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December 16, 2025

Board of Supervisors  
Humboldt County  
825 5th Street, Room 111  
Eureka, CA 95501

**Re: Humboldt Regional Climate Action Plan and CEQA GHG Emissions Thresholds  
Record Number LRP-2019-15593**

Dear Supervisors:

This firm represents SN Indianola LLC ("SN Indianola"), owner of certain property located on Indianola Road (APNs 402-032-002 and 402-032-035) (the "Property"). As this Board may be aware, SN Indianola has been engaged in the process of seeking entitlements to develop and construct multi-family housing on the Property (the "Indianola Project"). To that end, SN Indianola submitted a petition to initiate the planning process to rezone the Property and amend the Local Coastal Plan to accommodate the Indianola Project in September 2022 (the "Petition"). This Board approved the Petition in November 2022.

The Board today will consider adoption of the Humboldt Regional Climate Action Plan ("RCAP") and associated GHG emissions thresholds. The proposed policies and thresholds would apply across the entire County, and thus would ostensibly impact the Indianola Project.

The purpose of this letter is twofold: first, this letter brings to the Board's attention that, even though the Board approved the Petition in 2022, approximately two years before County staff published the Notice of Preparation for the RCAP Final EIR ("FEIR") in August 2024, the FEIR fails to account for the Indianola Project as either part of the environmental baseline or as part of the document's cumulative impacts analysis. This is a fundamental defect in the FEIR. Second, the letter is intended to ensure that the Board understands and acknowledges that the Indianola Project is part of the environmental baseline, and thus the RCAP and GHG emissions thresholds will have limited applicability to the Project.

With respect to the environmental baseline, a lead agency must use projected future conditions (such as development of the Indianola Project) as part of the environmental baseline where analysis based on existing conditions would be misleading or without informational value. (See, e.g., *San Franciscans for Livable Neighborhoods v. City and County of San Francisco* (2018) 26 Cal.App.5th 596.)



Further, with respect to cumulative impacts, CEQA requires evaluation of cumulative impacts based on a list of past, present, and probable future projects producing related impacts. (CEQA Guidelines, § 15130(b)(1)(A).) When determining which projects are probable future projects that must be accounted for in a cumulative impacts analysis, the courts have routinely held that “in process” projects, even though with a lengthy approval process, must be analyzed. (See, e.g., *San Franciscans for Reasonable Growth v. City and County of San Francisco* (1984) 151 Cal.App.3d 61; *Golden Door Props., LLC v. County of San Diego* (2020) 50 Cal.App.5th 467; *Gray v. County of Madera* (2008) 167 Cal.App.4th 1099.)

As noted, the FEIR does not appear to include the Indianola Project as either part of the environmental baseline or as a probable future project for purposes of the FEIR’s cumulative impacts analysis. Given that the Indianola Project is perhaps the largest residential development project currently in process for entitlements in the County, this oversight constitutes both a procedural and substantive defect that must be corrected. As it stands, the Board should direct staff to revise the FEIR to account for the Indianola Project, recirculate, and then re-notice the RCAP and FEIR for approval.

\* \* \*

If you have any questions or would like clarification with respect to this correspondence, please do not hesitate to contact me by email at [bjohnson@everviewlaw.com](mailto:bjohnson@everviewlaw.com).

Sincerely,

A handwritten signature in blue ink, appearing to be 'B. Johnson', with a long horizontal flourish extending to the right.

Bradley B. Johnson, Esq.  
Everview Ltd.





Outlook

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## Humboldt Regional Climate Action Plan and CEQA GHG Emissions Thresholds Record Number LRP-2019-15593

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From James Anderson <janderson@everviewlaw.com>

Date Tue 12/16/2025 9:49 AM

To COB <COB@co.humboldt.ca.us>

Cc Bradley Johnson <bjohnson@everviewlaw.com>

 1 attachment (247 KB)

25-12-16 RCAP-Indianola Ltr.pdf;

**Caution:** This email was sent from an EXTERNAL source. Please take care when clicking links or opening attachments.

Clerk of the Board:

Please find the attached comment letter in relation to the above-noted item for today's agenda item. Please circulate and add this to the record for today's hearing.

Thank you,

JAMES I. ANDERSON, ESQ.



**Everview Ltd.**

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