



COUNTY OF HUMBOLDT
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION

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Hearing Date: December 13, 2018

To: Humboldt County Planning Commission

From: John H. Ford, Director of Planning and Building

Subject: **Humboldt Bay Harbor, Recreation and Conservation District**
Application Number 10741
Case Numbers: CDP-18-041/CUP-18-048
Assessor Parcel Numbers 401-112-021 and 401-112-024
364 Vance Avenue, Samoa area

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Please contact Michael Wheeler at (707) 268-3730, or by e-mail at mwheeler@co.humboldt.ca.us, if you have any questions about the scheduled public hearing item.

cc: Applicant, Agent, California Coastal Commission

AGENDA ITEM TRANSMITTAL

Hearing Date December 13, 2018	Subject HBHRCD Coastal Development Permit and Conditional Use Permit	Contact Michael Wheeler
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Project Description:

A project consisting of two components:

1) a Coastal Development Permit and Conditional Use Permit to allow for interim uses on property zoned Coastal Dependent Industrial. The project would permit future interim uses that meet the requirements and operational standards for allowable interim uses per Section 313-104.1 of the Zoning Regulations and would only occupy existing indoor facilities and require no infrastructure improvements or ground disturbing activities. Only interim uses that may be removed or relocated in a feasible manner will be allowed. New tenants would be required to submit a Plan of Operation Report for the business and a lease that conforms with the interim use lease requirements. A maximum term of seven (7) years for non-coastal dependent industrial interim uses is requested. Within the permit term specified for the interim use the Harbor District would be permitted to execute new leases with successor interim use tenants to occupy the building areas with like uses subject to a conformance review by the Planning Director; and

2) a Coastal Development Permit to allow use of the existing buildings and open yard areas for aquaculture and coastal dependent industrial uses that could include aquaculture (shellfish and finfish culturing, cultivation and processing facilities) and coastal dependent industrial uses (import/export operations, boat repair, commercial fishing facilities and fish processing) not requiring infrastructure improvements or ground disturbing activities. The permit would require that these principally permitted uses utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. The permit would allow the Harbor District to execute leases with future identified tenants to occupy the building areas subject to a conformance review by the Planning Director. The permit for the aquaculture and coastal-dependent uses would not be term limited and would run with the land.

Project Location:

The project site is located in Humboldt County on the Samoa Peninsula at 364 Vance Avenue, Samoa (APN 401-112-021), Section 20 and 21, Township 5 North, Range 1 West H.B.M.

Present Plan Land Use Designations: Industrial/Coastal-Dependent (MC), Humboldt Bay Area Plan (HBAP), Density: N/A, Slope Stability: Low Instability (1)

Present Zoning: (MC/A) Industrial/Coastal-Dependent (MC), Archaeological Resource Area Outside Shelter Cove (A)

Case Numbers: CUP 18-048, CDP 18-041

Assessor Parcel Numbers: 401-112-021 and 401-112-024

Applicant

Humboldt Bay Harbor, Recreation
& Conservation District
Executive Director
601 Startare Drive
Eureka, CA 95501

Owner

Humboldt Bay Dev Ass Inc CR
DBA Building Rental
Po Box 1030
Eureka, CA 95502

Agent

George Williamson
Planwest Partners Inc.
PO Box 4581
Arcata, CA 95521

Environmental Review: Yes. The Humboldt Bay Harbor, Recreation and Conservation District is the lead agency under the California Environmental Quality Act and has adopted a Mitigated

Negative Declaration for the project.

State Appeal Status: Project is appealable to the California Coastal Commission

Major Issues: None

EXECUTIVE SUMMARY

Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD)
Coastal Development Permit/Conditional Use Permit
Case Numbers: CDP-18-041/CUP-18-048; File No.: APNs 401-112-021 and -024

Recommended Planning Commission Action

1. Describe the application as part of the Consent Agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as a part of the consent agenda:

Find the proposed project consistent with Section 15096 (Process for a Responsible Agency) of the CEQA Guidelines, that all significant environmental impacts have been addressed in the Addendum #2 to the Mitigated Negative Declaration for the project adopted by HBHRCD, and that no new changes or alterations have been made that require additional environmental review, and make all of the required findings for approval of the Coastal Development Permit and Conditional Use Permit based on evidence in the staff report and any public testimony, and adopt the Resolution approving the proposed HBHRCD Project subject to the recommended conditions.

Executive Summary: The Harbor District has previously submitted and received approval of a coastal development permit application for maintenance and upgrades to existing infrastructure (CDP 15-043) at Redwood Terminal II (RMT II). This new series of three applications is intended to allow for a greater use of the underutilized site facilities at RMT II consistent with the Local Coastal Plan and recent amendments allowing for Interim Non-Coastal Dependent uses. The first application (CDP-16-049/CUP-16-062) addresses the 12 identified Interim Uses and authorizes one coastal-related development (sea salt manufacturing). The second application (CDP-17-067/CUP-18-047) is for a single Interim Use proposal for the Refined Hydrocarbon Solutions, a commercial distributor of liquefied petroleum products. The Harbor District's third application is seeking to pre-permit unallocated space within the RMT II site including the cargo loading area (Area "G" on Site Plan) to accommodate uses that are principally permitted uses in the Coastal Dependent Industrial (MC) Zone and provide the flexibility for the District to enter into short term leases with new qualifying interim uses. The framework for this pre-permitting is that the site is to be occupied by new compatible uses that would not result in changes to size, shape, and capacity of buildings or infrastructure. By doing so, maintenance and upgrades to the existing buildings and infrastructure may be supported and the site will be available to accommodate future coastal dependent and coastal related industrial uses. To simplify the substitution or addition of new tenants/lessees the permit establishes an administrative conformance review process whereby the Planning Director will evaluate any changes to the operation, including size and location of lease area, type and nature of use, number of employees, and improvements to tenant spaces. If the Planning Director is unable to find conformance, the request may be pursued as a project modification.

Specifically, this project consists of two components:

1) a Coastal Development Permit and Conditional Use Permit to allow for interim uses on property zoned Coastal Dependent Industrial. The project would permit future interim uses that meet the requirements and operational standards for allowable interim uses per Section 313-104.1 of the Zoning Regulations and would only occupy existing indoor facilities and require no infrastructure improvements or ground disturbing activities. Only interim uses that may be removed or relocated in a feasible manner will be allowed. New tenants would be required to submit a Plan of Operation Report for the business and a lease that conforms with the interim use

lease requirements. A maximum term of seven (7) years for non-coastal dependent industrial interim uses is requested. Within the permit term specified for the interim use the Harbor District would be permitted to execute new leases with successor interim use tenants to occupy the building areas with like uses subject to a conformance review by the Planning Director; and

2) a Coastal Development Permit to allow use of the existing buildings and open yard areas for aquaculture and coastal dependent industrial uses that could include aquaculture (shellfish and finfish culturing, cultivation and processing facilities) and coastal dependent industrial uses (import/export operations, boat repair, commercial fishing facilities and fish processing) not requiring infrastructure improvements or ground disturbing activities. The permit would require that these principally permitted uses utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. The permit would allow the Harbor District to execute leases with future identified tenants to occupy the building areas subject to a conformance review by the Planning Director. The permit for the aquaculture and coastal-dependent uses would not be term limited and would run with the land.

The Humboldt Bay Harbor, Recreation and Conservation District is the lead agency under the California Environmental Quality Act (CEQA) and has adopted an Addendum to the Mitigated Negative Declaration adopted for the project. Within the scope of the principally permitted uses and qualifying interim uses, Operations plans, site plans, and Operation Plans, and proposed leases for each new tenant/lessee will be submitted for conformance review to the Director. Conformance will be measured against the project description, the terms and conditions of this permit, the Interim Use regulations and the environmental document. Specific to the conformance finding is that the use would not result in changes to size, shape, and capacity of buildings or infrastructure. For each interim use, only interim uses that may be removed or relocated in a feasible manner will be allowed. All uses will be conducted solely within the jurisdictional area of the County for Coastal Development permitting.

There is a substantial inventory of vacant and underutilized land zoned MC, Coastal-Dependent Industrial around Humboldt Bay. Until such time as there is a higher demand for the use of MC zoned land for its designated purpose of supporting coastal-dependent industrial uses, defined as uses which require a maintained navigable channel to function, it is desirable and beneficial to generate revenues that can be used to maintain and improve infrastructure for future coastal-dependent industrial use. This is accomplished by increasing the variety of conditionally permitted uses in the MC zone district by allowing noncoastal-dependent interim uses, thereby increasing the potential for the use of vacant and underutilized MC zoned land.

The purpose of the interim use regulations is to establish minimum standards for interim noncoastal-dependent development in the MC zone district while simultaneously protecting the current and long term use of MC zoned land for coastal-dependent industrial use as defined in 104.1.3.1, and other priority uses conditionally permitted in the MC zone district including coastal-dependent recreation, coastal-related, and coastal access facilities. To allow greater use of underutilized MC zoned lands, certain uses allowed in the ML, Light Industrial and MG, Industrial General zone districts not otherwise allowed in the MC zone district may be allowed in the MC district as conditionally permitted interim uses ("interim uses") subject to the interim use performance standards which avoid detrimental impacts to the long term coastal-dependent industrial use, or other priority use, of MC zoned lands.

The applicant proposes to comply with the interim use performance standards as follows:

1. The site will not inhibit the continued or eventual use of MC zoned land for Coastal-Dependent Industrial (CDI) use or other priority use due to the lease agreement allowing for termination within six months. The site can then be converted to CDI use.
2. The site will be compliant with subsection 104.1.3.3 and is located greater than 100 ft. from environmentally sensitive habitat, and greater than 100 ft. from the dock.
3. Existing improvements will be utilized, however, if new improvements are required they will be non-permanent or enhance the project site for future CDI use. The project site shall be restored to pre-project condition, or to a condition that would preserve or enhance the project site for future coastal dependent industrial use or other priority use, on or before the expiration date of a use permit and coastal development permit for an interim use.
4. The applicant will maintain all priority access roads for circulation and access to bay frontage and infrastructure for coastal-dependent and priority uses.
5. The applicant has made considerable investments in maintaining, repairing, and upkeeping of existing buildings and infrastructure as a result of non-CDI tenants. Allowing "interim uses" to continue on the subject site buildings will result in continued maintenance and upkeep, maintaining the buildings for future CDI uses.
6. The "interim use" permit does not entitle the land owner or tenants to long-term "interim uses" beyond the permit expiration date and shall expire on the date agreed on by the hearing officer. The interim uses will commence within one (1) year upon project approval.
7. No development will occur on the property besides maintenance and upgrades to existing facilities including: electrical, mechanical, septic, and road improvements. Section 313-103.1 of the Coastal Zoning Regulations shall apply to all Interim Conditionally Permitted Uses. The interim use will comply with all applicable policies of the HBAP.

The applicant would comply with the Coastal Development Permit requirements for principally permitted uses by limiting new uses to existing buildings and open yard areas and limiting new uses to aquaculture and coastal dependent industrial uses that could include aquaculture (shellfish and finfish culturing, cultivation and processing facilities) and coastal dependent industrial uses (import/export operations, boat repair, commercial fishing facilities and fish processing) not requiring infrastructure improvements or ground disturbing activities. The permit would require that these principally permitted uses utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. The permit would allow the Harbor District to execute leases with future identified tenants to occupy the building areas subject to a conformance review by the Planning Director. The permit for the aquaculture and coastal-dependent uses would not be term limited and would run with the land.

Based on the on-site inspection, a review of Planning Division reference sources, and comments from all involved referral agencies, the Department believes that the applicant has submitted evidence in support of making all of the required findings approving the proposed Coastal Development Permit and Conditional Use Permit. Staff also recommends that as a Responsible Agency, the Planning Commission make the finding that the HBHRCD, as Lead Agency for the project, identified and reduced or eliminated all significant environmental impacts, and subsequently adopted the Mitigated Negative Declaration. No new changes or alterations have been made that require additional environmental review

Alternatives: The Planning Commission could elect not to approve the project, or to require the applicant to submit further evidence, or modify the project. These alternatives could be implemented if your Commission is unable to make all of the required findings.

**RESOLUTION OF THE PLANNING COMMISSION
OF THE COUNTY OF HUMBOLDT
Resolution Number 18-_____**

**MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT AND CONDITIONALLY APPROVING THE HUMBOLDT BAY HARBOR,
RECREATION AND CONSERVATION DISTRICT COASTAL DEVELOPMENT PERMIT AND CONDITIONAL
USE PERMIT APPLICATION: CASE NUMBERS CDP-18-041/CUP-18-048:
File No.: APNs 401-112-021 and 401-112-024**

WHEREAS, Humboldt Bay Harbor, Recreation and Conservation District submitted an application and evidence in support of approving a CDP/CUP for coastal dependent, coastal-related and interim uses within an area zoned for coastal dependent industrial uses on the Samoa Peninsula; and

WHEREAS, the County Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is not exempt from environmental review under CEQA. The Humboldt Bay Harbor, Recreation and Conservation District is the lead agency under the California Environmental Quality Act and has adopted an Addendum to the Mitigated Negative Declaration for the project; and

WHEREAS, Attachment 2 in the Planning Division staff report includes evidence in support of making all of the required findings for approving the Coastal Development Permit and Conditional Use Permit for the proposed project (Case Numbers: CDP-18-041/CUP-18-048);

WHEREAS, based on the staff report and testimony from the public hearing on December 13, 2018, the Planning Commission finds that:

NOW, THEREFORE, be it resolved, determined, and ordered by the Planning Commission that:

1. The proposed project was evaluated under Addendum #2 to the Mitigated Negative Declaration adopted by the Humboldt Bay Harbor, Recreation and Conservation District, and the County of Humboldt, as Responsible Agency pursuant to Section 15096 of the California Environmental Quality Act (CEQA) Guidelines, determined that no new changes or alterations have been made that require additional environmental review.
2. The findings in Attachment 2 of the Planning Division staff report support approval of Case No.: CDP-18-041/CUP-18-048 based on the submitted evidence; and
3. Case Nos.: CDP-18-041/CUP-18-048 is approved as recommended and conditioned in Attachment 1.

