GPU PEIR reduce impacts to less than significant levels. Those same measures would be imposed on any subsequent development in biologically sensitive areas. Therefore, because the HE Update proposes fewer units than the number analyzed in the GPU PEIR, the PEIR's mitigation measures would reduce any potential impacts associated with development under the HE Update to a less than significant level.

For the reasons explained below, compliance with the policies, procedures and mitigation measures identified in the GPU PEIR, MCCP PEIR and HE Addendum (See Appendix B), are sufficient to ensure the Project will result in less-than-significant impacts to biological resources. Conditions of the Project's Approval (COA) are added to clarify how these policies, procedures and mitigation measures apply to the Project. In addition, the measures in the Wetland Habitat Mitigation and Monitoring (WHMM) Plan required by the permitting responsible and trustee agencies under the Clean Water Act, for example, ensure that the wetland impacts peculiar to the Project will remain less-than-significant.

The below policies and standards first describe the GPU measures for protection of streams/riparian areas, followed by policies and standards for protection of wetlands. The MCCP measures are discussed afterward.

Stream / Riparian Corridor Protection Measures in the GPU

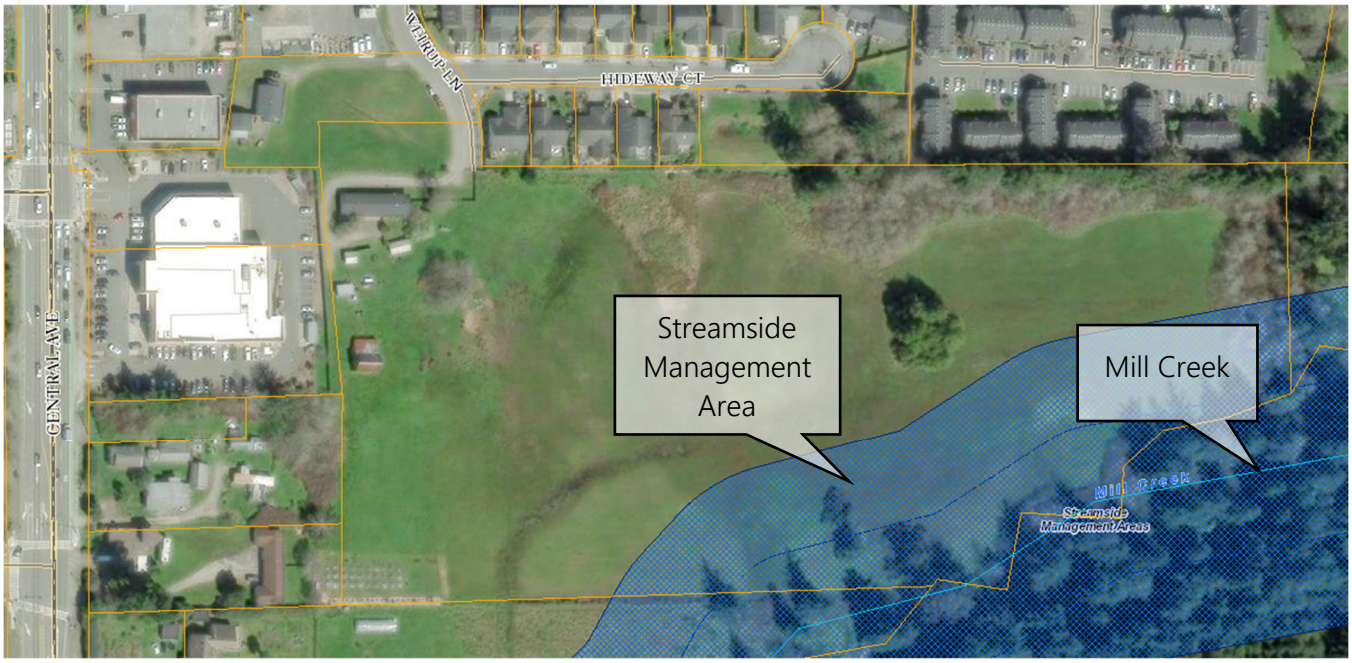
BR-P5: Streamside Management Areas

This policy identifies the purpose of Streamside Management Areas (SMA's) is to "protect sensitive fish and wildlife habitats and to minimize erosion, runoff, and interference with surface water flows".

BR-S5: Streamside Management Areas

This standard clarifies the SMA is the area mapped as SMA and Wetland (WR) Combining Zone. If the SMA is not mapped on the site, criteria are listed to identify the SMA boundary on the site. The Humboldt County WebGIS includes an SMA layer which extends up to 200 feet from the centerline of Mill Creek onto the Project site as shown below in Figure 4.4-1.

Figure 4.4-1. Streamside Management Area on the Project Site



Source: https://cty-gis-web.co.humboldt.ca.us/HCEGIS2.0/; with SMA layer shown, accessed 2/11/2025.

This policy also allows the SMA to be reduced if the reduction will not significantly affect the biological resources of the SMA on the property.

BR-P6: Development within Streamside Management Areas

This policy states that the uses in Standard BR-S7 Development within Streamside Management Areas can only be allowed within SMA's where mitigation measures listed in Standards BR-S8 Required Mitigation Measures , BR-S9 Erosion Control and BR-S10 Development Standards for Wetlands are incorporated into the project design.

BR-S7: Development within Streamside Management Areas

This policy identifies six types of allowed uses in SMA's. Agriculture is one of the allowed uses listed.

BR-S8: Required Mitigation Measures

This standard lists the four mitigation measures required for development within SMA's which involve retaining snags (dead standing trees), live trees with nests, erosion control measures and retention of overstory canopy.

BR-S9: Erosion Control

This standard specifies seven types of erosion control required for development within SMA's.

Wetland Protection Measures in the GPU

BR-S10: Development Standards for Wetlands

This standard requires development standards for wetlands align with SMA standards except that the widths of the SMA for seasonal wetlands is 50-feet, while perennial wetlands have a 150-foot SMA width. These setbacks begin at the edge of the delineated wetland. The Humboldt County WebGIS includes a Wetlands layer which extends onto the Project site as shown below in Figure 4.4-2.

BR-S11: Wetlands Defined

BR-S11: Wetlands Defined establishes that the County shall follow the USACE Wetland Delineation manual in the identification and classification of wetlands. This definition requires all three technical criteria be used to delineate wetlands - presence of hydrophytic vegetation, hydric soils, and wetland hydrology.

Figure 4.4-2 Humboldt County Mapped Wetlands on the Project Site

Source: https://cty-gis-web.co.humboldt.ca.us/HCEGIS2.0/; with Wetlands layer shown, accessed 2/13/2025.

McKinleyville Community Plan (MCCP)

As discussed earlier, the 2002 MCCP also establishes policies and guidelines to protect biological resources that are specific to McKinleyville. Where the MCCP policies/standards overlap the GPU policies/standards, the GPU defers to the MCCP policies/standards.

Chapter 2 of the MCCP contains a policy/standard combination that broadly protects biological resources:

2602 Urban Land Use Policy.

(1) The community shall maintain its rural qualities within the Urban Development Area by defining and protecting its streams, riparian corridors and greenbelts, wetlands, open spaces and parks.

2634 Standards

(2) Open space shall be permanently preserved through any of the following devices:

(E) Development Plan depicting the open space area(s), and the recordation of a Notice of Development Plan. Submittal of a Development Plan showing the Open Space on the Project Site and recordation of a Notice of Development Plan are needed to be consistent with these standards protecting the stream, riparian corridor and wetlands on the Project site.

The MCCP SMA and wetland protection measures include the following policies and standards:

SMA Protection Measures in the MCCP

Width of Streamside Management Areas

- In areas inside of Urban Development and Expansion Areas, the width of the SMA is 50 feet measured as a horizontal distance from the "stream transition line" on either side of perennial streams. (The stream transition line is roughly a line on the streambank above normal water flow.)
- Where necessary, the width of Streamside Management Areas shall be expanded to include significant areas of riparian vegetation adjacent to the buffer area, slides, and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance.
- The Streamside Management Area may be reduced or eliminated where the County determines, based on specific factual findings, that:
  1) The USGS mapping of the stream is not accurate, and typical stream flow can be shown to be ephemeral or less than that required to be classified as either perennial or intermittent; or
  2) it will not result in a significant adverse impact to fish, wildlife, riparian habitat, or soil stability.
  3) Streamside Management Areas within the McKinleyville Planning Area shall include rivers, creeks, and associated riparian habitats including Bulwinkle Creek, Duke Creek, Little River, Mill Creek, Norton Creek, Patrick Creek, Rose Creek, Strawberry Creek, Widow White Creek, and other streams.

Allowed Uses Within SMA's

- Development within Streamside Management Areas shall be limited to the following uses:
  A. Development permitted by the County's Open Space Implementation Standards.
  B. Development permitted within stream channels (as described in policy 6 below).
  C. Commercial timber management and harvest activities regulated by the Forest Practices Act.
  D. Road and bridge replacement or construction, when it can be demonstrated that it would not degrade fish and wildlife resources or water quality, and that vegetative clearing is kept to a minimum.
  E. Removal of vegetation for disease control or public safety purposes.
  F. Management and maintenance of trees, shrubs and other plant life.
  G. Removal of up to three (3) cords of firewood annually for personal use on the property

consistent with those permitted under forest rules for stream protection in the Coastal Commission Special Treatment Areas.

Required Mitigation Within SMA's

- Development within Streamside Management Areas shall occur where the least environmentally damaging alternative of development techniques is employed and where mitigation measures have been provided to minimize any adverse effects. Mitigation measures for development within Streamside Management Areas shall, at a minimum, include:
  - Retaining snags unless felling is required by Cal-Osha, or by CA Dept. of Forestry forest and fire protection regulations, or for public health and safety reasons, approved by the appropriate County department. Felled snags with no economic value shall be left on the ground if consistent with fire protection regulations.
  - Retaining live trees with visible evidence of use as nesting sites by hawks, owls, eagles, osprey, herons, egrets or any species known to be endangered or threatened.
  - Replanting of disturbed areas with riparian vegetation (including alders, cottonwoods, willows, sitka spruce, etc.) if natural regeneration does not occur within two years of the completion of the development project.
  - Performing erosion control measures contained in the Sensitive and Critical Habitat Standards of the General Plan.

Wetland Protection Measures in the MCCP

Wetlands are protected in Section 3422 of the MCCP as described in the paragraphs below. Key differences between the wetland protection standards in the MCCP and the GPU are:

- The MCCP defines wetlands as areas meeting any one (or more) of the three technical criteria (presence of hydrophytic vegetation, hydric soils, and wetland hydrology) whereas the GPU requires all three technical criteria be met to classify an area as a wetland.
- The MCCP does not identify a minimum wetland buffer width whereas the GPU identifies minimum wetland buffers of 50 feet for seasonal wetlands and 150 feet for perennial wetlands.

Wetland Areas

- Wetland Areas shall be defined according to the criteria utilized by the CA Dept. of Fish and Game (also included in the County's Open Space Implementation Standards). In summary, the definition requires that a given area satisfy at least one of the following three criteria:
  - the presence of at least periodic predominance of hydrophytic vegetation; or,
  - predominately hydric soils; or,
  - periodic inundation for seven (7) consecutive days
- The County shall identify Wetland Areas as mapped by the CA Dept. of Fish and Game, as appears in the Report for Wetlands in McKinleyville as Revealed by Infrared Aerial Photograph Interpretation (Winzler & Kelly, Feb., 1993), and described in Hydrology and Ecology in the Mill Creek Corridor, McKinleyville, CA (Oscar Larson & Assoc., Mar., 1995) by adopting a McKinleyville Community Plan Wetlands Map.

- The County shall adopt a Wetlands Combining Zone to require identification of the precise boundary of Wetland Areas as shown on the McKinleyville Community Plan Wetlands Map. The intent of the ordinance shall be to protect and retain Wetland Areas in their natural state.
- The McKinleyville Community Plan Wetlands Map should be updated regularly to recognize the precise locations of Wetland Areas as identified through new information provided by the California Dept. of Fish and Game, the Open Space Implementation Standards process, or as identified through the CEQA review process.
- Wetland Areas shall be identified, mapped and managed as areas separate and distinct from the Streamside Management Areas.
- For purposes of these requirements, wetlands and wetland buffer standards shall not apply to watercourses consisting entirely of a drainage ditch, or other man-made drainage device, construction or system.

Development Within Wetland Areas

- New development within Wetland Areas shall be limited to the following uses:
  A. Fish and wildlife management.
  B. Nature study.
  C. Wetland restoration.
  D. Hunting and fishing including development of duck blinds and similar minor facilities.
  E. Removal of trees for significant disease control and public safety purposes. Snags shall be retained unless felling is required by CAL-OSHA or State fire regulations. Heavy equipment shall be excluded from the designated natural resource area. Live or dead trees with visible evidence of use as nesting or roosting sites by hawks, owls, eagles, osprey, herons, egrets or any species known to be endangered or threatened shall be retained.
  F. Incidental public service purposes.
  G. Aquaculture.
  H. Wells in rural areas.
  I. New fencing, so long as it would not impede the natural drainage or would not adversely effect the stream environment or wildlife.
- On existing parcels, development within Wetland Areas shall be permitted where the least environmentally damaging alternative of development techniques is employed and where mitigation measures have been provided to fully offset any adverse effects. Mitigation measures for development within Wetland Areas shall, at a minimum, include those prescribed by the administration of the Open Space & Grading ordinance.
- No land use or development shall be permitted in Wetland Areas which degrade the wetland or detract from the natural resource value on newly created parcels.

Wetland Buffer Areas

- A Wetland Buffer Area shall be defined as the area around a wetland where restrictions on development are required to protect the wetland from significant impact, as mapped or as identified through the Open Space Implementation Standards, or as identified through the CEQA process.
- If the entire parcel is within the Wetland Buffer Area, the buffer may be reduced to allow principally permitted uses when:
  A. The prescribed buffer would prohibit development of the parcel for the principal permitted use for which it is designated; or
  B. The applicant for the proposed development demonstrates, to the satisfaction of the County and to the Department of Fish and Game, that the principally permitted use will not result in significant adverse impacts to the wetland habitat and will be compatible with the continuance of such habitats. Any such buffer reduction may require mitigation measures, in addition to those specified below, to ensure new development does not adversely affect the wetland habitat values.

Mitigation Measures for Development Within Wetland Buffer Areas

- To prevent land uses or development which may degrade adjacent wetlands, all development within the wetland buffer shall include the following mitigation measures:
  A. No more than 25% of the lot surface shall be made effectively impervious by development activities.
  B. The release rate of storm runoff to adjacent natural wetlands, in any size storm, shall not exceed the natural rate of storm runoff for a 50 year storm of 10 minute duration.
  C. Stormwater outfalls, culverts, gutters, and other similar facilities, shall be dissipated.
  D. Septic systems or alternative waste disposal systems must meet standards of the Humboldt-Del Norte Health Department and the Regional Water Quality Control Board.
  E. Areas disturbed during construction, grading, or related activities within 100 feet of the boundary of the wetland in areas outside of the Urban Development Area, and 50 feet of the boundary of the wetland in areas within the Urban Development Area, shall be restored to original contours and sufficiently and promptly replanted with vegetation naturally occurring in the immediate area.
  F. Development and construction shall minimize cut and fill operations and erosion and sedimentation potentials through construction of temporary and permanent sediment basins, seeding or planting bare soil, diversion of run-off away from graded areas and areas heavily used during construction, and avoidance of grading in the buffer areas during the rainy season (November to April).
- No land use or development shall be permitted in Wetland Buffer Areas which degrade the wetland or detract from the natural resource value.
- The County shall request the Department of Fish and Game to review plans for development within 200 feet of the boundary of the wetland.

Additional Wetland and SMA Mitigation Measures in the MCCP

The MCCP identifies additional wetland and SMA mitigation measures which occur in Section 3423 which includes the following pair of standards:

- Replanting of disturbed areas with riparian vegetation (including such species as alders, cottonwoods, willows, sitka spruce, etc.) shall be required prior to completion of the development project.
- Concentrated runoff will be controlled by the construction and continued maintenance of culverts, conduits, nonerodible channels, diversion dikes, interceptor ditches, slope drains or appropriate mechanisms. Concentrated runoff will be carried to the nearest drainage course. Energy dissipaters will be installed to prevent erosion at the point of discharge where discharge is to natural ground or channels.

Wetland Protection Implementation Measure in the MCCP

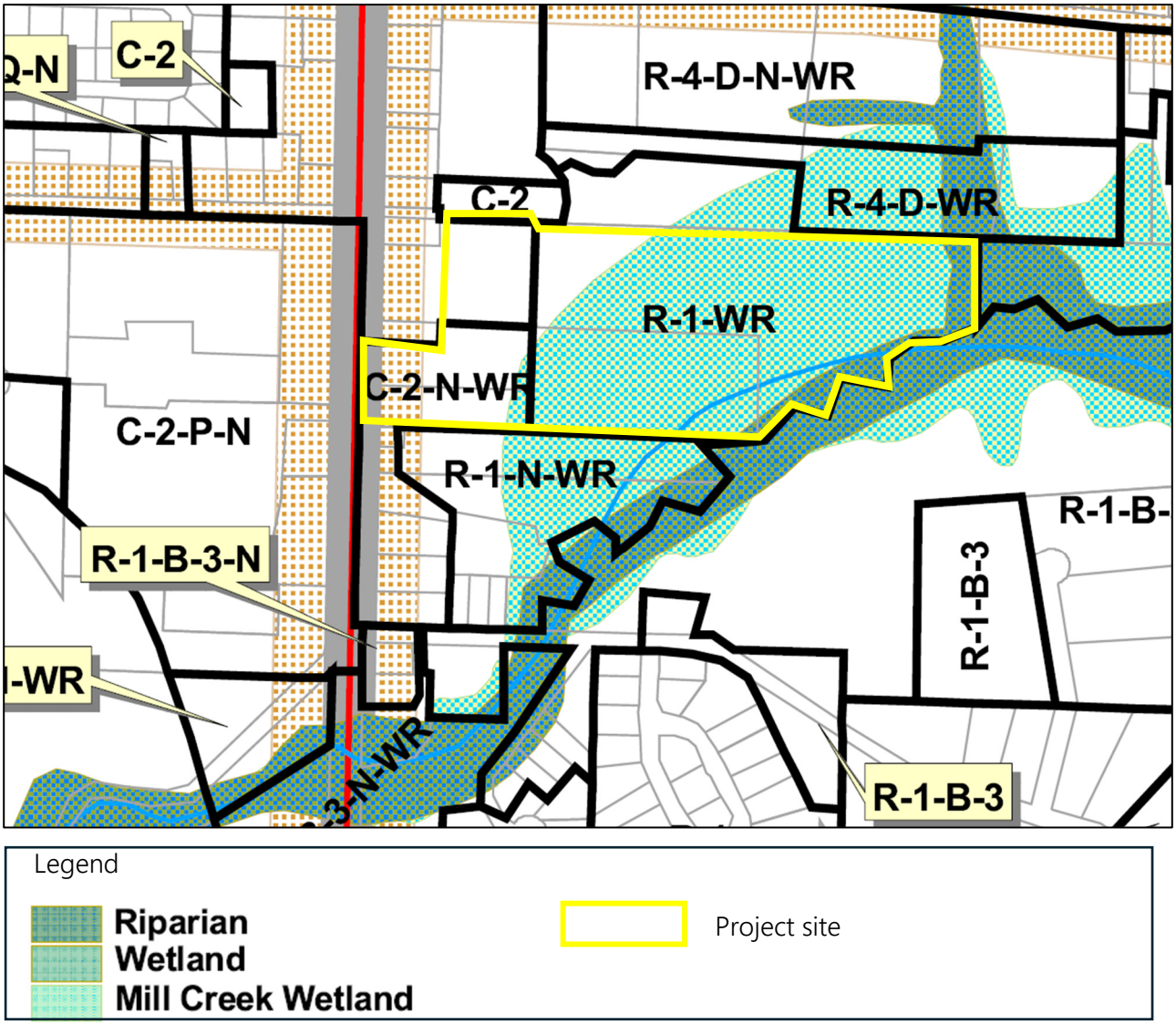
The MCCP identifies an implementation measure for the wetland policies and standards in Section 3424:

- The County shall adopt a Wetlands Combining Zone to require identification of the precise boundary of Wetland Areas and Wetland Buffer Areas as shown on the McKinleyville Community Plan Wetlands Map. The intent of the ordinance shall be to protect and retain Wetland Areas in their natural state.

This action was completed with adoption of the McKinleyville Zoning Map[5] in 2002 simultaneously with the adoption of the MCCP. It identifies the wetland combining zone on the property as shown in Figure 4.4-3 below. The Wetland Combining Zone (WR) aligns with the boundary of the wetlands layer shown earlier in Figure 4.4-2.

[5] https://humboldtgov.org/DocumentCenter/View/289/McKinleyville-Community-Plan---Zoning-Map-PDF accessed 2/11/2025

Figure 4.4-3. McKinleyville Community Plan Zoning Map on the Project Site



Source: McKinleyville Zoning Map, 2002: https://humboldtgov.org/DocumentCenter/View/289/McKinleyville-Community-Plan---Zoning-Map-PDF accessed 2/11/2025

Other Biological Protection Measures in the GPU

Standard BR-S4 of the GPU identifies the following types of habitat as "Sensitive Habitat":

A. Habitat necessary for the protection of rare, threatened and endangered species as listed under the FESA or CESA
B. Migratory deer winter range
C. Roosevelt elk range
D. Sensitive avian species rookery and nest sites (e.g. osprey, great blue heron and egret)
E. Streams and streamside areas
F. Wetlands

G. Protected vascular plant communities as listed by the US Fish & Wildlife Service or the California Department of Fish and Wildlife.

H. Other sensitive habitats and communities as may be currently, correctly and accurately listed in the California Department of Fish and Wildlife's California Natural Diversity Data Base, as amended periodically.

Standard BR S12 protects Oak Woodlands through CEQA requirements in BR-S12: *Discretionary Review within Oak Woodlands*.

Standard BR-S13 allows Invasive plant species management and control measures as a principally permitted accessory use in all zones.

Other Biological Protection Measures in the MCCP

Section 3422 of the MCCP includes protections for other biological resources under the heading "Other Sensitive and Critical Habitats". It lists the following as sensitive and critical habitats:

- Habitat for listed and candidate rare, unique, threatened, and endangered species in the federal and state Endangered Species Acts.
- Sensitive Avian Species Rookery and Nest Sites (e.g., Osprey, Great Blue Heron, Egret sp.).
- Rare and endangered vascular plant communities as compiled by the California Native Plant Society.
- Other sensitive habitats and communities as listed in the Department of Fish and Game's California Natural Diversity Data Base, as amended periodically.

The MCCP then goes on to require as part of the review of all discretionary permits consultation with CDFW, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, and other regional, state and federal resource and trustee agencies, as applicable to the specific project location, class of development, or natural resource involved.

Humboldt County Zoning Regulations

WR – Streamside Management Areas and Wetlands Combining Zone

The WR Combining Zone (Section 314-38.3 of the Zoning Regulations) identifies on the zoning Map locations where mapped streams, riparian areas and wetlands are likely to occur. It is meant to assist the application of minimum standards for the use and development of land located within Streamside Management Areas, wetlands, and other wet areas described in the Streamside Management Areas and Wetlands Ordinance as detailed below. It includes provisions for a Special Permit which may authorize wetland buffer modifications. A Special Permit may also authorize uses within the mapped wetland/riparian protection area such as riparian planting and wetland restoration.

Streamside Management Areas and Wetlands Ordinance

The Streamside Management Areas and Wetlands Ordinance (Section 314-61.1) establishes minimum standards for the use and development of lands adjacent to or within SMAs, wetlands, and other wet areas such as natural ponds, springs, vernal pools, marshes, and wet meadows. This ordinance integrates the SMA and wetlands standards from the GPU into the zoning regulations. It does not reflect the policies and standards of the MCCP.

The width of SMA's in the ordinance are consistent with the General Plan standards - 100 feet for perennial streams and 50 feet for intermittent streams, and 50 feet for seasonal wetlands and 150 feet for perennial wetlands. The SMA/wetland buffer is measured from the edge of the delineated stream or wetland and may be adjusted based on site-specific environmental conditions in consultation with CDFW. Certain manmade streams or wetlands may qualify for specific exemptions under the ordinance. A Special Permit is required for development occurring within SMA's.

Humboldt County Building Regulations

Grading Ordinance

Section 331-14 the Humboldt County Building Regulations (Title III, Division 1, Chapter 1 of Humboldt County Code) specify requirements for grading projects to protect water resources and their related habitats[6]. The requirements apply to grading and related activities and are intended to control and reduce erosion by providing best erosion control and sediment management practices. By reducing sediment delivered to drainages and streams they protect fishery habitat and other biological resources.

Project-Specific Analysis

An Aquatic Resources Delineation and Sensitive Habitat Report and Botanical Memorandum were prepared to assess baseline environmental conditions within the Project Area, and are included in **Appendix C1.** These studies evaluate the potential for any special status plants, wildlife species, or any sensitive natural communities (SNCs) or aquatic resources to occur. Under Section 7 of the ESA, critical habitat should be evaluated if designated for federally listed species that may be present in the Biological Study Area (BSA). The BSA, or the area directly or indirectly impacted by the proposed Project, encompasses a 0.25-mile radius around the Project Area. The California Department of Fish and Wildlife (CDFW), the North Coast Regional Water Quality Control Board (NCRWQCB), and the U.S. Army Corps of Engineers (USACE) have been consulted as part of the CEQA process.

a) Would the project 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?

[6] This section of Humboldt County Code replaced the "Open Space Implementation Standards" referenced in the SMA policies of the MCP.

No. As set forth below, substantial evidence supports a finding that all project-specific impacts will be substantially mitigated by previously adopted and uniformly applied policies and procedures, including those required by trustee and responsible agencies pursuant to the California Endangered Species Act and the Clean Water Act, among other applicable statutory and regulatory requirements.

Summary: With respect to special-status plant species, comprehensive floristic surveys detected no protected plants in the Project area, despite several having moderate to high potential to occur (e.g., Howell's montia, Siskiyou checkerbloom, and Coast checkerbloom). While numerous special-status wildlife species could possibly occur on the Project site or use the site for foraging, no species were observed during the plant and wildlife surveys. None of the listed plants or animals with potential to occur would be substantially and adversely effected because most of the site (+/- 12 acres) will remain undeveloped open space, and all the proposed development is more than 200 feet from the nearest riparian area.

Also, the Project includes 6,600 square feet of new riparian planting adjacent to existing riparian areas which will improve site conditions for protected and special status species. The barnyard animals will also be kept in an enclosure with fencing to keep them out of the riparian areas and wetlands. Uniformly applied development policies and standards, including COA's consistent with those policies COA BIO-1 through BIO-6, herein, will further reduce any potential impacts to listed species by requiring on-site pre-construction surveys for the presence of species immediately prior to grading and construction activities, and avoiding grading, construction and demolition activities during the times when species are most likely to be present (e.g., the nesting season).

As shown in Appendix B, the Conservation and Open Space Element, Biological Resources Section of the GPU contains policies to reduce impacts to plants, animals, and habitat by planning land containing sensitive and critical habitats for uses for long term habitat sustainability (BR-P1, Compatible Land Use); conditioning projects with a federal nexus to avoid impacts to critical habitat where such resources are present (BR-P2, Critical Habitat); regulating development within streamside management areas to minimize adverse environmental effects (BR-P6, Development within Streamside Management Areas); and through the delineation and protection of wetlands (BR-P-7, Wetland Identification, and BR-S10 Development Standards).

With implementation of these policies, standards and the proposed Project COAs the Project's potential impacts on candidate, sensitive or special status species will remain consistent with the GPU EIR and HE Addendum's conclusions of **less than significant**.

<u>Special-Status Plant Species</u>

Two seasonally appropriate floristic surveys for special-status plants were conducted on the Project site in 2022 (April 12 and June 2), with an additional assessment on September 15, 2022, for a disturbed habitat area included as part of a lot line adjustment as detailed in the project's RPSNC Assessment. Additional site visits were completed on May 7, 2024 and June 17, 2024 to conduct floristic surveys on approximately 2.0 acres added to the Project Site in 2024 along the western boundary. Based on database searches, historical records, and literature reviews, one special-status plant species (Howell's montia - *Montia howellii*, CRPR 2B.2) was determined to have a moderate potential to occur, while two species, Siskiyou checkerbloom (*Sidalcea malviflora ssp. patula,* CRPR 1B.2) and Coast checkerbloom (*Sidalcea oregana ssp. eximia*, CRPR 1B.2), had a high potential to occur. Sixteen additional special-status plant species were determined to have a low likelihood of occurrence in the project area. Despite information from the

database searches, no special-status plant species were detected within the Project Area during the surveys.

The Project is designed to allow for repopulation of the site by listed plant species. As shown in the Site Plan, the proposed Courtyard Apartments, Attached Cottages and Community Center buildings, and the outdoor recreation areas, internal roads and parking serving those uses are adjacent to existing developed areas, leaving most of the site (+/-12 acres or 70% of the site) undeveloped. The undeveloped area is adjacent to the SNC's facilitating expansion of the area where listed plant species may occur. Based on this evidence, the impact on special-status plants is less than significant.

Figure 4.4-4. Aerial View of the Project Site Looking West

Source: Planwest Partners, 2025. Aerial Imagery is from Google Earth accessed 2/13/25:

Special-Status Wildlife Species

A comprehensive database search was conducted using the California Natural Diversity Database (CNDDB) and the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) system (CDFW, 2022; USFWS, 2025). Additionally, citizen science databases such as the Bat Acoustic Monitoring

Visualization Tool (BAMVT), Bumble Bee Watch, eBird, and iNaturalist (iNaturalist, 2025) were reviewed to gather supplementary information on local wildlife occurrences. The potential for species presence was assessed for the BSA level and is presumed to also apply to the Project site. The list of species potentially occurring on the Project site is provided in Appendix C.8. Important conclusions from the analysis are summarized in the following paragraphs.

Special-Status Mammal Species

The White-footed Vole (*Arborimus albipes*) has a moderate potential to occur in the project area near Mill Creek due to the presence of suitable riparian habitat. Additionally, three bat species - the Townsend's Big-eared Bat (*Corynorhinus townsendii*), Hoary Bat (*Lasiurus cinereus*), and Long-eared Myotis (*Myotis evotis*) - have a moderate to high potential to occur based on observations nearby and the availability of roosting and foraging habitats (BatAMP, 2025). The Townsend's Big-eared Bat and Long-eared Myotis may potentially roost within buildings slated for demolition as part of the project. While none of these species are federally or state-listed, they are considered California Department of Fish and Wildlife (CDFW) Species of Special Concern (SSC) or are included on the Special Animals List (SAL).

The Project is designed to minimize potential impacts on Special-Status mammal species similar to plants due to the design of the Project and the amount of open space that will be preserved in its natural state. The undeveloped area on the Project site is also adjacent to a significant wildlife corridor along Mill Creek which provides a 1,600-foot-long stretch of continuous habitat potentially shared by listed mammals both on and off the Project site. Approximately 6,600 square feet of existing grassland on the project site closest to Mill Creek will be planted with native riparian Coastal Willow and Sitka Spruce Alliance plant species to extend that sensitive habitat type further onto the property.

COA BIO-1: *Avoidance and Minimization Measures to Protect Special Status Mammals* will further reduce the impacts of the Project to less than significant levels by presuming listed bat species may be living in the existing buildings slated for demolition and allowing that demolition to only occur when bats are able to leave roosts. Based on the information cited above, the Project's potential impacts on listed mammal species are reduced to less than significant levels.