Adopted after review and consideration of all the evidence on December 13, 2018.

The motion was made by COMMISSIONER _____, second by COMMISSIONER _____, and the following vote:

AYES: Commissioners:

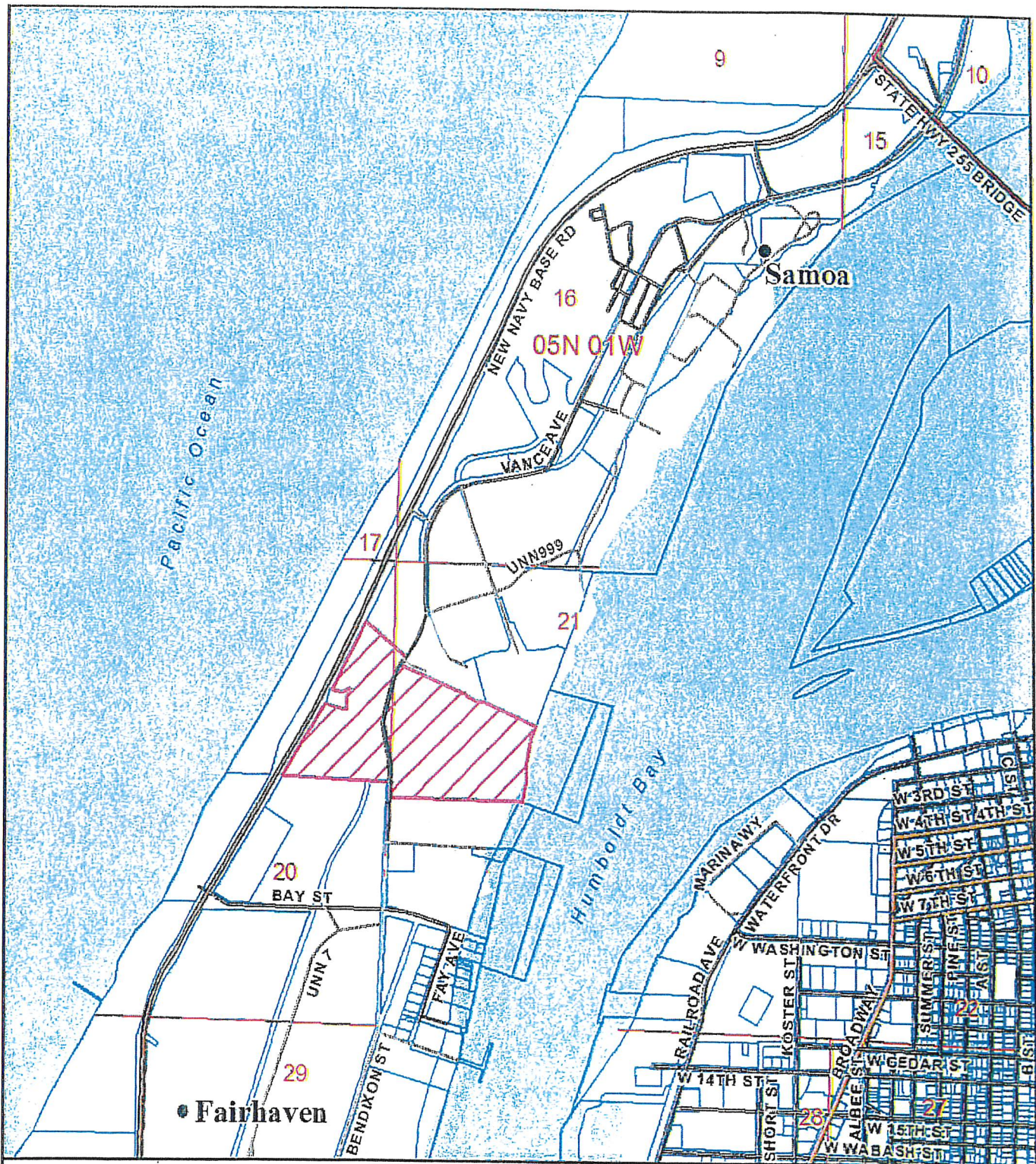
NOES: Commissioners:

ABSTAIN: Commissioners:

ABSENT: Commissioners:

I, John Ford, Secretary to the Planning Commission of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Commission at a meeting held on the date noted above.

John H. Ford
Director of Planning and Building




LOCATION MAP

PROPOSED HUMBOLDT BAY HARBOR, RECREATION & CONSERVATION DISTRICT CONDITIONAL USE PERMIT & COASTAL DEVELOPMENT PERMIT SAMOA AREA

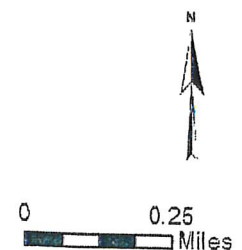
CUP-16-062/CDP-16-049

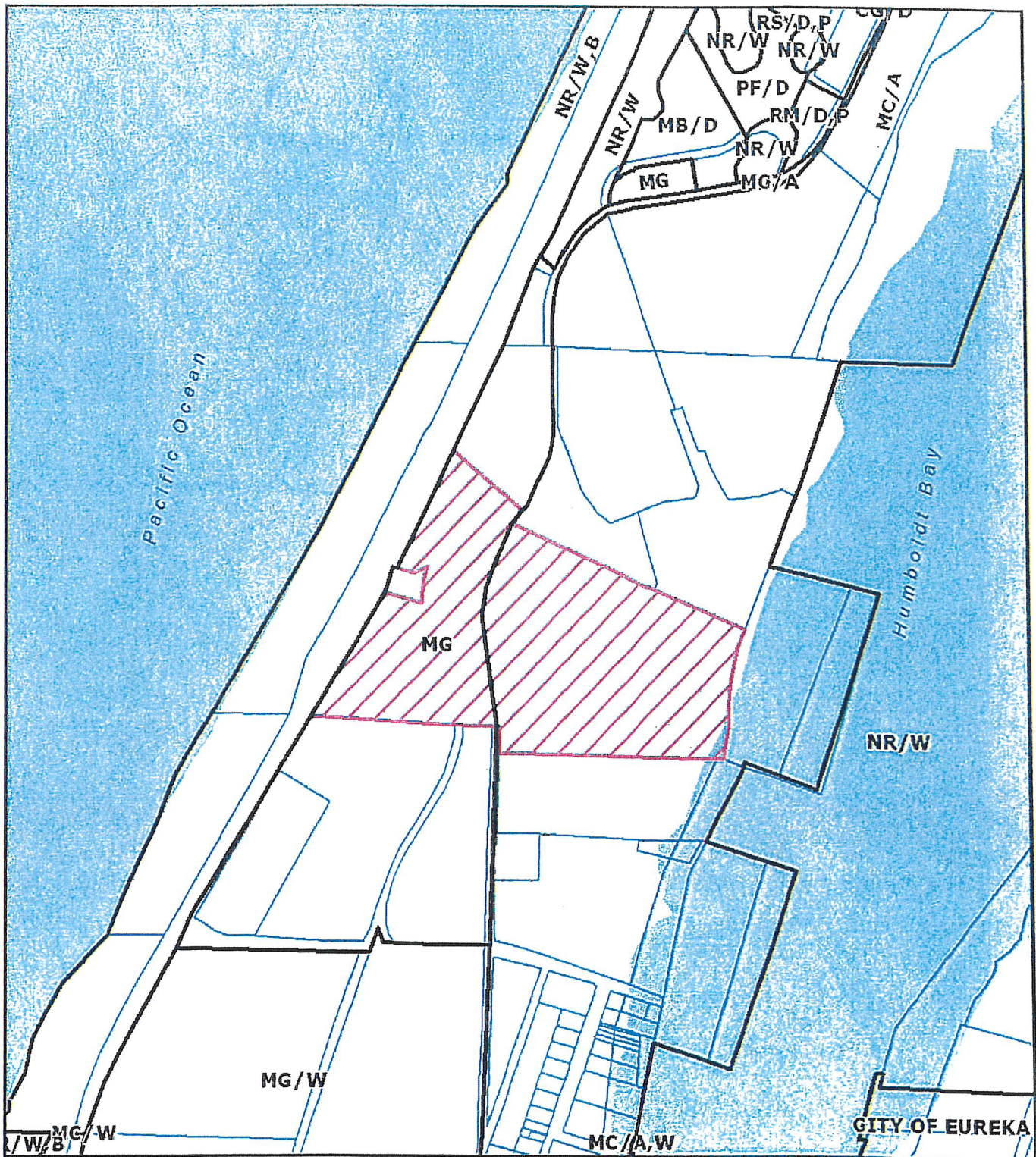
APN: 401-112-021

T5N R1W S20,21 HB&M (Eureka)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.





ZONING MAP

PROPOSED HUMBOLDT BAY HARBOR, RECREATION & CONSERVATION DISTRICT CONDITIONAL USE PERMIT & COASTAL DEVELOPMENT PERMIT SAMOA AREA

CUP-16-062/CDP-16-049

APN: 401-112-021

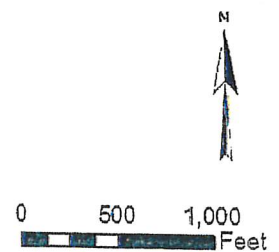
T5N R1W S20,21 HB&M (Eureka)

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

CDP-18-041 Humboldt Bay Harbor 10741

December 13, 2018



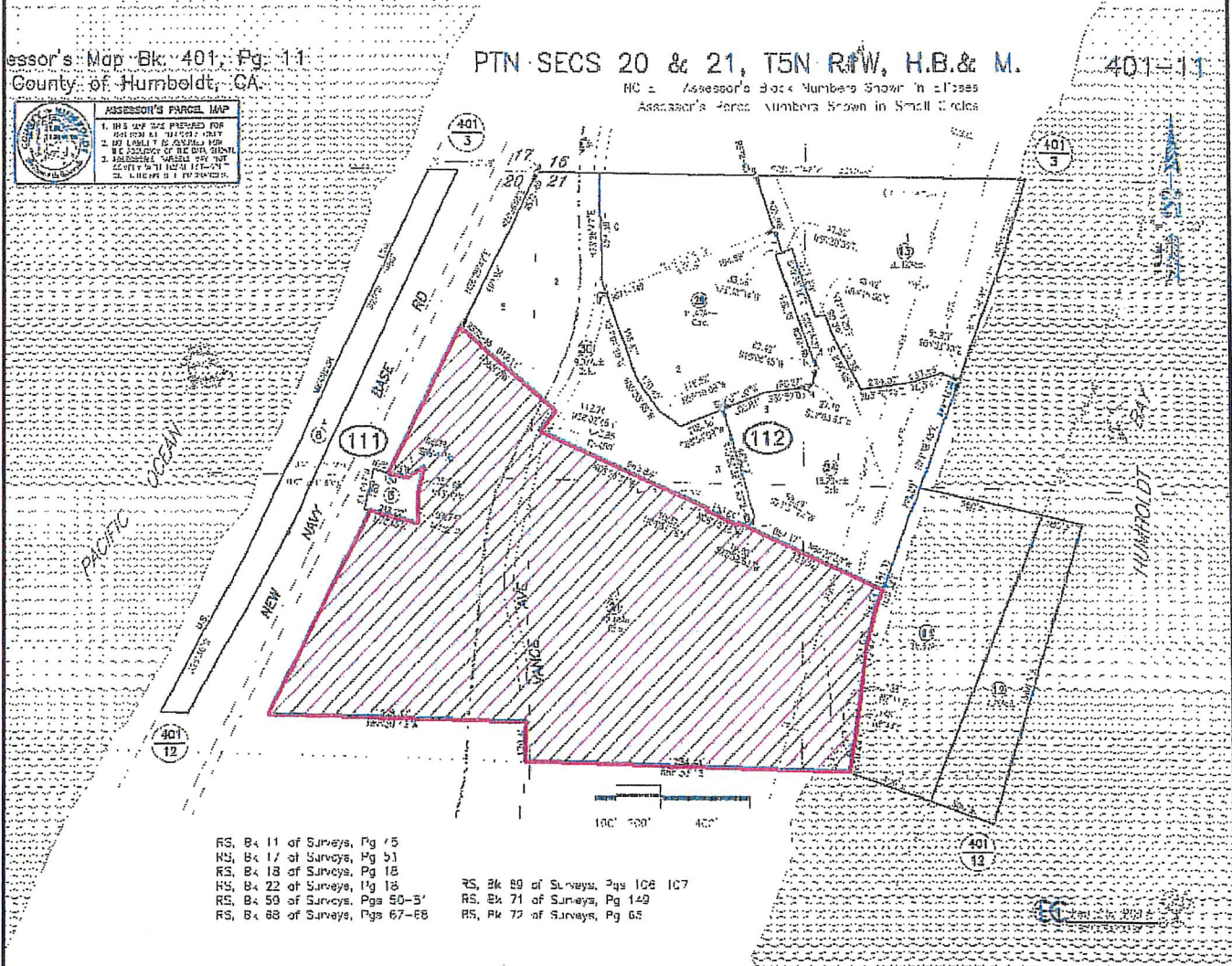
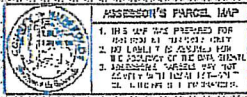
Page 9

Assessor's Map Bk. 401, Pg. 1-1
County of Humboldt, CA

PTN SECS 20 & 21, T5N R1W, H.B. & M.

401-11

HC = Assessor's Block Numbers Shown in all 1985
Assessor's Parcel Numbers Shown in Small Circles



RS, Bk 11 of Surveys, Pg 15
RS, Bk 17 of Surveys, Pg 51
RS, Bk 18 of Surveys, Pg 18
RS, Bk 22 of Surveys, Pg 18
RS, Bk 59 of Surveys, Pgs 50-51
RS, Bk 88 of Surveys, Pgs 67-68

RS, Bk 89 of Surveys, Pgs 106 107
RS, Bk 71 of Surveys, Pg 149
RS, Bk 72 of Surveys, Pg 65

ASSESSOR PARCEL MAP

PROPOSED HUMBOLDT BAY HARBOR, RECREATION & CONSERVATION DISTRICT CONDITIONAL USE PERMIT & COASTAL DEVELOPMENT PERMIT

SAMOA AREA

CUP-16-062/CDP-16-049

APN: 401-112-021

T5N R1W S20,21 HB&M (Eureka)

Project Area =


This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

MAP NOT TO SCALE



AERIAL MAP

PROPOSED HUMBOLDT BAY HARBOR, RECREATION & CONSERVATION DISTRICT CONDITIONAL USE PERMIT & COASTAL DEVELOPMENT PERMIT SAMOA AREA

Project Area = 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.

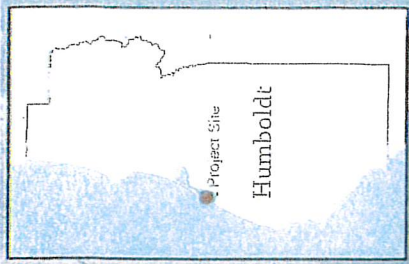
CUP-16-062/CDP-16-049

APN: 401-112-021

T5N R1W S20,21 HB&M (Eureka)



0 500 1,000
Feet



Map Created by
PLANWEST
PARTNERS, INC.
Date 6/30/2015

Humboldt Bay Harbor Recreation and Conservation District

Redwood Marine Terminal II
DP/CUP Permit - Interim Uses





Redwood Marine Terminal II

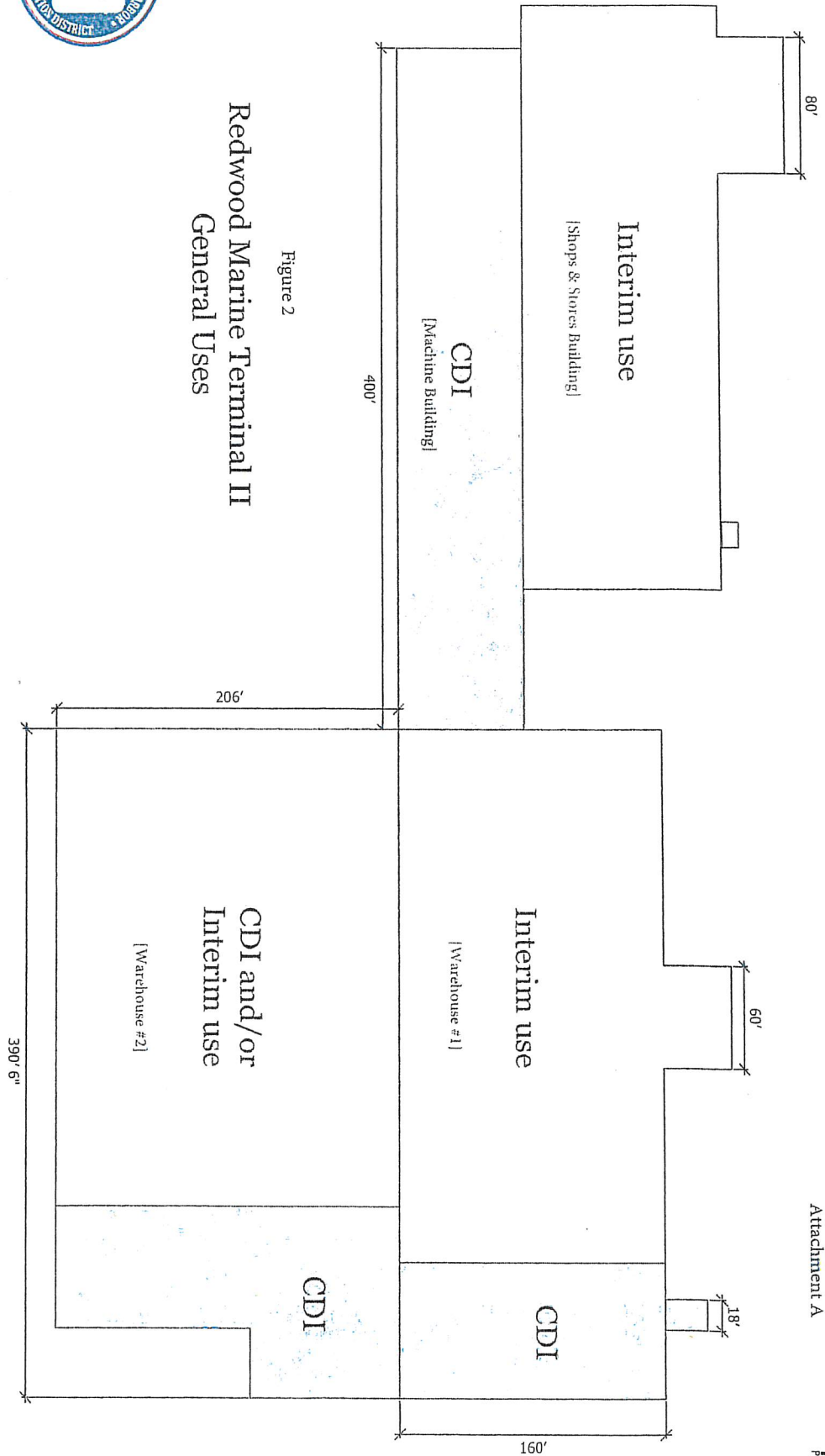
Figure 1 - Site Plan





Redwood Marine Terminal II
General Uses

Figure 2



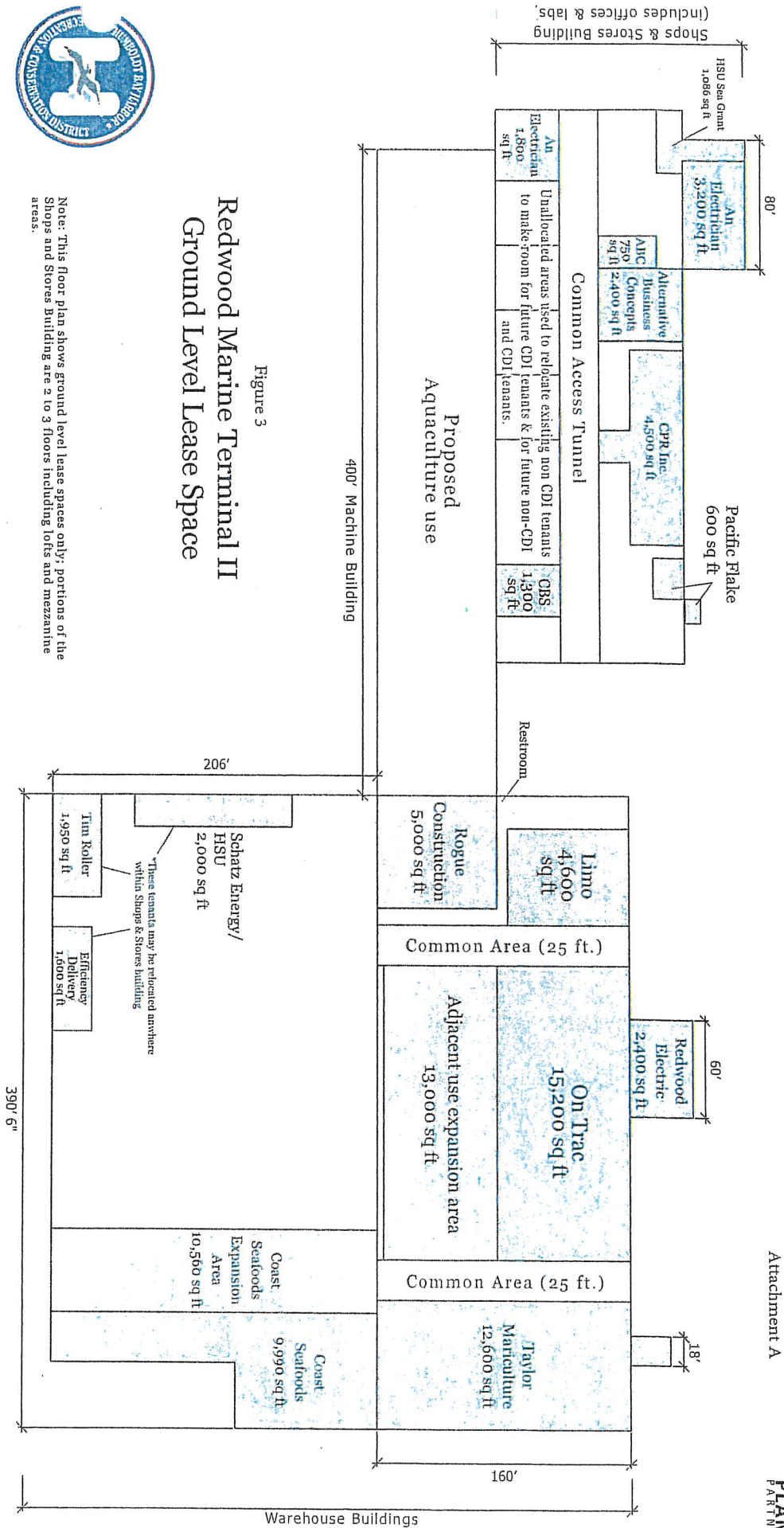
Attachment A



Redwood Marine Terminal II Ground Level Lease Space

Figure 3

Note: This floor plan shows ground level lease spaces only; portions of the Shops and Stores Building are 2 to 3 floors including lofts and mezzanine areas.



Attachment A

PLANNING PARTNERS

ATTACHMENT 1

Conditions of Approval

APPROVAL OF THE COASTAL DEVELOPMENT PERMIT AND CONDITIONAL USE PERMIT IS
CONDITIONED ON THE FOLLOWING TERMS AND REQUIREMENTS WHICH MUST BE SECURED BEFORE
A BUILDING PERMIT MAY BE ISSUED:

The following conditions must be satisfied prior to initiation of the interim uses:

1. The applicant shall provide verification of coverage under the Statewide General Permit for Storm Water Discharges Associated with Construction Activities. This includes the development of a Storm Water Pollution Prevention Plan (SWPPP). (CA Water Resources Board)
2. Pursuant to Health and Safety Code, Chapter 6.95, a Hazardous Materials Business Plan shall be required if hazardous materials are stored at or above threshold quantities for 30 days, consecutively or non-consecutively. (DEH)
3. The General Plan User Fee of \$650 for Industrial Development must be paid to the Humboldt County Community Development Services Department.
4. Prior to any development occurring that is authorized by an interim use permit and coastal development permit, a Development Plan shall be submitted for review and approval by the Planning Director, and a Notice of Development Plan shall be recorded on all properties where the interim use permit will be located. The Development Plan shall identify the term and all other applicable development restrictions that apply to the interim use, including the plan for restoring the project site to pre-project condition, or to a condition that would preserve or enhance the project site for future coastal-dependent industrial use or other priority use. The Development Plan shall also map the location and identify the ground coverage for each building, allocated open yard area, and off-street parking and loading spaces for each Interim Use subject to the Conditional Use Permit. This information will be used to track the total land area zoned MC occupied for Interim Uses to determine consistency with the provisions in section 104.1.3.4 of the Zoning Regulations.
5. Any lease for an interim use shall include a provision for rescission of the lease and mandatory relocation or removal of the interim use within six months in the event a coastal-dependent industrial use or other priority use is identified by the property owner for the space occupied by an interim use on terms acceptable to the property owner. A copy of each lease showing compliance with this provision shall be provided to the Planning Division prior to permit issuance.
6. All parking spaces shall be delineated by striping.

On-Going Requirements/Development Restrictions Which Must Continue to be satisfied for the Life of the Project:

1. The applicant shall carry out the project in accordance with the approved Mitigation Monitoring and Reporting Program.
2. The Project shall be developed, operated and maintained in accordance with the Project Description and Plans of Operation Report included as Attachment 3 of the Planning Commission's Staff Report, excepting the described tenant operations plans (pages 4-36). As this permit provides for future leases of presently unallocated space for coastal-dependent or interim on-coastal dependent uses, Plans of Operation, revised plot plans and

proposed leases for each new tenant/lessee shall be submitted for conformance review to the Director. Interim Uses shall occupy existing indoor facilities and require no infrastructure improvements or ground disturbing activities. Only interim uses that may be removed or relocated in a feasible manner will be allowed. Coastal-dependent uses shall utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. Once allocated, any proposed change to the coastal dependent or interim non-coastal dependent use, including size and location of lease area, type and nature of use, number of employees, and improvements to tenant spaces, shall be submitted for conformance review to the Planning Director. If the Planning Director is unable to find conformance, the request may be pursued as a project modification.