Special-Status Bird Species

The project area supports habitat for 22 special-status bird species with a moderate to high potential for occurrence. This includes three state-listed endangered species: Willow Flycatcher (*Empidonax traillii*), California Condor (*California Condor*), and Bald Eagle (*Haliaeetus leucocephalus*). The California Condor is also a federally endangered species. The Willow Flycatcher and Bald Eagle species have been observed within 0.25 miles of the BSA and are considered to have a high potential to occur within the project area (eBird, 2025). The California Condor was observed around 2.5 miles from the BSA and is considered to have moderate potential (eBird, 2025). The other 19 species are either CDFW Species of Special Concern, listed on the Watch List, Fully Protected, or included in the Special Animals List. These species are as follows:

High Potential to Occur

1) Cooper's Hawk (*Accipiter cooperii*)

2) Sharp-Shinned Hawk (*Accipiter striatus*)
3) Golden Eagle (*Aquila chrysaetos*)
4) Great Egret (*Ardea alba*)
5) Great Blue Heron (*Ardea herodias*)
6) Short-Eared Owl (*Asio flammeus*)
7) Northern Harrier (*Circus hudsonius*)
8) White-Tailed Kite (*Elanus leucurus*)
9) Merlin (*Falco columbarius*)
10) American Peregrine Falcon (*Falco peregrinus anatum*)
11) Double-Crested Cormorant (*Nannopterum auritum*)
12) Vaux's Swift (*Chaetura vauxi*)

Moderate Potential to Occur

13) Long-Eared Owl (*Asio otus*)
14) Mountain Plover (*Charadrius montanus*)
15) Snowy Egret (*Egretta thula*)
16) Yellow-Breasted Chat (*Icteria virens*)
17) Black-Crowned Night Heron (*Nycticorax nycticorax*)
18) Bryant's Savannah Sparrow (*Passerculus sandwichensis alaudinus*)
19) Black-Capped Chickadee (*Poecile atricapillus*)

The Project is designed to minimize potential impacts on Special-Status bird species. Most of the Project site will remain in a natural state. The Site Plan shows the proposed Courtyard Apartments, Attached Cottages and Community Center buildings, and the outdoor recreation areas, internal roads and parking serving those uses are adjacent to existing developed areas. The undeveloped area on the Project site is adjacent to a significant wildlife corridor along Mill Creek which provides continuous habitat potentially shared by listed birds both on and off the Project site. Approximately 6,600 square feet of existing grassland on the project site closest to Mill Creek will be planted with native riparian Coastal Willow and Sitka Spruce Alliance plant species to extend that sensitive habitat type further onto the property.

COA BIO-2: *Avoidance and Minimization Measures to Protect Special Status Birds* will further reduce the impacts of the Project to less than significant levels by requiring ground disturbance and vegetation clearing during the times of the year when birds are not nesting or by requiring preconstruction surveys to evaluate the site for presence of raptors and special status bird species. If birds are observed on the Project site during a survey, a buffer is required to be established around the nest. Based on the information cited above, the Project's potential impacts on listed bird species will remain less than significant.

Special-Status Reptile Species

The Northwestern Pond Turtle (*Actinemys marmorata*) is the only reptile species that has high potential to occur within the BSA. There are multiple recordings of the species within one mile of the BSA and the habitat is suitable within the BSA (CDFW, 2022; iNaturalist, 2025). As noted above, the Project will minimize potential impacts on the listed reptile species by the Project design and open space, including by preserving areas that could provide habitat to the Northwestern Pond Turtle.

COA BIO-3: *Avoidance and Minimization Measures to Protect Special Status Reptiles* will be incorporated into the Project to further reduce potential impacts on special status reptiles from the Project. This condition requires pre-construction surveys for listed reptile species and if they are found, consultation with CDFW. With this condition the Project will have a less than significant impact on listed reptile species.

Special-Status Amphibian Species

There are three amphibian species that have a high potential to occur within the BSA: Northern Red-Legged Frog (*Rana aurora*), Foothill Yellow-Legged Frog (*Rana boylii*, North Coast DPS), and Southern Torrent Salamander (*Rhyacotriton variegatus*). All three are CDFW Species of Special Concern. The habitat within the BSA is highly suitable and there have been multiple recorded observations for these species either within the BSA or within 0.5 miles of the BSA.

The same Project design features mentioned earlier that will reduce potential impacts to mammals, birds and reptiles also serve to reduce impacts to amphibians. All the proposed residential and commercial buildings, internal roads and parking serving those uses will be located adjacent to existing developed areas, and 70% of the Project site will remain in a natural state. The natural area on the Project site is adjacent to a significant wildlife corridor along Mill Creek which provides a continuous habitat potentially shared by listed amphibians on both sides of the property line. Riparian planting of native species in existing grassland adjacent to the riparian forest will extend the riparian forest onto the site creating additional shaded habitat important for amphibians.

COA BIO-4 will further reduce potential impacts on special status amphibians by requiring pre-construction surveys for listed amphibian species and if they are found, the amphibians would be relocated out of the construction zone to another appropriate site within the BSA by the consulting biologist. The Project will have a less than significant impact on listed amphibian species.

Special-Status Fish Species

Mill Creek lies within the BSA and has a high potential for Coast Cutthroat Trout (*Oncorhynchus clarkii clarkii*) and Steelhead (*Oncorhynchus mykiss irideus* pop. 48 and pop. 49) to occur. There is a moderate potential for Western Brook Lamprey (*Lampetra richardsoni*) and Eulachon (*Thaleichthys pacificus*) to occur. Life stages and Distinct Population Segments for Steelhead (Northern California DPS Summer-Run and Northern California DPS Winter-Run) as well as Eulachon are federally-threatened. Steelhead (Northern California DPS Summer-Run) is also state-endangered. Additionally, there is designated Essential Fish Habitat (EFH) for Chinook (*Oncorhynchus tshawytscha*) and Coho (*Oncorhynchus kisutch*) Salmon within the Project area (NOAA Fisheries, 2025) which are furthermore covered by the Pacific Fishery Management Council (PFMC) Salmon Fishery Management Plan (FMP).

No in-stream work is proposed, so these species are unlikely to be directly impacted by the Project. By design the Project will minimize potential indirect impacts on the listed animal species including fish. The proposed residential and commercial buildings, internal roads and parking serving those uses will be located adjacent to existing developed areas, and 70% of the Project site will be retained in a natural state. The soil erosion and BMP prevention measures incorporated into the Project will also prevent indirect impacts on fish habitat in Mill Creek by ensuring soil disturbed during grading and construction activities remains on-site. The undeveloped area on the Project site adjacent to the Mill Creek wildlife corridor will provide additional sediment barrier functions between the building sites and Mill Creek. Riparian planting is proposed to extend the Sitka Spruce and Coastal Willow natural communities further onto the property enhancing the natural sediment barrier between the construction areas and the creek.

COA BIO-5 will be incorporated into the Project to further reduce potential impacts on special status fish and essential fish habitat. Although in-stream and riparian habitat is not anticipated to be impacted, COA BIO-5 is precautionary: should construction plans change to include in-stream work, or removal of riparian habitat, additional recommendations to protect special status fish and EFH will be implemented in consultation with state and federal resource agencies. Based on the above information, the Project's potential impacts on listed fish species is reduced to less than significant levels.

Special-Status Mollusks

The California Floater (*Anodonta californiensis*) and Western Pearlshell (*Margaritifera falcata*) both have moderate potential to occur within Mill Creek. These two species are on the CDFW Special Animals List. However, as there is no in-water work currently proposed, these species are unlikely to be directly impacted. As described above in the discussion of impacts to listed fish species, the Project is designed to minimize potential indirect impacts on the listed animal species. Most of the Project site will remain undeveloped and the BMP and soil erosion prevention measures incorporated into the Project will prevent indirect impacts on Mill Creek by ensuring soil disturbed during grading and construction activities remains on-site. The undeveloped area on the Project site adjacent to the Mill Creek wildlife corridor will provide additional sediment barrier functions between the building sites and Mill Creek. Based on this information, the Project's potential impacts on listed mollusks are less than significant.

Special-Status Bee Species

The Obscure Bumble Bee (*Bombus caliginosus*) has a moderate potential to occur based on suitable habitat present within the BSA and observations have been recorded within five miles of the BSA in the last three years. The species is on the CDFW Special Animals List. Vegetation clearing may significantly impact this special status bee species.

As described earlier in this discussion of potential impacts of the Project, design features minimize potential indirect impacts on the listed animal species, including listed bee species. Most of the Project site (70%) will be maintained as a natural area, and the proposed landscaping includes pollinator species as described in the Project Description. These measures will maintain and enhance the site's capacity as habitat for listed bee species.

COA BIO-6 will be incorporated into the Project to further reduce potential impacts on special status bees to a less than significant level. It describes measures to be taken to ensure construction activities are timed to avoid the time of year when bees are present, reduce or eliminate pesticide use, and consult CDFW if a

bee nest is observed during the required pre-construction biological survey. Based on this information, the Project's potential impacts on listed bee species are reduced to less than significant levels.

GPU MITIGATION MEASURES/PROPOSED CONDITIONS OF APPROVAL

COA B-1: Avoidance and Minimization Measures to Protect Special Status Mammals - Removal of confirmed or presumed-occupied bat roost habitat (the buildings planned for demolition) may occur only during seasonal periods of bat activity (when bats are volant, i.e., able to leave roosts) between March 1 and April 15 or September 1 and October 15, when evening temps rise above 45 F, and when no rainfall greater than ½ inches has occurred in the last 24 hours.

- If trees or structures cannot be removed during the volant period, i.e., Project activities occur during the bat maternity season which generally occur April 16th through August 30th, a qualified biologist shall conduct surveys within suitable habitat for special status bats. Survey methodology shall include visual examination with binoculars and may optionally utilize ultrasonic detectors to determine if special status bat species utilize the vicinity.
- Surveys shall be conducted by a qualified biologist within seven days prior to construction in any areas where potential maternity roosts may be disturbed/removed. The preconstruction surveys for bats may coincide with pre-construction surveys for other animals. Surveys shall include a visual inspection of the impact area and any large trees/snags with cavities or loose bark or crevices within infrastructure. If the presence of a maternity roost is confirmed, an appropriate buffer distance would be established in consultation with CDFW to ensure that construction noise would remain below disturbance thresholds for bats. If no bat utilization or roosts are found, then no further study or action is required. If bats are found to utilize the BSA, or presence is assumed, a bat specialist should be engaged to advise the best method to prevent impact.
- Project-related construction lighting shall be minimized if any construction occurs at night, either contained within structures or limited by appropriate reflectors or shrouds and focused on areas needed for safety, security or other essential requirements.
- Potential locations for White-footed Vole nesting will be inspected within the BSA within a week of construction commencing. This includes under rocks and logs within the Project vicinity.
- All trees planned for removal will be marked and a qualified biologist will thoroughly inspect them for signs of the species' inhabitance within a week of removal.

COA B-2: Avoidance and Minimization Measures to Protect Special Status Birds

- If feasible ground disturbance and vegetation clearing shall be conducted during the fall and/or winter months and outside of the avian nesting season (which is generally assumed to occur between March 15 – August 15) to avoid any direct effects to special-status and protected birds.
- If ground disturbance or vegetation clearing cannot be confined to the fall and/or winter outside of the nesting season, the applicant is responsible for retaining the services of a qualified biologist to conduct pre-construction surveys within the vicinity of the Project Area to check for nesting activity of native birds and to evaluate the site for presence of raptors and

special status bird species. The biologist would conduct at minimum a one-day pre-construction survey within the seven-day period prior to vegetation removal and ground-disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the nesting season, a qualified biologist would conduct a supplemental avian pre-construction survey before Project work is reinitiated.

- If active nests are detected within the construction footprint, or within 500 feet of construction activities (taking into account private property), the biologist would flag a buffer around each nest. Construction activities would avoid nest sites until the biologist determines that the young have fledged, or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within up to 500 feet of the construction area, buffers would be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with the CDFW and, if applicable, with USFWS. Buffer sizes would consider factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds.
- If active nests are detected during the survey, the qualified biologist would monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified biologist, disturb nesting activities (e.g., excessive noise), would be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified biologist would immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed or nesting activity has ceased, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.
- A construction worker training on identification of special status birds and nests will occur within seven days of the start of construction.

COA B-3: Avoidance and Minimization Measures to Protect Special Status Reptiles - The applicant is responsible for retaining the services of a qualified biologist to conduct a pre-construction northwestern pond turtle survey within 48 hours prior to the initiation of ground-disturbing construction activities in suitable habitat. If northwestern pond turtle is found, consultation with CDFW shall be required, as well as the development of a relocation plan for northwestern pond turtle encountered during construction.

- If no special status reptiles are detected during surveys, no further measures are needed.

COA B-4: Avoidance and Minimization Measures to Protect Special Status Amphibians – The applicant is responsible for retaining the services of a qualified biologist to perform a pre-construction survey for the amphibian species within seven days prior to commencement of ground disturbance. The survey shall be

limited to the BSA. Suitable habitat would be determined by the qualified biologist. The biologist would relocate any specimens that occur within the work-impact zone to nearby suitable habitat.

- In the event that a special status amphibian is observed in an active construction zone, the contractor would halt construction activities in the area and the frog and/or salamander would be moved by a qualified biologist to a safe location in similar habitat outside of the construction zone.
- A construction worker training on identification of special status amphibians will occur within seven days of the start of construction. Work crews shall inspect open trenches, pits, and under construction equipment and material left onsite in the morning and evening to look for amphibians that may have become trapped or are seeking refuge.

COA B-5: Avoidance and Minimization Measures to Protect Special Status Fish - Any Project-related construction materials or soil from grading and digging will be restricted from entering Mill Creek to reduce impacts of sedimentation or turbidity. Removal of riparian habitat along Mill Creek is not permitted.

COA B-6: Avoidance and Minimization Measures to Protect Special Status Bees - The applicant is responsible for retaining the services of a qualified biologist to perform a pre-construction survey for the bee species within seven days prior to commencement of ground disturbance. The survey shall be limited to the BSA and may occur at the same time as surveys for other species. The biologist will search for bees and potential nesting sites.

- If possible, ground disturbance, mowing, and vegetation clearing will occur from October to February, which is outside of the flight season for bumble bees.
- If possible, the Project will not use pesticides. If necessary, the application will be direct and as local as possible to reduce drifting. The pesticide would ideally be applied when plants are not in bloom, in winter or fall, and/or at dusk or night when bees are not flying.
- If a bee or nest is observed, CDFW will be notified, and a no-work zone buffer may be established.

Implementation of the GPU uniform policies and procedures outlined in Appendix B in addition to the project specific COA outlined above will ensure impacts to candidate, sensitive, or special status species remain less-than-significant.

b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The Project has elements which encroach into the County's Streamside Management Area intended to protect riparian habitat. Two of the four proposed Riparian Planting Areas will be placed within the 50-foot SMA Boundary, and the remainder will be within 200 feet of Mill Creek and could therefore be within the SMA if it is expanded to its maximum width to protect significant areas of riparian vegetation. Part of the Greenhouse, most of the unpaved parking serving those uses, and a portion of the stormwater facilities will also occur within 200 feet of Mill Creek. The Riparian Planting will have a beneficial impact on riparian habitat because it will expand the riparian canopy into areas that are currently dominated by grasses.

COA BIO-07 requires compliance with the riparian planting/invasives species measures in the Wetlands Habitat Mitigation and Monitoring (WHMM) Plan. With implementation of these conditions to ensure compliance with the GPU PEIR and MCCP PEIR mitigation measures, the Project's potential impacts on riparian habitat or other sensitive natural communities will remain less than significant, consistent with the GPU/MCCP.

Vegetation assessments and SNC mapping are detailed in the Aquatic Resources Delineation and Sensitive Habitat (ARDSH) Report Appendix C-1. The SNCs mapped within the Project Site include riparian areas, wetlands, and adjacent upland habitats. Peculiar impacts of the Project to wetlands are discussed under Impact BIO-03 below and are not further discussed in this section. The area of SNCs outside of wetlands totals 1.6 acres. Figures 4.4-1 and 4.4-2 presented earlier show the Sitka Spruce Alliance (State rank S2) occupies 0.75 acres in the north and northeast edges of the Project area, while the Coastal Willow Alliance (State rank S3) covers 0.85 acre in the north and east edges. A photo of the SNC's along the eastern property line is below.

Figure 4.4-5. Photo of the Sensitive Natural Communities (SNC's) on the Eastern Edge of the Project Site

Source: GHD, 2022

Note: the Coastal Willow Alliance SNC is the smaller Coastal willow trees and shrubs in the foreground and the Sitka Spruce Alliance SNC is the taller Sitka spruce trees in the background.

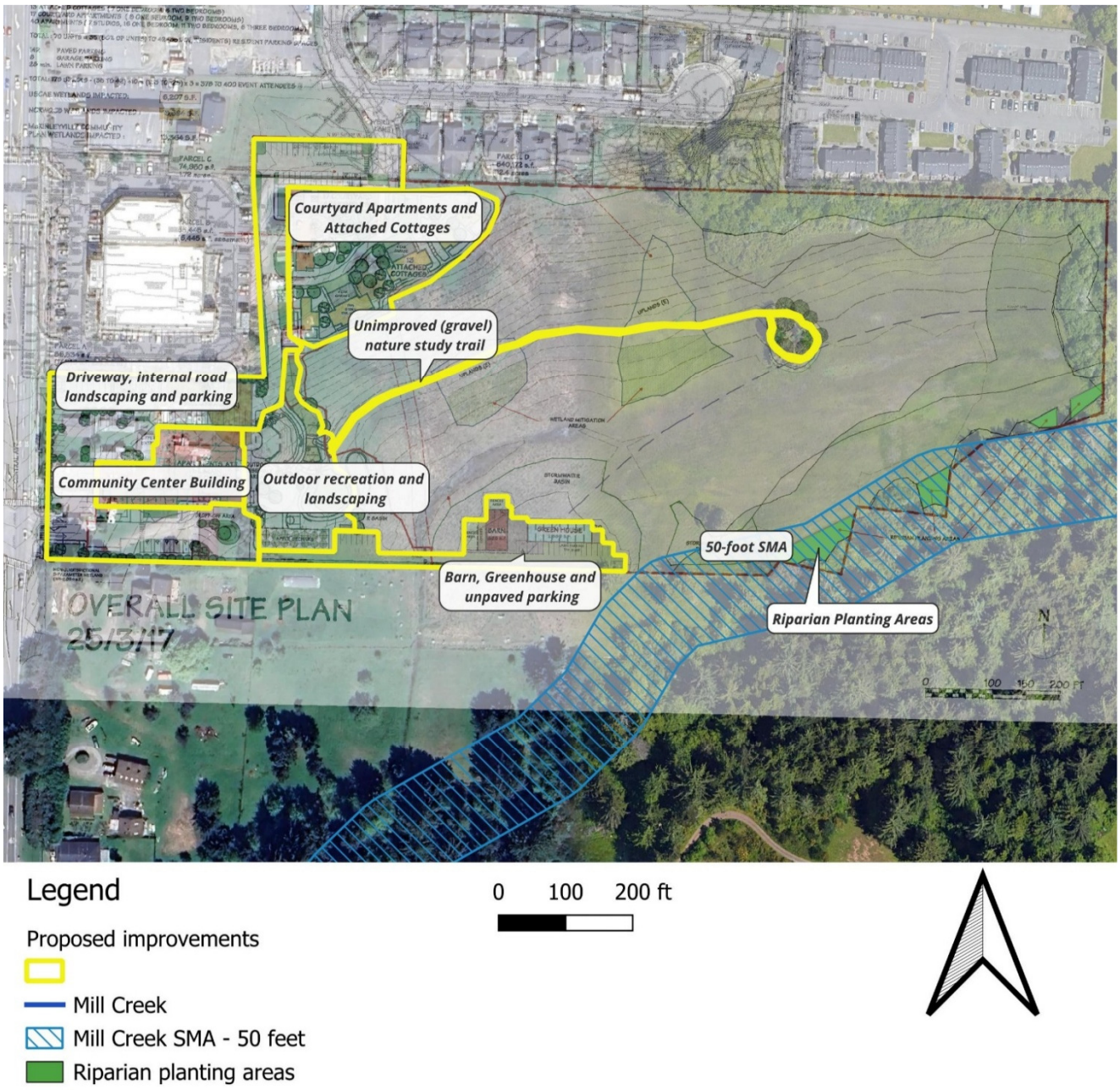
The MCCP's Streamside Management Area (SMA) policies and standards described earlier are intended to protect riparian areas. The 200-foot SMA shown on the County's WebGIS is the furthest extent the SMA could extend onto the Project site. The MCCP SMA protection measures in Chapter 3, Section 3422 states, "(i)n areas inside of Urban Development and Expansion Areas, the width of the SMA is 50 feet measured as a horizontal distance from the "stream transition line" on either side of perennial streams." And "(w)here necessary, the width of Streamside Management Areas shall be expanded to include significant areas of riparian vegetation adjacent to the buffer area, slides, and areas with visible evidence of slope instability, not to exceed 200 feet measured as a horizontal distance."

The Project has several elements that will occur within or adjacent to the SMA. Two of the four proposed Riparian Planting Areas will be placed within the 50-foot SMA Boundary, and the remainder will be within the potential 200-foot SMA boundary as shown below in Figures 4.4-6 and 4.4-7. Also stormwater detention basins will be placed within the SMA as shown on the Site Plan.

Section 3422(4)(E) of the MCCP allows management of trees in SMAs and Section 314-61.1 of Humboldt County Code (SMA Ordinance) allows planting of riparian vegetation and placement of detention basins in SMA's with a Special Permit. The Project includes an application for a Special Permit in conformance with that requirement. The proposed Riparian Planting will have a beneficial impact on riparian habitat because it will expand the riparian habitat into areas that are currently populated by grasses. Stormwater detention basins are beneficial to SMA's because they prevent direct discharge of stormwater into creeks and recharge groundwater basins which in turn help to maintain creek flows and support in-stream habitat conditions.

Section 314-61.1.10 identifies required mitigation measures for development within SMA's. These include retaining snags, retaining live trees with nests, replanting of disturbed areas, revegetation along channelized streams and a list of erosion control measures. None of these mitigation measures apply to the proposed Riparian Planting and stormwater basins because revegetation and erosion control measures are considered mitigation for development within SMA's (see Section 314-61.1.10.1.4 of the SMA Ordinance).

Figure 4.4-6. SMA Encroachments By Project Improvements



Source: Planwest Partners, 2025

Figure 4.4-7. Aerial View Facing South Showing SMA Encroachments by Project Improvements

Source: Planwest Partners, 2025. Aerial Imagery is from Google Earth accessed 2/13/25:

There is, therefore, no substantial evidence that the Project will potentially have a peculiar and significant adverse impact on riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS.

GPU Mitigation Measures/ COA

COA BIO-7: Project Development and Implementation. – The project shall be developed and operated consistent with the approved Project Description, Site Plan, Plan of Operations, and the March 24, 2025 Wetland Habitat Mitigation and Monitoring Plan completed by GHD, Inc.

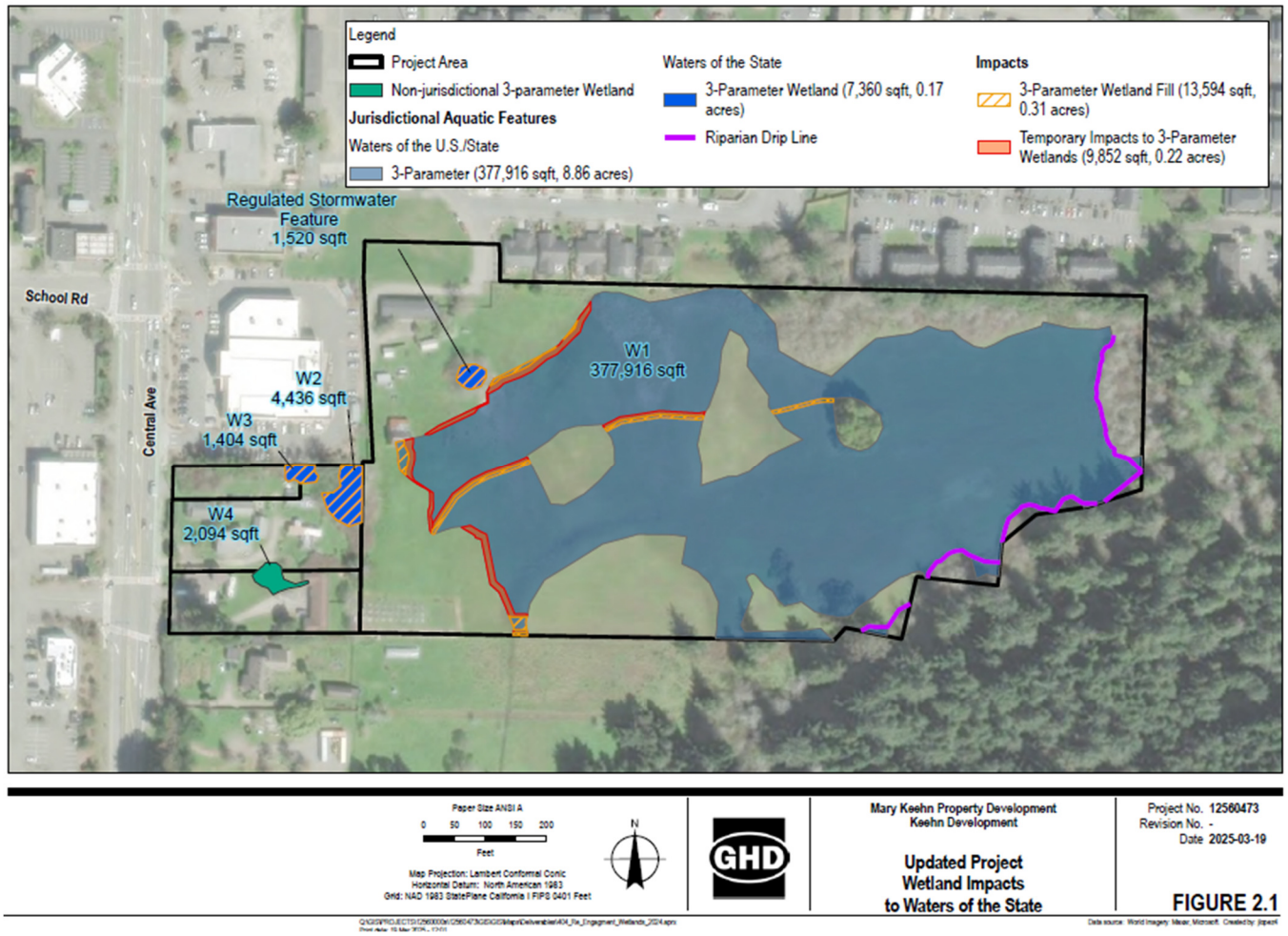
With COA BIO-07 the potential impacts of the Project on riparian habitat and SNC's will remain **less than significant.**

c) Would the project 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?

The Project proposes filling approximately 13,594 square feet of wetlands to allow development of the Community Center, adjacent parking and access roads, cottages, trail, and stormwater drainage facilities. This includes filling a total of approximately 13,594 square feet of existing three-parameter wetlands jurisdictional to the State (of which 6,207 square feet are federally jurisdictional three-parameter wetlands), and 13,364 square feet of existing wetlands that are jurisdictional to the County under the McKinleyville Community Plan (MCCP). The proposed filled wetlands are detailed in the Wetlands Habitat Mitigation &

Monitoring Plan (dated March 24, 2025) and Aquatic Resources Delineation and Sensitive Habitat Report (dated May 21, 2024) prepared by GHD (Appendix C.1).

Figure 4.4-8. Wetland Fill Areas



Source: GHD, 2025 (Wetland Habitat Mitigation & Monitoring Plan)

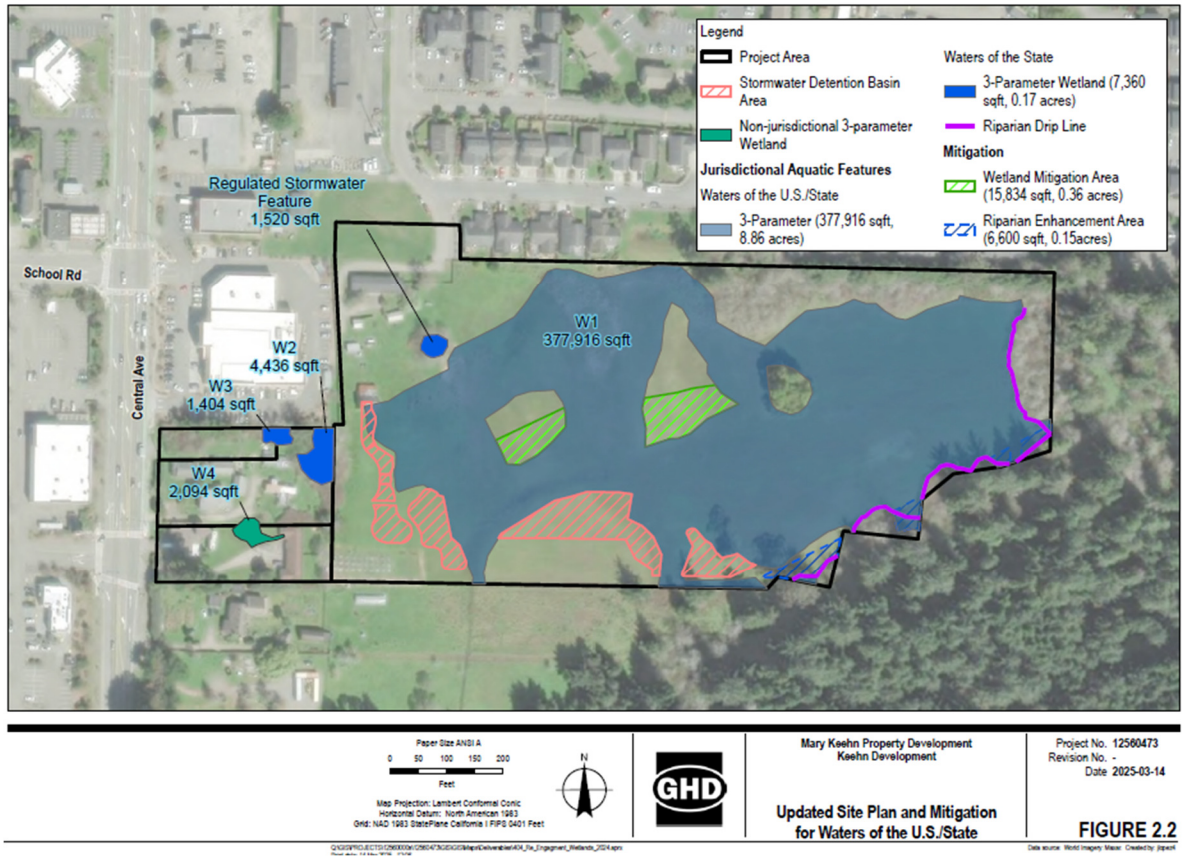
Wetland #1 is regulated by the USACE and the RWQCB. The RWQCB also regulates Wetlands #2 and #3 and the regulated stormwater feature. A Clean Water Act Section 404 permit will be required from USACE, and a Section 401 Water Quality Certification will be required from the RWQCB. The filling of these wetlands will require replacement onsite in coordination with the USACE and RWQCB, which is described in more detail later in this section.

Wetland #4 (W4) is a three-parameter wetland that has artificially developed from stormwater collection from adjacent single-family residences and therefore does not satisfy criteria for jurisdictional Waters of the State set forth in regulatory procedures. Due to its lack of hydrologic connectivity to Other Waters of the U.S., it is also not jurisdictional to USACE. Additionally, because this is a man-made drainage system, Wetland #4 is considered an artificial wetland which is not protected by local regulations. Similarly, the stormwater detention pond (man-made drainage system) is also not protected by local regulations. The MCCP addresses artificial wetlands in Section 3422 when it states, "For purposes of these requirements, wetlands and wetland buffer standards shall not apply to watercourses consisting entirely of a drainage

ditch, or other man-made drainage device, construction or system." Accordingly, the artificial wetlands area is excluded from wetland impact calculations, and no further analysis is required. Wetland #5 (W5) is not jurisdictionally protected by USACE and RWQCB regulations because it is a one-parameter wetland. However, the wetland protection policies and standards of the MCCP do apply to it.

To compensate for the loss of the wetlands that are proposed to be filled the Project proposes converting 15,834 square feet of upland areas which are surrounded by Wetland #1 into three parameter wetlands. These areas are shown in Figure 4.4-11 below. This represents a 1.16:1 replacement ratio for State jurisdictional wetlands and a 1.18:1 replacement ratio for County jurisdictional wetlands. Federally jurisdictional wetlands will be compensated at a 1.3:1 ratio, totaling 8,069 square feet of three-parameter wetland creation, which is included in the total wetland area created to compensate for State jurisdictional wetlands impacted by the Project. Wetland creation would consist of excavating mapped uplands and replanting the excavated areas with native wetland plant species. (See **Appendix C.1**.) Protective fencing is proposed to be installed around the created three-parameter wetlands and along the restored and existing riparian area. Also, 6,600 square feet of riparian enhancement will contribute as out-of-kind mitigation for the loss of State jurisdictional wetlands resulting in an overall 1.64:1 habitat mitigation ratio for State jurisdictional wetlands.