3. All new and existing outdoor lighting shall be compatible with the existing setting and directed within property boundaries.
4. Storage and parking of construction equipment and debris must not cause any soil or water contamination. Secondary containment may be required to prevent petroleum products from leaking onto the soil and into water sources. (DEH)
5. All storage, handling and disposal of hazardous materials must comply with local, state and federal laws. (DEH)
6. All releases and spills of hazardous materials must be reported immediately to the Division of Environmental Health at (707) 445-6215 or the Sheriff's Dispatch at (707) 445-7251. (DEH)
7. All hazardous waste handling shall be in conformance with the Hazardous Waste Control Law (Health and Safety Code, Chapter 6.5) and California Code of Regulations, Title 22. (DEH)
8. Applicant shall ensure that noise generated by the operations shall not exceed 70 dB at all property lines.
9. The County's Industrial Performance Standards found in §313-103.1 of the HCC, shall be adhered to.
10. No new development involving ground disturbing activities is allowed under this permit.
11. The applicant shall maintain an adequate on-site sewage disposal system to the satisfaction of the Division of Environmental Health and/or the Regional Water Quality Control Board.
12. The applicant shall maintain an adequate fire suppression system for the RMT II site. Fire hydrants shall be inspected and the buildings fire suppression system shall be pressure tested to ensure that they meet fire code requirements. A letter from the Fire Chief confirming that the fire hydrants and suppression systems meet the applicable standard will satisfy this condition.
13. The term of the interim permit is seven (7) years. An increase in the term of an Individual Interim Use may be authorized by applying for a permit modification and making the required findings consistent with Section 313-104.1.3.4.3. The Interim Permits shall expire at the end of the term specified herein, unless modified, at which time they will become null and void. Issuance of a new use permit and coastal development permit prior to the expiration date of the existing interim permits shall be required in order to continue an interim use uninterrupted beyond the specified expiration date.

Informational Notes:

1. The applicant is responsible for receiving all necessary permits and/or approvals from other state and local agencies.
2. If buried archaeological or historical resources are encountered during construction activities, the contractor on-site shall call all work in the immediate area to halt temporarily, and a qualified archaeologist is to be contacted to evaluate the materials. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, dietary bone, and human burials. If human burial is found during construction, state law requires that the County Coroner be contacted immediately. If the remains are found to be those of a Native American, the California Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains. The applicant is ultimately responsible for ensuring compliance with this condition.
3. The uses authorized by this Coastal Development Permit and Conditional Use Permit must commence within one (1) year after all applicable appeal periods have lapsed or this approval shall be expire and become null and void. Extensions of the initial permit vesting period (the period by which the interim and non-interim use must begin) may be approved in accordance with Section 312-11.3 of the Zoning Ordinance ("Extension of a Permit or Variance").
4. NEW DEVELOPMENT TO REQUIRE PERMIT. Any new development as defined by Section 313-139 of the Humboldt County Code (H.C.C.), shall require a coastal development permit or permit modification, except for Minor Deviations from the Plot Plan as provided under Section 312-11.1 of the Zoning Regulations.
5. An interim use permit and coastal development permit shall not confer any land use entitlement or property right to the holder of the permits beyond the permit expiration date set forth in the use permit and coastal development permit. Interim permits shall expire at the end of the term set by the Hearing Officer, at which time they become null and void. Interim uses shall cease operation and all permitted development not authorized to remain by permit shall be removed by the permit expiration date. Approval of a new use permit and coastal development permit prior to the expiration date of the existing use permit and coastal development permit authorizing the interim use shall be required in order to continue an interim use uninterrupted beyond the expiration date of the existing permit.
6. The Coastal Development Permit and Conditional Use Permit Interim Uses does not authorize any uses or development within the jurisdictional area of the California Coastal Commission, nor does it authorize any uses or development on those portions of the property that are not zoned for Industrial Coastal Dependent uses.
7. The term of a principally permitted coastal development permit for the use types of coastal dependent industrial or aquaculture and meeting the criteria of utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure shall not be term limited and shall run with the land.
8. Existing Coastal Development Permits, including CDP-15-043 for site facilities infrastructure maintenance and Coastal Commission issued Coastal Development Permits for Coast Seafoods and Taylor Mariculture, remain in full effect and are not impacted by this permit.

9. This permit does not authorize new discharges through the ocean outfall or any other development associated with the ocean outfall. Separate permitting including a CDP from the California Coastal Commission is required.

ATTACHMENT 2
Staff Analysis of the Evidence Supporting the Required Findings

Required Findings: to approve this project, the Planning Commission must determine that the applicants have submitted evidence in support of making all of the following required findings:

The Coastal Zoning Ordinance, Section 312-17.1 of the Humboldt County Code (Required Findings for All Discretionary Permits) specifies the findings that are required to grant a Coastal Development Permit and Conditional Use Permit. Basically, the Hearing Officer may grant the Coastal Development Permit and a Conditional Use Permit if, on the basis of the application, investigation and submitted evidence, the following findings are made:

1. The proposed development is in conformance with the General Plan; and
2. That the use is consistent with the purposes of the zone in which the site is located; and
3. The proposed development conforms with all applicable standards and requirements of these regulations; and
4. That the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare, or materially injurious to properties or improvements in the vicinity; and
5. The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized; and
6. Interim Uses in the Industrial/Coastal-Dependent Zone must comply with the Performance Standards per Humboldt County Code Zoning Regulations Section 313-104.1; and
7. The interim use does not have a detrimental impact on existing coastal-dependent industrial uses or other priority uses, nor on the long term future use of MC zoned land for coastal-dependent industrial uses or other priority uses; and
8. Finally, the California Environmental Quality Act (CEQA) states that one of the following findings must be made prior to approval of any development which is subject to the regulations of CEQA:
 - a) is categorically or statutorily exempt; or
 - b) has no substantial evidence that the project will have a significant effect on the environment and a negative declaration has been prepared; or
 - c) has had an environmental impact report (EIR) prepared and all significant environmental effects have been eliminated or substantially lessened, or the required findings in Section 15091 of the CEQA Guidelines have been made.

Staff Analysis:

1. General Plan Consistency: The following section identifies the evidence which supports finding that the proposed project is in conformance with all applicable policies and standards in found in the Humboldt Bay Area Plan (HBAP).

Relevant Plan Section(s)	Summary of Applicable Goals, Policies or Standards	Summary of Evidence
Industrial/Coastal Dependent (MC) §4.10 HBAP	Industrial/Coastal - Dependent (MC), sites for industrial uses dependent on water -borne traffic. Land use density not specified. Uses include Interim Uses of lands designated Industrial/Coastal Dependent (MC).	The project site is proposed to host coastal dependent, coastal related and interim non-coastal dependent uses, falling into the categories of aquaculture, research/light industrial and warehousing, storage and distribution. The proposed interim uses are allowed in the MC designation under the interim use provisions of the Humboldt Bay Area Plan. These are more fully described in the Plot Plan, Master Lease Area Map and Building Floor Plan detail sheets provided. Operation Plans are required for each new use. All uses will be located in existing facilities and utilize existing on-site wastewater system(s) and domestic water connections. All uses will be conducted solely within the jurisdictional area of the County for Coastal Development permitting.
Hazards §3.17(B) HBAP	Minimize risks to life and property in areas of high geologic, flood, and fire hazard for new development.	
Geologic:	New development shall be consistent with the adopted Humboldt County Safety and Seismic Safety element of the General Plan.	The parcel is located within an area of low – moderate slope instability and is not located in area of known seismic hazards. Under the statutory exemption to CEQA, the applicant has determined that the proposed project will have a less than significant impact in terms of geologic hazards.
Tsunami:	Limits the types of new development permitted below the 100-year tsunami run-up elevation.	The 100-year tsunami run-up elevation for the area is approximately 10.8 feet. The project site is located at 12-40 feet elevation. The 500 year tsunami run-up elevation for the area is approximately 20.2 feet. There is a tsunami evacuation site on the Harbor District property.
Flood:	No critical facilities should be permitted within the 100 year flood plain.	The Proposed project site is located in zone C, which is defined as areas of minimal flooding (FIRM #775). The applicant has determined that the proposed project will have a less than significant impact in terms of flood hazards.

Relevant Plan Section(s)	Summary of Applicable Goals, Policies or Standards	Summary of Evidence
Fire:	Implementation of recognized fire protection practices.	The project site has a low fire hazard rating according to the General Plan Flooding and Fire Hazard map. The property is served by the Samoa Peninsula Fire District.
Archaeological / Paleontological Resources §3.18 HBAP	Where development would adversely impact archaeological resources, reasonable mitigation measures should be required.	The proposed project does not include ground-disturbing activities in areas that have previously been undisturbed. The Wiyot Tribe has indicated that many significant cultural sites are located around Humboldt Bay, however if no ground disturbing activities are proposed then they recommend approval. Furthermore, the regular condition requiring all ground disturbing activities to halt in the case of the discovery of artifacts and/or remains has been added to the Informational Notes section of the Conditions of Approval.
Natural Resource Protection §3.30 HBAP	Protection of environmentally sensitive habitat areas from any significant disruption of habitat values.	A review of the Humboldt Bay Area Plan Resource Protection Maps indicate no resource protection policies affecting the project site. The project is to occur solely within existing facilities and areas previously associated with pulp mill operations.

2. The proposed development is consistent with the purposes of the existing zone in which the site is located; and **3. The proposed development conforms with all applicable standards and requirements of these regulations.** The following table identifies the evidence which supports finding that the proposed development is in conformance with all applicable policies and standards in the Humboldt County Coastal Zoning Regulations.

Zoning Section	Summary of Applicable Requirement	Evidence
<i>Industrial/Coastal Dependent (MC)</i>		

Zoning Section	Summary of Applicable Requirement	Evidence
Principal & Conditionally Permitted Uses: §313-3.4	The zone conditionally allows coastal-related industrial uses, and heavy industrial uses, including the alteration, improvement and relocation of existing facilities. Interim uses are allowed per Humboldt County Code Zoning Regulations Section 313-104.1	The project site is proposed to host coastal dependent, coastal related and interim non-coastal dependent uses, falling into the categories of aquaculture, research/light industrial and warehousing, storage and distribution. The proposed interim uses are allowed in the MC designation under the interim use provisions of the Humboldt Bay Area Plan. These are more fully described in the Plot Plan, Master Lease Area Map and Building Floor Plan detail sheets provided. Operation Plans are required for each new use. All uses will be located in existing facilities and utilize existing on-site wastewater system(s) and domestic water connections. The majority of proposed tenants are non-coastal dependent industrial interim uses within existing facilities, as defined in Chapter 3, Section 313-3.4 of the Humboldt County Zoning Code. The maximum lease term of the non-coastal dependent industrial interim uses is (7) years.
Development Standards		
Minimum Lot Size:	10,000 square feet	MC Zoned Portion: APN 401-112-021; 76.69 acres
Min. Lot Width:	n/a	n/a.
Max. Lot Depth:	n/a	n/a
Yard Setbacks:		
The minimum yard setbacks shall be as designated by the Development Standard Combining Zone regulations (§313-34.1, HCC). None are currently specified for this parcel.		
Structure Height:	75 feet	No new structures are proposed

Zoning Section	Summary of Applicable Requirement	Evidence
Max. Coverage:	n/a	The applicant proposes to use only a portion of the previously developed pulp mill site area.
§313-16.2 "A" Archaeological Resource Areas Outside Shelter Cove	To provide reasonable mitigation where development may impact archaeological/pale-ontological resources.	The proposed activities will not impact any known or unknown sites as no new ground disturbing activities are proposed.
§313-109.1 Off-Street Parking	Provide for on-site, off-street parking in accordance with uses, square footage, and number of employees.	Parking spaces are provided in accordance with specified uses and parking requirements (see Attachment 3 - Parking Worksheet and Plot Plan). The project conditions of approval require that parking spaces be striped.
§312-35.1 Coastal Dependent Industry Impact Findings	The proposal is for a site ranked 1 (highest priority) or 2.	This is a Priority 1 site with existing facilities suitable, with minor alteration, to accommodate a proposed coastal dependent industrial use, or that could accommodate the proposed use through expansion (HBAP, §3.14B3). Principal to this status is access to a 38 foot deep channel. In accordance with the interim use regulations, the interim uses must be vacated if a coastal dependent use for the site arises in the future.

4. Public Health, Safety and Welfare: The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity.

Finding	Summary of Applicable Requirement	Evidence
§312-17.1.4	The proposed development will not be detrimental to the public health, safety and welfare, and will not be materially injurious to properties or improvements in the vicinity.	<p>The Department finds that the proposed project will not be detrimental to the public health, safety and welfare since all reviewing referral agencies have approved or conditionally approved the proposed project design. The project as proposed and conditioned is consistent with the general plan and zoning ordinances; and the proposed project will not cause significant environmental damage.</p> <p>Staff supports the finding that the project will not impact the public's health, safety and welfare, nor will it be injurious to properties or improvements in the vicinity provided that the Conditions of Approval and Mitigations are adhered to.</p>

5. Residential Density Target: The following table identifies the evidence which supports finding that the proposed project will not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

Code Section	Summary of Applicable Requirement	Evidence that Supports the Required Finding
312-17.1.5 Housing Element Densities	The proposed development shall not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the midpoint of the density range specified in the plan designation), except where: 1) the reduction is consistent with the adopted general plan including the housing element; and 2) the remaining sites identified in the housing element are adequate to accommodate the County share of the regional housing need; and 3) the property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions of the site has been maximized.	<p>The existing parcel is currently zoned Industrial/Coastal Dependent. As such the parcel was not included in the Housing Inventory. The proposed Interim Uses will have no impact on determining compliance with Housing Element law.</p> <p>Therefore, the project is in conformance with the standards in the Housing Element.</p>

6. and 7. Interim Use Permit Term and Findings

Interim Use Permit Term	
104.1.3.4.1 The Hearing Officer shall set the term for the permits, which shall normally be between one (1) and seven (7) years. The permit term shall be set in consideration of the factors listed in section 104.1.3.2 so as to provide a viable time frame for an interim use while avoiding impacts to long term coastal-dependent industrial uses and other priority uses.	The applicant is requesting a 7 year permit term under the provisions of 104.1.3.4.3. The site is developed with existing coastal dependent uses (mariculture) but these only occupy a small portion of the former mill site. Use of currently vacant buildings and structures for non-coastal dependent industrial uses can help maintain and improve existing infrastructure for future coastal-dependent industrial use.
104.1.3.4.2 The permit term for interim uses shall be limited to two (2) years if any of the following occur: (a) if 340 acres of MC-zoned land is occupied by interim uses authorized by County-issued coastal development permits, the permit term for any subsequent interim use authorized by a County-issued coastal development permit of such lands shall be no more than two years; or (b) if 170 acres of MC-zoned land that either currently supports or has supported coastal-dependent industrial development is occupied by interim uses authorized by County-issued coastal development permits, the permit term for any subsequent interim use authorized by a County-issued coastal development permit on such lands shall be no more than two years.	This is the second Interim Use CDP to go through the approval process. The Sequoia X Investments LLC interim use permit occupies 67.6 acres; no other permitted interim uses occupy MC zoned areas.
104.1.3.4.3 A term of between one (1) and three (3) additional years above the maximum seven (7) years (for a total term not to exceed ten (10) years) may be considered under limited circumstances, but shall not be considered for interim uses subject to the permit term established by 104.1.3.4.2. In addition to the factors provided in section 104.1.3.2, the longer term may be considered for: 104.1.3.4.4.1 interim uses that can coexist with existing or future coastal-dependent industrial uses and other priority uses. 104.1.3.4.4.2 interim uses that provide structural repair, maintenance or upgrades of existing infrastructure, or install new infrastructure, that supports coastal-dependent industrial uses.	The applicant has not requested the additional 3 years for a 10 year term.
104.1.4 (Finding) The interim use does not have a detrimental impact on existing	The proposed project will adhere to all performance standards and the term of

<p>coastal-dependent industrial uses or other priority uses, nor on the long term future use of MC zoned land for coastal-dependent industrial uses or other priority uses.</p>	<p>the permit will not exceed seven (7) years. No current CDI use is being displaced and the property will retain access to the existing dock facility. Long term benefits to future CDI uses will result from the repair, maintenance and upgrades to existing buildings and infrastructure.</p>
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6. and 7. Interim Uses in the Industrial/Coastal-Dependent Zone Performance Standards per Humboldt County Code Zoning Regulations Section 313-104.1

Redwood Marine Terminal II - Performance Measures		
Performance Measures to Satisfy Performance Standards		Performance Number Met by Standard by Performance Measure
A	The interim uses will not inhibit the continued or eventual use of MC zoned land for Coastal-Dependent Industrial (CDI) use or other priority use due to the lease agreement allowing for termination within six months. The site can then be converted to CDI use.	1, 2, 6, 12, 19, 24, 25
B	The interim uses will be compliant with subsection 104.1.3.3 and are located greater than 100 ft. from environmentally sensitive habitat, and greater than 100 ft. from the dock. The parcel has plenty of space available for CDI activities.	4, 13, 17
C	Existing improvements will be utilized, however, if new improvements are required they will be non-permanent or enhance the project site for future CDI use. The project site shall be restored to pre-project condition, or to a condition that would preserve or enhance the project site for future coastal dependent industrial use or other priority use, on or before the expiration date of a use permit and coastal development permit for an interim use.	3, 5, 18, 22
D	HBHRCD maintains priority site access roads for circulation and access to bay frontage and infrastructure for coastal-dependent and priority uses.	9
E	Refer to site plans and operation plans for the area, type, intensity, and location of the interim use. The priority rating for the site is designated as Priority 1 according to HBAP.	7, 8, 10, 14, 15, 16
F	The HBHRCD has invested significant financial and staff resources into site clean-up and necessary infrastructure maintenance. Allowing interim uses to continue on the subject site will result in continued maintenance and upkeep, maintaining the buildings for future CDI uses.	11

Redwood Marine Terminal II - Performance Measures		
Performance Measures to Satisfy Performance Standards		Performance Number Met by Standard Performance Measure
G	The interim use permit does not entitle the land owner or tenants to long-term interim uses beyond the permit expiration date and shall expire on the date agreed on by the hearing officer. The interim uses will commence within one (1) year upon project approval.	20, 21
H	No new permanent development is currently proposed. No development will occur on the property besides maintenance and upgrades to existing facilities including: electrical, mechanical, septic, and road improvements. Coastal Zoning Regulations Section 313-45.1 shall not apply to non-CDI interim uses. Coastal Zoning Regulations Section 313-103.1 shall apply to all interim conditionally permitted uses. The interim use will comply with all applicable policies of the HBAP.	23, 26, 27, 28

Interim Uses in the Industrial/Coastal-Dependent Zone Performance Standards per Humboldt County Code Zoning Regulations Section 313-104.1

#	104.1.3	Performance Standards	Performance Measure
	104.1.3.1	In order to avoid detrimental impacts to coastal-dependent industrial uses, including public docks; water-borne carrier import and export operations; ship building and boat repair; commercial fishing facilities, including storage and work areas, berthing and fish receiving, and fish processing for human consumption; marine oil terminals; Outer Continental Shelf service or supply bases; ocean intake, outfall or discharge pipelines and pipelines serving offshore facilities; and aquaculture and aquaculture support facilities; and in order to avoid detrimental impacts to other priority uses, interim uses shall:	See RMT II Performance Measures table as cross-referenced below.
1	104.1.3.1.1	be compatible with, and not interfere with, the operation of existing onsite and offsite coastal-dependent industrial uses or other priority uses;	A
2	104.1.3.1.2	allow the site where they are located to be converted back to a coastal-dependent industrial use or other priority use when the site is needed for such use;	A
3	104.1.3.1.3	use existing improvements where feasible;	C

#	104.1.3	Performance Standards	Performance Measure
4	104.1.3.1.4	be located in the areas least likely to be required by a future coastal-dependent industrial use or other priority use on a particular site to the extent feasible;	B
5	104.1.3.1.5	provide improvements that are nonpermanent, and removable or relocatable in a feasible manner, or improvements that would preserve or enhance the utility of the project site for future coastal-dependent industrial use or other priority use, if new improvements are required; and	C
6	104.1.3.1.6	not inhibit the eventual use of MC zoned land for coastal dependent industrial use or other priority use.	A
	104.1.3.2	Compliance with Section 104.1.3.1 shall be determined considering at a minimum all of the following factors:	-
7	104.1.3.2.1	the amount of area required for an interim use; Shown on the plot plan and plans of operation for individual uses. The available building space (223,346 sq. ft.) is as follows: Allocated Non-CDI Interim Use: 54,000 sq. ft.; Allocated CDI: 36,090 sq. ft.; If this permit is approved the remaining 133,256 sq. ft. of building space is available for allocation between CDI and Interim Non-CDI uses. Priority is to be given to CDI uses.	E
8	104.1.3.2.2	the type, intensity and location of the interim use; Unallocated areas as shown on the plot plan and Plan of Operations for the allocated spaces; new principally permitted and interim non-CDI uses to be identified and reviewed for conformance with siting criteria (i.e., uses must utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. Only interim uses that may be removed or relocated in a feasible manner will be allowed. Parking requirements as shown on Parking Table. Interim uses to not require improvements to tenant space.)	E
9	104.1.3.2.3	maintenance of priority access to roads, bay frontage and infrastructure for existing coastal-dependent industrial uses or other priority uses. Shown on the plot plan and plans of operation. This is the responsibility of the Harbor District under CDP 15-043.	D
10	104.1.3.2.4	the priority rating of the site pursuant to section 3.14.B.3.a. of the Humboldt Bay Area Plan; The proposal is for a site ranked 1 (highest priority) or 2.	E

#	104.1.3	Performance Standards	Performance Measure
	104.1.3.2.5	<p>the current and projected level of demand for coastal-dependent industrial uses, and the land and infrastructure available to accommodate the demand, as determined in consultation with appropriate public and private agencies or organizations, and appropriate publications;</p> <p>There presently exist 1,160 acres of Industrial Coastal Dependent (MC) zoned land within the Samoa, Fields Landing and King Salmon areas of which 60 acres are currently devoted to industrial coastal dependent uses. The total CDI designated land covered under these permits is approximately 60 acres, with approximately 5 acres of potential interim uses. Shown on the plot plan and plans of operation for individual uses and on file at Planning and Building Department.</p>	-
11	104.1.3.2.6	<p>the cost and amortization period of investments associated with the proposed use;</p> <p>All interim uses proposed for approval under this permit, are conducted within existing buildings and structures that are appropriate for the uses with no tenant improvements proposed.</p>	F
12	104.1.3.2.7	<p>the lead time necessary to return the site to coastal-dependent industrial use or other priority use.</p> <p>All interim use leases will have a provision for recession of the lease and mandatory relocation or removal within six months in the event a CDI or other priority use is identified for a space occupied by an interim use.</p>	A
13	104.1.3.3	Interim uses do not have the priority status of coastal-dependent industrial uses or other priority uses, shall be located in upland areas, shall not be allowed to fill wetlands or coastal waters, shall be located at least 100 feet from environmentally sensitive habitat areas, and shall not be located on any dock or within 100 feet of a dock as measured from the center of the dock at the point where the dock joins the shore.	B
	104.1.3.4	Interim uses shall require both a use permit and coastal development permit, the terms of which shall coincide, and shall be subject to the following standards:	-
14	104.1.3.4.1	The Hearing Officer shall set the term for the permits, which shall normally be between one (1) and seven (7) years. The permit term shall be set in consideration of the factors listed in section 104.1.3.2 so as to provide a viable time frame for an interim use while avoiding impacts to long term coastal-dependent industrial uses and other priority uses.	E

#	104.1.3	Performance Standards	Performance Measure
15	104.1.3.4.2	The permit term for interim uses shall be limited to two (2) years if any of the following occur: (a) if 340 acres of MC-zoned land is occupied by interim uses authorized by County-issued coastal development permits, the permit term for any subsequent interim use authorized by a County-issued coastal development permit of such lands shall be no more than two years; or (b) if 170 acres of MC-zoned land that either currently supports or has supported coastal-dependent industrial development is occupied by interim uses authorized by County-issued coastal development permits, the permit term for any subsequent interim use authorized by a County-issued coastal development permit on such lands shall be no more than two years.	E
16	104.1.3.4.3	If interim uses occupy fifty (50) percent or more of the total land area zoned MC within the Humboldt Bay Area Plan planning area that either currently supports or has supported coastal-dependent industrial development as determined by the Planning Director, the permit term for any subsequent interim use shall be limited to no more than two (2) years.	E
	104.1.3.4.4	A term of between one (1) and three (3) additional years above the maximum seven (7) years (for a total term not to exceed ten (10) years) may be considered under limited circumstances, but shall not be considered for interim uses subject to the permit term established by 104.1.3.4.2. In addition to the factors provided in section 104.1.3.2, the longer term may be considered for:	
17	104.1.3.4.4.1	interim uses that can coexist with existing or future coastal-dependent industrial uses and other priority uses.	B
18	104.1.3.4.4.2	interim uses that provide structural repair, maintenance or upgrades of existing infrastructure, or install new infrastructure, that supports coastal-dependent industrial uses.	C
19	104.1.3.4.5	The existence of a use permit and coastal development permit for an interim use shall not prevent the application for and approval of any required land use permits for a non-interim principally or conditionally permitted use in the MC zone district for the same parcel, even if for the same location on the parcel, subject to the condition that the permits for any non-interim use that would conflict with an interim use shall not become effective until the expiration of the interim use permit term set by the Hearing Officer, the abandonment of the interim use during the permit term of the interim use, or the rescission of the lease for the interim use and the removal or relocation of the interim use in accordance with Section 104.1.3.10.	A

#	104.1.3	Performance Standards	Performance Measure
20	104.1.3.5	An interim use permit and coastal development permit shall not confer any land use entitlement or property right to the holder of the permits beyond the permit expiration date set forth in the use permit and coastal development permit. Interim permits shall expire at the end of the term set by the Hearing Officer, at which time they become null and void. Interim uses shall cease operation and all permitted development not authorized to remain by permit shall be removed by the permit expiration date. Approval of a new use permit and coastal development permit prior to the expiration date of the existing use permit and coastal development permit authorizing the interim use shall be required in order to continue an interim use uninterrupted beyond the expiration date of the existing permit.	G
21	104.1.3.6	An interim use must commence within one (1) year after all applicable appeal periods have lapsed. Extensions of the initial permit vesting period (the period by which the interim use must begin) may be approved in accordance with Section 312-11.3 of the Zoning Ordinance ("Extension of a Permit or Variance").	G
22	104.1.3.7	Interim uses shall utilize existing improvements where feasible. If new improvements are required, they shall be nonpermanent, and removable or relocatable in a feasible manner, or shall be improvements that would preserve or enhance the utility of the project site for future coastal-dependent industrial use or other priority use. A project site shall be restored to pre-project condition, or to a condition that would preserve or enhance the project site for future coastal dependent industrial use or other priority use, on or before the expiration date of a use permit and coastal development permit for an interim use. An application for a use permit and coastal development permit for interim uses shall include a plan detailing how and when the project site will be restored. A bond in the amount necessary to complete the required restoration may be required at the discretion of the Hearing Officer.	C
23	104.1.3.8	Prior to any development occurring that is authorized by an interim use permit and coastal development permit, a Development Plan shall be submitted for review and approval by the Planning Director, and a Notice of Development Plan shall be recorded on all properties where the interim use permit will be located. The Development Plan shall identify the term and all other applicable development restrictions that apply to the interim use, including the plan for restoring the project site to pre-project condition, or to a condition that would preserve or enhance the project site for	H