Figure 4.4-9. Wetland Mitigation and Creation Areas



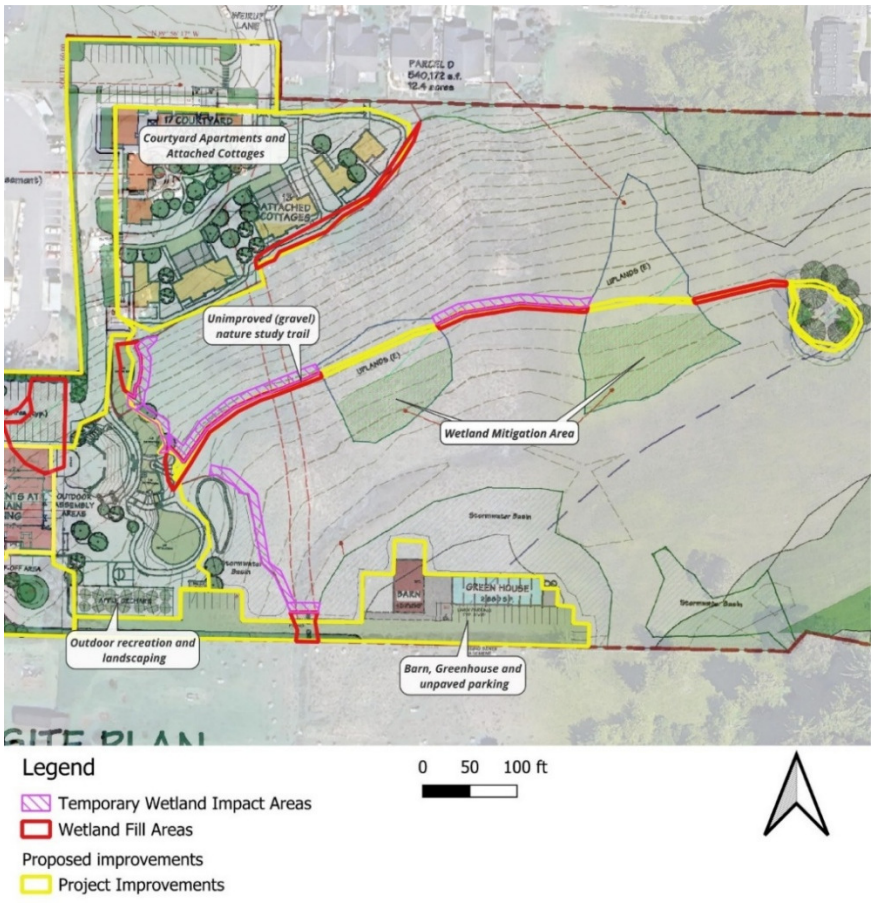
Source: GHD, 2025 (Wetland Habitat Mitigation & Monitoring Plan)

The Wetland Mitigation Areas shown above were selected because they are adjacent to existing wetlands and because they do not meet any of the three parameters, hydric soil, hydrophytic vegetation, and hydrology indicators, to be considered wetland. Nor do any of the uplands meet the one parameter wetlands definition found in the MCCP as shown in Table 4.2 of the ARDSH Report.

The 2025 WHMM Plan contains a detailed description of the recommended wetland creation and monitoring procedures needed to ensure success of the replacement wetlands. Review of the WHMM Plan by CDFW is part of COA BIO-04 which protects special status amphibians from Project impacts consistent with the GPU PEIR findings. That condition responds to comments from CDFW requesting an opportunity to review draft plans for wetland creation and bioswale construction to ensure those features maximize the habitat value for special status amphibians.

Equipment used for proposed wetland creation and wetland fill will temporarily impact wetland areas. Assuming the temporary impact area will extend ten feet from the wetland fill and wetland creation areas, it is estimated that approximately 9,852 square feet of wetlands will be temporarily impacted by heavy equipment and personnel during the process of wetland filling and creation of new wetlands. These areas are shown below in Figure 4.4-10.

Figure 4.4-10. Temporary Wetland Impact Areas



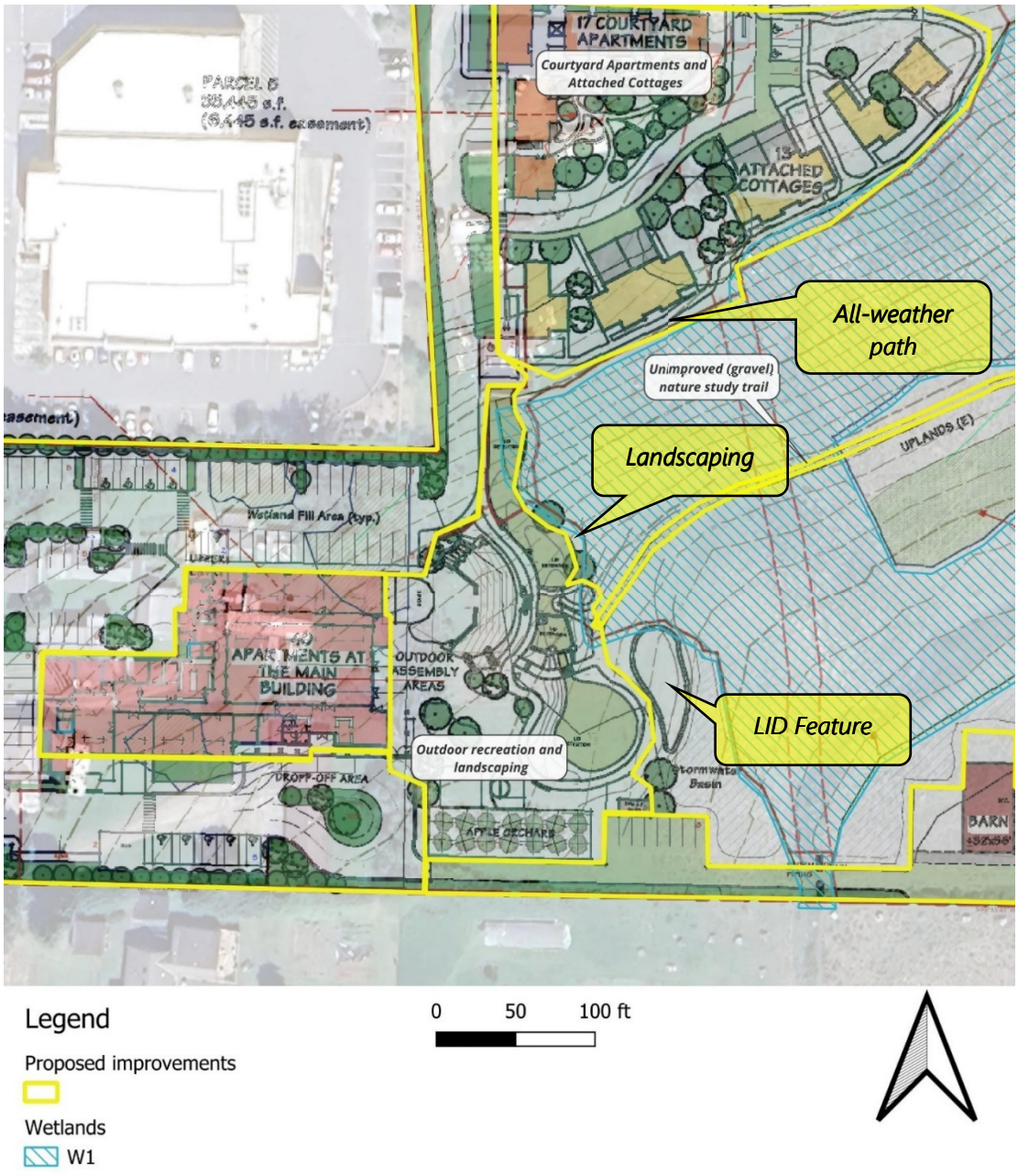
Source: Planwest Partners, 2025 (Based on the 2025 WHMM Plan, GHD)

The temporary impacts to wetlands stemming from road construction, grading, and culvert installation will be limited to the dry times of the year (May – October) to minimize soil compaction and erosion off-site through regulations specified in the Grading Ordinance (Section 331-14 of Humboldt County Code). In addition, impacts will be minimized by disking compacted soils and reseeding disturbed areas with a native wetland grass-herb mix, returning these areas to pre-project conditions as specified in the WHMM Plan.

Aside from wetland areas directly impacted from grading and fill, the Project could potentially impact adjacent wetlands by inadvertently encouraging use of wetland areas by residents and visitors through project design features. Wetland buffers are prescribed by the MCCP to mitigate this type of wetland impact. MCCP policy 3422(16) requires wetland buffers to be established the CEQA process. Rather than establishing wetland setback buffers, the Project proposes to reduce these types of wetland impacts through the design and placement of all-weather walking paths, landscaping and LID features to separate wetland areas from the residential, commercial, and outdoor recreation uses. Figure 4.4-13 below shows how these design features buffer wetlands from other uses occurring on the site. The unimproved nature trail providing access to an attractive grove of Redwood trees will direct visitors to this unique feature of the Project site via a gravel pathway so they will not have to cross the wetlands to get to it. Fences will also be used around the barn and animal enclosure adjacent to the barn to prevent the barnyard animals, residents and visitors from impacting nearby wetlands. Consultation with CDFW on how to improve wetland protection throughout Project implementation is on-going.

Wetlands on the Project site will be further protected by the proposed stormwater design which incorporates extensive low-impact development (LID) features to closely mimic predevelopment hydrology. The Project improvements are designed to avoid direct discharge into wetlands or riparian areas, with stormwater routed through vegetated swales and detention basins before it reaches the wetlands.

Figure 4.4-11. All-Weather Walking Paths, Landscaping and LID Features Protecting Wetlands



Source: Planwest Partners, 2025

UNIFORM POLICIES, MEASURES AND COAS

COA F-1: Project Development and Implementation. – The project shall be developed and operated consistent with the approved Project Description, Site Plan, Plan of Operations, and the March 24, 2025 Wetland Habitat Mitigation and Monitoring Plan completed by GHD, Inc.

COA F-1 requires avoidance and minimization of permanent impacts and temporary impacts to wetlands during construction, restoration of pre-Project conditions at the conclusion of construction, and compensation of regulated wetlands. Implementation of COA F-1 will ensure potential impacts to wetlands remain less than significant as identified in the GPU PEIR.

d) Would the project 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?

Project construction and operation would not require any in-stream work in Mill Creek or other activities that could impede fish migration; as such, the Project will not affect fish passage. On the terrestrial side, the Project does include installation of gates along the western boundary and across Weirup Lane on the north property line to control access to Central Avenue. Existing fencing typical of single-family residential development will be maintained on the Site and new split-rail fencing is proposed to deter seasonal grazing of the riparian planting areas until those plants reach maturity and are able to withstand occasional grazing. The gates and fencing will not be continuous and will not significantly obstruct passage of animals. The riparian areas along Mill Creek to the south and east of the property will remain undeveloped so it will continue to act as a wildlife corridor in the Biological Study Area that was conducted for the Project and Project Site. Accordingly, the Project will result in a **less-than-significant** impact on the movement of wildlife while further protecting and conserving the habitat within the Project Site.

For these reasons, the Project will likewise not substantially interfere with the movement of any native resident or migratory fish or wildlife species in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The GPU and the MCCP contain various policies, standards, and implementation measures designed to protect biological resources from development contemplated under both plans. (Appendix B.) Together, these policies limit land uses in protected areas, establish buffers around them, and identify mitigation measures that new developments must adhere to should they occur within these sensitive areas. As explained above, the Project will comply with these standards and ordinances by protecting sensitive habitats consistent with the requirements set forth in those measures.

As a condition of approval, the Project will also comply with MCCP Standard 2634.2.E, which requires submittal of a development plan and recordation of a notice of a development plan to permanently preserve streams, riparian corridors, and wetlands within the MCCP's Urban Development Area. The development plan that the Project must submit to the County must identify mapped wetlands, SNCs, and SMAs as "non-buildable" areas, with notes referencing the applicable policies and ordinances. With implementation of this condition that will ensure compliance with MCCP Standard 2634.2.E, the Project would have **less than significant** impacts resulting from any potential conflicts with local policies and ordinances designed to protect biological resources.

The Project is also consistent with other following GPU policies and standards protecting Biological Resources.

GPU Standard BR-S4 identifies Roosevelt Elk and Migratory deer winter range as a Sensitive Habitat. The GPU Biological Resource Protection Map for Northern Humboldt County shows the nearest range for both of these species to be more than two miles from the Project site (https://humboldtgov.org/DocumentCenter/View/1743/Northern-Humboldt-Biological-Resources-Map-PDF).

GPU Standard BR-S12 protects Oak Woodlands. The ARDSH Report did not identify any oak woodlands on the Project site.

GPU Standard BR-S13 allows Invasive plant species management and control measures as a principally permitted accessory use in all zones. This allows removal of invasive species from the Project site through implementation of the WHMM Plan without further permitting.

Standard 2634 of the MCCP requires designated open space to be permanently preserved through several mechanisms. The one that applies to the Project is (E):

> (E) Development Plan depicting the open space area(s), and the recordation of a Notice of Development Plan. Submittal of a Development Plan showing the Open Space on the Project Site and recordation of a Notice of Development Plan are needed to be consistent with these standards protecting the stream, riparian corridor and wetlands on the Project site.

To satisfy this requirement, COA BIO-9 is incorporated into the project which requires a Development Plan be submitted to the County identifying the mapped wetlands, SNC's and SMA as "non-buildable" with notes referencing the applicable policies and ordinances.

Pursuant to COA BIO-9: Development Plan and Notice of Development Plan – and prior to approval of a building permit, the applicant shall submit a Development Plan for review and approval by the Planning Director showing the SNC's, SMA and wetlands on the Project site and labeling them as "non-buildable". The applicant shall also cause to be recorded a Notice of Development Plan with the Humboldt County Recorder's Office alerting future buyers of the property to the Development Plan on file with the Humboldt County Planning and Building Department.

For these reasons, and as set forth in Appendix B, the Project will not conflict with any local policies or ordinances that protect biological resources in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

f) Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

There are no approved Habitat Conservation, Community Conservation, or approved local, regional, or State habitat conservation plans within the Biological Study Area or that apply to the Project Site. Accordingly, there are no anticipated conflicts with any approved Habitat Conservation Plan. Therefore, the Project would have **no impact** in this regard.

For these reasons, the Project will likewise 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 in a manner that would be peculiar to the Project or Project Site, yield substantially more

severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, MCCP PEIR and the Housing Element Addendum, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project, as conditioned, would not have any new significant or substantially more severe biological resources impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of conditions, including the Wetland Habitat Mitigation Monitoring Plan required as a condition of Clean Water Action section 401 and section 404 permit approval by USACE and NCRWQCB (see **Appendix B, p. 38**), along with and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.5 Cultural Resources

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
V. **CULTURAL RESOURCES** – Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	GPU PEIR: § 3.14.3.1, pp. 3.14-5–3.14-8 MCCP PEIR: § 4.8, pp. 4-82–4-86 HE Addendum: § 3.3.5, pp. 12–13	No.	No.	No.	N/A
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	GPU PEIR: § 3.14.3.2, pp. 3.14-8–3.14-11 MCCP PEIR: § 4.8, pp. 4-82–4-86 HE Addendum: § 3.3.5, pp. 12–13	No.	No.	No.	GPU Policies CU-P6, CU-S4: Project designed to avoid potential archeological resources; publication of notice prior to ground-disturbing activities Standard Condition of Approval: Inadvertent Discovery Protocol

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
c) Disturb any human remains, including those interred outside of formal cemeteries?	GPU PEIR: § 3.14.3.3, pp. 3.14-11–3.14-14 MCCP PEIR: § 4.8, pp. 4-82–4-86 HE Addendum: § 3.3.5, pp. 12–13	No.	No.	No.	GPU Policies CU-P6, CU-S4: Project designed to avoid potential human remains; publication of notice prior to ground-disturbing activities Standard Condition of Approval: Inadvertent Discovery Protocol

Prior EIR Summary

Section 3.14 (page 3.14-1 to page 3.14-14) of the GPU PEIR evaluates the potential impacts to cultural resources associated with implementation of the GPU. The GPU contains policies, standards, and implementation measures that seek to protect historical and archaeological resources or mitigate potential impacts to them, including: CU-P1 (*Identification and Protection*), CU-P2 (*Native American Tribal Consultation*), CU-P3 (*Consultation with Other Historic Preservation Agencies and Organizations*), CU-P4 (*Avoid Loss or Degradation*), CU-P5 (*Findings Necessary for Loss of Destruction*), CU-P6 (*Mitigation*), CU-S4 (*Conditioning, Designing, or Mitigating Projects to Avoid Loss or Reduce Impacts to Archeological Resources*), CU-S5 (*Assessment and Treatment of Impacts to Significant Historic Structures, Buildings, and Districts*), CU-IM4 (*Historic Building Code*), and CU-IM5 (*Historic Building Identification*). The GPU PEIR explains how project-level compliance with these policies will help reduce potential impacts but observes that some impacts resulting from future buildout (e.g., removal of historic structures) could yield significant and unavoidable impacts.

The MCCP PEIR takes a similar approach. It identifies as Mitigation Measure 4.8.4.1 the County's continued review of building grading and discretionary projects, referral to appropriate agencies and entities and incorporation of identified mitigation measures during the permit review process including standard inadvertent discovery protocol. And based on these continued actions, the PEIR found the MCCP would have a less than significant impact on cultural resources.

Section 3.3.5 (pages 12 to 13) of the HE Addendum relies on the GPU PEIR to analyze potential impacts to cultural resources associated with development under the HE Update. The Addendum explains that development under the HE Update focuses on housing development that will primarily be located in previously developed areas, which would reduce potential impacts to cultural resources. Moreover, all

proposed residential development would be subject to the policies and mitigation measures set forth in the GPU. Because the HE Update proposes producing fewer units than the number evaluated in the GPU PEIR, impacts would be less than significant.

Project-Specific Analysis

A majority of the Project Site is open space, aside from a structure referred to as the "Mill Creek Barn" in the north central portion of the Project Site, a duplex residence constructed circa 1970 (at the end of Weirup Lane), and a single-family home and a multifamily duplex located on one of the parcels along Central Avenue (APN 509-181-005). The structures along Central Avenue were constructed in the 1950's and 1960s and have no reported historical or architectural significance. Using the criteria for listing on the California Register of Historic Resources to evaluate these structures, the buildings and lots do not appear to be associated with any important events or persons (Criteria A and B), do not represent the work of a master or possess high artistic values (Criteria C) and has not yielded and is not likely to yield information important to the pre-history of the local area, California, or the nation (Criteria D).

Roscoe and Associates completed a Cultural Resources Investigation Report (CRI) in November 2021, which it updated via an Addendum #1 prepared in October 2022 to account for a lot line adjustment on the Project Site, and Addendum #2 prepared in April 2025 to include the parcels on Central Avenue. (See **Appendix C.5 [Roscoe 2021; Roscoe 2022; Roscoe 2025].**) The cultural resources study area is described as the Area of Potential Effect (APE). The Mill Creek Barn and its associated refuse scatter is the only potential historic resource, property, or structure identified on the Project Site and within 0.5 miles of the Project APE. The Mill Creek Barn is a historic-era structure located that is slated for demolition to facilitate the Project's proposed development and features. An aerial photograph of the Project area records the barn as existing in 1948, while a USGS 15' Eureka Topographic Quadrangle building record possibly dates the structure to the year 1933, as the record identifies an "unidentified building" in approximately the same location on the Project Site. Examination of the structure by Roscoe and Associates deemed the building ineligible for listing as a historic resource due to extensive modifications, advanced state of disrepair, and insufficient historic significance.

The CRI also identified several lithic scatters of artifacts within the Project Site. However, these items were found in isolation and did not appear to be associated with any nearby features or archaeological sites. While their presence indicates substantial use of the area by Native American inhabitants, the artifacts themselves are non-diagnostic and lack the necessary qualities to be considered eligible for listing as a resource under the California Register of Historical Resources (CRHR). After consultation between Roscoe and Associates, the Blue Lake Rancheria, the Wiyot Tribe, and the Bear River Band of the Rohnerville Rancheria, it was determined that there are no known tribal resources within the Project Site.

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?

Based on the CRI, the Mill Creek Barn is the only potential historic resource within the Project Site and area. However, the CRI deemed the Mill Creek Barn ineligible for listing under the National Register as it does not appear to be associated with any important events or persons (Criteria A and B), it does not represent the work of a master or possess high artistic values (Criteria C), and has not yielded and is not likely to yield information important to the pre-history of the local area, California, or the nation (Criteria D). Likewise, the

structure was not listed nor deemed eligible to be listed in the California Register by the County. Because the structure is illegible for listing under CEQA, the Project would have **no impact** on a historical resource.

Given the above, the Project would also be consistent with the GPU and GPU PEIR. In particular, the Project's CRI survey of the Project Site and potential resources thereon complies with GPU Policies CU-P1 (*Identification and Protection*) and CU-P3 (*Consultation with Other Historic Preservation Agencies and Organizations*). Based on the CRI and the determination that the Project will have no significant adverse changes or impacts to a significant historical resource, the Project will also comply with GPU Policies CU-P4 (*Avoid Loss or Degradation*) and CU-P5 (*Findings Necessary for Loss or Destruction*).

For these reasons, the Project will also not result in significant impacts to historical resources that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?

The CRI identified several lithic artifact scatters within the Project site but determined that they did not contain the necessary qualities to be considered eligible for listing as a resource. Upon being informed of these findings, Tribal Historic Preservation Officers (THPOs) requested that the CRI include protocols for inadvertent archaeological discovery and that the representatives be updated with the survey results. Thus, to ensure potential impacts to archeological resources remain less than significant, as more fully described in **Appendix B**, Condition of Approval CR-01, which is a uniformly applicable standard that governs the protocols for inadvertent discovery, would be implemented to require Native American consultation for inadvertent archaeological discovery and adherence to the regulatory requirements prescribed by CEQA Guidelines § 15064.(f) and the Secretary of the Interior's Standards and Guidelines. Given that artifacts qualifying as a resource were not found, as conditioned, Project impacts to archeological resources are expected to be **less than significant**.

The Project will also be consistent with GPU Standard CU-S4 (*Conditioning, Designing, or Mitigating Projects to Avoid Loss or Reduce Impacts to Archaeological Resources*), which requires that discretionary projects be designed, conditioned, and/or mitigated to avoid or reduce potential impacts to archaeological resources. (GPU, pp. 10-41–10-42.) Here, although no significant archeological resources have been identified on the Project Site, the Project has nevertheless been designed and will be conditioned to ensure any ground disturbing activities avoid any inadvertently discovered resources. As more fully explained in **Appendix B**, implementation of this uniformly applicable condition of approval requires construction contractors to hold pre-construction meetings to discuss inadvertent discovery protocols, and then, in the event of an inadvertent discovery, to follow corresponding protocols in accordance with CEQA and Interior Secretary Guidelines.

As also indicated in **Appendix B (p. 20)**, The Project will also comply with CU-S4 by providing the following notation on its development plans prior to any ground disturbing activities:

> *"The project site is not located within an area where known archaeological sites have been identified. However, as there exists the possibility that undiscovered archaeological resources may be encountered*

during construction activities, the following post-review, inadvertent archaeological discovery measures are required under state and federal laws:

> *If archaeological resources are encountered, all ground disturbing work at the find location plus a reasonable buffer zone must be immediately suspended, the approving County department contacted, and a qualified professional archaeologist retained to analyze the significance of the find and formulate further mitigation (e.g., project relocation, excavation plan, and protective cover) in consultation with culturally affiliated tribes or other descendant groups, where applicable.*

Pursuant to California Health and Safety Code § 7050.5, if known or suspected Native American or other human remains are encountered, all ground-disturbing work must cease in the vicinity of the discovery, and the County Coroner contacted. The respectful treatment and disposition of remains and associated grave offerings shall be in accordance with PRC § 5097.98. The applicant and successors in interest are ultimately responsible for ensuring compliance with this condition."

For these reasons, the Project will also not result in significant impacts to archeological resources that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Although the CRI determined that archaeological resources are unlikely to be present within the Project Site, such that human remains are similarly unlikely to be found on the Project Site, the inadvertent discovery of human remains a possibility, particularly during grading and construction activities, which will cause earth disturbance in areas that may reveal unknown human remains. Should human remains be encountered during construction, a standard condition of approval setting forth uniform standards governing the inadvertent discovery of human remains (Condition CR-01) will be implemented to ensure that any potential impacts to those remains do not occur and remain **less than significant**. (See **Appendix B, p. 20**.)

Moreover, and as more fully described above, the Project will comply with GPU Standard CU-S4, which requires that the Project provide a notation on all development plans prior to ground disturbing activities, along with ensuring the Project is designed in a manner to avoid such impacts.

For these reasons, the Project will also not result in significant impacts to human remains that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of standard conditions of Project approval, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more cultural resources impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of standard conditions of Project approval (see **Appendix B**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.6 Energy

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
VI. ENERGY – Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	GPU PEIR: § 3.17.4.1, pp. 3.17-12–3.17-18 HE Addendum: § 3.3.6, pp. 13–14	No.	No.	No.	GPU: E-G2; E-P1, E-P11, E-P12, E-P13, E-P17; E-IM6, E-IM8, E-IM14
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	GPU PEIR: § 3.17.4.2, pp. 3.17-18–3.17-21 HE Addendum: § 3.3.6, pp. 13–14	No.	No.	No.	N/A

Prior EIR Summary

Section 3.17 of the GPU PEIR (pages 3.17-1 to 3.17-21) analyzed the potential impacts to energy related to implementation of the GPU, including buildout of approximately 1,721 new housing units and associated commercial and industrial developments. The PEIR considers energy consumption during construction and occupancy of future residential units and building types and their associated environmental effects. Because mechanisms to evaluate whether energy consumption is wasteful or inefficient have not yet been developed, this impact was conservatively estimated to be significant and unavoidable.

The MCCP PEIR did not address potential energy impacts, stating simply that "(d)epending on ultimate build-out demand, especially in the event that large energy-using commercial-industrial users come to the area, PG&E may need to install an additional substation and high voltage transmission lines in the Community Plan area."(Section 4.6, pp. 4-74)

Section 3.3.6 of the HE Addendum (pages 13 to 14) relies on the GPU PEIR's analysis to evaluate potential impacts to energy associated with buildout of housing development under the HE Update. The HE Addendum finds that new data confirms the pattern of development contemplated within the County would not substantially change during the Project planning period. Moreover, the HE Update proposes policies, measures, and programs to support a mixture of uses in developed areas, including placement of homes near work and businesses, thereby reducing travel distances, along with encouraging energy-efficient designs in homes and multi-family developments. Therefore, buildout under the HE Update will not introduce energy impacts not previously examined or that are more severe than those considered in the GPU PEIR.

Project-Specific Analysis

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Construction

Temporary energy use in connection with Project construction would entail consumption of diesel fuel and gasoline by construction equipment and by the transportation of earth moving equipment, construction materials, supplies, and construction personnel. Given the short construction period and implementation of State regulations regarding vehicle emission and fuels standards, such as the Low Carbon Fuel Standard and anti-idling regulations, energy use related to construction would not be wasteful or inefficient. Inefficient construction-related fuels use would also be avoided due to compliance with the universally-applicable BCMs/BMPs, which will be implemented as conditions of Project approval (see **Appendix B**). Equipment idling times would be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes or less (as required by the BCMs/BMPs). Because construction would not encourage activities that would result in the use of large amounts of fuel and energy in a wasteful manner, and the incorporation of the BCMs/BMPs would reduce idling time, impacts related to the inefficient use of construction-related fuels would be **less than significant**.

For these reasons, Project construction will likewise not result in potentially significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during Project construction that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Operations

Project operations also require energy to sustain the facility, such as power and heating. The Project will use the minimal amount of energy necessary to operate utilities such as drinking water, wastewater, and telecommunications. Operation of the Project will not use a substantial amount of machinery. Additionally, operation of the Project will educate and inspire visitors about the natural world, including the importance of energy conservation. Because the Project will comply with stringent State Title 24 energy efficiency requirements and generate minimal on-road trips, the Project will not result in wasteful or inefficient energy usage, therefore this impact will be **less than significant**.

Moreover, the Project will comply with GPU Policies E-P11 (*Energy-Efficient Landscape Design*) and, EP-12 (*Water Efficiency*), E-P17 (*Residential Design*), and Implementation Measures E-IM6 (*Energy-Conserving Landscaping*) and E-IM8 (*Energy Efficiency Standards*), which collectively encourage energy-efficient landscape and water design and conservation efforts in new residential structures. The Project will use energy-efficient fixtures and utilize energy-conserving building materials to reduce electricity consumption and other sources of energy use. Moreover, the Project's proposed landscaping plan will feature native, drought-tolerant species along with efficient irrigation and hydroponic systems that will reduce water consumption and encourage native pollinators, thereby further reducing energy demand.

For these reasons, Project operations will likewise not result in potentially significant impacts due to wasteful, inefficient, or unnecessary consumption of energy resources that would be peculiar to the Project

or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

There are no local plans for renewable energy that would apply to the Project. Implementation of the Project would not obstruct a state plan for renewable energy. The Project would not conflict with or inhibit the implementation of the State Energy Action Plan, or other State regulations. The Project would not inefficiently utilize energy due to incorporation of the air quality BCMs/BMPs (see **Appendix B**), which limits idling time and provides measures to protect air quality. The Project would temporarily require the use of equipment to construct the components of the Project; however, these activities would be temporary and would not interfere with the broader energy goals of the State.

Operationally, the Project would not adversely impact operational automobile-related energy consumption. Project lighting would be limited and energy efficiency. The majority of California's energy-related plans are not directly applicable to the Project or its operations. Moreover, the Project will facilitate energy-conservation measures through building design and landscaping. The Project will incorporate and feature water-efficient irrigation systems and native, drought-tolerant plantings. The Project's buildings will be constructed using energy efficient designs to reduce on-site energy consumption, in accordance with the GPU's Energy Element. The Project would therefore not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Accordingly, **no impact** would result.

For these reasons, the Project will likewise not result in energy impacts due to a conflict with a State or local renewable energy plan that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe energy impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of universally applicable air quality BCMs/BMPs (see **Appendix B, p. 20**), and

incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.

2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.7 Geology and Soils

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
VII. GEOLOGY AND SOILS – Would the project:					
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.	GPU PEIR: § 3.8.3.1, pp. 3.8-12–3.8-17 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A
ii) Strong seismic ground shaking?	GPU PEIR: § 3.8.3.1, pp. 3.8-12–3.8-17 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	GPU: S-S1, S-P7 Standard Condition: GEO-01(b): Earthquake Preparedness Plan MCCP: Policy 3310(12)
iii) Seismic-related ground failure, including liquefaction?	GPU PEIR: § 3.8.3.1, pp. 3.8-12–3.8-17 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
iv) Landslides?	GPU PEIR: § 3.8.3.1, pp. 3.8-12–3.8-17 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A
b) Result in substantial soil erosion or the loss of topsoil?	GPU PEIR: § 3.8.3.2, pp. 3.8-17–3.8-19 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	GPU: WR-P10, WR-P42 GPU PEIR: MM 3.8.3.2.a MMCP: 3310.12 Regulatory Permit Conditions: Construction General Permit – SWPPP BMPs
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?	GPU PEIR: § 3.8.3.3, pp. 3.8-19–3.8-20 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A
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?	GPU PEIR: § 3.8.3.3, pp. 3.8-19–3.8-20 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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?	GPU PEIR: § 3.8.3.3, pp. 3.8-20–3.8-21 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.6, pp. 14–15	No.	No.	No.	N/A
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	GPU PEIR: § 3.14.3.2, pp. 3.14-8–3.14-11 MCCP PEIR: § 4.1 & 4.2, pp. 4-20–4-23 HE Addendum: § 3.3.5, pp. 12–13	No.	No.	No.	GPU Policies CU-P6, CU-S4: Project designed to avoid potential paleontological resources; publication of notice prior to ground-disturbing activities Standard Condition of Approval: Inadvertent Discovery Protocol

Prior EIR Summary

Section 3.8 (pages 3.8-1 to 3.8-21) of the GPU PEIR analyzes the potential impacts to geology and soils resulting from implementation of the GPU, while Section 3.14.3.2 (pages 3.14-8 to 3.14-11) analyzed potential impacts to unique paleontological resources, sites, or unique geologic features. The PEIR evaluates the potential for geologic hazards, such as earthquake events, liquefaction, and subsidence, based on the County's proximity to the Cascadia Subduction Zone. Given the potential of exposing persons to geologic hazards, the GPU PEIR prescribes mitigation measures to require new development follow relevant Best Management Practices as prescribed by the County's Grading Ordinance, require site construction to abide by recommendations of approved soils-geologic reports prepared for the development, and to use zoning to limit development in areas with unstable slopes. Apart from these measures, requirements of the Basin Plan and State law mitigate other potential impacts from development in areas incapable of adequately supporting the use of septic systems.

The MCCP PEIR treats potential impacts to geology and soils from implementation of the MCCP in much the same way as the GPU. In addition to the mitigation described in the PEIR for the GPU, the MCCP also called for adoption of a Forest-Hillside Combining Zone to apply development standards on steep slopes. This zoning has not been adopted. Instead, the Planned Development Combining Zone has been applied to cluster homesites in the most suitable areas on properties in McKinleyville, preserving the more unstable areas as open space. Also, the acquisition of the McKinleyville Community Forest by the MCSD in 2024 took away all development potential for many of the forested hillsides in the MCCP area.

Section 3.3.6 (pages 14 to 15) of the HE Addendum relies on the GPU PEIR to analyze potential impacts to geology and soils resulting from implementation of housing development proposed under the HE Update. The Addendum explains that certain policies that stimulate the development of housing could impact conditions related to geology and soils. However, because the HE Update proposed producing fewer units than the number evaluated in the GP PEIR, housing build under the HE Update would not introduce new or more severe impacts not previously analyzed.

Project-Specific Analysis

a) Would the project 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).

The nearest known earthquake fault shown on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist is approximately 1,750 feet west of the Project Site. There is no other evidence of an earthquake fault closer to the Project Site. Based on this information, there is **no impact** because there is no potential for the Project to directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault.

For these reasons, the Project will likewise not result in potential adverse impacts, including the risk of loss, injury, or death involving rupture of a known earthquake fault that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

ii) Strong seismic ground shaking?

The Project could expose residents and visitors to seismic shaking during a rupture event on one or more earthquake faults nearby. The impacts of strong seismic shaking are reduced through implementation of ongoing programs administered by the County. In particular, implementation of the goals, policies and standards of the GPU Safety Element reduces impacts that stem from strong seismic shaking. The primary goal of the Safety Element is to prevent unnecessary exposure to hazards and minimize loss to communities.

GPU Safety Element Standard S-S1 (*Geologic Report Requirements*) requires that technical reports be prepared for discretionary developments that address onsite and surrounding geologic hazards and conditions. These reports must be prepared in compliance with the County's Land Use and Development

regulations for Geologic Hazards, which require the underlying proposed development to be sited, designed, and constructed in accordance with the recommendations of the geologic report in order to minimize risk to life and property on the project site and for any other affected properties. (HCC, Tit. III, Div. 3, Ch. 6, § 336-5.)

GPU Safety Element Standard S-S2 (*Landslide Maps*) requires using the information presented in the California Division of Mines and Geology – North Coast Watersheds' landslide mapping tool when reviewing a proposed development. Standard S-S3 (*Alquist-Priolo Fault Hazard Zones*) requires implementation of the California Mines and Geology Board's Policies and Criteria as standards of project approval for developments within Alquist-Priolo Fault Hazard Zones. Standards S-S1 through S-S3, along with local and State building regulations, and Alquist-Priolo Zoning Regulations, are fundamental to reducing potential impacts by preventing development in hazardous areas or by requiring that development adhere to appropriate standards that address hazards.

The GPU's Safety Element also contains policies that would lessen the effects of strong seismic ground shaking. The Project's compliance with Policy S-P7 (*Structural Hazards*) would require that its structures be developed to conform to the State's building codes to ensure life and property are protected in the event of a ground shaking seismic event.

Other GPU Safety Element policies prescribe the County with employing disaster readiness and response measures. For example, under GPU Policy S-P8 (*Improved Information*), the County would encourage development of detailed scientific analysis of Cascadia Subduction Zone earthquake risks, probabilities, and anticipated effects to inform future land use planning. Policy S-P9 (*Earthquake Mitigation Planning*) imposes a standard that requires consideration of a local earthquake exceeds a magnitude 9.0 on the Richter scale to be considered in disaster planning, risk assessment, and pre-disaster mitigation efforts. Through Policy S-P10 (*Cascadia Event Disaster Response*), the County must maintain readiness for a comprehensive response to a major earthquake consistent with the nationwide emergency management hierarchy and the adopted Emergency Response Plan for the Humboldt Operational Area.

The GPU Safety Element policies and standards described above would require that the Project adhere to local and state building construction standards and implement other measures to minimize impacts to Project staff, residents, and guests from strong seismic ground shaking. For example, section 331-11(a) of the HCC incorporates the California Building Code, while section 331-14 imposes rules and requirements for Grading, Excavation, Erosion, and Sedimentation Control, including preparation of a site-specific erosion and sediment control plan that incorporates BMPs designed to prevent sedimentation or damage to on-site or nearby properties. Finally, and as outlined in **Appendix B (p. 25)**, MCCP Policy 3310(12) also requires that developments implement standard erosion and sentiment control measures into their proposed designs and improvements, including minimizing soil exposure during the rainy season by properly timing and grading construction, retaining natural vegetation, and diverting runoff. (MCCP, pp. 44–45.)

The Project's compliance with these regulatory measures would ensure impacts to people and structures that may result from being exposed to strong seismic shaking during minor-to-moderate earthquake events remain **less than significant**. Moreover, to ensure the Project's residents, staff members, guests, and visitors are prepared for and can protect themselves from hazards during potential severe earthquake events, Project approval is conditioned on a uniform standard (Condition GEO-01(b)), which requires the Applicant

to develop an earthquake safety education and preparedness program/plan, which must include measures for onsite persons to employ under a potential earthquake scenario. (See **Appendix B, p. 27**.)

For these reasons, the Project will likewise not result in potential adverse impacts, including the risk of loss, injury, or death involving strong seismic ground shaking that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

iii) Seismic-related ground failure, including liquefaction?

Geologic mapping of the Project site and the surrounding area indicates the nearest area subject to liquefaction hazards is along Mill Creek, which is approximately 1,750 feet downstream to the southwest from the Project Site. Therefore, given this significant distance, the potential for liquefaction on the Project Site is negligible. Similarly, the slope stability of the Project Site is mapped as "moderately stable," and soils in the area are classified as loam with silt and sand components, so the potential for any other type of seismic-related ground failure is similarly minimal. Accordingly, this impact would be **less than significant**, with no further mitigation or conditions required.

For these reasons, the Project will likewise not result in potential adverse impacts, including the risk of loss, injury, or death involving seismic-related ground failure and/or liquefaction that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

iv) Landslides?

The **Soils Report from the NRCS Web Soil Survey** website that was prepared for the Project (see **Appendix C.9**) indicates the slope on the Project Site is less than 10%. Moreover, the Project Site's loam soil type is not characterized as unstable, and the slope stability maps from the Humboldt County WebGIS show the Site's slope stability is considered "moderately stable." The potential for landslides occurring on the Project Site is therefore minimal. Accordingly, this impact would be **less than significant**, with no further mitigation or conditions required.

For these reasons, the Project will likewise not result in potential adverse impacts, including the risk of loss, injury, or death involving landslides that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Certain activities associated with construction and development of the Project could result in soil erosion and/or loss of topsoil. However, as more fully described in **Appendix B, p. 27**, proper implementation of existing regulatory programs would ensure that this impact would be **less than significant**, such that no further mitigation would be required.

The Project would involve grading activities on more than 1 acre with 5,000 cubic yards of material, thereby triggering HCC requirements. Pursuant to these requirements, along with GPU Standard S-S1 (*Geologic*

Report Requirements), the Project will prepare a soil engineering report, an engineering geology report, a grading plan, and an erosion control plan, and will also ensure a qualified soils inspector is present on the Project Site during all construction activities.

Moreover, because the Project's proposed construction site is greater than 1 acre in area, the construction site would be subject to the requirements of the standard Construction General Stormwater Permit that the Project must obtain to ensure compliance with regulatory stormwater requirements. In particular, this Permit would include implementation of a Storm Water Pollution Prevention Plan (SWPPP), which would include BMPs designed to prevent soils from becoming entrained in stormwater during Project construction. This will also ensure that the Project complies with GPU Policies WR-P8 (*Erosion and Sediment Discharge*) and WR-P36 (*Erosion and Sediment Control Measures*), and GPU PEIR Mitigation Measure 3.8.3.2.a, which require application and implementation of the same erosion, sediment control, and waste discharge measures, as appropriate. After construction has been completed, the areas subject to grading would be covered by buildings, driveways, parking lots, and landscaping and would therefore not be subject to ongoing erosion hazards. For these reasons, by complying with the standard regulatory requirements, permit conditions/BMPs, and GPU policies more fully described in **Appendix B (pp. 23-28)**, the Project's impacts would remain **less than significant**.

For these reasons, the Project will likewise not result in potential substantial soil erosion or topsoil loss that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project 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?

As indicated above, according to the Soils Report prepared for the Project (see **Appendix C.9**), the slope stability of the Project Site is mapped as "moderately stable" and the soils in the area are classified as loam with silt and sand components that display no evidence of instability. As such, there is minimal to no potential that the Project is located on a geologic unit or soil type that is unstable, or that would become unstable as a result of the Project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse. For these reasons, the Project is also consistent with GPU Policy S-P11 (*Site Suitability*), which requires that new development may only be approved if it can be demonstrated that the development will neither create nor significantly contribute to, or be impacted by, geologic instability or geologic hazards. Accordingly, this impact would be **less than significant**, and no further mitigation or conditions would be required.

For these reasons, the Project will likewise not result in potential adverse impacts by creating unstable soils that result in potential landslides, lateral spreading, subsidence, liquefaction, or collapse that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project 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?

Section 1803.5 of the California Building Code defines "expansive soil" as soil that meets all four of the following criteria:

1. Plasticity index (PI) of 15 or greater, determined in accordance with ASTM D4318.
2. More than 10% of the soil particles pass a No. 200 sieve (75 µm), determined in accordance with ASTM D422.
3. More than 10% of the soil particles are less than 5 micrometers in size, determined in accordance with ASTM D422.
4. Expansion index greater than 20, determined in accordance with ASTM D4829.

As discussed in the Soil Report prepared for the Project (see **Appendix C.9**), soils mapping by the NRCS indicates the Arcata and Candymountain soils underlaying the Project Site where new development is proposed to be constructed have a maximum Plasticity Index (PI) value 6, which is well below the threshold of an expansive soil (i.e., PI of 15 or greater). As a result, the potential for the Project to be located on an expansive soil is negligible. For these reasons, the Project is also consistent with GPU Policy S-P11 (*Site Suitability*), which requires that new development may only be approved if it can be demonstrated that the development will neither create nor significantly contribute to, or be impacted by, geologic instability or geologic hazards. Accordingly, this impact would be **less than significant**, and no further mitigation or conditions would be required.

For these reasons, the Project will likewise not result in potential adverse impacts, including substantial direct or indirect risks to life or property resulting from expansive soil that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

e) Would the project 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?

The Project Site is located in an Urban Service Area that is currently served by the McKinleyville Community Services District. MCSD provides existing sewer services to the Project Site. As more fully explained in the "Utilities and Service Systems" section below, MCSD has indicated that it has capacity to serve the Project's wastewater needs. The Project does not propose constructing or utilizing septic tanks or alternative wastewater disposal systems. As such, the Project is consistent with GPU Policy GP-P5 (*Connection to Public Wastewater Systems within Urban Service Areas*). Accordingly, this impact would be **less than significant**, and no mitigation or conditions would be required.

For these reasons, the Project will likewise not result in potential adverse impacts due to soils incapable of adequately supporting septic tanks or wastewater disposal that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

To evaluate whether the Project Site contained any identifiable paleontological resources (i.e., fossils), a search of the University of California Museum of Paleontology (UCMP) online fossil locality database was conducted. The search assessed the potential for the geological units underlying the Project Site to contain fossils. The online database does not identify any records of paleontological materials found on or near the Project Site. The Applicant's Project Architect also conducted reconnaissance of the Project Site and found no visible unique geologic features[7]. Nevertheless, and as described in the "Geology and Soils" section above, the Project will comply with GPU Policy CU-S4, which requires that the Project be designed and conditioned in a manner to avoid potential paleontological resources and provide a notation regarding inadvertent discoveries on all development plans. (See **Appendix B, p. 20**.) Thus, through the Project's compliance with this policy, this impact would be **less than significant**, and no further mitigation or conditions would be required.

For these reasons, the Project will likewise not result in potential adverse impacts involving direct or indirect destruction of a unique paleontological resource or unique site geologic feature that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, along with compliance with the policies and standards identified in the GPU, MCCP, and HE Update, the Project would not have any new significant or substantially more severe geology and soils impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of mitigation measures from the GPU PEIR MMRP, and incorporation of identified Project design features and conditions of Project approval (see **Appendix B, p. 20**) substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

[7] Phone conversation with Kash Boodjeh, KB Architects, 1/8/2025

3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.8 Greenhouse Gas Emissions

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
VIII. GREENHOUSE GAS EMISSIONS – Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	GPU PEIR: § 3.13.4, pp. 3.13-18–3.13-22 HE Addendum: § 3.3.7, p. 15	No.	No.	No.	GPU: AQ-G3,AQ-P1, AQ-P8, AQ-P9, AQ-P10, AQ-Px, AQ-P11, AQ-P12, AQ-P13, AQ-P14, AQ-P15, AQ-Sx, AQ-S2, AQ-X4, AQ-IM3, AQ-IM4, AQ-IM5, AQ-IMx, AQ-IM6, AQ-IMx1 Project Design Feature: PDF-GHG-1
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	GPU PEIR: § 3.13.4, pp. 3.13-18–3.13-22 HE Addendum: § 3.3.7, p. 15	No.	No.	No.	N/A

Prior EIR Summary

Section 3.13 (pages 3.13-18 to 3.13-22) of the GPU PEIR analyzes the potential for GHG emissions resulting from implementation and buildout of the GPU. The PEIR explains that although the GPU includes policies and standards that would help reduce GHG emissions from future development under the GPU, impacts would remain significant and unavoidable because project-specific GHG emissions information was unknown at the time and the County had not adopted measures to reduce GHG emissions consistent with statewide targets.

The MCCP PEIR did not address potential GHG emission impacts.

Section 3.3.7 (page 15) of the HE Addendum relies on the GPU PEIR to analyze potential impacts to GHG emissions resulting from implementation of specific housing developments proposed under the HE Update. The Addendum explains that components of the HE Update could indirectly impact greenhouse gas emissions by stimulating development of new housing. However, because the Project proposes fewer units than the number evaluated in the GP PEIR, it would not result in additional vehicular trips, nor increased emissions from residential energy demand beyond what is considered in the PEIR. In addition, several provisions of the HE Update encourage smaller and more efficient units, as well as clustering housing where

services are available to reduce the need to commute from larger urban areas. For these reasons, the HE Update's potential impacts on greenhouse gas emissions would not be more severe than those previously considered. (See also, Appendix B.)

Project-Specific Analysis

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Although the North Coast Unified Air Quality Management District (NCUAQMD) has not adopted regulations regarding the evaluation of GHG emissions in a CEQA document and has not established CEQA significance criteria for impacts on GHG emissions, it does not oppose the use of Bay Area Air Quality Management District (BAAQMD) thresholds of significance for projects within Humboldt County.

The BAAQMD has identified four design elements that, when incorporated into a Project, would address the Project's fair-share of actions necessary to achieve California's long-term climate goal of carbon neutrality by 2045. As stated by the BAAQMD, if a project is designed and built to incorporate these design elements, then it will contribute its portion of what is necessary to achieve California's long-term climate goals—its "fair share"—and an agency reviewing the project under CEQA can conclude that the project will not make a cumulatively considerable contribution to global climate change. BAAQMD's design elements are listed below along with a brief evaluation of the Project's conformance with each element:

BAAQMD Design Element #1: "The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development)."

Project Compliance with Design Element #1: A project design feature was incorporated to not include natural gas appliances or natural gas plumbing in any of the residential units. The commercial kitchen may involve the use of gas equipment, but the project design requires the kitchen to be pre-wired to allow conversion to electric appliances as they become feasible and available. (Project Design Feature GHG-1).

BAAQMD Design Element #2: "The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines."

Project Compliance with Design Element #2: The earlier Section 4.6 documents how the project will not result in any wasteful, inefficient, or unnecessary energy usage.

BAAQMD Design Element #3: "Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the Draft 2022 Scoping Plan Update (currently 15 percent)."

Project Compliance with Design Element #3: Section 4.17 below documents how the project will achieve a 40% reduction in VMT compared to average multifamily developments and meet the 15 percent threshold.

BAAQMD Design Element #4: "Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2."

Project Compliance with Design Element #4: The 2024 Draft Regional Climate Action Plan for Humboldt County includes implementation measure TR-6 which promotes EV charger access in new

developments consistent with CalGreen Tier 2 requirements. The measure suggests larger residential projects of more than 15 tenants and large commercial buildings of more than 10,000 square feet should install electric vehicle chargers in 10 percent of parking spaces.

The W-Trans Transportation Analysis and the Off-Street Parking Requirements of the Zoning Ordinance (Section 314.109.1 of Humboldt County Code) were used to determine 63 parking spaces will accommodate the daily needs of the Project[8]. And based on this figure, seven electric vehicle chargers (10% of 63) are needed to comply with the off-street electric vehicle requirements in the Draft Regional Climate Action Plan. The Project Description proposes installing at least two electric vehicle chargers in the common parking areas and each of the four garages (eight spaces total) for the attached cottages will be EV ready.

For the above reasons and with implementation of Project Design Feature GHG-1, this impact would be **less than significant**.

b) Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Project Consistency with Applicable State Legislation

AB 32 (2006) created a comprehensive, multi-year program to reduce California's GHG emissions to 1990 levels by the year 2020. AB 32 requires that CARB develop GHG reduction strategies that do not interfere with existing air pollution control measures. The AB 32 Scoping Plan contains the main strategies California will use to reduce the GHGs that cause climate change. The Scoping Plan includes several measures for reducing GHG emissions from the recycling and waste industry, including reducing methane emissions at landfills and moving towards zero waste. As detailed in California's 2017 Climate Change Scoping Plan, emissions from recycling and waste have grown by 19% since 2000. The majority of those emissions are attributed to landfills, despite the majority of landfills having gas collection systems in place. Landfill emissions account for 94% of the emissions in this sector, while compost production facilities make up a small fraction of emissions.

The Project is consistent with the actions for the Scoping Plan scenario outlined in the 2022 Scoping Plan for AB 32 GHG inventory sectors. Although most of the sectors do not apply to the Project, the sectors that do apply are consistent. Specifically, the Project is consistent with the requirement that 100% of light-duty vehicles (LDVs) are Zero Emission Vehicles (ZEV) by 2035. Although this is a statewide measure that cannot be implemented by the Project or lead agency, the standards would be applicable to the LDVs that would access the Project Area during construction and operation. The Project is also consistent with the requirement that 100% of medium-duty (MDV)/heavy-duty (HDV) sales are ZEV by 2040. Although this is also a statewide measure that cannot be implemented by the Project or lead agency, the standards would be applicable to the trucks that would access the Project Area during operation.

[8] Table 4 in the W-Trans study report identified the need for 42 parking spaces for residents and 10 parking spaces for employees. In addition, 10 parking spaces are needed for weekly dinner guests (22 guests per day/2.2 guests per vehicle = 10 vehicles). And the 200 square foot retail store will add a demand for one parking space based on Humboldt County Code which requires one parking space for every 300 square feet of retail space.

The Project is consistent with the requirement of all electric appliances by 2026 for residential projects, and 2029 for commercial projects. The Project's residential facilities would be designed as all electric. Although the Project would involve the use of gas equipment in the commercial kitchen, construction would occur prior to the electrification goal (2029). Additionally, with Project Design Feature GHG-1, the commercial kitchen would be pre-wired to allow conversion to electric appliances as they become feasible and available.

The Project is consistent with the Draft Regional Climate Action Plan's requirement to install electric vehicle charges in 10% of large residential and retail developments. While the Plan has not been adopted, it is designed to meet statewide targets for achieving GHG emission reductions.

The Project is consistent with policies related to non-combustion methane emissions because the Project does not involve dairy or landfill uses. The Project would also reduce construction waste with implementation of state-mandated recycling and reuse requirements. The Project is also consistent with the requirement for low GWO refrigerants as building electrification increases to mitigate HFC emissions. The Project would comply with applicable CARB refrigerant regulations.

Project Consistency with Executive Order S-3-05

Executive Order S-3-05 (2005) establishes a goal that statewide GHG emissions be reduced to 80% below 1990 levels by 2050. EO B-30-15 sets forth an interim goal for reduction in GHG emissions to 40% below 1990 levels by 2030. AB 32, discussed above, which requires a reduction of statewide GHG emissions to 1990 levels by 2020, and which also imposes the legal obligation to continue existing policies and maintain emission reductions beyond 2020, is the current law in California. Further, the 2030 target of 40% below 1990 emissions and the 2050 target of an 80% reduction are general statewide goals.

Since this is a statewide measure that cannot be implemented by the Project or lead agency, EO B-30-15 is not applicable, and therefore the Project does not conflict with the policy.

Project Consistency with Applicable Humboldt County Policies

The Humboldt County GPU includes policies, standards, and implementation measures that would reduce the impact of GHG emissions from development associated with the GPU (see above). The Project is consistent with planned development in the GPU and HE Addendum.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measure in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe GHG impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and

Housing Element policies and standards, along with regulations of the Humboldt County Code (**see Appendix B, pp. 31-32**), and implementation of Project Design Feature GHG-1 substantially mitigate potentially significant impacts to a less than significant level.

2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.9 Hazards and Hazardous Materials

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	GPU PEIR: § 3.7.4.1, pp. 3.7-20–3.7-24 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	Regulatory Permit Conditions: General Construction Stormwater Permit – SWPPP BMPs Regulatory Program Compliance: Health & Saf. Code, § 25531; CalEPA/HCDEH Unified Program GPU: S-S15, S-P26, MR-IM5
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?	GPU PEIR: § 3.7.4.1, pp. 3.7-20–3.7-24 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	GPU: S-S15, S-P26, MR-IM5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	GPU PEIR: § 3.7.4.1, pp. 3.7-20–3.7-24 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	GPU: S-S15, S-P26, MR-IM5

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
d) Be located on a site that 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?	GPU PEIR: § 3.7.4.1, pp. 3.7-20–3.7-24 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	N/A
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 or excessive noise for people residing or working in the project area?	GPU PEIR: § 3.7.4.2, pp. 3.7-25–3.7-35 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	N/A
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	GPU PEIR: § 3.7.4.3, pp. 3.7-35–3.7-37 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	GPU: S-P27, S-P2, S-IM8, S-IM9, S-S17 HCC: § 6.1
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	GPU PEIR: § 3.7.4.4, pp. 3.7-37–3.7-41 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.8, p. 16	No.	No.	No.	GPU: S-P1, S-P12, S-P15, IS-P24, IS-P25

Prior EIR Summary

Section 3.7 (pages 3.7-1 to 3.7-41) of the GPU PEIR analyzes the environmental effects related to hazards and hazardous materials that may be associated with implementing the GPU. The PEIR finds that implementation and compliance with GPU policies, mitigation measures, applicable land use regulations, and state and local laws will mitigate potential environmental impacts to less than significant levels.

The MCCP PEIR reaches similar findings and conclusions. Section 4.11 (pages 4-115 – 4-117) identifies hazards from the airport, the wastewater treatment facility, transportation along Highway 101 and development on sites contaminated with hazardous materials. Mitigation measures describe on-going hazard reduction measures being taken by the County and MCSD and the PEIR concludes that with continuation of these existing programs, the hazard and hazardous materials impacts of the MCCP are less than significant.

Section 3.3.8 (page 16) of the HE Addendum relies on the GPU PEIR to analyze the environmental impacts related to hazards and hazardous materials that may be associated with implementing the HE Update. The Addendum explains that implementing pre-disaster mitigation and emergency operations planning and using maximum residential densities and building occupancies consistent with recommended compatibility zones would reduce risks to less than significant levels. The Addendum further explains that indirect impacts could potentially result if development facilitated by the HE Update occurs near sites where hazardous material exists. However, the mitigation measures implemented by the GPU PEIR would be imposed on any subsequent development, therefore, compliance with these existing measures would reduce any impacts from development under the HE Update to a less than significant level.

Project-Specific Analysis

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction of the Project would include the transport and use of common hazardous materials inherent to the construction process, including petroleum products such as fuel and lubricants for construction equipment and vehicles, paints, concrete curing compounds, and solvents for construction of Project improvements. These materials are commonly used during construction, are not acutely hazardous, and would be used in relatively small quantities.

Hazardous materials storage, handling, and transportation must comply with an interconnected matrix of local, state, and federal laws. Hazardous materials used during construction of the Project would be subject to applicable regulations, including California Health and Safety Code Section 25531, Division 20, Chapter 6.5 and other standards enforced by the various departments and boards under the California Environmental Protection Agency (Cal/EPA). The Project would be subject to Cal/EPA hazardous materials regulations consolidated under the state's Unified Program enforced by the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB), North Coast Regional Water Quality Control Board (Regional Board), NCUAQMD, and the Department of Resources Recycling and Recovery (CalRecycle). The Cal/EPA administers the Unified Program via local Certified Unified Program Agencies (CUPAs). The CUPA for Humboldt County is the Humboldt County Division of Environmental Health (HCDEH). The HCDEH Hazardous Materials Unit has jurisdiction over the Project area and is tasked with local CUPA inspections and compliance. Project activities involving the transport, use, storage, and disposal of hazardous materials would be in accordance with these established rules and regulations.

Worker exposure to hazardous materials is regulated by California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) and requires worker safety protections. Cal/OSHA enforces hazard communication regulations which require worker training and hazard information (signage/postings) compliance. In addition, hazard communication compliance includes procedures for identifying and labeling hazardous substances, communicating information related to hazardous substances storage, handling, and transportation; and preparation of health and safety plans to protect employees.

Project construction specifications would require the management of hazardous materials to comply with applicable laws, rules, and regulations. During Project construction, the contractor would be required to contain hazardous materials and avoid exposure to workers, the public, and surrounding environment during construction. An appropriate facility would be utilized for legal disposal of any hazardous materials generated.

Project construction would be required to implement stormwater management requirements during construction in accordance with the State Water Resources Control Board General Construction Storm Water Permit that the Project must obtain (see **Appendix B, p. 34**). Stormwater management requirements for addressing materials management would be required, including proper material delivery and storage, spill prevention and control, and management of concrete and other wastes, as described in the "Hydrology and Water Quality" section.

The established regulatory framework, BMPs, and requisite construction protocols provide appropriate risk mitigation and hazard protections, thus the Project would not create a significant hazard to the public or environment from hazardous materials. Because the County and its contractors would be required to comply with existing and future hazardous materials laws and regulations addressing the transport, storage, use, and disposal of hazardous materials, as specified in GPU Policy S-S15 (*Hazardous Materials Handling and Emergency Response*), Implementation Measure MR-IM5 (*Coordination with the Air Quality Management* District), and Policy S-P26 (*Hazardous* Waste), the potential to create a significant hazard to the public or the environment during Project construction would be **less than significant**, therefore no further mitigation or conditions of approval are required.

Following construction, operation of the Project would require intermittent maintenance and repair, which could involve hazardous materials. However, the operational risk posed by intermittent maintenance and repair of the Project specific to hazardous materials is low. The potential to create a significant hazard to the public or the environment during Project operation would be **less than significant**, therefore no further mitigation or conditions of approval are required.

For these reasons, the Project will likewise not create a significant hazard to the public or environment through the routine use or transport of hazardous materials that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project 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?

The Project would utilize heavy machinery to perform some construction-related tasks including grading, drilling, excavation, and transportation of materials. There is always the possibility when equipment is

operating that an accident could occur, and fuel could be released onto the soil. Pursuant to GPU Policy S-S15 (*Hazardous Materials Handling and Emergency Response*), along with applicable State and local regulations, equipment on site during construction would be required to have emergency spill cleanup kits immediately accessible in the case of any fuel or oil spills. Equipment would not be refueled near Mill Creek or any perennial wetland. If equipment must be washed, it would be washed off-site. The potential impact would be **less than significant**, therefore no further mitigation or conditions of approval are required.

For these reasons, the Project will likewise not create a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The McKinleyville Middle School is located approximately 0.85 miles north of the Project. Construction activities are assumed to include the use of hazardous materials such as fuels, lubricants, degreasers, paints, and solvents. These materials are commonly used during construction, are not acutely hazardous, and would be used in small quantities. As discussed above, numerous laws and regulations, along with applicable GPU Policies, ensure the safe transportation, use, storage, and disposal of hazardous materials throughout the County.

Although construction activities could result in the inadvertent release of small quantities of hazardous substances, a spill or release at a construction area is not expected to endanger individuals at nearby schools given the nature of the materials, the small quantities that would be used, and the distance of the schools from the Project Area. Therefore, because the County and its contractors would be required to comply with existing and future hazardous materials laws and regulations covering the transport, use, and disposal of hazardous materials (as specified in GPU Policy S-S15 (*Hazardous Materials Handling and Emergency Response*), Implementation Measure MR-IM5 (*Coordination with the Air Quality Management District*), and Policy S-P26 (*Hazardous Waste*), and because of the nature and quantity of the hazardous materials to be potentially used by the Project, and because the McKinleyville Middle School is beyond one-quarter mile, there would be **no impact** related to the use of hazardous materials and school during Project construction, therefore no mitigation is required. Moreover, Project operations would have **no impact** on McKinleyville Middle School, or any other school, therefore no mitigation is required.

For these reasons, the Project will likewise not emit hazardous emissions or handle hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project be located on a site that 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?

The Project Site is not located on, or within one mile of a site listed in the DTSC EnviroStor database (DTSC 2025). The Project is also not located on a cleanup site as mapped in the GeoTracker database, though there are 17 closed sites within one mile of the Project Site, the closest being a Leaking Underground Storage Tank (LUST) approximately 500 feet north (McKinleyville CSD Sutter Road, T0602300166) (SWRCB 2022). Off-site construction activities are not planned, and impacts related to these off-site closed cleanup sites would not occur. Therefore, no impact would result, and no further mitigation or conditions of approval are required.

For these reasons, the Project will likewise not create a significant hazard to the public or environment by virtue of being located on a site included on a list of hazardous material sites that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

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 or excessive noise for people residing or working in the project area?

The Project Site is not located within an airport land use plan or within two miles of a public airport. The nearest airport is the Arcata–Eureka Airport (ACV), which is located approximately 2.5 miles north of the Project Site. The ACV is covered by the 2021 Airport Land Use Compatibility Plan (ALUCP) prepared for the Humboldt County Airport Land Use Commission (ALUC). As such, because the closest airport is located more than two miles from the Project Site and because the Project Site is not within an ALUCP, the Project will not result in a safety hazard or excessive noise for people residing or working within the Project area. Therefore, no impact would result.

For these reasons, the Project will likewise not result in a safety hazard or excessive noise for people residing or working within the Project area by virtue of an ALUCP that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

The Project Area is covered under the Humboldt County EOP. The Humboldt County EOP identifies the emergency response and evacuation policies and procedures for hazards related to earthquake, tsunami, extreme weather, flooding/flash flooding, landslides, transportation accidents, hazardous materials, interface wildlife fire, energy shortage, offshore toxic spill, civic disturbance, terrorist activities, and national security (Humboldt County 2015). The Humboldt County EOP establishes a structure for Humboldt County Operation Area agencies to respond to large-scale emergencies requiring multiagency participation or activation of the Humboldt County Emergency Operations Center (EOC) (Humboldt County 2015). Hazard mitigation and risk assessment strategies for Humboldt County Operation Area are formalized in the Humboldt County Operational Area Hazard Mitigation Plan (HMP). GPU Policies S-P27 (*Pre-disaster Planning and Mitigation*), S-P2 (*Emergency Operations* Capability), S-IM8 (*Local Hazard Mitigation Plan*), and S-IM9 (*Emergency Operations Plan*), S-S17 (*Humboldt County Operational Area of Office of Emergency Services [OES]*) require that the County implement these plans and programs and maintains their consistency with applicable State and federal frameworks for emergency response efforts.