#	104.1.3	Performance Standards	Performance Measure
		future coastal-dependent industrial use or other priority use.	
24	104.1.3.9	Coastal-dependent industrial uses and other priority uses are considered priority uses pursuant to the County's Local Coastal Program and California Coastal Act and as such, shall be given priority over interim uses in evaluating potential land use conflicts between the two uses. Operation of coastal-dependent industrial uses or other priority uses in conformance with all applicable laws and regulations shall not constitute a nuisance pursuant to the Humboldt County Code of Regulations.	A
25	104.1.3.10	Any lease for an interim use shall include a provision for rescission of the lease and mandatory relocation or removal of the interim use within six months in the event a coastal-dependent industrial use or other priority use is identified by the property owner for the space occupied by an interim use on terms acceptable to the property owner. A copy of the lease showing compliance with this provision shall be provided to the Planning Division prior to permit issuance. A property owner shall prioritize coastal-dependent industrial uses and other priority uses over interim uses and may exercise the lease rescission provision if a coastal-dependent industrial use or other priority use attempting to occupy the site would be prohibited from doing so due to the existence of one or more interim uses.	A
26	104.1.3.11	The Coastal-Dependent Industrial Development regulations contained in Section 313-45.1 of the Coastal Zoning Regulations shall continue to apply to coastal-dependent industrial development in the MC zone district, but shall not apply to noncoastal- dependent industrial interim uses.	H
27	104.1.3.12	The Industrial Performance Standards as provided in Section 313-103.1 of the Coastal Zoning Regulations shall apply to all Interim Conditionally Permitted Uses.	H
28	104.1.3.13	An Interim use must demonstrate the ability to comply with all applicable policies of the Humboldt Bay Area Plan, including, but not limited to, development policies related to adequacy of facilities for the treatment and disposal of wastewater discharges for both domestic and non-domestic wastewater (Section 3.14-b-1 of the Humboldt Bay Area Plan)	H

8. **Environmental Impact:** The following table identifies the evidence which supports finding that the proposed location of the use and conditions under which it may be operated or maintained will not adversely impact the environment

Finding	Summary of Applicable Requirement	Evidence
CEQA	<p>Review required per the State CEQA guidelines.</p> <p>The Responsible Agency shall make the findings required in §15091 for each significant effect of the project.</p>	<p>The Humboldt Bay Harbor, Recreation and Conservation District is the lead agency under the California Environmental Quality Act and has adopted a Mitigated Negative Declaration for the project. Please see the attached Addendum #2 to the Mitigated Negative Declaration (Attachment 5).</p> <p>As Responsible Agency, the County has considered the Addendum to the Mitigated Negative Declaration (MND) prepare for the project, and makes the finding that the HBHRCD, as Lead Agency for the project, identified and reduced or eliminated all significant environmental impacts, and subsequently adopted the MND. No new changes or alterations have been made that require additional environmental review.</p>

ATTACHMENT 3
Applicant's Evidence In Support of the Required Findings

The applicant has submitted the following written evidence in support of making the required findings, and copies of relevant are attached.

1. Application [in file]
2. Project Description and Plans of Operation Report (August 2018) [attached]
3. Parking Requirements and Provided Parking Plan [attached]
4. Plot Plan checklist [in file]
5. Plot Plan [attached]
6. Title and Lease Information [on file]

PLAN OF OPERATION REPORT

REDWOOD MARINE TERMINAL II

APN: 401-112-021



August 2018

Prepared for:

Humboldt County Planning Department

RMT II PLAN OF OPERATION REPORT

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Attachments

- A. Site Plan (August 2018)
- B. Building General Uses
- C. Building Lease Spaces
- D. Tenant Parking Figures
- E. Allowable Uses Table
- F. Tenant Parking Table
- G. Tenant Improvement Table

Project Description and Plan of Operation

The Humboldt Bay Harbor, Recreation and Conservation District (HBHRCD or District) seeks Coastal Development Permit and Conditional Use Permit (CDP/CUP) approval to allow interim non-coastal dependent industrial uses at Redwood Marine Terminal II (RMT II), APN 401-112-21. The HBHRCD's intent is to allow for greater use of underutilized site facilities consistent with the County's Interim Use standards (Humboldt County Zoning Regulations Chapter 3, Section 313-3.4). The proposed uses preserve and utilize existing warehouse space, shops, offices, laboratory, and outdoor areas that supported former, and will continue to support existing and future, coastal-dependent industrial site uses. The approval for industrial, office, research, and other compatible uses would utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. This project would permit aquaculture, coastal-dependent, coastal-related, heavy industrial, research/ light industrial, commercial and agricultural use types that are either principally permitted or conditionally permitted. Figures showing the RMT II site plan, general building uses, and first floor lease spaces are included as Attachments A, B, and C.

These proposed tenant uses include a mixture of activities that are either: 1) specifically enumerated as principally or conditionally permitted uses within the MC zoning standards; or 2) interim conditional uses in the MC zone that are principally or conditionally permitted in MG or ML zones. Priority will be given to Aquaculture, Coastal Dependent and Coastal Related uses as defined in the County's Local Coastal Plan. Leases for interim uses will be shorter term, seven years or less, with limited tenant improvements that can be removed as necessary to accommodate future potential coastal dependent uses. Should Aquaculture, Coastal Dependent and Coastal Related use tenants become viable, other tenants occupying space proposed for those uses will have a lease clause to vacate within 6 months. The Harbor District will make significant efforts to relocate these tenants onsite to other areas that are not needed for the Coastal Dependent or Coastal Related Use.

Project Site Background

In 2013, the HBHRCD acquired the former pulp mill site (APN 401-112-21); now known as Redwood Marine Terminal II. The District has invested significant financial and staff resources into site clean-up in association with the EPA and into necessary infrastructure maintenance. The site is designated and zoned for coastal dependent industrial use and had significant historic usage from the time it was constructed in the 1960's until approximately 2008 when the pulp mill closed permanently. Existing site infrastructure including industrial equipment, laboratories, warehouses, offices, site roadways, and water/wastewater infrastructure was originally developed during this time to support site activities and employees.

This industrial site had been in operation on the Samoa Peninsula for over 50 years. Over 200,000 square feet of under roof space is available for lease. The County approved a Coastal Development Permit (CDP) for site infrastructure improvements in December 2015 (CDP 15-043); which allows for necessary maintenance of existing infrastructure. The Harbor District has received new market tax credits to make existing facility renovations including: new roofing,

building siding and access doors, water, and fire suppression system upgrades, electrical upgrades including substation and energy efficiency retrofits, and upgraded security fencing. These renovations will not expand the facility capacity. Recently implemented upgrades include: installation of fiber optic cable line, electrical repairs/upgrades to site buildings, installation of 730 Kwh rooftop solar array, site drainage improvements. In addition to maintaining and upgrading on-land facilities and infrastructure, the District has made a significant investment in the adjacent dock facilities, including new decking and utilities. The Harbor District is committed to maintaining this sites' readiness for Coastal Dependent Industrial (CDI) uses should those uses remain viable in the future.

The District has received inquiries from numerous entities interested in leasing portions of the existing RMT II facility. This Conditional Use Permit (CUP)/CDP seeks approval to allow interim uses of underutilized Coastal Dependent Industrial (MC) designated land, while at the same time avoiding impacts to long-term coastal dependent industrial use and other conditionally permitted priority uses consistent with the County's "CDI Interim Use Amendments".

Existing Conditions

The site is designated and zoned for coastal dependent industrial use and surrounded by similar coastal dependent industrial designated lands associated with historic lumber and pulp mill operations. To the north of the site is the former Evergreen pulp mill that was recently permitted to allow sawdust briquette manufacturing by Fiberol Energy Inc. Humboldt Bay is east of the site with access from RMT II. South of the site is vacant industrial land; south west is the Fairhaven Biomass Facility. To the west, across New Navy Base Road there are beach and dune areas that meet the Pacific Ocean. RMT II infrastructure include:

1. Fire suppression system inside Shops & Stores, Warehouse and Machine building;
2. Industrial fresh water supplied by HBMWD and stored in two-million-gallon storage tank adjacent to New Navy Base Road;
3. Domestic Water also supplied by HBMWD;
4. Industrial wastewater treatment system including double clarifiers, water filtration and ocean outfall pipe;
5. Domestic and industrial wastewater treatment system including collection system, septic tanks, and leach field;
6. Onsite electrical substation and distribution system to all buildings;
7. 23-Megawatt chemical recovery boiler and turbine/generator; and
8. Parking, cargo storage and loading facilities.

Roads

Traffic to and from the site use New Navy Base Road to Samoa Pulp Lane and then to the project site through privately owned/maintained roadways. New Navy Base Road and Samoa Pulp Lane are maintained by Humboldt County. RMT II site roadways are maintained by the

HBHRCD. Access roads to the RMT II dock and bay frontage are maintained and kept clear for priority coastal dependent uses.

Traffic is associated with both employees and operational truck traffic. There is not expected to be an increase in traffic to and from the site as a result of new uses, compared to past facility pulp mill use.

Water and Wastewater

Humboldt Bay Municipal Water District (HBMWD) service includes both domestic and industrial water delivery to the site. The existing onsite domestic system serves restrooms and related facilities requiring potable water.

The onsite wastewater system includes a wet well, wastewater collection pipes, pumping system and leach field. Wastewater flows from restrooms, sinks and wash stations within the existing buildings, are of relatively low volume. The proposed uses are projected to generate fewer workers than were employed for pulp mill operations. Additionally, the design capacity of the existing system is greater than the wastewater flows projected to be generated by the proposed uses/number of employees. The wet well is monitored by HBHRCD staff and solids removed by pumping as needed.

Tenant Operation Plans

The following businesses are currently under lease or intend to lease space at RMT II. The District intends to submit Plan of Operations to the County for future new tenants per the permit conditions of approval.



Redwood Marine Terminal II
Figure 1 - Site Plan

Attachment A

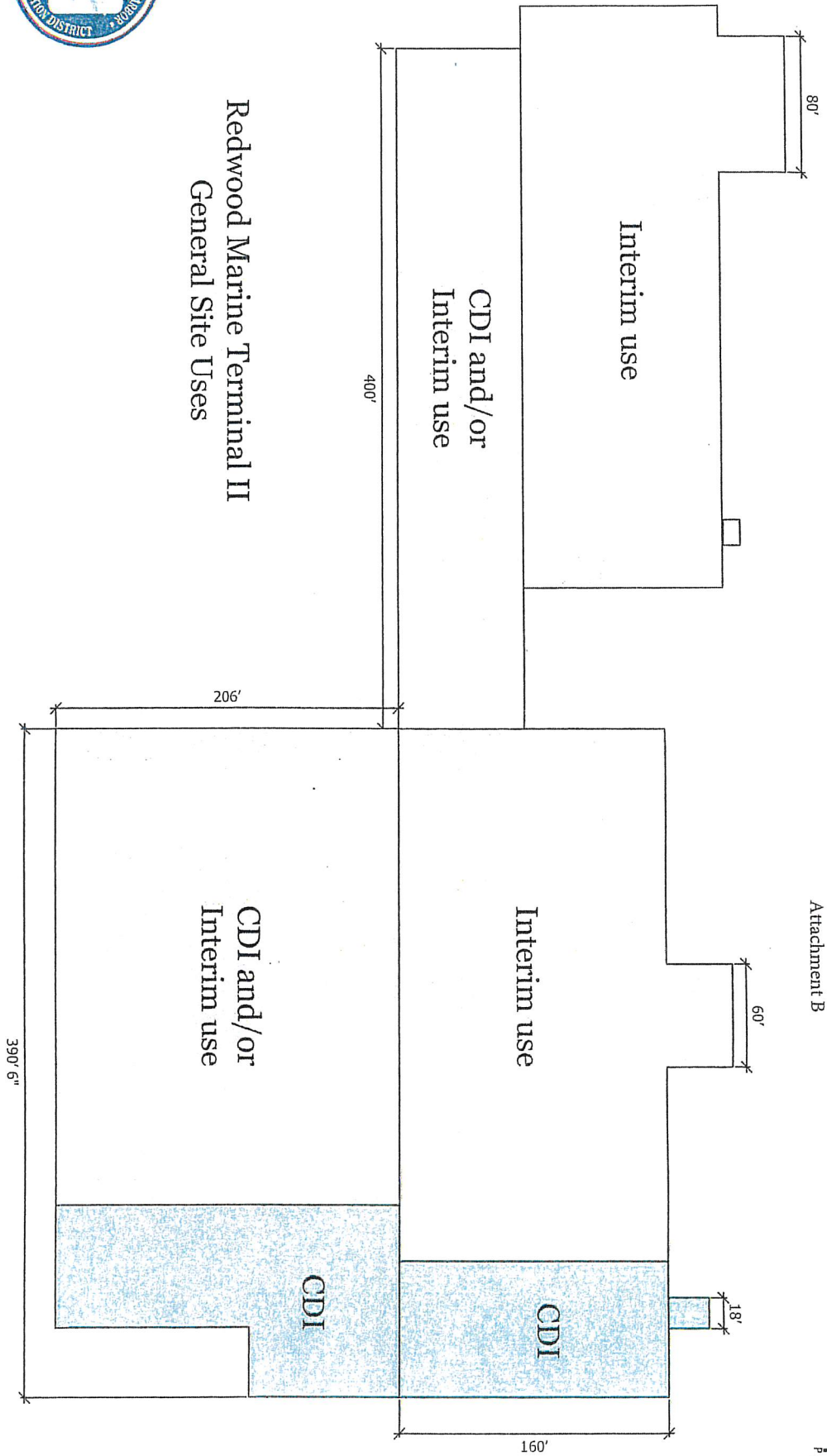
Map Created by:
PLANWEST
PARTNERS, INC.
Date: 7/5/2018

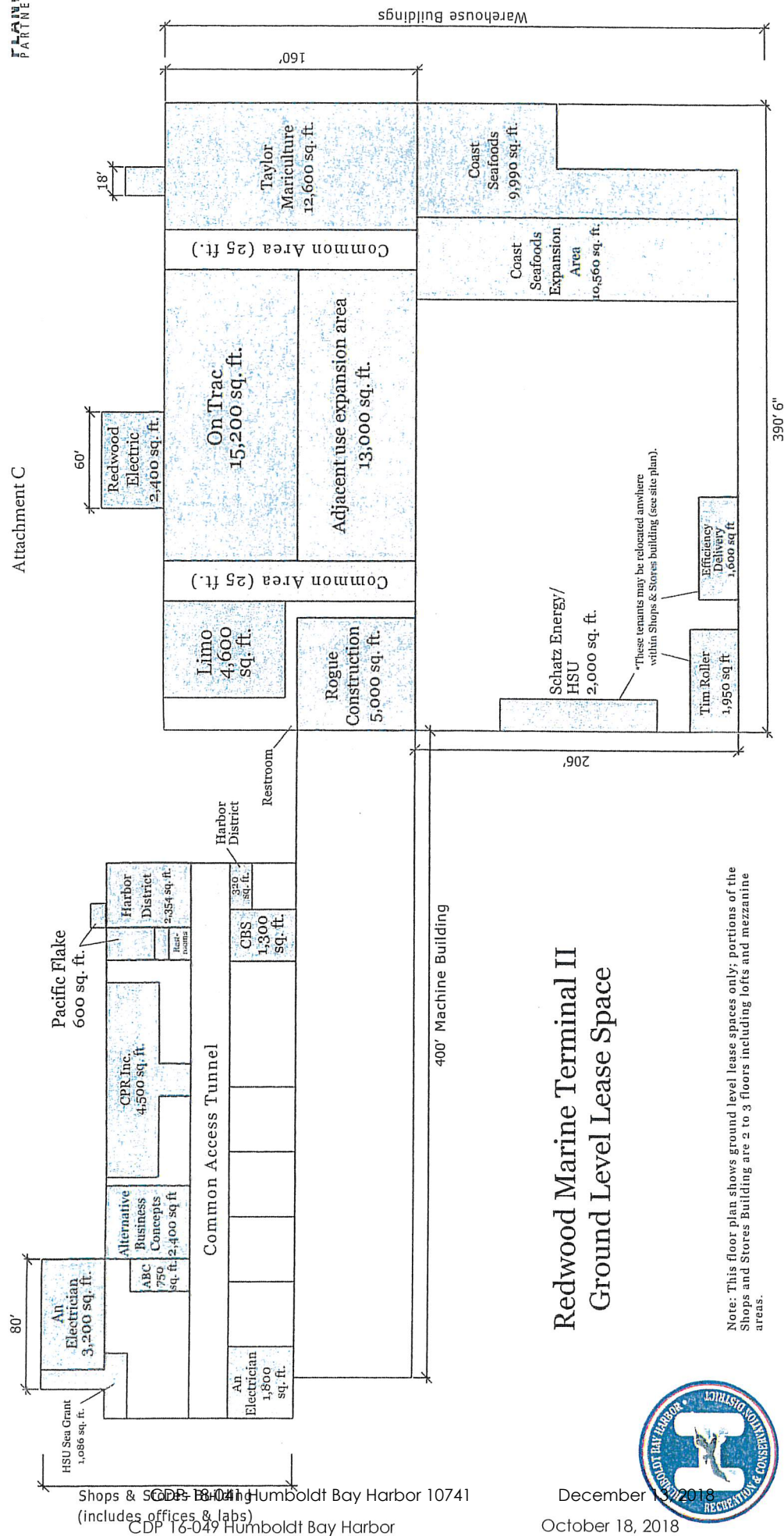






Redwood Marine Terminal II
General Site Uses





Note: This floor plan shows ground level lease spaces only; portions of the Shops and Stores Building are 2 to 3 floors including lofts and mezzanine areas.





Parking Areas
 1: 74 Spaces
 2: 22 Spaces
 3: 5 Spaces
 4: 22 Spaces
 5: 5 Spaces
 6: 44 Spaces
 7: 22 Spaces
Total: 194 Spaces

0 100 200 Feet

Map Created by:
PLANWEST
 PARTNERS, INC.
 Date: 8/23/2018

Parking Areas

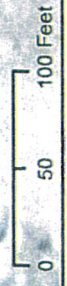
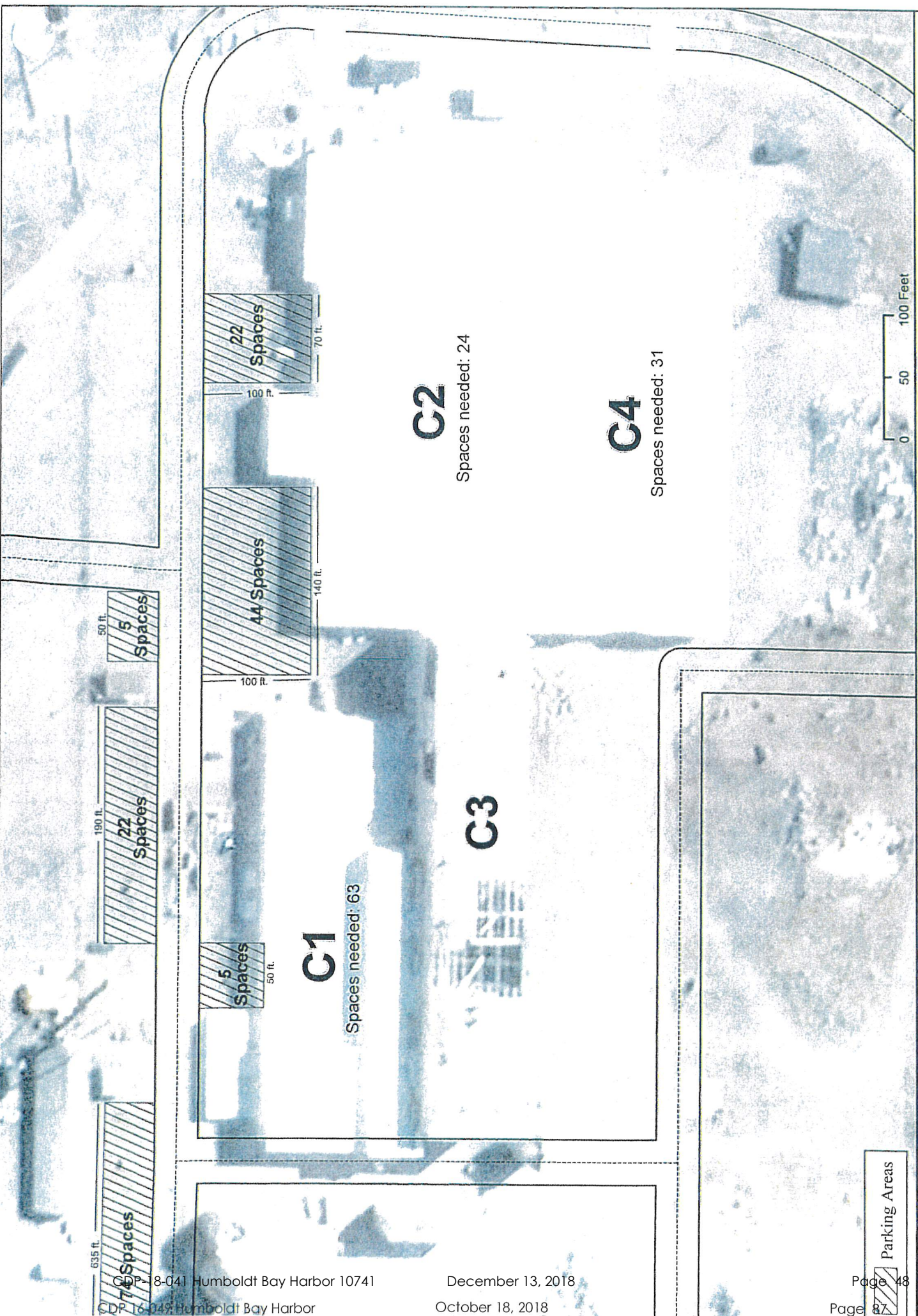
Attachment D1

Redwood Marine Terminal II
 Tenant/Parking Areas





Parking Areas



Attachmer - RMT II Allowable Uses Table

Humboldt Bay Harbor, Recreation and Conservation District

Interim Use Permit Application

Area	Building	Tenant	Use Type and Classification (Humboldt County Code 313-3.4)	Permitted Use (Humboldt County Code 313-3.4)	Permitted Use	Qualifies for Interim Use Principally Permitted in ML/MG	Lease Agreement With Priority Kicker
C	1	Alternative Business Concepts	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	1	AN Electrician	Industrial	Research/ Light Industrial	UP	Y	X
C	1	Coastal Business Systems	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	1	CPR Inc.	Industrial	Industrial - Research/ Light Industrial	UP	Y	X
C	1	HSU Sea Grant	Industrial	Research/ Light Industrial	UP	Y	X
C	1	Pacific Flake	Industrial	Coastal Dependent	P	Y	X
C	1	Redwood Electrical	Industrial	Research/ Light Industrial	UP	Y	X
C	1	Harbor District	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	2	Express Messenger	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	2	Humboldt Limousine	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	2	Redwood Electrical	Industrial	Research/ Light Industrial	UP	Y	X
C	2	Rogue Construction	Industrial	Research/ Light Industrial	UP	Y	X
C	2	Taylor Mericulture	Industrial	Aquaculture, Coastal Dependent	P	Y	X
C	4	Coast Seafoods	Industrial	Aquaculture, Coastal Dependent	P	Y	X
C	4	Efficiency Delivery	Commercial	Warehousing, Storage and Distribution	UP	Y	X
C	4	HSU Schatz Energy	Industrial	Research/ Light Industrial	UP	Y	X
C	4	Tim Roller Vegie Wagon	Commercial	Warehousing, Storage and Distribution	UP	Y	X
		DG Fairhaven	Outfall	Outfall	N/A	N/A	N/A
D1		Refined Hydro Solutions	Commercial	Warehousing, Storage and Distribution	UP	Y	X

P=Principally Permitted

UP=Use Permit

Attachment F - RMT II Tenant Parking Table

Area	Building	Space	Tenant	Use	Building Square footage	Parking demand per SF of lease area based on Use. (Humboldt County Code 109.1.3)	Parking Required from Use (Humboldt County Code 109.1.3)	Reported Number of Employees	Parking Required by Reported Employees	Number Parking Provided
C	1		Alternative Business Concepts	Warehouse	4,800	1/2,500	2	5	1	2
C	1		Alternative Business Concepts	Office	750	1/300	3			3
C	1		AN Electrician	Warehouse	1,800	1/2,500	1	15	4	4
C	1		AN Electrician	Office	3,200	1/300	11			11
C	1		Coastal Business Systems	Warehouse	1,500	1/2,500	1	5	1	3
C	1		CPR Inc.	Manufacturing	4,100	1/1,500	3	5	1	3
C	1		CPR Inc.	Office	400	1/300	1			1
C	1		HSU Sea Grant	Warehouse	600	1/2,500	0	5	1	1
C	1		HSU Sea Grant	Office	486	1/300	2			2
C	1		Pacific Flake	Warehouse	600	1/2,500	0	1	0	1
C	1		Redwood Electrical	Warehouse	2,400	1/2,500	1	5	1	1
C	1		Harbor District	Warehouse	3,214	1/2,500	1	5	1	1
C	1	1ST FLOOR	VACANT OFFICE (ESTIMATED PARKING)		2,216	1/300	7	10	3	10
C	1	1ST FLOOR	VACANT WAREHOUSE (ESTIMATED PARKING)		45,473	1/2,500	18	15	4	5
C	1	2ND FLOOR	VACANT WAREHOUSE (ESTIMATED PARKING)		20,175	1/2,500	8	16	4	8
C	1	3RD FLOOR	VACANT OFFICE (ESTIMATED PARKING)		4,614	1/300	15	10	3	15
C	1								BUILDING C 1 REQUIRED PARKING TOTAL	69

C	2		Express Messenger	Warehouse	15,100	1/2,500	6	5	1	6
C	2		Humboldt Limbopoline	Warehouse	4,600	1/2,500	2	2	1	2
C	2		Rogue Construction	Warehouse	5,000	1/2,500	2	2	0.5	2
C	2		Taylor Menchule	Warehouse	13,500	1/2,500	5	10	6	5
C	2		Taylor Menchule	Outdoor Storage	1,800					
C	2		VACANT (ESTIMATED PARKING)		22,144	1/2,500	9	10	3	9
C	2								BUILDING C2 REQUIRED PARKING TOTAL	24
C	4		Coast Seafoods	Warehouse	9,990	1/2,500	4	1	0	4
C	4		Coast Seafoods	Outdoor Storage	12,600	0	0			
C	4		Efficiency Delivery	Warehouse	1,600	1/2,500	1	35	9	9
C	4		HSD Solar Energy	Warehouse	2,000	1/2,500	1	2	1	3
C	4		Tim Roller, Veggie Wagon	Warehouse	1,950	1/2,500	1	3	1	1
C	4		VACANT (ESTIMATED PARKING)		36,834	1/2,500	15	15	4	15
C	4								BUILDING C4 REQUIRED PARKING TOTAL	31
			DC Fairhaven		0	0	0	N/A	0	0
D1			Refined Hydro Solutions	Outdoor Storage	49,000	0	0			
D1			Refined Hydro Solutions	Office	384	1/300	1	1	1	2
TOTALS							120		49	123