The GPU PEIR explains that implementation of the GPU would not change the policies of these plans or any other relevant emergency or hazard mitigation plan. Construction contemplated by the GPU would have the potential to interfere with these plans and procedures only if appropriate authorities are not properly notified, or if simultaneous construction results in blockages to certain emergency routes. (GPU PEIR, p. 3.7-36.) For these reasons, section 6.1 of the HCC requires the County Planning Department to refer planning applications to appropriate agencies, including those related to emergency response (e.g., fire districts, water/wastewater providers, CalFire, NCUAQMD, the Department of Public Works, the Department of Environmental Health, the Sheriff's Office). The response to these referrals would indicate whether a project could potentially impact emergency response and, if it would, will include measures to reduce impacts that must be included as part of the project's approval.

The Project would not impair implementation or physically interfere with the established Humboldt County EOP or Humboldt County HMP. Once constructed, operational use of the Project would involve no more than 120 permanent residents living in onsite housing, with additional support staff who would work at the Site daily. This would not significantly increase emergency response or impact any evacuation plans. Moreover, the County solicited referrals in response to the Project's application from corresponding emergency response agencies, including the Department of Public Works, CalFire, MCSD, and the Fire Department. To date, no agency has responded indicating that the Project would impact emergency response efforts. Accordingly, the Project would have a **less than significant** impact, therefore, no further mitigation or conditions of approval would be required.

For these reasons, the Project will likewise not impair implementation of or physically interfere with an adopted emergency response or evacuation plan in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

The GPU PEIR explains that GPU Policy S-P1 (*Reduce the Potential for Loss*) requires that the County plan land uses and regulate new development in a manner that reduces the potential for loss of life, injury, property damage, and economic and social dislocations resulting from natural and manmade hazards, including wildland fire risk. Policy S-P12 (*Joint Planning and Implementation*) requires that the County plan collaboratively with local fire agencies, companies, CalFire, and other federal fire organizations on fire prevention and response strategies and coordinate implementation of those strategies to maximize efficiencies. Similarly, various GPU policies emphasize appropriately designing and implementing applicable building standards as strategies to lessen wildland fire risk. For example, Policy S-P15 (*Conformance with State Responsibility Areas [SRA] Fire Safe Regulations*) requires that all development within SRA high and very high fire severity areas to conform to the County's Fire Safe Regulations, which provide for emergency access, private water supply for fire suppression use, signage, and vegetation modification.

Similarly, the GPU's Community Infrastructure and Services Element contains policies, standards, and programs that ensure new developments are provided with adequate levels of fire protection. In particular, Implementation Measure IS-P24 (*Building Permit Referrals*) requires the County to provide building permit referrals to the local fire chief for new buildings in identified response areas, while Implementation Measure

IS-P25 (*Fire Service Impacts from New Development*) requires the County, during discretionary review of a proposed development, to consider utilizing recommendations from the local fire chief as measures to reduce impacts to emergency response and fire suppression services from new development.

As more fully explained in the "Wildfire" section below, although the Project Site is located in an SRA, it is only in a Moderate Severity Zone, not a High or Very High fire severity area and therefore would not expose people or structures to a significant risk from wildland fires. Moreover, the County has referred the Project application to CalFire and the local fire chief to ensure that local responders can adequately provide emergency response and fire suppression services to the Project's proposed development. Accordingly, the Project would have a **less than significant** impact, such that no further mitigation or conditions of approval are required.

For these reasons, the Project will likewise not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe hazards and hazardous materials impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features (see **Appendix B, pp. 32-36**) substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.10 Hydrology and Water Quality

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
X. **HYDROLOGY AND WATER QUALITY** – Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	GPU PEIR: § 3.10.3.1, pp. 3.10-6–3.10-23. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	GPU PEIR: § 3.10.3.2, pp. 3.10-23–3.10-27. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP
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:					
i) result in substantial erosion or siltation on- or off-site;	GPU PEIR: § 3.10.3.1, pp. 3.10-6–3.10-23. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	GPU PEIR: § 3.10.3.1, pp. 3.10-6–3.10-23. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPP; NPDES SCP

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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	GPU PEIR: § 3.10.3.1, pp. 3.10-6–3.10-23. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP
iv) impede or redirect flood flows?	GPU PEIR: § 3.10.3.1, pp. 3.10-6–3.10-23. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	GPU PEIR: § 3.10.3.1, pp. 3.10-28–3.10-31. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	N/A
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	GPU PEIR: § 3.10.3.1, pp. 3.10-28–3.10-31. MCCP PEIR: § 4.4, pp. 4-27–4-50 HE Addendum: § 3.3.9, pp. 16–17	No.	No.	No.	GPU: WR-Px2, WR-P8, WR-S8, WR-P36, WR-P30, P-38 Conditions of Approval / Regulatory Compliance Measures: SWPPP; NPDES SCP

Prior EIR Summary

Section 3.10 (pages 3.10-1 to 3.10-35) of the GPU PEIR analyzes the potential impacts to hydrology and water quality associated with implementing the GPU. The PEIR explains that GPU policies and land use regulations

mitigate potential environmental impacts to less than significant levels, except in the area of water due to the number of areas within the County that drain into watersheds that are currently impaired by sedimentation, siltation, and temperature. As such, the PEIR recommends mitigation measures to reduce adverse impacts to groundwater, effects related to drainage patterns and increased runoff, and impacts from development occurring within the 100-year flood hazard area. Nevertheless, development under the GPU within watersheds that are already impaired could result in potentially significant hydrology and water quality impacts that cannot be effectively mitigated.

Section 4.4 of the MCCP PEIR also cites the potential impacts of placing development within flood hazard areas, and the need to control runoff in new development, and describes on-going programs administered by Humboldt County, MCSD and other agencies which mitigate those hazards. It encourages the County to update the McKinleyville Drainage Plan and to consider implementing regional programs to protect water resources such as groundwater recharge basins. Finally, it requires as a mitigation measure siting and design criteria be used for on-site and off-site retention/detention basins addressing identified concerns relating to damage of environmentally sensitive areas and the protection of public health and safety. As mitigated, the MCCP's impacts on hydrology and water quality are reduced to less than significant levels.

Section 3.3.9 (pages 16 to 17) of the HE Addendum relies on the GPU PEIR to analyze the potential impacts to hydrology and water quality associated with implementing the HE Update. The Addendum explains that existing regulations, policies, and mitigation measures that apply to new residential development contemplated by the HE Update are expected to reduce adverse impacts related to hydrology and water quality to less than significant levels, with the exception of those developments that are constructed within already-impaired watersheds. However, because the HE Update proposes fewer units than the number evaluated in the GPU PEIR, development under the HE Update would not introduce new or substantially more severe impacts than those previously considered.

Project-Specific Analysis

The Project Site is located within the Mad River watershed, which drains approximately 497 square miles in Humboldt and Trinity Counties (Humboldt County, 2013). The Mad River flows for approximately 100 miles before discharging into the Pacific Ocean approximately 3 miles north of the Project Site. The Mad River is on the Clean Water Act's Section 303(d) list of impaired waters due to diazinon and is subject to the Total Maximum Daily Load (TMDL) for sediment and turbidity. The TMDL was established to protect native cold-water fish, such as steelhead, coho and chinook salmon (EPA, 2007). A sediment source analysis determined that natural sources of sediment represented slightly more than one-third of the sediment discharged to the Mad River, with roads and timber operations being the most significant anthropogenic source (EPA, 2007).

The Project Site is also located within the Mill Creek Drainage Basin. Mill Creek borders the southern and southeastern portions of the Project Area. The Project Area consists of approximately 5.07 acres of uplands with the remaining portion consisting of wetlands, Coastal Willow and/or Sitka Spruce riparian habitat (GHD 2022). Much of the Project Area is within the Mill Creek Streamside Management Area, which follows the Mill Creek alignment. Moreover, the Federal Emergency Management Agency (FEMA) has mapped a 100-year flood hazard zone along Mill Creek, a portion of which extends onto a small southeastern portion of the Project Site. (FEMA, 2016.)

Terrain in the vicinity gradually slopes to the southeast toward Mill Creek. The existing drainage generally flows from the north to the southeast on the Project site towards Mill Creek. A 15- to 20-foot MCSD sewer

easement is also located along the south and southeast portion of the Weirup Lane parcel. The MCSD easement parallels the southern parcel boundary to the parcel midpoint before shifting south to follow Mill Creek. The southeast portion of the Weirup Lane parcel (APN 509-181-061) is included in the mapped Federal Emergency Management Agency (FEMA) 100-year flood zone. All of the proposed Project elements except the barn and part of the wetlands creation area and riparian planting area are outside of the 100-year flood zone. No portion of the Project Area is within the California Coastal Zone.

The eastern half of the site is undeveloped and generally consists of open grasslands and forested areas. No additional stormwater (except some minor discharge from the existing subdivision to the north) from offsite is discharged onto this area and stormwater from this area discharges offsite at the southern central extent of the Project site near Mill Creek.

The western portion of the Project site contains residential buildings on Central Ave. (a single family structure and a duplex) along with gravel and asphalt driveways, with the remaining portion and majority of the site being open grassland areas. Additional offsite stormwater is discharged onto the central portion of the site via MCSD's stormwater piping, which surface discharges to a shallow detention basin filled with willows. MCSD's stormwater discharge is a combination of the stormwater collected from two blocks of Weirup Lane, MCSD's Corp yard, and the partially developed property along Central Avenue. The western half of the property surface discharges stormwater offsite via a vegetated natural depression toward the central portion of the Project Site.

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Project Construction Activities

Project construction activities have the potential to cause water quality degradation if eroded soil or other pollutants are carried by stormwater into the adjacent stormwater drainage systems and ultimately downstream into Mill Creek. Construction activities would involve soil disturbance associated with site preparation, grading, and excavation activities, along with other related activities, such as: delivery, handling, and storage of construction materials and wastes; equipment refueling; and construction equipment use and maintenance, which could result in spills of oil, grease, or related pollutants. The greatest potential impact to water quality would result from sediment mobilization during construction.

The proposed Project is anticipated to disturb over one (1) acre of land, therefore compliance with State Water Board Order No. 2009-0009 would be required which would regulate stormwater runoff from Project construction activities. As set forth in **Appendix B (pp. 37-38)**, in compliance with the National Pollutant Discharge Elimination System (NPDES) requirements, a Notice of Intent would be prepared and submitted to the North Coastal Regional Water Quality Control Board (NCRWQCB) prior to undertaking construction, providing notification and intent to comply with the State of California Construction General Permit (CGP). In addition, a SWPPP would be prepared for pollution prevention and control prior to initiating site construction activities. The Construction SWPPP would be written by a Qualified SWPPP Developer (QSD) and would identify and specify the use of best management practices (BMPs) erosion control, sediment control, off-site tracking control, wind erosion control, non-stormwater management control, and waste management and materials pollution control. A sampling and monitoring program would be included in the Construction SWPPP that meets the requirements of the CGP to ensure the BMPs are effective. A Qualified

SWPPP Practitioner (QSP) would oversee implementation of the Plan, including visual inspections, sampling and analysis, and overall compliance with the SWPPP and CGP.

Project Operations

Project operations would obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006.

Moreover, the Project proposes extensive stormwater control features that will serve to mimic pre-construction drainage patterns on the Project Site. Development of the Project would largely occur in the western half of the Project Site, and since the Project lies within the County of Humboldt's regulated Municipal Separate Storm Sewer System (MS4) permit boundaries, it would be required to meet the stormwater requirements contained in the Humboldt Low Impact Development (LID) Standards Manual (Northcoast Stormwater Coalition 2021). Based on the Project's anticipated size and impermeable surface area, it would be required to meet the Regulated and Hydromodifications Project Standards of the LID Manual.

The Project's overall stormwater design approach for the Site would be developed using a LID approach to mimic the Site's predevelopment hydrology by using techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall with non-structural controls and conservation design measures as much as possible. The stormwater treatment design would also incorporate vegetated bioretention/ infiltration ponds, LID facilities, and subsurface infiltration piping to capture and infiltrate the stormwater runoff.

The existing onsite stormwater discharge from the MCSD stormwater piping would be routed around the development areas of Project Site and would not be subject to MS4 treatment standards. The rerouting would be achieved by the following:

- The onsite stormwater discharge from the property to the north adjacent to Weirup Lane would be captured at the northern boundary of the Project by a headwall and drainage inlet and piped via culvert to MCSD's existing nearby drainage inlet located along Weirup Lane.
- The onsite stormwater discharge from the existing MCSD pipe would be routed around the Project by rerouting the existing stormwater pipe to discharge to the ground surface at a new location beyond the footprint of the Project. The existing MCSD detention basin would be filled/abandoned, and a new discharge detention basin would be constructed at the discharge point of the new MCSD pipe. Excess stormwater flow from the new detention basin would discharge via surface flow to the existing natural channels in the area and would ultimately flow offsite at the existing stormwater discharge location.

The excess stormwater generated from the Project's impervious surfaces would generally flow in a southeastern direction via drainage inlets and piping, and surface discharge. The majority of the Project Site's stormwater would be collected and treated in a combination of vegetated swales and bio retention facilities that would run along the central and southern and eastern boundaries of the Project development footprint. The excess stormwater from the new vegetated swales and bioretention facilities would discharge via surface flow to the existing onsite vegetated natural channel and would ultimately flow offsite at the existing stormwater discharge location.

As described above and more fully detailed in **Appendix B (p. 38)**, the Project must obtain and comply with necessary Clean Water Act permit requirements issued by the NCRWQCB and the U.S. Army Corps of Engineers to ensure the Project does not violate any water quality standards or waste discharge requirements. The Project will also integrate design features that ensure Project construction and operational activities comply with all applicable federal, state, and local requirements pertaining to water quality, including those that will minimize erosion, sediment, and pollutant contribution to surface waters. For these reasons, the Project's potential impacts to hydrology and water quality would be **less than significant**, such that no further mitigation is required.

By virtue of the Project's compliance with these standard regulatory programs and permit conditions, the Project would also be consistent with the GPU PEIR, which finds that compliance with the PEIR's mitigation measures, along with analogous GPU policies and programs, will reduce sediment in runoff water and protect soils. In particular, these policies direct that new development be constructed in areas with suitable soils and serve the minimize erosion. As explained above, the Project Site's soils are not of a type that are subject to significant levels of erosion. For example, the Project would be consistent with GPU Policy WR-Px2 (*Mitigate Controllable Sediment Discharge Sites*) by requiring that the Project be conditioned so as to avoid sediment discharge. Similarly, the Project would comply with Policy WR-P8 (*Erosion and Sediment Discharge*), which requires that all projects requiring a grading permit comply with performance standards adopted to minimize erosion and the discharge of sediments into surface runoff, drainage systems, and water bodies.

Similarly, GPU Standard WR-S8 (*Erosion and Sediment Discharge*), would require that the Project conform to the County's grading ordinance standards for erosion and sediment control, while Policy WR-P36 (*Erosion and Sediment Control Measures*) requires that the Project incorporate sediment control measures into the design of its proposed development, which, as described above, it has done. Finally, the Project's proposed landscaping plan features preservation and replanting of native species, and is thus consistent with GPU Policy WR-P30 (*Natural Stormwater Drainage Courses*), which requires that natural vegetation within riparian and wetland areas be maintained to preserve natural drainage characteristics.

For these reasons, the Project will likewise not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The Project is located in the Mad River Valley - Dows Prairie School Area Basin (1-008.02), which has a SGMA Basin Priority of Very Low and is not listed as Critically Overdrafted (DWR 2004). Within the vicinity of the Project Site, groundwater is hydraulically connected to the Mill Creek, making the division between groundwater and surface water less distinct. The Mad River supplies water to the McKinleyville Community Services District (MCSD), which is the primary water source within the Project Site's vicinity. (Winzler & Kelly, 2007.)

The Project does not propose conducting any in-stream work in Mill Creek, water wells, or other activities that could substantially decrease groundwater supplies or substantially interfere with groundwater recharge. During Project construction, contractor-supplied water would be used for dust suppression on work areas. Otherwise, Project construction activities are not anticipated to use of groundwater. Similarly, the Project would not decrease groundwater supplies or interfere with groundwater management. During construction, isolated and short-duration groundwater dewatering may occur as needed and would be small in scale and limited to shallow groundwater only. Construction-related impacts on groundwater levels would not result.

Following construction, during Project operation, the Project would be connected to municipality water, and would not utilize groundwater or result in an increase in population or employment that would indirectly increase groundwater demand. Therefore, the Project would not create a deficit in aquifer volume or a lowering of water levels. The Project is not expected to result in any change in the use or recharge of groundwater. Rather, most of the Project Site (~70%) will remain in a natural state, which will help maintain existing levels of groundwater recharge. For these reasons, the Project's proposed construction and operational activities would have **no impact** to groundwater resources, and thus have **no impact** on sustainable groundwater management within the Basin.

For these reasons, the Project will likewise not substantially decrease groundwater supplies or substantially interfere with groundwater recharge so as to impede sustainable groundwater management of the Basin in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project 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:

i) Result in substantial erosion or siltation on- or off-site?

As more fully discussed in Section (a) above, the proposed Project would not alter the course of a stream or a river. In general, the Project would not include large areas of grading or impervious surfaces that would alter drainage patterns. The Project's proposed drainage systems are intended to mimic pre-construction conditions. Required erosion control plans and other provisions of Humboldt County grading permit requirements, discussed in the "Geology and Soils," would prevent potential impacts from erosion and siltation during construction. Potential impacts from erosion would be further reduced through compliance with construction and operational stormwater requirements, including the GPU Policies and standard conditions of approval more fully described in **Appendix B (pp. 38-39)**, including the BMPs and conditions to be included in the SWPPP and Sections 401 and 404 permits that the Project must obtain. For these reasons, the Project would also be consistent with GPU Policy WR-P44 (*Storm Drainage Impact Reduction*), which requires the use of Low-Impact Development (LID) standards to reduce the quantity and increase the quality of stormwater runoff from new developments in applicable watersheds. Based on this information, the Project would have a **less than significant** impact on altering drainage patterns.

For these reasons, the Project will likewise not substantially alter the existing draining pattern in a manner that would result in substantial on-site or off-site erosion or siltation that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE

Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

As discussed in more detail in Section (a) above, the Project would include new stormwater drainage features, LID facilities, and piping to ensure drainage systems mimic pre-construction conditions. Moreover, construction of the Project's proposed Greenhouse will require elevating the structure so that its finished floor is more than one foot above base flood elevation levels. The impacts on flood levels due to placement of fill for the Greenhouse will be balanced by excavation of nearby stormwater basins. Additionally, as detailed above and more fully described in **Appendix B**, the Project's compliance with regulatory permitting requirements, including obtaining a SWPPP, coupled with the Project's design features that will ensure the Project meets NCRWQCB stormwater requirements, will ensure that any impacts remain **less than significant**.

For these reasons, the Project will likewise not substantially alter the existing draining pattern in a manner that would substantially increase the rate or amount of surface runoff that would result in on-site or off-site flooding that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

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?

As discussed in more detail in Section (a) above, the Project would include new stormwater drainage features, LID facilities, and piping to ensure drainage systems mimic pre-construction conditions. The Project would otherwise not modify Mill Creek or any other existing or planned stormwater drainage systems. Additionally, as detailed above and more fully described in **Appendix B (p. 34)**, the Project's compliance with regulatory permitting requirements, including obtaining a SWPPP, coupled with the Project's design features that will ensure the Project meets NCRWQCB stormwater requirements, will ensure that any impacts remain **less than significant**.

For these reasons, the Project will likewise not substantially alter the existing draining pattern in a manner that would create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide additional sources of polluted runoff that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

iv) Impede or redirect flood flows?

A small, southeastern portion of the Project Site that runs near Mill Creek is located within the FEMA 100-year flood zone. However, the Project does not propose constructing any features in that zone that would otherwise impede or redirect flood flows. Instead, the Project's landscaping plan calls for maintenance of the surrounding area and replanting native riparian species. As such, any potential impact on the impediment or redirection of flood flows would be **less than significant**, such that no further mitigation or conditions are required.

For these reasons, the Project will likewise not substantially alter drainage patterns so as to impede or redirect flood flows in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

The proposed Project is not likely to involve a risk of release of pollutants from inundation. It is not in a tsunami hazard area or an area that could be flooded by a seiche. The Greenhouse will be elevated so the finished floor is more than one foot above base flood elevation levels. While the Greenhouse will largely focus on organic cultivation, any fertilizers, pesticides, herbicides, and/or rodenticides that may be used will be stored safely to avoid inadvertent exposure to residents. Also, the amount of these potentially harmful products on-site at any particular time is expected to be similar to the amounts found in homes or accessory structures in other single-family residential neighborhoods nearby, and thus does not constitute a significant amount. Given these considerations, the Project will have a **less than significant impact** on the release of pollutants due to inundation, such that no further mitigation or conditions are required.

For these reasons, the Project will likewise not result in the risk of releasing pollutants due to inundation that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

The NCRWQCB's Basin Plan describes how the quality of surface and ground water in the North Coast Region should be managed to provide the highest water quality reasonably possible. The NCRWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements to individuals, communities, or other organizations whose waste discharges can affect water quality. These requirements can be either State Waste Discharge Requirements for discharges to land, or federally delegated NPDES permits for discharges to surface water.

As indicated in Section (b) above, the Project does not involve the use of groundwater resources and therefore would have **no impact** on the quantity or quality of groundwater availability in the Mad River Valley – Dows Prairie School Area Basin.

Moreover, and as more fully described in Section (a) above, the Project proposes constructing and implementing extensive stormwater control features that will serve to mimic pre-construction drainage patterns on the site. The standard conditions of approval and regulatory compliance measures detailed in **Appendix B (pp. 36-38)** formalize the Project's commitment to implement those design features consistent with minimum requirements of the GPU, the GPU PEIR, and applicable federal, State, and local regulations, including the Project's development and implementation of a SWPPP and CWA Section 401 and 404 Permits. Adherence to these permits and regulatory requirements ensure that the Project will not conflict with the Basin Plan or any other adopted water quality control plans, thus ensuring any associated impacts remain **less than significant**.

Moreover, the Project would meet and/or support applicable MCCP goals and policies that regulate hydrology and water quality during construction and operation of the Project, including: Drainage (Policy 3310), Sensitive and Critical Habitats (Policy 3422). The Project would also meet and/or support the following GPU Water Resource Element goals and policies that regulate hydrology and water quality during construction and operation of the Project: Storm Drainage (Policy WR-G10), Erosion and Sediment Discharge (Policy WR-P10), Implementation of NPDES Permit (Policy WR-P35), Natural Stormwater Drainage Courses (Policy WR-P36), Erosion and Sediment Control Measures (Policy WR-P42), Storm Drainage Design Standards (Policy WR-P43), Storm Drainage Impact Reduction (Policy WR-P44), and Reduce Toxic Runoff (Policy WR-P45).

For these reasons, the Project will likewise not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe hydrology and water quality impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code and the regulatory compliance measures specified in **Appendix B (pp. 36-40)**, as well as incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.11 Land Use and Planning

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XI. LAND USE AND PLANNING – Would the project:					
a) Physically divide an established community?	GPU PEIR: § 3.1, pp. 3.1-6–3.1-19 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.10, p. 17	No.	No.	No.	N/A
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?	GPU PEIR: § 3.1, pp. 3.1-6–3.1-19 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.10, p. 17	No.	No.	No.	MCCP: Sec. 3420 HCC: §§ 314-29.1, 314-38.1, 314-61.1, 314-99.1.1

Prior EIR Summary

Section 3.1 (ages 3.1-6 to 3.1-19) of the GPU PEIR analyzes land use and planning impacts associated with implementation of the GPU. The PEIR finds that the impacts of implementing the GPU to land use and planning would be less than significant as mitigated.

The Land Use Section of the MCCP PEIR (Section 4.10, pp. 4-99–4-114) describes mitigation measures needed to reduce conflicts on trails and at the urban/rural boundary, and a number of measures intended to reduce specific impacts resulting from zoning changes on individual properties. With implementation of the mitigation measures, the MCCP's land use impacts are reduced to less than significant levels.

Section 3.3.10 (page 17) of the HE Addendum relies on the GPU PEIR's land use and planning impact analysis to analyze the potential land use and planning impacts associated with implementing the Housing Element Update. The Addendum concludes that no component of the HE Update would impact land use and planning. The Addendum explains that policies, standards, and implementation measures in the HE Update have indirect impacts and do not involve land use designation or zoning changes. Actions resulting from the Housing Element Update may involve these issues, but would be adopted by ordinance with further review. The minor changes proposed by the Update to encourage affordable, emergency, transitional, and supportive housing would not have a substantial direct effect on any identified land use impacts. Thus, in

light of the GPU PEIR, the HE Addendum concludes that the Housing Element Update would have no potential significant impacts on land use planning.

Project Specific Analysis

a) Would the project physically divide an established community?

The Project would not physically divide an established community. Figure 2.2 above shows the location of the Project in relation to the surrounding development. It shows the neighborhood to the north of the Project Site is accessed by local streets connecting to Sutter Road to the north, while the neighborhoods to the south are accessed from Central Avenue and Bartow Road. The Project Site does not presently serve to physically connect these surrounding neighborhoods together. The proposed internal road between Weirup Lane to the north and Central Avenue to the west may physically improve connectivity between the surrounding neighborhoods, but would not otherwise physically divide an established community.

For these reasons, the Project will likewise not physically divide an established community in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project 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?

Through the Humboldt County Zoning Code, the GPU and the MCCP apply two Combining Zones to the Project Site, which impose development standards that are intended to avoid or mitigate certain types of environmental impacts: the *N – Noise Impact Combining Zone* and *the WR – Streamside Management Areas and Wetlands Combining Zone*.

<u>N – Noise Impact Combining Zone</u>

The *N – Noise Impact Combining Zone* (HCC § 314-29.1), which attaches to the Project parcels that are zoned C-2: Community Commercial Zone, prescribes building standards to ensure noise levels are limited to acceptable levels within residential and commercial buildings. On the Project parcels zoned C-2, the N Combining Zone further helps address noise impacts from vehicle traffic along Central Avenue, which borders the western side of the Project Site. In particular, there is a small strip of land where the Project's proposes to develop the Community Center building where excessive levels of noise from vehicle traffic are anticipated. As such, construction of the Community Center building will be developed according to the N Combining Zone's building standards, and will employ corresponding development features and treatments to ensure the upper residences and other habitable areas achieve acceptable internal noise levels (i.e., ~45 dB CNEL-LDN). (HCC § 314-29.1.5.)

The Project's compliance with the N Combining Zone's building standards and requirements will also ensure the Project complies with the GPU Noise Element's policies and standards that relate to protecting resident uses from excessive noise. Lastly, as explained more fully in the "Noise" section below, the Project's acquisition of a CUP will authorize the Project's proposed Temporary Event uses, which will ensure periodic noises generated from those events remain consistent with the N Combining Zone.

<u>WR – Streamside Management Areas and Wetlands Combining Zone</u>

The *WR – Streamside Management Areas and Wetlands Combining Zone* (HCC §§ 314-38.1, 314-61.1), which attaches to some of the Project Site parcels zoned C-2 and R-1, protects streams, riparian areas, and wetlands. The WR Combining Zone carries out the County's Streamside Management Areas and Wetlands Ordinances (SMAWO) and MCCP Section 3420. The SMAWO governs potential impacts to wetlands, riparian areas, and Streamside Management Areas (SMAs) by requiring new developments acquire a special permit. (HCC § 314-61.1.5.) MCCP Section 3420 prescribes policies, standards, and implementation measures to ensure streams and wetlands in the McKinleyville Community Planning Area are protected from impacts associated with new development. In particular, through the WR Combining Zone, the SMAWO and the MCCP require that new development be setback from sensitive areas, such as wetlands and streamside areas. They also impose measures that must be employed during construction to ensure such activities do not yield any significant impacts to biological resources.

As applied to the Project Site, the WR Combining Zone is intended to protect Mill Creek, which runs along the far southeastern corner of the property. As more fully described above, because construction of some of the Project's elements will require filling some of the wetlands on those parcels within the WR Combining Zones, the Project will be required to obtain a special permit pursuant to the SMAWO and fill permits from USACE and NCRWQCB under Sections 401 and 404 of the Clean Water Act. The Wetlands Habitat Mitigation and Monitoring Plan (WHMM Plan) incorporates Project-specific compliance measures that are consistent with the SMAWO and will ensure impacts are less-than-significant. For example, to offset wetland filling, the WHMM Plan describes measures to create new wetland areas on the Project Site's existing uplands, which will feature riparian plantings and native vegetation. Moreover, and as more fully detailed in **Appendix B**, Project approval will be conditioned on complying with the WR Zone and MCCP wetland protection policies and requirements. The Project will employ all applicable protective measures during Project construction to ensure such activities do not significantly impact the Project Site's on-site and nearby wetlands. These efforts will be further bolstered by the Project's adherence to the BMPs and conditions prescribed by the WHMM Plan and CWA Section 401 and 404 permits issued by the USACE and NCRWQCB. The Project will also employ measures to ensure wetland areas remain protected during operational activities. In addition to planting native riparian vegetation and removing nonnative invasive species, the Project's proposed trails and natural walking features will be integrated in a sustainable manner so as to avoid foot traffic over sensitive areas. Finally, the Project's proposed Barn and agricultural cultivation activities will be sufficiently distanced and fenced so that livestock cannot graze on or near wetland/streamside areas.

Finally, in acquiring a Special Use Permit (HCC § 314-61.1.5), the Project will be conditioned to ensure compliance with GPU and MCCP wetlands policies and the activities, measures, and standards prescribed therein.

Special Permit

HCC Section 314-99.1.1 allows structures to exceed the maximum height limit of the Principal Zone with a Special Permit. The Project's Courtyard Apartments are proposed to be constructed on the west side of Weirup Lane. The Special Permit would allow these structures to be built to a height of 40 feet, which would be five feet taller than the standard maximum 35-foot building height allowed in the R-1 Zone. As described in the "Aesthetics" section above, the scenic view of the open pasture and Mill Creek riparian forest is already obstructed in this location by existing structures, trees, and a fence, so approval of a Special Permit per HCC Section 314-99.1 would not result in a significant impact on scenic vistas.

For these reasons, the Project will likewise not 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 that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU and MCCP PEIRs and the HE Addendum, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, MCCP PEIR and the Housing Element Addendum, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe land use or planning impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features specified in **Appendix B (pp. 40-48)** will substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, MCCP PEIR or Housing Element Addendum.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, MCCP PEIR or Housing Element Addendum.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, MCCP PEIR and Housing Element Addendum.

4.12 Mineral Resources

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XII. MINERAL RESOURCES – Would the project:					
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?	GPU PEIR: § 3.9, pp. 3.9-3–3.9-5 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.11, p. 17	No.	No.	No.	N/A
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?	GPU PEIR: § 3.9, pp. 3.9-3–3.9-5 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.11, p. 17	No.	No.	No.	N/A

Prior EIR Summary

Section 3.9 (pages 3.9-5 to 3.9-5) of the GPU PEIR analyzes impacts on mineral resources associated with implementation of the GPU. The PEIR finds that implementing the GPU will have less than significant impacts on mineral resources.

The MCCP PEIR Section 4.10 describes the MCCP's impacts on mineral resources. It recognizes surface mining of sand, gravel and other aggregate products could occur in the small portions of Mad or Little Rivers in the Planning Area and that these operations would be subject to the County's Surface Mining Ordinance, wherein a Conditional Use Permit and approval of a reclamation plan and financial assurances would be required. As there are presently no mining operations being conducted or proposed in these areas, and as land use designation does not affect future potential mining, no effect to mineral resources is noted in the PEIR.

Section 3.3.11 (page 17) of the HE Addendum relies on the GPU's mineral resources analysis to analyze potential impacts to mineral resources associated with implementing the Housing Element Update. The Addendum concludes that the minor changes proposed by the Project to encourage affordable housing and support emergency, transitional, and supportive housing would not have a substantial effect on mineral resources. Thus, in light of the GPU PEIR, the HE Addendum concludes that the Housing Element Update would have no potential significant impacts on mineral resources.

Project-Specific Analysis

a) Would the project 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?

The Project would require minor use of rock, gravel, sand, and other similar materials for construction, but is not expected to have any significant impact on locally available minerals or mineral resources valuable to the region or the State. The impact would be **less than significant**.

For these reasons, the Project will likewise not result in the loss of availability of a known mineral resources that would be valuable to the region or state in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project 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?

The Project Area is not designated by the GPU, the GPU PEIR, the MCCP, the MCCP PEIR, the HCC, or any other local land use plans as having locally important mineral resources within the Project Area. This impact would be **less than significant**.

For these reasons, the Project will likewise not result in the loss of availability of a locally important, land use plan-designated mineral resource recovery site that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies and standards identified in the GPU, MCCP, and HE Update, and their associated environmental documents, the Project would not have any new significant or substantially more severe mineral resources impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR or Housing Element Addendum.

3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.13 Noise

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XIII. NOISE – Would the project result in:					
a) 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?	GPU PEIR: § 3.6, pp. 3.6-5–3.6-13. MCCP PEIR: § 4.9, pp. 4-87–4-98 HE Addendum: § 3.3.12, pp. 17-18	No.	No.	No.	GPU: N-P1, N-S1, N-S4, N-S5, N-S6, N-S7, GPU PEIR: MM 3.6.3.2.a. MMCP: 3242.1, 3242.2 HCC: Conditional Use Permit (CUP) Standard Condition of Approval: Compliance with Project description and BMPs for construction noise
b) Generation of excessive groundborne vibration or groundborne noise levels?	GPU PEIR: §3.6, pp. 3.6-5–3.6-13. MCCP PEIR: § 4.9, pp. 4-87–4-98 HE Addendum: § 3.3.12, pp. 17-18	No.	No.	No.	GPU PEIR: MM 3.6.3.2.a. Standard Condition of Approval: Compliance with BMPs for construction noise
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	N/A	No.	No.	No.	N/A

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
residing or working in the project area to excessive noise levels?					

Prior EIR Summary

Section 3.6 of the GPU PEIR (pages 3.6-1 – 3.6-14) evaluated the environmental effects related to noise from buildout of the General Plan, including buildout of the McKinleyville Community Plan area, finding that the impacts of implementing the GPU would be less than significant as mitigated. It cited policies and standards to control noise hazards including Policy N-P1, Minimize Noise from Stationary and Mobile Sources, which would apply standards during permit review, such as those currently contained in the Zoning Regulations, to minimize noise and its effect on sensitive receptors. Also cited was Policy N-P4, Protection from Excessive Noise, would protect persons from existing or future excessive noise levels which interfere with sleep, communication, relaxation health or legally permitted use of property. It identified a new standard which limits noise related nuisances: Standard N-S7, Short-term Noise Performance Standards Maximum Noise Level (Lmax), establishes the maximum permissible noise levels within zoning classifications and defines the method by which noise measurements are to be conducted. It also recognized standard N-S1, Land Use/Noise Compatibility Matrix, which identifies levels of noise that are compatible with different land use types.

The GPU PEIR concluded the policies and standards identified above were applicable to construction related noise and vibration, so it identified a mitigation measure to clarify these noise hazards were to be included in the features considered during preparation of a future noise control ordinance (N-IM6).

Section 4.9 of the MCCP PEIR (pages 4-87 – 4-98) identified primary sources of noise within that planning area: aircraft landings and take-offs at the Arcata-Eureka Airport; vehicular traffic on Highway 101 and major arterial and collector streets; industrial processes; construction sites; and noise nuisances (barking dogs, amplified music, heavy equipment operation at late/early hours, etc.). The EIR included Tables 4.9-1 through 4.9-4 that identify year 1999 traffic noise levels and project traffic noise levels for the years 2005, 2010, and 2020.

Section 3.3.12 (pages 17 to 18) of the HE Addendum relies on the GPU PEIR to analyze the potential noise hazard impacts associated with implementing the HE Update. The Addendum explains that existing regulations, policies, and mitigation measures that apply to new residential development contemplated by the HE Update are expected to reduce adverse impacts related to noise hazards to less than significant levels. The HE Update Addendum primarily considered noise from the construction of additional housing.

Project-Specific Analysis

a) Would the project result in 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?

Construction Noise

Noise levels generated by Project construction activities would temporarily elevate ambient noise levels at sensitive land uses in the vicinity. Major noise generating construction activities would be limited to one construction season or less. Although various other project construction activities may occur periodically over two construction seasons for each Phase. This is a **less-than-significant** impact.

The construction of the Project would generate noise and would temporarily increase noise levels at adjacent residential receivers. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment operating on site, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors (see **Appendix C.2**). Construction of the project would involve site improvements, such as the establishment of utilities, excavation of foundations, building erection, paving, and landscaping along with home construction. The hauling of excavated material and construction materials would generate truck trips on local roadways.

Construction activities are typically carried out in stages. During each stage of construction, there would be a different mix of equipment operating. Not all equipment would be operating at the same time. Construction noise levels would therefore vary by stage and vary within stages based on the amount of equipment in operation and location where the equipment is operating. Typical noise levels during the construction of housing and commercial developments at 50 feet are shown in Table 5, which gives the average noise level ranges by construction phase. Site work and building construction noise typically ranges from 78 to 89 dBA at 50 feet from the source with all pertinent equipment on site.

The nearest noise sensitive (residential) uses will be 50 to 100 feet from close-in on-site construction. Average noise levels produced by construction activities at this distance would range from 72 to 89 dBA, with an average level of 80 dBA. These noise levels drop off at a rate of about 6 dBA per doubling of distance between the noise source and receptor, such that noise levels produced during most site construction activities, which would occur at distances of 150 feet or more from adjacent noise sensitive uses, would produce average noise levels of 72 dBA or less during construction activities.

Table 4.13-1: Typical Ranges of L_{eq} Construction Noise Levels at 50 Feet, dBA

Construction Stage	Domestic Housing		Office Building, Hotel, Hospital, School, Public Works		Public Works Roads & Highways, Sewers, and Trenches	
	I	II	I	II	I	II
Ground Clearing	83	83	84	84	84	84
Excavation	88	75	89	79	88	78
Foundations	81	81	78	78	88	88
Erection	81	65	87	75	79	78
Finishing	88	72	89	75	84	84

I - All pertinent equipment present at site, **II** - Minimum required equipment present at site.

Source: U.S.E.P.A., Legal Compilation on Noise, Vol. 1, p. 2-104, 1973.

Though no construction schedule for the Project is yet available, given the Project size and scope, it is reasonable to assume that the Project will take more than one year to complete, with site work taking around three months and building construction continuing for over a period of 12 months or more. Though this timetable indicates a greater than one year total construction period, based on the construction noise levels

at various distances discussed above, and a consideration that once intervening structures are built, they would provide noise attenuation at the adjacent residences, we expect that the existing residences adjacent to the project site would not be exposed to construction related noise levels exceeding 60 dBA L_{eq} for a period of greater than one year.

Additionally, in keeping with commonly adopted construction management best practices, the following construction noise controls and allowable hours of construction are required as conditions of approval COA C-1 and included in the Project:

- Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 6:00 pm on weekdays and 9:00 am and 5:00 pm on Saturdays. No construction shall occur on Sundays or holidays.
- All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
- Unnecessary idling of internal combustion engines beyond 5 minutes shall be prohibited.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Haul truck deliveries are subject to the same hours specified for construction equipment.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early, bad muffler, etc.) and institute reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

With the implementation of these controls, and the limited duration of the noise generating construction at the adjacent noise sensitive uses, the substantial temporary increase in ambient noise levels associated with construction activities would be **less-than-significant**.

Operational Noise

Project operational noise levels due to the use and occupation of the Project residences on adjacent noise sensitive uses is not expected to significantly increase or alter the existing noise environment. This is a **less-than-significant** impact.

The proposed Project would place new residential cottages and townhomes within approximately 50 to 90 feet of existing single-family homes to the north on Hideaway Court, the community center and upper-level residential uses within approximately 100 feet of an existing residence (and 80 feet from the property line) to the south, and the parking area associated with the community center and upper-level residences with approximately 50 feet of the existing residence to the south.

Residential units on the 2nd, 3rd and 4th levels of the community building closest to Central Avenue are expected to be exposed to exterior noise levels of up to 63 dBA CNEL under future conditions (see **Appendix C.2**). Considering this, the following noise control measures are incorporated as Conditions of Approval (COA A-10):

> The residential units on the 2nd, 3rd and 4th levels of the community building with direct views of Central Avenue traffic will be equipped with a mechanical ventilation system capable of supplying adequate fresh air to the units when windows and doors are closed for noise control. Acceptable mechanical ventilation systems include acoustically rated straight air transfer ducts such as the Fresh 80, 90 or 100-dB units by Fresh Ventilation (or equal) or a standard central air conditioning and/or a central heating system with adequate fresh air supply, which is equipped with a 'summer switch' to allow the fan to circulate air without cooling or heating operation, or other systems satisfactory to the local building official.

The Heating Ventilation and Air Conditioning (HVAC) and other mechanical equipment associated with the proposed residential and community center development will also add noise to the existing environment. Based on a review of the current project plans, any outdoor HVAC equipment is expected to be installed at ground level for the cottages and townhomes and at the rooftop of the proposed 4-story community center/residential building.

Based on noise measurements made at similar projects, the individual outdoor condensing units at the proposed residences may produce constant sound pressure levels of 51 to 56 dBA Leq at 10 feet and the HVAC system for the community center could produce constant sound pressure levels of 73 dBA Leq at 10 feet. Considering these noise levels, that the rooftop equipment at the community center building, the structure itself would provide at least 10 decibels of noise reduction due to building shielding from 3rd or 4th floor rooftops to ground level, and the distances to the adjacent residential uses, noise from the project HVAC equipment is expected to be below ambient noise levels at the adjacent residences and would be considered compatible with the surrounding land uses.

The occupation and use of the proposed residences is expected to result in the typical noises associated with residential development, including voices of the new residents, residential maintenance activities, barking dogs and children. Though these sounds may noticeably change the noise environment in some adjacent residential areas, these sources are not expected to increase the CNEL in any surrounding areas by 3 dBA or more. Thus, the noise associated with the occupation of the proposed residential is considered compatible with the surrounding land uses.

Primary Events, Temporary/Special Events, Weddings

Based on the Project site plan and on a review of Google Earth distances, the Community Center Building would be located approximately 450 feet from the closest single-family residence (R1) to the north, 890 feet the property line of the multifamily residences (R2) to the northeast, and 80 feet from the property line of the residence to the south (R3). An additional review of Google Earth distances indicates that the primary Community Center outdoor assembly area will be located approximately 390 feet from R1, 820 feet the property line of R2 and 160 feet from the property line R3.

Considering;

1. The above distances,

2. The typical event noise levels in Table 4,
3. Atmospheric distance attenuation only for outdoor events,
4. The noise barrier fence/wall proposed along a portion of the southern property line (R3), and
5. Distance attenuation[5] in addition to the typical interior to exterior building attenuation[5] of 15 dBA with windows and doors partially open for all events without amplified music and the typical interior to exterior building attenuation of 25 dBA with closed windows and doors for indoor events.

According to the project specific Noise and Vibration Assessment (**Appendix C.2**), the expected event noise levels at the closest adjacent residences to the north (R1), northeast (R2) and south (R3), are shown in Tables 4.13-2a and 4.13-2b, following. These tables also show the daytime and nighttime substantial temporary noise level significance criteria established above.

Table 4.13-2a: Indoor Event Noise Levels at Nearest Residential Uses, Lmax (dBA)

Indoor Event L_{eq} Levels at Receivers	Sensitive Receiver		
	R1 (North)	R2 (NE)	R3 (South)
1. Amplified Music Performances	31	24	51
2. Amplified Speech	27	20	47
3. Non-amplified (acoustic) Music	24	17	54
4. 400 Guests in Raised Conversation with Background Music	29	22	59
5. 150 Guests in Raised Conversation with Background Music	22	15	52
General Plan NS-7 Daytime (7 am to 10 pm) Noise Limit	**65**	**65**	**65**
Daytime Outdoor Event Noise meets NS-7 Standard?	**Yes**	**Yes**	**Yes**
General Plan NS-7 Nighttime (10 pm to 7 am) Noise Limit	**60**	**60**	**60**
Nighttime Outdoor Event Noise Meets NS-7 Standard?	**Yes**	**Yes**	**Yes**

Table 4.13-2b: Outdoor Event Noise Levels at Nearest Residential Uses, Lmax (dBA)

Outdoor Event L_{eq} Levels at Receivers	Sensitive Receiver		
	R1 (North)	R2 (NE)	R3 (South)
Amplified Music Performances	Not Allowed	Not Allowed	Not Allowed
Amplified Speech	Not Allowed	Not Allowed	Not Allowed
Non-amplified (acoustic) Music	51	43	57
400 Guests in Raised Conversation with Background Music	56	48	62
150 Guests in Raised Conversation with Background Music	49	41	55
General Plan NS-7 Daytime (7 am to 10 pm) Noise Limit	**65**	**65**	**65**
Daytime Outdoor Event Noise Meets NS-7 Standard?	**Yes**	**Yes**	**Yes**

Source: Illingworth & Rodkin, April 29, 2025 (We Are Up, Noise and Vibration Assessment).

Based on the results shown in Tables 4.13-2a and 4.13-2b, all indoor and outdoor events will meet the daytime and nighttime General Plan NS-7 standards at sensitive receivers R1 and R2. With the +/- 210 foot long, six foot tall noise barrier fence adjacent to the residence R3 and a Conditional Use Permit (CUP) in place for the Project's Temporary Events, outdoor events with up to 400 guests in attendance would also meet the General Plan NS-7 standard at sensitive receiver R3.

In addition to noise from event activities, parking lot activities associated with these events (and the use of the project itself) have also been considered. The acoustical center of the parking areas associated with the

use of the community center closest to the identified adjacent residential uses will be within approximately 450 feet of the property line of R1, 920 feet of the property line of R2, and 50 feet of the property line of R3. The sounds of automobile traffic accessing this parking lot will produce noise from driving within the lot along with engine starts and door slams in the parking areas. These noises typically produce maximum (L_{max}) sound levels of 53 dBA to 63 dBA at 50 feet, with average maximum sound levels of 57 dBA. Automobile traffic traveling at constant speeds on the access driveway would be expected to produce average maximum sound levels of 56 dBA at 50 feet[9]. Based on these levels, and with the noise barrier fence, anticipated parking lot activity noise at the closest adjacent residences to the north (R1), northeast (R2) and south (R3), are shown in Table 4.13-3 below:

Table 4.13-3: Parking and Driveway Noise Levels at Nearest Residential Uses, L_{max} (dBA)

Activity Type	Sensitive Receiver		
	R1 (North)	R2 (NE)	R3 (South)
1.Parking Lot Activities (i.e. engine starts, door slams, etc.)	44	38	57
2.Vehicles Driving in Lot	37	31	50
General Plan NS-7 Daytime (7 am to 10 pm) Noise Limit	**65**	**65**	**65**
Daytime Outdoor Event Noise Exceeds NS-7 Standard?	**No**	**No**	**No**
General Plan NS-7 Nighttime (10 pm to 7 am) Noise Limit	**60**	**60**	**60**
Nighttime Outdoor Event Noise Meets NS-7 Standard?	**Yes**	**Yes**	**Yes**

Source: Illingworth & Rodkin, April 29, 2025 (We Are Up, Noise and Vibration Assessment).

Based on the results shown in Table 4.13-3, with the noise barrier fence along a portion of the R3 property line neither daytime and nighttime parking lot activities would exceed the General Plan NS-7 standard at receivers R1, R2, or R3.

Considering all of the above findings, Project operational functions and activities will result in temporary noise increases at the single-family residence to the south (R3) from large outdoor Special Events. However, the Project's proposed special events would be operated in conformance with an approved Conditional Use Permit (CUP), per General Plan NS-7. Noise from the special events and parking lot activities would also be reduced by 6 dBA at the property line of the nearest sensitive residential receptor (R3) through the construction of the Project's implementation of a noise barrier fence. This is a **less-than-significant** impact.

For these reasons, with the conditions of approval the Project is consistent with the GPU, HE Update and Community Plan and will not impose significant and peculiar direct or cumulative environmental noise impacts not already contemplated by the EIRs prepared for the GPU and MCCP or the HE Update Addendum, or involve any unanalyzed significant direct or cumulatively considerable impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

[9] Reported sound levels are calculated considering a driveway speed of 20 mph with the use of the California Vehicle Noise Reference Energy Mean Emissions Levels (REMELS) per Cal Trans Technical Advisory, Noise TAN 95-03, Page 2.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Residences in the vicinity of the Project Site are not expected to be exposed to perceptible vibration levels from construction activities. This is a **less-than-significant** impact.

Construction activities would include the demolition of existing buildings, site preparation work, foundation work, paving, and new building framing and finishing. The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used. Construction techniques that generate the highest vibration levels, such as impact or vibratory pile driving, are not expected at this project. For structural damage, the California Department of Transportation uses a vibration limit of 0.5 in/sec, PPV for buildings structurally sound and designed to modern engineering standards and 0.2 in/sec, PPV for buildings that are found to be structurally sound but where structural damage is a major concern. Project construction activities such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) may generate substantial vibration in the immediate vicinity. Building framing, exterior and interior finishing, and landscaping activities are not anticipated to be sources of substantial vibration. Based on a review of the site plan and surrounding uses, construction activities would generally occur at distances of 40 feet or more from the nearest residences. Construction activities may extend over more than one construction season, but construction vibration would not be substantial for most of this time except during vibration generating activities (as discussed above).

Table 4.13-4 below presents vibration source levels for typical construction equipment at a distance of 40 feet. At this distance jackhammers typically generate vibration levels of 0.017 in/sec PPV, drilling typically generates vibration levels of 0.044 in/sec PPV, and vibratory rollers generate vibration levels of 0.104 in/sec PPV at 60 feet. Based on this, construction vibration levels would be well below the 0.20 in/sec and 0.50 in/sec PPV damage criteria at the closest structures.

Table 4.13-4: Vibration Source Levels for Construction Equipment[10]

Equipment		PPV at 40 ft. (in/sec)
Clam shovel drop		0.100
Hydromill (slurry wall)	in soil	0.004
	in rock	0.008
Vibratory Roller		0.104
Hoe Ram		0.044
Large bulldozer		0.044
Caisson drilling		0.044
Loaded trucks		0.038
Jackhammer		0.017
Small bulldozer		0.004

In areas where vibration would not be expected to cause structural damage, vibration levels may still be perceptible. However, as with any type of construction, this would be anticipated and would not be considered significant given the intermittent and short duration of the phases that have the highest potential

[10] Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Office of Planning and Environment, Federal Transit Administration, May 2006.

of producing vibration (jackhammers and vibratory rollers). By use of administrative controls such as notifying adjacent land uses of scheduled construction activities and scheduling construction activities with the highest potential to produce perceptible vibration to hours with least potential to affect nearby residences, perceptible vibration can be kept to a minimum and as such would not result in a significant impact with respect to perception.

For these reasons, the Project is consistent with the GPU, HE Update and Community Plan and will not impose significant and peculiar direct or cumulative environmental impacts related to vibration and not already contemplated by the EIRs prepared for the GPU and MCCP or the HE Update Addendum, or involve any unanalyzed significant direct or cumulatively considerable impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

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?

The Project is not located within an airport land use plan, is not within two miles of an airport or in the vicinity of a private air strip. Therefore, the Project would have **no impact** in regard to exposing people to excessive noise levels generated by an airport.

For these reasons, the Project will likewise not expose people to excessive airport noise levels in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The construction, operational and special event noise levels that would be a foreseeable consequence of the proposed Project are consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, and the 2017 MCCP Amendments, and would not result in any new significant noise impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, and the conditions of approval the Project would not have any new significant or substantially more severe noise impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of mitigation measures of the GPU PEIR MMRP (see **Appendix B, p. 52**), and incorporation of identified conditions of approval and Project design features substantially mitigate potentially significant impacts to a less than significant level.

2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.14 Population and Housing

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XIV. **POPULATION AND HOUSING** – Would the project:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	GPU PEIR: § 3.1.3.4, pp. 3.1-19–3.1-23 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.13, p. 18	No.	No.	No.	GPU: H-P12; H-P18
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	GPU PEIR: § 3.1.3.5, pp. 3.1-19–3.1-23 MCCP PEIR: § 4.10, pp. 4-99–4-114 HE Addendum: § 3.3.13, p. 18	No.	No.	No.	N/A

Prior EIR Summary

Sections 3.1.3.4 and 3.1.3.5 (pages 3.1-19 to 3.1-23) of the GPU PEIR analyze potential impacts to population and housing associated with implementing the GPU. The PEIR explains that the GPU imposes policies to address how growth is intended to be accommodated, including efforts to increase infill opportunities and increase urban residential densities. Because the GPU does not contain specific development projects but instead contains policies and land use designations to guide development, application of those policies and standards would not induce growth and would lessen potential impacts to the displacement of people or housing by providing more than sufficient land to accommodate growth during the planning period. Therefore, impacts related to inducing population growth or displacing people or housing units would be less than significant.

Section 3.10 of the MCCP PEIR (pages 4-99 – 4-114) consider potential impacts to population and housing associated with implementing the MCCP. It determined the size of the land base sanctioned for residential development is not excessive, such that disproportionate residential development will be induced or concentrated in the planning area. Similarly, it found no displacement of existing housing stock, either through those lands designated for residential development or other land uses (including density limitations imposed by the Airport Land Use Compatibility Plan) is evident. Accordingly, these land use impacts of

residential development guided by the proposed revised Community Plan were viewed as less than significant.

Section 3.3.13 (page 18) of the HE Addendum analyzes potential impacts to population and housing associated with implementing the Housing Element Update. The Addendum relies on the GPU EIR to conclude that potential impacts concerning population and housing would be less than significant. The Addendum explains that, because the Update does not propose specific development proposals or contain policies that are intended to induce growth, components of the Update would not promote unplanned growth or displace people. Rather, policies, standards, and implementation measures promulgated by the Update propose minor changes that do not substantially depart from the General Plan's emphasis on growth accommodation. Moreover, the proposed number of housing units proposed in the Update does not exceed that evaluated in the GPU PEIR, therefore, impacts would similarly not exceed those analyzed in the PEIR. Accordingly, the HE Update's potential impacts concerning population and housing would be less than significant.

Project Specific Analysis

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

The GPU, MCCP and the HE Update promote and encourage a range of housing and support services for elders and disabled persons. The Project would provide safe and affordable supportive housing for individuals with intellectual/developmental disabilities and seniors, which, in turn, would address the urgent need for new housing in the region with a focus on the shortage of housing specifically these underserved communities. The Project is also located within a Housing Opportunity Zone (HOZ), which is an area designated for streamlined residential and infrastructure development. Moreover, and as explained in subparagraph (b) below, the Project's proposed 70 residential units are comfortably within the number of units forecasted to be developed under the GPU, MCCP and HE Update planning cycles, and therefore would not induce or yield significant unplanned population growth. Accordingly, the Project would have **no impact** on growth-inducement by directly or indirectly creating substantial unplanned growth in the area.

For these reasons, the Project is likewise consistent with GPU, MCCP and HE Update policies that call for the development of more supportive units for individuals with disabilities and seniors. The residential population to be served by the Project would not be unplanned, as it is a population that currently lacks adequate options for supportive housing. Thus, the Project would not cause impacts peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The Project proposes to construct 70 residential units, and will thus expand housing resources in the region. Critically, these units will house an underserved residential population: individuals with intellectual and developmental disabilities and seniors. Accordingly, the Project would help alleviate the existing strain on and need for affordable supportive housing. The project will demolish one existing single-family residence,

and one duplex located on the project site on Central Ave., however these units are replaced by the proposed project. Moreover, these proposed residential units are within the development footprint contemplated by the HE Update, which estimated that buildout under the Housing Element for the next planning period would be less than that analyzed in the GPU PEIR. Accordingly, the Project would have **no impact** on population and housing by virtue of displacement such that replacement housing would need to be constructed elsewhere.

For these reasons, the Project will likewise not displace substantial numbers of existing persons or housing so as to necessitate construction of replacement housing elsewhere in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies and standards identified in the GPU, MCCP, and HE Update, and their associated environmental documents, the Project would not have any new significant or substantially more severe population and housing impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.15 Public Services

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XV. PUBLIC SERVICES – Would the project:					
a) 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:					
Fire protection?	GPU PEIR: § 3.4, pp. 3.4-17–3.4-21 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: Sec. 3.3.14, p. 18	No.	No.	No.	GPU PEIR: IS-P3, IS-P4, IS-P24, IS-P25, IS-S1 HCC: Ch. 10 – Fire District Development Impact Fees Standard Condition of Approval: Payment of service impact fees.
Police protection?	GPU PEIR: § 3.4, pp. 3.4-22–3.4-24 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: Sec. 3.3.14, p. 18	No.	No.	No.	GPU PEIR: IS-P3, IS-P4
Schools?	GPU PEIR: § 3.4, pp. 3.4-12–3.4-16 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: Sec. 3.3.14, p. 18	No.	No.	No.	GPU PEIR: IS-P3, IS-P4
Parks?	GPU PEIR: § 3.15 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: Sec. 3.3.14, p. 18	No.	No.	No.	GPU PEIR: IS-P3, IS-P4

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
Other public facilities?	GPU PEIR: § 3.4; Appx. Q MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: Sec. 3.3.14, p. 18	No.	No.	No.	GPU PEIR: IS-P3, IS-P4

Prior EIR Summary

Section 3.4 (pages 3.4-12–3.4-24) of the GPU PEIR evaluates environmental impacts to public services, including fire protection, law enforcement, and schools. The GPU PEIR finds that, although proposed development under the GPU would accommodate additional residents, business, and other forms of development that would increase the need and demand for these public services, the GPU's policies, standards, and implementation measures adequately ensure that any environmental impacts to public services will be addressed through application of site-specific mitigation measures. Accordingly, impacts to public services associated with implementing the GPU would be less than significant.

The MCCP PEIR reached a similar conclusion as the GPU PEIR except for police services. Section 4.6 on pages 4-58 – 4-76 the PEIR describes the impacts from new development allowed by the MCCP and found that new development may have an adverse cumulative effect on the delivery of police services. Development Timing policies were added to require a finding of police services adequacy prior to approving urban level development within the Urban Expansion Area, and the Humboldt County Sheriff was directed to provide full time staffing at the McKinleyville substation. However, even with these modifications, impacts were not reduced to less than significant levels and a statement of overriding considerations was approved for the impact on police services.

Section 3.3.14 (page 18) of the HE Addendum analyzes the Housing Element Update's potential impacts to public services. The Addendum finds that the Update's impacts to public services are of the same type and extent as those considered in the GPU PEIR. The Addendum explains that new public facilities could be required as a result of housing development, and these facilities would be subject to applicable General Plan policies and standards, which would reduce impacts to less than significant levels. Because the Housing Element Update proposes fewer units than the number analyzed in the GPU PEIR, potential impacts to public services would be less than significant.

Project-Specific Analysis

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities,

the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Fire Protection?

The Project Site is served by the Arcata Fire Protection District (AFPD), which operates three stations: the Arcata Station, the Mad River Station, and the McKinleyville Station. The AFPD McKinleyville Station is closest to and thus serves the Project Site.

The Project would develop 70 new dwelling units, along with a Community Center that features commercial community uses, small retail uses, and private office uses for onsite programming. The Community Center would also be used to feature occasional events ranging in size. Together, the Project's proposed activities could increase the demand for AFPD's services, however, this demand would not be of a large enough scale that would require AFPD to immediately increase staffing, create new hazardous conditions, or result in modifications to the road system that would restrict access for emergency services.

According to the AFPD Fire Marshal, to support future demand for AFPD's services, the Department intends to extensively remodel and/or replace its Mad River Fire Station with a new, centrally-located station that can house two fire engines, a ladder truck, a central classroom and training facility, and five personnel. The new station would be similar to AFPD's existing McKinleyville Station and would be approximately 5,000 square feet. While the location and plans for this new facility have yet to be determined, its potential construction would help provide additional services to the surrounding area. However, because this facility does not directly serve the Project site and will be constructed to serve the area more generally, its construction is not needed to offset any impacts associated with the Project's demand for fire services.

Moreover, the Project will be required to pay fire protection impact fees to help offset any costs associated with incremental increase in demands for fire protection services. Payment of such fees would be required by Humboldt County on or before the issuance of a building permit as a condition of approval. Accordingly, the Project would not impact demand for protection services or have substantial adverse physical impacts associated with triggering the need to construct new fire protection services facilities, and will thus have **less than significant** impacts to fire protection services.

The Project will also be consistent with applicable GPU policies that mitigate potential impacts to fire protection services. In particular, the Project will comply with various policies set forth in the Community Infrastructure and Services Element, including Policy IS-P3: *Requirements for Discretionary Development*, IS-P4: *Fiscal Impact Assessment*, IS-P24: *Building Permit Referrals*, and IS-P25: *Fire Service Impacts from New Development*.

Policies IS-P24 (*Building Permit Referrals*) and IS-P25 (*Fire Service Impacts from New Development*) require the County to refer building permits to the local fire chief for review, during which the chief must determine whether the district has adequate capacity to serve the proposed development and recommend any feasible mitigation measures to reduce impacts to emergency response and fire suppression services. Here, the County has already referred the Project to AFPD, which has indicated that it has adequate capacity to serve the Project's proposed uses. Therefore, the Project would be consistent with policies IS-P24 and IS-P25.

Policy IS-P3 (*Requirements for Discretionary Development*) requires that developments larger than a single-family home be assessed relative to service standards adopted by local service providers. Such projects may be approved if the County finds that: (a) existing services are adequate; (b) adequacy will be attained

concurrently with project implementation through conditions of approval; (c) adequacy will be obtained over time through implementation of a capital improvement or service development plan; or (d) evidence in the record supports a finding that project approval will not adversely impact health, welfare, and safety or plans to provide infrastructure or services to the community. Here, the AFPD has indicated that its existing service capacity is adequate to serve the Project's proposed uses and potential service demands. Accordingly, the Project is consistent with Policy IS-P3 and, as a result, will not have any significant impacts by virtue of a conflict with this policy.

Lastly, Policy IS-P4 (*Fiscal Impact Assessment*) requires that the fiscal impacts of discretionary developments be considered during the project review process and mitigated to the extent feasible. As explained above, while the Project is not anticipated to have significant impacts to existing fire service demands or AFPD's capacity to meet those demands, the Project will nevertheless be required, as a condition of approval, to pay fire protection impact fees to help off-set any costs associated with incremental increase in demands for fire protection services. As such, the Project is consistent with Policy IS-P4 and, as a result, will not have any significant impacts by virtue of a conflict with this policy.

For these reasons, the Project will likewise not have substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Police Protection?

Law enforcement services within Humboldt County are provided by the Humboldt County Sheriff's Office, which includes four different stations located throughout the county. The station located at 1608 Pickett Road in McKinleyville is owned by the McKinleyville Community Services District and operated by the Humboldt County Sheriff's Department (HCSD). The McKinleyville Station serves the Project Site, along with residents of McKinleyville, Fieldbrook, Westhaven, Orick, and all other unincorporated areas north of Arcata.

Two HCSD deputies and one sergeant are currently assigned to McKinleyville. To accommodate increased demand throughout the County, the Sheriff recommends that four officers be added to serve McKinleyville. This would provide for one additional deputy per shift. The existing Sheriff's Office facilities can accommodate these additional deputies, therefore, no new facilities would be needed.

The Project would develop 70 new dwelling units, along with a Community Center that features commercial community uses, small retail uses, and private office uses for onsite programming. The Community Center would also be used to feature occasional events ranging in size. Together, the Project's proposed activities could increase the demand for HCSD's services, however, this demand would not be of a large enough scale that would require HCSD to immediately increase staffing, create new hazardous conditions, or result in modifications to the road system that would restrict access for law enforcement/emergency services. Moreover, the Project, in and of itself, would not require HCSD to expand its existing McKinleyville facilities to serve the Project—any future deputies added would be by virtue of need within McKinleyville, generally, not because of the Project's potential demands.

For these reasons, the Project would not have substantial adverse physical impacts associated with triggering the need to construct new law enforcement facilities and thus will have **less than significant** impacts to police protection services.

Moreover, and as explained above, the Project will be consistent with GPU Policies IS-P3 (*Requirements for Discretionary Development*) and IS-P4 (*Fiscal Impact Assessment*), as HCSD has indicated that it has adequate capacity to serve the Project's proposed uses and potential demand. As such, the Project will not conflict with these policies and thus have no substantial impacts in this regard.

For these reasons, the Project will likewise not have substantial adverse physical impacts associated with the provision of new or physically altered law enforcement facilities that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Schools?

The Project Site is served by two school districts: the McKinleyville Union School District and the Northern Humboldt Union High School District. Both Districts currently have sufficient capacity to serve additional students. The McKinleyville Union School District can house approximately 327 additional students. Northern Humboldt Union High School District staff indicated that McKinleyville High School has capacity for additional students, but did not provide an available capacity number.

The Project would develop 70 new dwelling units, along with a Community Center that features commercial community uses, small retail uses, and private office uses for onsite programming. Unlike traditional residential developments, however, the Project's residential uses and future residents, will predominantly house two largely underserved populations: individuals with intellectual and developmental disabilities (I/DD) and seniors. Residents will be supported by the Project's onsite care services, which will be provided through support staff, volunteers, and related professionals. For these reasons, and due to the demographics of the residential population that the Project will serve, it is not anticipated that on-site residents will introduce and/or house school-age children, particularly those who would enroll in the local school districts.

For these reasons, the Project would not have substantial adverse physical impacts associated with triggering the need to construct school facilities, and thus will have **no impact** on school facilities. Accordingly, the Project will likewise have substantial adverse physical impacts associated with triggering the need to construct new school facilities that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Parks and Other Public Facilities?

Several agencies manage the parks, recreation, and open space resources in and around McKinleyville including Native American tribes, California Department of Fish and Wildlife (CDFW), California State Parks Department, local city governments, Humboldt County, and the McKinleyville Community Services District (MCSD). The McKinleyville Land Trust, a non-profit organization, owns several properties within McKinleyville that provide opportunities for public recreation use.

The Project's future residential population (i.e., approximately 120 persons) could generate demand for outdoor recreation, however, the Project's proposed development scheme includes recreational and park-like facilities that will accommodate most, if not all of this potential demand. In particular, the Project proposes to construct outdoor recreational facilities, such as nature study trails, extensive walking paths, a

basketball or other small sport court, a small outdoor amphitheater, and naturally integrated outdoor pathway features, such as benches and all-weather paths. In addition, the Project proposes to plant the Orchard and Garden, along with constructing the Greenhouse and small Barn, which will provide additional outdoor agricultural activities for the residential population.

Together, the combined area for outdoor activities within the Project Site will total approximately 1.37 acres (i.e., ~60,067 square feet). Though the Project is not a residential subdivision, the HCC's parkland dedication requirements for new subdivisions of a comparable size (HCC § 314-110.1) would require 0.36 acres (i.e., ~15,600 square feet) of dedicated parklands, based on the HCC's formula of 130 square feet per person (i.e., 120 persons * 130 square feet = 15,600 square feet of dedicated park space). Thus, the Project would create nearly three-and-a-half times the amount of requisite open space for outdoor recreation and activities per resident compared to what the HCC would otherwise require under its parkland dedication requirements for new subdivisions. For these reasons, the Project will have **no impact** on park facilities.

The Project will also be consistent with and not conflict with GPU policies related to parks and recreational services. For example, as described above, the Project will be consistent with Policy IS-P3 (*Public Infrastructure and Services Standards*) because it will not in additional strain to the County's existing park and recreational infrastructure. Moreover, by providing ample private outdoor recreational spaces and facilities directly on site, notwithstanding the urbanized surrounding area, the Project will be consistent with Policies IS-18 (*Parks and Recreation Service in urban Development Areas*) and IS-P19 (*Private Recreation Facilities*).

For similar reasons, the Project will also be consistent with the MCCP's goals, policies and standards relating to parks and recreational facilities. The Project will not be developed on lands that include a public trail identified on the MCCP's Trails Map, and thus not conflict with or be required to dedicate additional parkland pursuant to MCCP Policies 4312.2 and 4322.2, and Standards 4313.4 or 4313.7. Moreover, the Project's proposed on-site recreational and park-like facilities for residents is consistent with MCCP Policies 4312.6 and 4322.4, which encourage development of private-sector trails and recreational facilities. Finally, while it will largely be used by residents in a private capacity, the Project will host community events and seek volunteers to help tend to the onsite Garden, which will further align with MCCP Section 4330's goal of providing diverse recreational opportunities for the community, including community gardens. Accordingly, the Project is consistent and will not conflict with the GPU and the MCCP.

For these reasons, the Project will likewise not have substantial adverse physical impacts associated with the provision of new or physically altered parkland and/or recreational facilities that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe public services impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code (see **Appendix B**), and incorporation of identified Project design features substantially ensure impacts remain at less than significant levels.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.16 Recreation

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XVI. RECREATION					
a) Would the project 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?	GPU PEIR: § 3.15, pp. 3.15-6–3.15-9 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.15, p. 19	No.	No.	No.	N/A
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	GPU PEIR: § 3.15, pp. 3.15-9–3.15-12 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.15, p. 19	No.	No.	No.	N/A

Prior EIR Summary

Section 3.15 (pages 3.15-6 to 3.15-12) of the GPU PEIR evaluates environmental effects related to recreation associated with development contemplated by the GPU. The PEIR finds that, with implementation of GPU policies and application of the PEIR's mitigation measures, impacts to recreation would be reduced to less than significant levels.

The MCCP PEIR made a similar finding. It analyzed the MCCP's impacts on parks and recreation facilities in Section 4.6 (pages 4-58 – 4-76) and concluded demand on public parks will increase with build-out of the MCCP. At full-projected build-out to a population of 17,677 residents in 2020, a total of approximately 53 acres of parkland will be needed, based on the 3-acre/1,000 population standard. The park locations in the planning area total approximately 523 acres. Accordingly, the PEIR concluded the needs for parkland within the planning area have been met by a factor of 10-fold.

Section 3.3.15 (page 19) of the HE Addendum analyzes the HE Update's potential impacts to recreational facilities and resources associated with forecasted housing development. The Addendum observes that some of the Update's policies, standards, and implementation standards that indirectly encourage housing development could potentially impact recreation. However, because the extent of development under the

Update would not exceed that evaluated in the GPU PEIR, impacts to recreation would be less than significant.

Project-Specific Analysis

a) Would the project 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?

As described above in *Section 4.15 – Public Utilities*, several agencies manage the parks, recreation, and open space resources in and around McKinleyville, including Native American tribes, the California Department of Fish and Wildlife (CDFW), the California State Parks Department, local city governments, Humboldt County, and the McKinleyville Community Services District (MCSD). The McKinleyville Land Trust, a non-profit organization, also owns several properties within McKinleyville that provide opportunities for public recreation use. Recreational park and trail facilities within two miles of the Project Site are set forth in Table 4.15-1 below:

Table 4.15-1: Recreational Park & Trail Facilities Within Two Miles of the Project Site

Park / Trail Name	Location	Park / Trail Type	Size in Acres
Parks & Trails Operated by Humboldt County			
Clam Beach County Park	1100 Clam Beach Road, McKinleyville	Regional	370
Hammond Trail	Murray / School Road HW 101, McKinleyville	Regional	5
Mad River County Park	150 Mad River Road, Arcata	Regional	95.5
Parks & Trails Operated by McKinleyville Community Services District			
Hiller Park and Sports Complex	795 Hiller Road, McKinleyville	Community	58
Pierson Park	1608 Pickett Road, McKinleyville	Community	5
Larissa Park	Larissa Circle, McKinleyville	Neighborhood	0.3
McKinleyville Community Forest	Murray Road / Hunts Drive	Regional	599
Parks & Trails Operated by the McKinleyville Land Trust			
Chah GAH Cho Trail	End of Betty Court (Adjacent to Mill Creek Shopping Center; Behind Mill Creek Theaters), McKinleyville	Community; Regional	9.5
Parks & Trails Operated by the California State Parks Department			
Azalea State Natural Reserve	15336 HWY 101, Trinidad / North Bank Road, McKinleyville	State	30
		Total Acres	**1,172.5 acres**

Source: Humboldt County Planning and Building Department, 2017; Updated by Planwest Partners in 2025

The Project's future residential population (i.e., approximately 120 persons) could generate marginal demand for outdoor recreation, however, the Project's proposed development scheme includes recreational and park-like facilities that will accommodate most, if not all of this potential demand. In particular, the Project intends to preserve and feature most of the Site's existing open spaces by integrating extensive nature study trails and naturally-integrated all-weather walking paths between the Project's major building components. These paths will feature naturally integrated features, such as woodchips and native plantings, along with

complimentary ancillary features, such as benches, waste receptacles, and shielded pathway lighting. (See Figures 2.6, 2.8, 2.14.)

As a result, the Project would not increase use of local recreational amenities, including the Chah GAH Cho Trail, Pierson Park, Hammond Trail, Hiller Park, the Azalea State Natural Reserve, or other nearby recreational facilities or parks that would result in a physical deterioration of those areas. Construction and operation of the Project also would not modify or impede access to these or other nearby recreational facilities, parks, or trails. For these reasons, the Project would have **no impact** to regional parks or other recreational facilities in a manner that would result in substantial or accelerated physical deterioration.

Accordingly, and as more fully described in *Section 4.15 – Public Services* above, the Project would be consistent with and not conflict with the goals, policies, and standards set forth in the GPU and MCCP that pertain to parkland and recreational facilities, thus ensuring the Project has no impact on local facilities.

For these reasons, the Project will likewise not cause impacts associated with an increase in use of existing neighborhood or regional parks, or other recreational facilities so as to accelerate their physical deterioration in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

The Project will not need to construct or expand outside recreational facilities. The Project also does not include the construction of recreational facilities that would have an adverse effect on the environment. Instead, and as described above, the Project would create onsite recreational facilities for residential use, including naturally integrated walking paths between residential buildings and units, the Community Center, Greenhouse, Garden, Orchard, and throughout the greater Project Site. (See Figures 2.6, 2.14.) These paths will include natural features, such as wood chips and native plantings, along with ancillary features, such as benches, waste receptacles, and shielded pathway light. These paths would also be maintained by onsite residents, resident visitors, maintenance staff, and volunteers. Moreover, these paths will be designed to avoid sensitive wetland resources on the Project Site.

The Project will utilize landscaping and low-impact development (LID) features to separate the Site's developed uses from existing wetland areas and sensitive habitats. The Site will also feature an unimproved nature trail that can be accessed via a gravel pathway that will provide access and direct visitors to a unique, attractive grove of Redwood trees, which will help ensure any such foot traffic is directed away from nearby wetlands. Accordingly, the Project's proposed walking paths do not constitute a recreational facility that would have an adverse physical effect on the environment. Therefore, the Project would have **no impact** to recreational facilities in this regard.

For these reasons, the Project will likewise not require construction or expansion of recreational facilities that might have an adverse physical environmental effect in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies and standards identified in the GPU, MCCP, and HE Update, and their associated environmental documents, the Project would not have any new significant or substantially more severe recreation impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.17 Transportation

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XVII. TRANSPORTATION – Would the project:					
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	GPU PEIR: § 3.5, pp. 3.5-18–3.5-21 MCCP PEIR: § 4.7, pp. 4-76–4-81 HE Addendum: § 3.3.16, pp. 19–20	No.	No.	No.	GPU: E-P10 GPU EIR: 3.5.3.1.a MCCP: 4230.21
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	GPU PEIR: § 3.5, pp. 3.5-21–3.5-29 MCCP PEIR: § 4.7, pp. 4-76–4-81 HE Addendum: § 3.3.16, pp. 19–20	No.	No.	No.	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	GPU PEIR: § 3.5, pp. 3.5-31–3.5-33 MCCP PEIR: § 4.7, pp. 4-76–4-81 HE Addendum: § 3.3.16, pp. 19–20	No.	No.	No.	
d) Result in inadequate emergency access?	GPU PEIR: § 3.5, pp. 3.5-33–3.5-35 MCCP PEIR: § 4.7, pp. 4-76–4-81 HE Addendum: § 3.3.16, pp. 19–20	No.	No.	No.	

Prior EIR Summary

Section 3.5 (pages 3.5-1 to 3.5-38) of the GPU PEIR evaluates the GPU's potential environmental impacts to the County's transportation system. PEIR Section 3.5.3 describes transportation impacts and mitigation measures related to anticipated population growth in the County, including growth associated with the addition of 1,721 housing units during the planning period. The PEIR finds that, under maximum build out scenarios, total vehicle miles travelled (VMT) are projected to increase in the future. The PEIR concludes that

mitigation may help reduce VMT per person, but political and economic conditions make reducing impacts to less than significant levels unlikely. Accordingly, in adopting the GPU and certifying the PEIR, the County Board of Supervisors found that the benefits of implementing the GPU and the Housing Element Update outweighed unavoidable impacts to transportation.

Section 4.7 of the MCCP PEIR addresses transportation and circulation impacts for the MCCP. The MCCP included policies supporting multimodal transportation including subdivision requirements for trail dedications which resulted in the MCCP having a less than significant impact on transportation and circulation. The Lime Avenue and Martin Road extensions on the circulation element maps were deleted to reduce impacts to agricultural areas.

Section 3.3.16 (pages 19–20) of the HE Addendum analyzes potential transportation impacts associated with implementing the Housing Element Update. The Addendum notes that certain Update policies and measure could indirectly impact transportation by stimulating the development of new housing. However, the proposed number of units contemplated by the Update does not exceed that evaluated in the GPU PEIR and, therefore, would not result in additional VMT beyond what was planned for and considered in the PEIR. Moreover, measures H-IM38, H-IM40, H-IM50, and H-IM58 promote development of housing closer to where people work to reduce the need for those residents to commute to larger urban areas. Accordingly, the HE Addendum concludes that, in light of the GPU PEIR, the Housing Element Update would not introduce new transportation effects not previously examined or that are substantially more severe than those previously considered.

Project-Specific Analysis

To analyze the Project's potential impacts to transportation, including those associated with vehicle miles travelled generated by the Project, impacts to Levels of Service (LOS), and the adequacy of the Project's proposed parking, a Transportation and Vehicle Miles Travelled (VMT) Assessment was prepared by W-Trans. (See **Appendix C.3**.)

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

The Project was evaluated for consistency with transportation policies from the GPU. Policy C-P.5 establishes a standard of Level of Service (LOS) C for intersection operations, measured in terms of vehicle delay. It is noted that vehicle delay is not considered a transportation impact under CEQA.

The Project's primary access point is located on Central Avenue, which is designated as Business 101 and is the major north-south surface street through McKinleyville. The Central Avenue/School Road intersection was identified as the location where adverse effects would most likely be observed, as both streets provide access to and from US 101, the major regional highway through the McKinleyville area. While intersection LOS was not directly evaluated as part of this analysis, recent analyses of existing and future traffic in the vicinity of the Project Site were reviewed to assess the potential of Project-generated traffic to result in adverse effects on delay.

The Humboldt County Travel Demand Model was recently deployed to analyze effects of the proposed McKinleyville Town Center project on several intersections along the Central Avenue corridor (it is noted that the report for this prior work is not yet available publicly though it has been provided to County staff). The Town Center traffic operations study included LOS analysis of the intersections of Central Avenue/

Heartwood Drive and Central Avenue/Hiller Avenue under both existing conditions (2015 base year) and future conditions (2045 horizon year). Under existing conditions, both intersections were determined to operate at LOS A during the a.m. and p.m. peak hours. In the future scenario, which includes 30 years of anticipated regional growth, the Central Avenue/Heartwood Drive intersection would continue to operate at LOS A during both peak periods. The Central Avenue/Hiller Avenue intersection would also continue to operate acceptably at LOS A during the a.m. peak and LOS B during the p.m. peak. Therefore, even with the addition of anticipated future regional growth, both intersections would continue to meet County standards.

Since the trips generated by the Project would be substantially less than what was assumed for future growth in the area, LOS at nearby intersections would continue to remain at acceptable levels as defined by the County's General Plan policies.

Aside from the total number of trips generated by the Project, its unique characteristics suggest that its potential effect on peak hour traffic operations would be nominal. The Project's total daily trip generation is an average of 191 trips per day. Excluding events, which would not generally occur during peak periods, the total would be 156 trips per day. Typically, about 10 percent of daily trips occur during the p.m. peak hour, which would translate to 16 Project-generated trips during the p.m. peak hour. However, since the Project's residents would be primarily individuals with disabilities and seniors who are not frequent drivers, the Project's trip patterns are not typical of most development projects. There would be eight full-time employees at the site, including two that would live on site and would therefore not commute. Based on these considerations, the Project is expected to have fewer trips during peak commute times than the overall population. Accordingly, the Project would not result in nearby intersections operating unacceptably, and therefore have a **less than significant** impact.

For these reasons, the Project will likewise not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Trip Generation

The VMT Assessment analyzed elements of the Project to anticipate the estimated number of daily vehicle trips that would be generated by residents, guests, employees, and deliveries. Based on the Project's proposed uses and these potential trip generators, the Assessment anticipated the following daily vehicle trips generated by each category of use, as reflected in Table 4.17-1 below:

Table 4.17-1: Project's Estimated Daily Trip Generation

Source of Trips	Number	Assumptions	Estimated Trips
Residential Occupant Drivers (35% of total residents)	42	2 trips/day	84**
Visitors and Deliveries	17	2 trips/day	34**

Source of Trips	Number	Assumptions	Estimated Trips
Weekly Dinner Guests	150	Divided by 7 for daily trips, vehicle occupancy of 2.2 assumed	20**
Live-in Full-Time and Part-Time Employees	2	2 trips per day	4**
Off-Site Full-Time and Part-Time Employees	8	2 trips per workday, multiplied by 5/7 for daily one-way trips	12**
Retail	200 square feet	54.45 trips per 1,000 square feet (ITE rate)	11
Total trips			**165**

*** Each trip represents a trip to or from the site, so a round trip is counted as two trips.*

The trip generation associated with events to be hosted at the Community Center was also estimated. As described in the Project Description above, the Project intends to host a variety events at the Project Site, which will range in size and type. "Primary events" such as community dinners, conferences, or meetings, could accommodate up to 150 people. Such events were addressed in the previous trip generation estimate as provided in Table 4.17-1 above. No limitations are proposed on the number of these events.

The Project also proposes to host "Indoor and Outdoor Weddings/Special Events" at the Community Center or elsewhere on the grounds. These events could involve up to 400 persons, including all guests, employees, and volunteer staff. These larger events would be limited to 35 per year and no more than three events per month.

While it is expected that the actual usage of the Community Center would be substantially less than these maximum limits, especially in the near term, the proposed size and number of these events were selected to provide a conservative estimate and to allow for greater flexibility for future uses of the site. For the 35 special events, it was assumed that the Community Center would host two weddings per month as well as one other event per week, with the maximum number of potential attendees at all events. Based on the vehicle occupancy rate assumed in a 2019 approval of a special event permit by Humboldt County for a music festival at the County Line Ranch, it was assumed that there would be 3.0 persons per vehicle; for 400 attendees, this translates to 133 vehicles per event. Assuming two trips per vehicle per event (entering and exiting the site) and the maximum of 35 events per year, this totals 9,310 event-related trips per year or an average of 26 trips per day.

Combining the trips for the residential component of the project with the event-related trips, the project would generate an estimated average of 200 trips per day, as summarized in Table 4.17-2 below:

Table 4.17-2: Project's Average Daily Trip Generation

Land Use	Daily Trips
Multifamily housing	154
Retail	11
Events	26
Total	**191**

Vehicle miles Traveled (VMT)

Under CEQA, transportation impacts are evaluated based on VMT generated by the Project, which represents the number of trips multiplied by the average trip length. While the County of Humboldt has not adopted thresholds of significance, County staff provided direction to use the recommended approach and significance thresholds from Humboldt County's VMT Study (2024) to evaluate the Project's anticipated VMT. The County's VMT Study is similar to the *Technical Advisory on Evaluating Transportation Impacts in CEQA* that the Governor's Office of Planning and Research (OPR) published in 2018. In particular, similar to the OPR Guide, the County's VMT Study screens out projects that generate less than a certain amount of VMT per day. While the OPR guide screens out projects that generate fewer than 110 trips per day, the County's VMT study applies its project-screening threshold based on 725 VMT, which was determined by multiplying 110 trips per day by 6.58 miles, which is the average trip length in the County. Based on this metric, the Project no longer falls within this threshold and thus cannot be screened out from further VMT analysis. Accordingly, the Transportation Assessment analyzed potential Project-generated VMT.

The Humboldt County VMT Study is based on analysis of "big data" secured by the firm Streetlight Data. As a result, the data reflects real-world trips rather than estimates derived from travel demand computer models. The study recommended significance thresholds based on the VMT at the Census block group level, and an online VMT tool was developed to facilitate the calculation of VMT for residential and office/ employment-based uses.

The Project includes both residential uses and the proposed Community Center uses and is therefore considered to be a mixed-use project. Since the County's VMT Study does not specifically identify an analysis approach for mixed-use projects, the approach recommended by the OPR Technical Advisory was used, with each proposed use analyzed independently. It is noted that the residential facility includes not only dwelling units but staffing, so the residential and employment VMT were analyzed separately. Events were also treated as a separate use for the VMT analysis.

Residential VMT

For residential uses, the significance threshold is a VMT per capita that is at least 15 percent below the subregional average. The project is located in Census Block Group 060230105022, which has a VMT per capita of 20.47. The VMT per capita for unincorporated Humboldt County is 22.1, so the significance threshold is 18.79. Applying this threshold, the project would need to reduce its residential VMT by 15.0 percent to have a less-than- significant impact.

Based solely on the VMT per capita, the project would result in a potentially significant VMT impact. However, VMT per capita is derived from existing residential development in the area and given the anticipated characteristics of residents of the proposed project, many of whom do not drive, trip patterns are expected to be substantially different from typical residential projects. Based on the trip generation estimate in Table 1, the residential component of the project is estimated to generate 154 trips per day, including trips by residents, visitors, and employees of the residential facility, as well as deliveries. This estimate of the trips generated by the residential use was based on the total daily trip generation and excluded the off-site employee trips, event and retail trips, all of which were analyzed separately.

To compare the potential impact of the proposed residential use to more typical residential uses in the project area, the estimated project trips were compared to the ITE trip generation rates for single-family homes as well as multifamily housing. A 70-unit project consisting only of single-family homes would be

expected to generate 660 trips per day, while a multifamily residential project would generate an estimated 472 trips per day. In comparison, the residential component of the proposed Project would be expected to generate 77 percent fewer trips than a project consisting of single-family detached homes and 67 percent fewer trips than a typical multifamily project. This comparison is shown in Table 4.17-3 below:

Table 4.17-3: Project's Residential Trip Generation Comparison

User Groups	Trips Per Day (70-unit project)
Single family detached*	660
Multifamily*	472
We Are Up	154

* Based on standard ITE trip generation rates, *Trip Generation,* 11th edition.

Assuming that the average trip lengths for each type of residential development would be similar, it is reasonable to conclude that, based on the Project's characteristics, residential VMT would be reduced considerably more than the percent needed to achieve the significance threshold for VMT. Based on the estimated trip generation in the above table, We Are Up is estimated to generate 67 percent fewer trips than a comparably sized multifamily project. With a VMT per capita of 20.47 miles for the Census Block Group, the project level VMT per capita would be 6.68 miles, or 67 percent lower. Since this rate is 64 percent below the threshold of 18.79, the residential VMT associated with the project meets the screening criteria for residential projects and the VMT associated with the Project would be **less than significant**.

The presence of pedestrian and bicycle infrastructure in the area surrounding the Project Site, as well as numerous retail opportunities within walking distance of the Site that could be accessed without a vehicle, further supports this conclusion. These uses and opportunities include the adjacent Grocery Outlet, the Rite Aid across the street, and a variety of nearby restaurants. Moreover, the Project will be enhancing the existing pedestrian crosswalks across Central Avenue. The adjacent streets providing access to these sites include sidewalks and there are bike lanes along Central Avenue and Sutter Road, which support the use of non-vehicle transportation modes. The Project will also potentially be adding a bus stop on Central Avenue adjacent to the Project Site, while additional bus stops are located on Central Avenue less than 700 feet from the Project Site, offering an additional non-vehicle transportation option.

Employee VMT

For office uses, the Humboldt County VMT Study recommends a threshold of significance of at least 15 percent less than the subregional average. For Census Block Group 060230105022, the VMT per employee is 7.95. The countywide average VMT per employee is 14.70, so the significance threshold is 12.50. Since the VMT per employee for the Project TAZ is well below this level, the impact of employee VMT is considered **less than significant**.

Retail VMT

The Humboldt County VMT Study recommends that local-serving retail projects be screened out for VMT analysis, as they help create more efficient trip patterns, resulting in short trips and a net reduction in VMT. Projects under 50,000 square feet are considered local-serving; since the project's proposed retail use is only 200 square feet, it is well below the screening criterion and its VMT impact is considered **less than significant**.

Event-Related VMT

The OPR Technical Advisory does not provide specific guidance for analyzing community centers or other uses that serve recreational users or visitors, such as hotels. However, a common approach to analyzing VMT for such uses is to perform a qualitative assessment based on the larger context of the project and anticipated users, so consideration was given to the type of events likely to be hosted at the project site.

The Community Center, when used as an event space, would not be an attraction that would draw new visitors to the region. Rather, it would likely be used for specific types of events that serve the local population. As a result, it would largely redistribute existing event-related trips from other locations rather than generate new trips. The Humboldt County Visitors Bureau includes a list of existing event spaces on its web site, www.visitredwoods.com. Of the 21 venues listed, only one is located north of Arcata that has similar capacity to that proposed by the Project and that venue is located approximately 6 miles east of McKinleyville in Fieldbrook. There are also event venues located in Blue Lake, approximately 7 miles east of McKinleyville.

The Project would provide an event space that, compared with existing venues, would require less travel for attendees originating in McKinleyville or communities to the north. Compared with other near-by event sites, the Project Site is a shorter distance from the US 101 corridor, resulting in reduced trip lengths to and from the Site. Moreover, the Community Center would be expected to host a broader variety of events than the other sites. Without the availability of the Project's proposed event space, events attended by residents of McKinleyville or communities to the north would generally need to be held at facilities in Arcata, Eureka, or other communities farther south, requiring longer travel distances. To the extent that the Community Center would be used as an alternative to more remote locations, it would reduce VMT below existing levels. For these reasons, VMT associated with the Project's Temporary Events would be **less than significant**.

For these reasons, the Project will likewise not be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The road-related elements of the Project are limited in nature and would result in a low-speed asphalt paved driveway, turnaround areas, and parking area. Because of the design of the driveway, and the limited number of vehicles, uses would not prove to be incompatible. Further, there is no vegetation along the driveway that would block visibility, nor does the road have sharp turns outside of turnaround areas. Finally, the Project will comply with the roadway improvement requirements prescribed by the County's Department of Public Works, which will include frontage improvements and construction of a traffic signal on Central Avenue at Anna Sparks Way. (See 2/21/2025 Memo.) These improvements will help ensure traffic flow remains safe. For these reasons, there would be no hazards due to a geometric design feature or incompatible use, therefore, the Project would have **no impact** with respect to substantially increasing hazards due to a geometric design feature or other incompatible uses.

For these reasons, the Project will likewise not substantially increase hazards due to a geometric design feature or incompatible use that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any

unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project result in inadequate emergency access?

As explained more fully in *Section 4.9 – Hazards and Hazardous Materials* and *Section 4.15 – Public Services* above, the Project would not impair emergency response activities, evacuation routes, or local road access. Moreover, the Project's planned improvements to internal access road will help improve local roadway connectivity, including a turnaround point that will accommodate larger vehicles, including emergency vehicles. (See also County Public Works 2/21/2025 Memo.) Moreover, as more fully described in the VMT Assessment (**Appendix C.3**), the Project will provide ample onsite parking for residents, staff, guests, visitors, and events, thus reducing the likelihood that vehicles are not parked on nearby side streets or result in additional roadway traffic that would block or impede emergency access. During Project construction, Weirup Land and Central Avenue may experience minor and limited construction-related traffic. However, construction-related road or lane closures would not occur, and emergency access would not be limited. Accordingly, the Project's impact on emergency services and evacuation plans would be **less than significant**.

For these reasons, the Project will likewise not result in inadequate emergency access in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies, and standards identified in the GPU, MCCP, and Housing Element and their related environmental documents, the Project would not have any new significant or substantially more severe transportation impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.18 Tribal Cultural Resources

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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:					
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	GPU PEIR: § 3.14, pp. 3.14-5–3.14-8 HE Addendum: § 3.3.17, pp. 20–21	No.	No.	No.	GPU: CU-P1, CU-P2, CU-P3, CU-P4, CU-P5, CU-P6 Standard Condition of Approval: Inadvertent Discovery Protocol
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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	GPU PEIR: § 3.14, pp. 3.14-8–3.14-14 HE Addendum: § 3.3.17, pp. 20–21	No.	No.	No.	GPU: CU-P1, CU-P2, CU-P3, CU-P4, CU-P5, CU-P6 Standard Condition of Approval: Inadvertent Discovery Protocol

Prior EIR Summary

Section 3.14 (pages 3.14-4 to 3.14-14) of the GPU PEIR evaluates the GPU's environmental effects related to Tribal cultural resources. The PEIR notes that, due to the widespread distribution of culturally sensitive Tribal sites and regions in the County, the potential for those resources to be significantly impacted exists in community and rural centers, and on agricultural and public lands. The GPU and PEIR impose policies, standards, implementation, and mitigation measures intended to protect Tribal cultural resources, and which would reduce anticipated impacts of development, but not to less than significant levels.

The GPU and PEIR require consultation with Native American Tribes during discretionary project review in order to identify resources not expressly listed in applicable resource registrations. Consultation is also required for ministerial projects if those projects may result in adverse changes to a significant Tribal resource. Under current County practice, before issuing a building permit, the County will check the State and local listed historic resources with reference to Tribal resources (including those determined to be eligible for listing). If any Tribal resources are identified and could be significantly impacted by a discretionary or ministerial project, those resources must be protected from substantial adverse change. To avoid loss or degradation of these resources, projects located in areas known or suspected to be Native American burial sites are conditioned to avoid potential impacts. Substantial alterations to Tribal resources are prohibited through a permit approval without a determination that the resource is not significant or where overriding public benefits and mitigations would occur. Mitigation is required when development would adversely impact such resources, and is evaluated on a project-by-project basis.

The MCCP PEIR did not assess impacts to Tribal Cultural Resources.

Section 3.3.17 (pages 20–21) of the HE Addendum analyzes potential impacts to Tribal cultural resources associated with implementing the Housing Element Update. The Addendum explains that certain measures promulgated by the Update would not directly impact Tribal resources, but could yield indirect impacts from the development facilitated by those measures. However, the Update would not expand the overall developable area or number of units beyond those identified and evaluated in the GPU PEIR. Impacts to Tribal cultural resources would be associated with specific development proposals and mitigated on a project-by-project basis. In particular, GPU policies requiring Tribal consultation and resource evaluation would be imposed on any development project. Accordingly, potential impacts to Tribal cultural resources associated with implementing the Housing Element Update would not differ from or be significantly more severe than those previously considered and mitigated for in the GPU PEIR. Moreover, because the Project is consistent with CEQA Guidelines section 15183, an exemption from CEQA, consultation pursuant to AB52 is not required should the County adopt the Project pursuant to section 15183. Regardless, when initially considering prior iterations of the proposed Project, and during the IS/MND and NOP process, the County sent the notices required by AB 52. No tribe requested formal consultation after receiving notice.

Project-Specific Analysis

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:

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)?

The Project Site has undergone several pedestrian field surveys to determine the presence of cultural resources. There were several lithic scatters of artifacts identified by the CRI within the Project site, but it was determined that they did not contain the necessary qualities to be considered eligible for listing as a resource. Tribal Historic Preservation Officers (THPOs) were informed of these findings and requested that the CRI incorporate protocols for inadvertent archaeological discoveries and that tribal representatives receive updates on the survey results.

For these reasons, the Project will likewise not have a substantial adverse change in the significance of a tribal cultural resource in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

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.

For these reasons, the Project will likewise not a substantial adverse change in a tribal cultural resource that meets the criteria of Public Resources Code section 5024.1 in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

With implementation of the above mitigation measures in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, along with compliance with the policies, and standards identified in the GPU, MCCP, and Housing Element, the Project would not have any new significant or substantially more severe tribal cultural resources impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of conditions of the project approval (see **Appendix B**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.

2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.19 Utilities and Service Systems

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:					
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?	GPU PEIR: § 3.3, pp. 3.3-37–3.3-43 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.18, p. 21	No.	No.	No.	GPU PEIR: IS-P3, IS-P4
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	GPU PEIR: § 3.3, pp. 3.3-37–3.3-43 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.18, p. 21	No.	No.	No.	GPU PEIR: IS-P3, IS-P4
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?	GPU PEIR: § 3.3, pp. 3.3-55–3.3-58 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.18, p. 21	No.	No.	No.	GPU PEIR: IS-P3, IS-P4, IS-S6
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?	GPU PEIR: § 3.3, pp. 3.3-58–3.3-61 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.18, p. 21	No.	No.	No.	GPU PEIR: IS-P3, IS-P4

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	GPU PEIR: § 3.3, pp. 3.3-37–3.3-43 MCCP PEIR: § 4.6, pp. 4-58–4-76 HE Addendum: § 3.3.18, p. 21	No.	No.	No.	GPU PEIR: IS-P3, IS-P4 Standard Condition of Approval: UTIL-05: solid waste management plan for temporary events.

Prior EIR Summary

Section 3.3 (pages 3.3-37 to 3.3-61) of the GPU PEIR evaluates the GPU's potential environmental impacts to the County's utilities and service systems. The GPU PEIR explains that impacts to wastewater treatment capacity, stormwater, and solid waste associated with development contemplated under the GPU would be less than significant. However, growth during the GPU's planning period could result in insufficient water supplies in certain areas of the County, including the McKinleyville Community Services District (MCSD), which in turn could cause significant effects. The County's Water Supply Evaluation and Monitoring Plan requires the County to monitor water availability on an ongoing basis. The GPU also prescribes policies and measures that would limit development potential, particularly for projects that would exceed available water supply or exceed water system capacity. Because these impacts and the effectiveness of potential mitigation measures could not be evaluated at the programmatic stage, the PEIR concluded that impacts to water supply could be significant and unavoidable, but the benefits of implementing buildout under the GPU were found to outweigh those potential unavoidable effects.

Section 3.3.18 (page 21) of the HE Addendum relies on the GPU PEIR to evaluate potential impacts to utilities and service systems based on housing development contemplated under the HE Update. The Addendum explains that some of the HE Update's policies and measures that encourage housing development could have potential indirect impacts to utilities and service systems, and in turn potentially impact water supplies. However, the extent of housing development contemplated under the HE Update would not exceed the numbers evaluated in the GPU PEIR. Therefore, the HE Addendum concludes that impacts to utilities and service systems would not be more severe than those previously considered in the GPU PEIR.

Project Specific Analysis

a) Would the project 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?

The Project would be served by existing utilities and service providers that currently service the Project Site, including: the McKinleyville Community Services District (MCSD) for water and wastewater/sewer services;

Pacific Gas & Electric (PG&E) for electrical power and natural gas; and AT&T and Optimum for telecommunications. These existing utilities are provided to the Project Site near the northwest corner of the property, adjacent to Weirup Lane and from Central Avenue.

The Project's anticipated construction activities will be within construction limits for these services, including those that may require: natural gas; electricity; communications; potable water; and stormwater drainage. No other utility relocation or improvements would be required.

All existing utility infrastructure within the Project Site is located in the new development footprint and is of insufficient size to serve the Project's proposed residential, community/commercial, agricultural, and ancillary uses, and therefore would need to be demolished and removed or abandoned in place.

While existing utilities are likely sufficient to meet the Project's anticipated demands, to the extent required or recommended by the Site's gas and electricity provider, Pacific Gas & Electric (PG&E), minor offsite electrical improvements (e.g., new transformers) may be needed to accommodate the Project's additional energy demand, with the anticipated offsite modifications extending to the existing electrical infrastructure located adjacent to Hideaway Court and/or Central Ave.

To connect the Project's new structures to the existing MCSD sewer system, new sewer-tie ins to the existing sewer pipe near the Site's southern boundary would be required. The existing MCSD drainage culvert would also be rerouted around the development area to drain further downslope and outside of the footprint of the development area of the Project.

Lastly, in 2022, the County enacted its new Telecommunications Ordinance to implement the goals, policies, and objectives of the General Plan's Telecommunications Element, which seeks to provide better quality and more widely deployed telecommunications services. The Ordinance streamlines review and approval of new telecommunications facilities in commercial and industrial zones and broadly encourages small cell wireless facilities in developed areas. The Ordinance zones the Project Site as being able to accommodate new telecommunication infrastructure to serve existing and future demand of the surrounding area. While the Project might increase demand for telecommunications services in the area, no telecommunication service reduction is anticipated because existing facilities are adequate. Moreover, at this time, there have been no plans to develop additional infrastructure on the Project Site to accommodate demand in the surrounding area. Accordingly, the Project will not create the need for additional telecommunications facilities or have significant impacts on existing infrastructure.

Because the Project is a relatively small-scale residential and community-centered development on an infill site that has been planned for development within the MCCP's Urban Development Area, and because it can be adequately served by existing service providers, the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental impacts. While the Project's proposed residential uses, along with its ancillary commercial/community spaces, temporary events, and agricultural uses would rely on water, wastewater, solid waste disposal, stormwater, electricity, and telecommunications services, the extent of those demands would not strain these services' existing capacities. Rather, these utilities' existing capacities can sufficiently accommodate the Project's proposed uses, therefore there would be no need for new or expanded facilities to accommodate the Project. Accordingly, the Project would have **less than significant** impacts in this regard.

For these reasons, the Project will likewise not require or result in the relocation or construction of new service facilities in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

The Project Site is within the McKinleyville Community Services District (MCSD) service area. Future development of the Project Site would be served by MCSD via interties and connections to existing MCSD water mains that currently service the Project Site. As stated in MCSD's Urban Water Management Plan (MCWD), MCSD purchases its water supply from the Humboldt Bay Municipal Water District (HBMWD). The HBMWD has a regional water supply rate capacity of 25-30 million gallons per day (MGD) with a maximum diversion capacity of 75 MGD. Of the 11 MGD HBMWD diverts to its municipal customers, a peak flow rate of 2.6 MGD is committed to MCSD's customers. This committed reserve can be increased annually by MCSD if desired or required based on future demand from new development in McKinleyville; however, as of today, there has been no need to increase MCSD's 2.6 MGD peak allocation. Instead, MCSD's average daily demand in 2020 was 1.42 MGD, or approximately 56% of its allocation. By the year 2040, projected demand is anticipated to be approximately the same, particularly as McKinleyville gets closer to full build out contemplated under the GPU and MCCP.

To calculate anticipated water demand, MCSD applies a water demand rate of 72 gallons per day (GPD) per capita to new developments. This rate is based on the cumulative demand of all land use types within the MCSD, including non-residential uses. The Project anticipates housing approximately 120 onsite residents on a full-time basis. Separately, the Project will be supported by approximately 8 employees each day and could see up to 150 visitors on a given day—though, this upper visitor figure would be very infrequent. Nevertheless, based on these figures and MCSD's water demand rate, the Project's anticipated water demand would be approximately 20,000 GPD or 0.02 MGD. Because MCSD currently delivers less MGD per day than its peak annual allocation (as indicated above), new water demand from the Project could be comfortably accommodated under MCSD's current 2.6 MGD allocation. Moreover, because MCSD can increase its committed reserve from HBMWD on an annual basis, the utility will have ample water supply to meet projected demand at full Project buildout, along with other demands from nearby developments, including during normal, dry, and multiple dry years. For these reasons, the Project would have **less than significant** impacts to existing water supplies.

For these reasons, the Project would also be consistent with GPU Standard IS-S6: *Water and Wastewater Service Commitment for Proposed Development Projects*, which requires discretionary developments served by public water and/or wastewater services to receive written service commitments from the appropriate district or agency prior to receiving final approval from the County. As previously described throughout this document, MCSD has indicated that it has sufficient capacity to service the Project Site and meet its anticipated demands and needs. Accordingly, the Project would be consistent with and not conflict with this policy. Moreover, because the Project's proposed residential uses are within the development scenario contemplated by the HE Update, the Project likewise will not have impacts that are more significant than those analyzed in either the GPU PEIR or the HE Addendum.

For these reasons, the Project will also not impact water supplies in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project 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?

MCSD also operates wastewater collection, treatment/management, and disposal facilities that serve McKinleyville and the Project Site. MCSD recently completed a wastewater management facility upgrade to improve its existing management facilities and effluent disposal system, with more improvements anticipated to be completed within the next two to three years.

The Project would create a small incremental increase in demand for wastewater services from MCSD. Based on industry standards for package sewer treatment plants[11] the Project will generate approximately 9,254 gallons of wastewater per day (WW GPD) or 0.01 million gallons per day (WW MGD) as shown in Table 4.19-1 below:

Table 4.19-1: Project's Anticipated/Projected Demand for Wastewater Services

Source	Unit	Project's Total Units	Typical Use (WW GPD/Unit)	Project's Total Use	
				WW GPD	WW MGD
Office	Employee	8	13 GPD	104 GPD	
Commercial	Visitor	150	5 GPD	750 GPD	
Residential	Person	120	70 GPD	8,400 GPD	
			Total	**9,254 GPD**	**0.01 MGD**

Source: Planwest Partners, 2025

As described above, MCSD's wastewater management facility upgraded design capacity for dry weather flow is 1.6 MGD and the wet weather design capacity is 3.3 MGD. The wastewater management facility is currently receiving 0.80 to 1.10 MGD of wastewater (dry weather).[12] Therefore, there is currently approximately 0.50 MGD of capacity for dry weather flow design and approximately 2.2 MGD of capacity for wet weather flow design, which would be sufficient to accommodate the projected flow from future buildout of the Project Site. The new demand from the Project represents approximately two percent (2%) of MCSD's current capacity (0.01 MGD / 0.5 MGD = 2%).

Moreover, the Project would not interfere with MCSD's wastewater treatment facility's ability to comply with NCRWQCB regulations because: (1) the Project would create only a small incremental increase in wastewater requiring treatment and disposal, (2) the wastewater generated would be consistent with other adjacent housing; and (3) the Project would pay applicable connection fees and monthly service. Therefore, the Project will have **less than significant** impacts to wastewater treatment capacity in addition to MCSD's existing

[11] https://www.pollutioncontrolsystem.com/Uploads/images/Pages/SEWAGE%20FLOW%20RATE%20ESTIMATING%20GUIDE%20Nov%202014_20170105.pdf (accessed 3/9/2025).

[12] Patrick Kaspari, email message, June 24, 2024a.

commitments and thus not result in a determination that there is insufficient capacity to process the Project's anticipated wastewater in addition to existing commitments.

As a result, the Project would also be consistent with GPU Standard IS-S6: *Water and Wastewater Service Commitment for Proposed Development Projects*, which requires discretionary developments served by public water and/or wastewater services to receive written service commitments from the appropriate district or agency prior to receiving final approval from the County. As indicated above, the Project has received such confirmation from MCSD, which has indicated it can adequately provide wastewater services to the Project Site and has sufficient capacity to accommodate wastewater flows generated by Project operations.

For these reasons, the Project will likewise not result in impacts to existing wastewater service capacity in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project 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?

Humboldt Sanitation and Humboldt Wate Management Authority (HWMA) provide solid waste services in the area and to the Project Site. The HWMA manages contracts for the transport of solid waste for disposal at either the Anderson Landfill in Shasta County or the Dry Creek Landfill near Medford, Oregon. The Anderson Landfill is not expected to reach capacity until 2036. The Dry Creek Landfill has a remaining capacity of about 50 million tons without additional site expansion. It is anticipated that the Dry Creek Landfill could provide disposal capacity for its current service area, including Humboldt County, for another 75 to 100 years.

The Project would generate solid waste during construction and operation. Solid waste generated by construction would include one-time temporary generation of waste associated with routine construction activities. Excess soils and construction materials would be stored within designated staging areas. Excess materials may be re-used on site for backfill and finished grading, but would otherwise not be stockpiled on the Project Site once Project construction is complete. The construction contractor would be required to haul additional excess materials off site for beneficial reuse, recycling, or legal disposal.

During Project operations, solid waste collected as part of operational activities (including compostable food waste, recyclable paper and typical household use products, and non-recyclable items) would be disposed of via on-site dumpsters to be provided by Humboldt Sanitation. Humboldt Sanitation will then be contracted to pick-up the waste from these dumpsters from the Project Site on a weekly basis.

Based on CalRecycle waste generation tables[13], the Project is anticipated to generate up to 1,605 pounds of solid waste each day as shown in Table 4.19-2 below:

Table 4.19-2: Project's Anticipated/Projected Solid Waste Generation

Source	Unit	Project's Total Units	Typical Amount (lb/unit/day)	Project's Total Amount (lb/day)

[13] https://www2.calrecycle.ca.gov/wastecharacterization/general/rates (accessed 3/9/2025).

Office	Employee	8	1.87	15 lbs/day
Commercial	Visitor	150	1	150 lbs/day
Residential	Person	120	12	1,440 lbs/day
			Total	**1,605 lbs/day**

Source: Planwest Partners, 2025

Based on the figures above, the solid waste generated by the Project would represent a relatively small percentage of total landfill capacity. And because the landfills described above have ample/surplus disposal capacity for many years to come, they will be able to sufficiently and adequately accommodate the Project's waste. Accordingly, the Project would have a **less than significant** impact on existing landfill capacity, such that no mitigation or conditions of approval are required.

For these reasons, the Project will likewise not generate solid waste in excess of State or local standards or in excess of local capacity in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

For the reasons described in subparagraph (d) above, the Project's construction activities and daily operations would comply with all federal, state, and/or local statutes and regulations related to solid waste, including those policies prescribed by the GPU that encourage continued reduction in the amount of solid waste generated by land uses.

The Humboldt County Department of Public Health's Division of Environmental Health oversees the management of solid waste and recyclables during temporary events. To ensure that waste generated from the Project's proposed Temporary Events are appropriately handled, recycled, and disposed of, as a condition of Project approval and as part of the Special Permit the Applicant must obtain to authorize the proposed Temporary Events (of 150+ attendees) (HCC § 62.1.1.1), the Applicant will also submit a waste/discard management plan to the Division of Environmental Health for review and approval. (See **Appendix B, p. 57**.) Once approved, the Applicant will manage solid waste and recyclables generated by Temporary Events in accordance with the approved Plan. Compliance with this permit condition will ensure the Project's potential impacts on solid waste disposal reduction programs remain **less than significant**.

For these reasons, the Project will likewise not conflict with federal, state, and local management and reduction statutes and regulations related to solid waste in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By complying with the policies, and standards identified in the GPU, MCCP, and HE Update, and their related environmental documents, along with the standard of conditions of Project approval, the Project would not have any new significant or substantially more severe utilities and service systems impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, implementation of standard conditions of approvals (see **Appendix B, p. 57**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.20 Wildfire

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XX. WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	GPU PEIR: GPU PEIR: § 3.7.4.4, pp. 3.7-37–3.7-41 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.19, pp. 21–22	No.	No.	No.	GPU: S-P1, S-P12, S-P15, IS-P24, IS-P25
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?	GPU PEIR: GPU PEIR: § 3.7.4.4, pp. 3.7-37–3.7-41 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.19, pp. 21–22	No.	No.	No.	GPU: S-P27, S-P2, S-IM8, S-IM9, S-S17 HCC: § 6.1
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?	GPU PEIR: GPU PEIR: § 3.7.4.4, pp. 3.7-37–3.7-41 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.19, pp. 21–22	No.	No.	No.	N/A

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
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?	GPU PEIR: GPU PEIR: § 3.7.4.4, pp. 3.7-37–3.7-41 MCCP PEIR: § 4.11, pp. 4-115–4-117 HE Addendum: § 3.3.19, pp. 21–22	No.	No.	No.	Conditions of Approval / Regulatory Compliance Measures: SWPPP

Prior EIR Summary

Section 3.7.4.4 (pages 3.7-37 to 3.7-41) of the GPU PEIR analyze the potential wildfire impacts associated with development contemplated by the GPU. The PEIR explains that most of Humboldt County is located within high or very high fire hazard severity areas, and that many future developments, including those for residential uses, will be constructed in those areas during the planning period. Accordingly, the GPU sets forth various policies and implementation standards to reduce wildland fire risks, including hazard fuel reduction, fire safe education, fire service provider support, discouraging developments near wildfire prone areas, and ensuring emergency evacuation plans remain up to date and can adequately handle anticipated growth. The GPU PEIR also imposes mitigation measures that will lessen impacts resulting from the exposure of people or structure to significant wildland fire risks, including forested buffers, building setbacks, fire breaks in consultation with CalFire, compliance with fire safe standards and regulations, and ongoing implementation of fire protection management programs. Although the GPU's policies and the PEIR's mitigation measures lessen potential risks, those risks associated with wildland fire impacts cannot be reduced to less than significant levels, and are thus considered significant and unavoidable.

Section 4.11 of the MCCP PEIR evaluates the potential impacts of the MCCP considering wildfire hazards. It concluded that the County's land use regulatory program, as implemented in the County General Plan elements, land use & zoning and subdivision ordinances contains policies and standards for addressing human-made wildfire hazards such that there would be no impact.

Section 3.3.19 (pages 21 to 22) of the HE Addendum relies on the GPU PEIR to analyze potential environmental effects related to wildfire based on the residential development contemplated under the HE Update. The Addendum explains that residential development within the HE planning period could indirectly stimulate development of new housing in areas with high fire hazard. However, any new development in those areas will be subject to GPU policies and implementation measures, along with GPU PEIR mitigation measures and any additional site-specific measures designed to lessen wildfire risks. Moreover, the number of units proposed to be built within the HE Update planning period falls within the bounds of projected development analyzed in the PEIR. Accordingly, the HE Addendum concludes that housing development

under the HE Update will not result in new or substantially more sever environmental impacts related to wildfire than those anticipated in the GP PEIR.

Project-Specific Analysis

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

As explained more fully in *Section 4.9 – Hazards and Hazardous Materials* above, the Project would not impair emergency response activities, evacuation routes, or local road access. Moreover, the Project's planned improvements to internal access road will help improve local roadway connectivity. For these reasons, the Project's impact on emergency services and evacuation plans would be less than significant.

The Project area is covered by the Humboldt County Emergency Operations Plan (EOP), which outlines emergency response and evacuation procedures for various hazards, including earthquakes, tsunamis, extreme weather, flooding, landslides, transportation accidents, hazardous materials incidents, wildfires, energy shortages, offshore toxic spills, civil disturbances, terrorist activities, and national security threats. The EOP establishes a framework for multiagency coordination and large-scale emergency response, including activation of the Humboldt County Emergency Operations Center (EOC). Hazard mitigation and risk assessment strategies for the Humboldt County Operation Area are formalized in the Humboldt County Operational Area Hazard Mitigation Plan (HMP), which establishes a framework for risk reduction strategies, resource identification, and information-sharing. The most recent update in 2019 set the stage for the 2025 update currently underway.

Once operational, the Project would accommodate approximately 100–120 permanent residents in onsite housing, with 184 designated parking spaces. Since fewer than half of the residents are expected to own vehicles, the anticipated traffic volume during an emergency wildfire evacuation event would remain low, thus ensuring minimal impact to local road infrastructure, emergency response demand, and evacuation plans.

A review of the EOP and HMP confirms that the Project would not impair emergency response activities, disrupt established evacuation routes, or impede access to existing roads and pedestrian pathways within the Project area. Furthermore, the Project includes internal access roads, ensuring each parcel has two ingress and egress routes, enhancing emergency response and evacuation capabilities by adding a new connection between Weirup Lane and Central Avenue that could be used for evacuation purposes. While the proposed gate at the Weirup Lane entrance would be closed during large events to minimize traffic congestion for nearby residents, this would not substantially increase emergency response demand or impact evacuation plans because the gate could be reopened during an evacuation. Based on these findings, the Project would not exceed the threshold of significance for impairing emergency response or evacuation plans and would result in a **less-than-significant** impact.

For these reasons, the Project will likewise not substantially impair an adopted emergency response or evacuation plan in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

The Project Site's flat terrain, lack of steep slopes, and absence of dense vegetation minimize wildfire fuel loads and reduce the risk of rapid fire spread. Its coastal location further lowers ignition potential due to moderate winds and higher humidity levels. Incorporation of fire-resistant design features, including fire-safe landscaping, defensible space, fire-resistant building materials, and well-planned internal access roads results in a **less-than-significant impact** on fire risk and occupant exposure to wildfire-related pollutants.

The Project Site is relatively flat with a gradual slope southeastward toward Mill Creek. The absence of steep slopes reduces the potential for rapid wildfire spread and limits the potential for ember-driven fire movement. The site plan in Chapter 3 shows the overall slope to be less than five percent (5%) sloping from the north downward to the south. Additionally, the Project area consists mostly of open grasslands and scattered trees, with some riparian and wetland vegetation along Mill Creek. As the Site does not contain dense forest areas or heavy brush, the Project area does not have a high wildfire fuel load. The removal of non-native plant species (particularly nonnative invasives such as eucalyptus trees) proposed in the Project would further reduce the risk of wildfire ignition and spread within the Project area.

The Project's proximity to the coast means that the area occasionally experiences moderate, consistent winds from the Pacific Ocean. While wind can influence wildfire spread by carrying embers and intensifying flames, the lack of significant fuel loads and steep slopes mitigates this risk at this particular location. Additionally, higher coastal humidity levels compared to inland areas further reduce the probability of wildfire ignition and rapid spread.

According to statewide fire hazard mapping, the Project Site is classified as a Moderate Fire Hazard Severity Zone and not within a VHFHSZ. This classification indicates that the area has a lower susceptibility to wildfire compared to more fire-prone regions. Furthermore, the Project is not directly adjacent to high-risk wildfire risk areas, reducing the potential for prolonged exposure to wildfire-generated air pollutants such as smoke and fine particulate matter. The nearest very high fire hazard zone is approximately 10 miles east. Humboldt County's air quality management measures will also help mitigate short-term wildfire smoke exposure in the event of regional wildfires.

The Project Site is situated within a mixed-use area, bordered by residential, commercial, and public service facilities. This urbanized setting creates natural firebreaks, as maintained landscapes, paved roads, and developed properties act as barriers that limit wildfire encroachment from wildland areas. The presence of public infrastructure and emergency services nearby further enhances fire preparedness and response capabilities. Thus, the Project would not increase fire risk beyond existing conditions.

The Project incorporates multiple fire-resistant design features to enhance wildfire resilience and safety. These include fire-safe landscaping and proactive vegetation management to minimize combustible materials near structures, as well as defensible space measures to establish adequate buffer zones around buildings. Structures will be built using fire-resistant materials, further enhancing protection against wildfire hazards. Additionally, the Project's internal access roads ensure access to potential fire risks enhancing wildfire response within the Project site. The Project will fully comply with all applicable fire safety regulations and building codes, ensuring alignment with best practices for wildfire preparedness and resilience.

Considering the Project Site's terrain, vegetation, surrounding land use, fire safety features, and compliance with emergency response protocols, the Project would not significantly exacerbate wildfire risks. Additionally, project occupants would not be exposed to substantial pollutant concentrations from wildfires or at heightened risk of an uncontrolled fire spread. Therefore, the impact is considered **less than significant**.

For these reasons, the Project will likewise not exacerbate wildfire risks and thereby expose Project occupants to pollutant concentrations from a wildfire due to slope, prevailing winds, or other factors in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Would the project 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?

As described in *Section 4.19 – Utilities and Service Systems* above, the Project will require some utility improvements to accommodate future onsite uses, including relocation of existing water, stormwater, gas, and electrical infrastructure. Also, a new paved road will provide internal access from Weirup Lane to Central Avenue. Since the Project does not require major infrastructure that would increase wildfire hazards, and utility improvements and wetland mitigation efforts have been incorporated into the design to minimize environmental disruption, the Project's impact on fire risk and the environment would be **less than significant**.

The Project would not require new fire roads or expanded water sources for fire suppression. The Project does not introduce significant new fire risks, as construction-related ignition hazards are low and primarily limited to potential incidents with heavy machinery. However, the existing water, stormwater, communications, gas, and electrical utilities are insufficient for the Project and would be upgraded or relocated to meet demand. The minor offsite electrical improvements would extend to existing infrastructure near 1682 Hideaway Court, but no major transmission expansions are required. Fire risk from electrical improvements is minimal due to its short installation distance and location near existing facilities.

New stormwater facilities and grading would be required, specifically sewer tie-ins to the MCSD system and rerouting of stormwater drainage, resulting in wetland impacts. However, the Project design seeks to mimic the site's predevelopment hydrology using a LID approach and these impacts would be mitigated at a 1.8:1 ratio, including wetland creation and riparian planting. Maintaining wetland habitat reduces the potential spread of wildfire.

Utility improvements, including relocation of existing water, stormwater, gas, and electrical infrastructure, would be required. Since the Project does not require major infrastructure that would increase wildfire hazards, and utility improvements and wetland mitigation efforts have been incorporated into the design to minimize environmental disruption, the Project's impact on fire risk and the environment would be **less than significant**.

For these reasons, the Project will likewise not require installation or maintenance of associated infrastructure that may exacerbate fire risks in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

d) Would the project 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?

Due to the Project's existing site stability and the inclusion of stormwater management features and flood-conscious design within the Project, any potential impacts to people or structures from landslides, flooding, or post-fire runoff would be **less than significant.**

The Project area is gently sloped and does not contain significant steep terrain that would be prone to landslides. As described above in *Section 4.7 – Geology and Soils* and in **Appendix B**, a geotechnical analysis will be completed prior to construction; however, the Project Site is classified as "Relatively Stable" according to the GPU, meaning it is not within an area prone to landslides. Additionally, existing soil conditions do not indicate instability or high erosion potential. There have been no historical landslides recorded in the vicinity either and the nearest mapped liquefaction hazard area 1,750 feet downstream along Mill Creek. As a result, the Project would not expose people or structures to significant landslide hazards, including post-fire slope instability.

The Project Site naturally drains southeast to Mill Creek. This southeast portion of the Project area overlaps a FEMA 100-year flood zone, but no critical structures, except an agricultural barn, would be located within this zone. The Project would introduce approximately 1.45 acres of impervious surface, which could alter site drainage. However, the stormwater management plan incorporates Low Impact Development (LID) features, including vegetated bioretention ponds, infiltration piping, and swales to mimic predevelopment hydrology. These measures would prevent increased runoff, erosion, or redirection of flood flows. Stormwater drainage from the MCSD system would be rerouted, but the existing flow path to Mill Creek would be maintained, and no in-water work would occur. As explained in **Appendix B**, the Project's compliance with the requisite Stormwater Pollution Prevention Plans (SWPPP) and Clean Water Act permits will ensure that any erosion and siltation impacts of the Project are further reduced.

Overall, the Project would not pose significant risks to people or structures from landslides, flooding, or post-fire runoff. The incorporation of stormwater management features and a flood-conscious design within the Project ensures that any potential impacts remain **less than significant**.

For these reasons, the Project will likewise not expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slop instability, or drainage changes in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

Conclusion

The proposed Project is consistent with the development evaluated in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments, and would not result in any new impacts or increase the severity of any previously identified impacts as compared to what was already identified and disclosed, either individually or cumulatively.

By with complying with the policies, and standards identified in the GPU, MCCP, and Housing Element, and their related environmental documents, along with the conditions and regulatory permits set forth in

Appendix B, the Project would not have any new significant or substantially more severe wildfire impacts, nor would it result in any new significant impacts that are peculiar to the Project or the Project Site.

For these reasons, further environmental analysis is not required because:

1. No peculiar impacts that are not substantially mitigated have been identified as a result of the proposed Project or the Project Site. Application of uniformly applied GPU, MCCP, and Housing Element policies and standards, along with regulations of Humboldt County Code, compliance with regulatory permits/programs and related conditions of approval (see **Appendix B**), and incorporation of identified Project design features substantially mitigate potentially significant impacts to a less than significant level.
2. There are no potentially significant impacts that were not analyzed as significant in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
3. There are no potentially significant off-site and/or cumulative impacts that were not discussed in the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.
4. No substantial new information has been identified that results in an impact that is more severe than those anticipated by the GPU PEIR, the HE Addendum, the MCCP PEIR, or the 2017 MCCP Amendments.

4.21 Mandatory Findings of Significance

	Where Impact was Analyzed in the Prior GPU PEIR , MCCP PEIR or HE Addendum	Does the Project Involve Any New Impacts Peculiar to the Project or Site?	Does the Project Involve Any New Significant or Substantially More Severe Impacts?	Does the Project Involve Any Unanalyzed Off-Site or Cumulative Impacts?	Applicable Land Use Plan Policies, Mitigation Measures, or Uniform Development Standards
XXI. MANDATORY FINDINGS OF SIGNIFICANCE					
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?	GPU PEIR: § 5.5, pp. 5-24–5-25 HE Addendum: § 3.3.20, pp. 22–23	No.	No.	No.	N/A
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.)	GPU PEIR: § 5.5, pp. 5-24–5-25 MCCP PEIR: § 5.3, pp. 5-1 HE Addendum: § 3.3.20, pp. 22–23	No.	No.	No.	N/A
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	GPU PEIR: § 5.5, pp. 5-24–5-25 HE Addendum: § 3.3.20, pp. 22–23	No.	No.	No.	N/A

Prior EIR Summary

Section 5.5 (pages 5-24 and 5-25) of the GPU PEIR analyze the new development allowed by the General Plan in light of the mandatory findings of significance described above. It concludes that the individual sections of the PEIR discussing the impacts of the Project also discuss the mandatory findings of significance.

Section 5.3 of the MCCP PEIR evaluates the potential cumulative impacts of the MCCP. It describes how new residential development will lead potentially to new commercial development and evaluates how each of the alternatives in the EIR are different in that respect.

Section 3.3.20 (page 20) of the HE Addendum concludes the 2019 Housing Element Update (Project) would not change the conclusions reached by the certified 2017 GPU PEIR regarding the environmental effects addressed in the Mandatory Findings of Significance Section of the GPU PEIR.

Project-Specific Analysis

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?

As analyzed herein, the Project would not 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; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.

Moreover, and as more fully detailed throughout this document and within **Appendix B**, the Project will ensure any potential impacts remain at less-than-significant levels by virtue of its compliance with: GPU, HE Update, MCCP, or HCC policies and regulations; GPU PEIR, MCCP PEIR, and HE Addendum mitigation measures; universally applicable development standards; compliance with regulatory programs and permitting conditions; standard conditions of approval; and/or Project design features. The scope of the Project was adequately analyzed within the GPU PEIR and the HE Addendum and will not exceed the thresholds or significance determinations of either environmental document. Accordingly, any potential impacts would be **less than significant**.

For these reasons, the Project will likewise not have the potential to substantially degrade the quality of the environment, 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 major periods of California history or prehistory in a manner that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

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.)

The impacts associated with the proposed Project, as analyzed herein, would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, cultural resources, biological, traffic impacts, or air quality degradation. Incremental impacts, if any, would be negligible and undetectable. Any applicable cumulative impacts to which this Project would contribute would be mitigated to a less-than-significant level via compliance with: GPU, HE Update, MCCP, or HCC policies and regulations; GPU PEIR, MCCP PEIR, and HE Addendum mitigation measures; universally applicable development standards; compliance with regulatory programs and permitting conditions; standard conditions of approval; and/or Project design features. Because the proposed Project would not result in significant impacts by virtue of compliance with these policies and conditions, and because the Project's proposed development was adequately analyzed within the GPU PEIR and HE Addendum such that it would not have further impacts beyond what either environmental document analyzed, the Project would not contribute to any significant cumulative impacts that may occur in the area in the future. Therefore, any cumulatively considerable impacts would be **less than significant**.

For these reasons, the Project will likewise not have impacts that are individually limited or cumulatively considerable that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

As discussed throughout this analysis, the Project would not have environmental effects that would cause substantial adverse direct or indirect effects on human beings. Instead, the Project has been planned and designed to avoid significant environmental impacts, including through its compliance with: GPU, HE Update, MCCP, or HCC policies and regulations; GPU PEIR, MCCP PEIR, and HE Addendum mitigation measures; universally applicable development standards; compliance with regulatory programs and permitting conditions; standard conditions of approval; and/or Project design features. (See **Appendix B**.) The scope of the Project was adequately analyzed within the GPU PEIR and the HE Addendum and will not exceed the thresholds or significance determinations of either environmental document. Accordingly, the Project would have a **less than significant** impact in this regard.

For these reasons, the Project will likewise not have environmental effects that will cause substantial adverse direct or indirect effects on human beings that would be peculiar to the Project or Project Site, yield substantially more severe impacts than those analyzed in the GPU PEIR, the HE Addendum, and the MCCP PEIR, or involve any unanalyzed cumulative impacts. Therefore, no further review is necessary pursuant to Public Resources Code section 21083.3 and CEQA Guidelines section 15183.