Attachment 3 - Tenant Improvement Table

Humboldt Bay Harbor District

Interim Use Permit Application

8/21/2018

Tenant Improvements: Restoration for Coastal Dependent Industrial (CDI) Uses							
Area	Building	Tenant	Use Type and Classification (Humboldt County Code 313-3.4)	Permitted Use (Humboldt County Code 313-3.4)	Existing or Proposed Improvements to Tenant Space?	Description of Tenant Improvements	Restoration Required for Future CDI Uses
C	1	Alternative Business Concepts	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	1	AN Electrician	Industrial	Research/ Light Industrial	N	N/A	N/A
C	1	Coastal Business Systems	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	1	CPR Inc.	Industrial	Research/ Light Industrial	N	N/A	N/A
C	1	HSU /Sea Grant	Industrial	Research/ Light Industrial	N	N/A	N/A
C	1	Pacific Flake	Industrial	Coastal Related	N	N/A	N/A
C	1	Redwood Electrical	Industrial	Research/ Light Industrial	N	N/A	N/A
C	1	Harbor District	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	2	Express Messenger	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	2	Humboldt Limosourie	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	2	Rogue Construction	Industrial	Research/ Light Industrial	N	N/A	N/A
C	2	Taylor Menicature	Industrial	Aquaculture, Coastal Dependent	N	N/A	N/A
C	4	Coast Seafoods	Industrial	Industrial – Aquaculture, Coastal Dependent	N	N/A	N/A
C	4	Efficiency Delivery	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
C	4	HSU Schatz Energy	Industrial	Research/ Light Industrial	N	N/A	N/A
C	4	Tim Roller Vegie Wagon	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A
		DG Fairhaven	Outfall	Outfall	N	N/A	N/A
D1		Refined Hydro Solutions	Commercial	Warehousing, Storage and Distribution	N	N/A	N/A

COMMISSIONERS

1st Division

Larry Doss

2nd Division

Greg Dale

3rd Division

Stephen Kullmann

4th Division

Richard Marks

5th Division

Patrick Higgins

Humboldt Bay
Harbor, Recreation and Conservation District
(707) 443-0801
P.O. Box 1030
Eureka, California 95502-1030



October 26, 2018

Michael Wheeler
Humboldt County Planning & Building
3015 H Street
Eureka, CA 95501

RE: RMT II CDP-16-049/CUP-16-062 Supplemental Information

Michael,

Harbor District Staff closely reviewed the Coastal Commission Staff's comments; the conditions of approval; the underlying Coastal Zoning Regulations; as well as the recently approved CDP-18-020/CUP 18-018 to allow interim non Coastal Dependent Industrial (CDI) uses on a near-by property; and is providing the following supplemental information:

- Proposed project and permit term clarifications
- Proposed amendments to the Conditions of Approval
- Refined Hydrocarbon Solutions clarifications and Revised Tenant Operation Plan

PROPOSED PROJECT AND INTERIM USE LEASE TERM CLARIFICATIONS

The Harbor District's intent is to allow for greater use of underutilized site facilities consistent with the County's Local Coastal Plan including the Interim Use standards. The proposed uses preserve and utilize existing warehouse space, shops, offices, laboratory, and outdoor areas that supported former CDI Uses. Allowing interim uses will continue to support existing site infrastructure for future, coastal-dependent industrial site uses.

As outlined in the Project Description: "The project would permit aquaculture, coastal dependent, coastal related, heavy industrial, research/light industrial, and other uses allowed under the newly adopted interim use provisions of the Humboldt Bay Area Plan." Aquaculture, coastal dependent, heavy industrial and coastal related uses as outlined in Section 313.3.4 are not subject to the Interim Use Performance Standards of Section 313-104. Placing seven year permit term restrictions and limitations on allowing new uses that are Conditionally or Permitted Uses is contrary to the Coastal Act (Section 302260) and Humboldt Bay Area Plan (3.14).

The intent with this permit is to allow principally and conditionally permitted uses on the entire site, consistent with the Project Description, given conformance review and approval by the Planning Director. Interim uses would be allowed in Buildings C1, C2, C3, C4, and Area D1 (see Site Plan and Tenant/Parking Areas figures). For lease spaces not currently allocated within buildings C1-C4, Operations Plans for each proposed tenant/lessee will be submitted for conformance review to the Planning Director. If the Planning Director is unable to find conformance, the request may be pursued as a project modification or new permit. The District's transmittal materials state that the District is

requesting to: "Implement streamlined compliance review process ("Plan check") to allow for minor changes to existing uses (variations of 10% or less) without CDP modification (i.e Director approval)."

It has been consistently noted that the County administrative procedures in Section 312-9.2.4 TABLE: PUBLIC HEARING REQUIREMENTS AND AUTHORIZED HEARING OFFICER are extremely burdensome and have the unintended consequence of requiring every principally permitted use that is not eligible for a waiver to require a public hearing. This requirement is triggered because all of the properties that are within the Counties permit jurisdiction on the Samoa Peninsula are also within the Coastal Commission Appeal Zone. During my research of over 10 Coastal Zoning Ordinances throughout the State, I was unable to find one coastal jurisdiction that required a public hearing on principally permitted uses simply because they were in the Coastal Commission's Appeal Zone.

The standard public hearing timeframe is from two to six months. This hearing requirement for principally permitted uses places unnecessary burden on the types of business' that the Coastal Act and Humboldt Bay Area Plan states that it is designed to encourage. Allowing a streamlined plan check review and approval process where uses turn in an Operations Plan which describes the proposed use and conformance with zoning requirements is necessary for our community to revitalize Coastal Dependent Industries on the Samoa Peninsula and around the Bay.

All interim uses proposed for approval under this permit, with the exception of Refined Hydrocarbon Solutions as further discussed below, are conducted within existing buildings and structures that are appropriate for the uses with no tenant improvements proposed. Interim use tenants occupy existing interior spaces which can easily be converted back to CDI or other priority use when necessary. As shown in the previously submitted sample lease, and in accordance with Section 104.1.3.10, all interim use leases will have a provision for recession of the lease and mandatory relocation or removal within six months in the event a CDI or other priority use is identified for a space occupied by an interim use. Compliance with the Interim Use Ordinance is documented in the application materials previously submitted including Project Description (July 2018), Tenant Operation Plans, and tables submitted for each use.

The proposed lease terms for all interim uses considered the factors listed in 104.1.3.2. The Harbor District documented the amount of area required for each interim use; the type, intensity and location of each interim use; maintenance of priority access to roads, bay frontage and infrastructure for existing coastal-dependent industrial uses or other priority uses; the priority rating of the site for coastal dependent industrial development; and the lead time necessary to return the site to coastal-dependent industrial use. This permit also considers the current and projected level of demand for coastal-dependent industrial uses, and the land and infrastructure available to accommodate the demand. Therefore, the District believes a seven year term is appropriate for all interim uses proposed under this permit.

Note: Existing site CDP's including CDP 15-043 for site facilities and infrastructure maintenance and Coastal Commission issued CDP's for Coast Seafoods and Taylor Mariculture remain in full effect and are not impacted by this permit.

PROPOSED AMENDMENTS TO CONDITIONS OF APPROVAL

Permit should "run with the land" and not have a seven year term.

An "Interim Conditionally Permitted Use" requires a Conditional Use Permit. Conditional Use Permits typically "run with the land" meaning that they do not expire and are transferable. However, the review authority has the authority to reduce the term based on specific code provisions or as circumstances dictate. As stated in the submitted project description, the District's application was for principally permitted, conditionally permitted, and interim uses. The effect of Condition No. 13 as drafted is that even the principally permitted and conditionally permitted uses are limited to a seven year term. Limiting Principally Permitted and Conditionally Permitted coastal dependent industrial uses to a seven year term severely limit's the Districts ability to attract these tenants. The Harbor District proposes the following condition replace current Condition No. 13.

13. The term of this Conditional Use Permit shall run with the land. Leases issued by the permit holder for interim uses shall be for a term not exceed seven (7) years. The Director may authorize an increase the term of an individual lease consistent with Section 313-1.3.4.3.

Conditions should specifically authorize a process to replace and allow for new interim use tenants the same as the Planning Commission's recently approved CDP-18-020/CUP 18-018.

Ongoing Condition No. 2 should be modified to the exact language previously approved in the CDP-18-020/CUP 18-018. This is a small change, but provides consistency and clarity. The Harbor District proposes Ongoing Condition No. 2 be modified as follows:

2. The Project shall be developed, operated and maintained in accordance with the Project Description and Plans of Operations included as Attachment 3 of the Planning Commission's Staff Report. Any change to the Principally Permitted, Conditionally Permitted, coastal related or interim uses as approved by this Permit, including size and location of lease area, type and nature of use, number of employees, and improvements to tenant spaces, shall be submitted for conformance review to the Planning Director. For lease space not presently allocated, Operations Plans for each proposed tenant/lessee shall be submitted for conformance review to the Planning Director. If the Planning Director is unable to find conformance, the request may be pursued as a project modification.

Allow development of a fence, concrete footings, and bollards as proposed for Refined Hydrocarbon Solutions lease area.

The project description proposes a chain link fence, concrete footings, and bollards for Refined Hydrocarbon Solutions. The attached Refined Hydrocarbon Solutions Operations Plan has been updated for consistency to include these improvements. The Harbor District proposes Ongoing Condition No. 10 be modified as follows:

10. No new development involving ground disturbing activities is allowed under this permit, except development of fence, concrete footings, bollards and other minor improvements consistent with project description and revised Refined Hydrocarbon Solutions Operations Plan.

REFINED HYDROCARBON SOLUTIONS

This discussion and is meant to clarify proposed Refined Hydrocarbon Solutions development and considers Coastal Commission Staff's comments. A revised Refined Hydrocarbon Solutions Tenant Operations Plan that is consistent with and incorporates information contained in the submitted Project Description (July 2018) is attached (Attachment A). The Harbor District has addressed all the Coastal Commission's Staffs concerns but defers to the County on whether this project should remain with the CDP/CUP that will be heard by the Planning Commission on November 15th or considered separately as its own application.

As discussed in the Project Description, the Refined Hydrocarbon Solutions outdoor lease area would include installation of two 18,000 gallon, steel skid mounted bulk tanks and necessary cylinder filling equipment. The bulk tanks are built off-site and trucked to the site for installation. The skid mounts make tank mobilization much easier and are attached to steel caps in the ground. Bollards, would also be placed around the tanks for safety in compliance with IFC requirements. The bulk tanks would be attached to anchors that could be removed when necessary and the tanks can be loaded onto trucks for removal/ relocation from the site. The proposed improvements including tanks, anchors, and bollards, are secured to the site as necessary for safety, but they can be removed/relocated in a feasible manner.

The proposed Refined Hydrocarbon Solutions lease site is located in an outdoor area that is at least 200 feet from existing significant site structures. Liquefied petroleum gas (LPG) is flammable if the mixture of LPG and air are within the explosive limits and there is an ignition source. The appropriate protection measures and compliance with applicable National Fire Protection Association (NFPA) safety standards and the California Fire Code will be in place to minimize associated risks. NFPA standards apply to the storage, handling, transportation and use of LPG; these standards mitigate risks and ensure safe installations to prevent failures, leaks and tampering that could lead to fires and explosions.

County policy (HBAP Hazards Section 3.17) limits the type of new development permitted below the 100-year tsunami run-up elevation. As stated in the County Staff Report the 100-year tsunami run-up elevation is approximately 10.8 feet. The project site elevations range from approximately 12-40 feet. Therefore, the proposed use will not be within the 100-year tsunami run-up elevation. The tanks will be secured to anchors to minimize the potential of them floating away in the event of inundation.

Refined Hydrocarbon Solutions is a commercial distributor of liquefied petroleum products that is primarily engaged in "open-air wholesaling, storage, distribution and handling of materials and equipment" consistent with County Warehousing, Storage and Distribution use type. The use could also be considered Heavy Industrial which refers to "industrial plants engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products" and includes petroleum refining and pulp mills." Oil refineries and pulp mills are much more intensive and would pose a much greater risk than the proposed Refined Hydrocarbon Solutions use, which has tanks more similar in scale to a large gas station. Since the proposed use does not involve significant quantities of "toxic, highly flammable, explosive or radioactive materials" and there is not substantial near-by development or population centers it would not constitute a "significant risk to adjacent human populations or development" and therefore is not considered a Hazardous Industrial Use. Both the Warehousing, Storage and Distribution use type and Heavy Industrial use type are compatible with the interim uses allowed in the Industrial/Coastal Dependent zone because they are principally permitted in the MG and ML zones.

Please contact me if you have questions or need additional information prior to the November 15 hearing.

Sincerely,



Larry Oetker, HBHRCD Executive Director

Attachment A: Refined Hydrocarbon Solutions Tenant Operations Plan (Revised Oct. 2018)

TENANT OPERATION PLAN

Tenant: Refined Hydrocarbon Solutions

Location: Area D1

Lease Area: 49,000 sq. ft Outdoor space (includes 384 sq. ft portable office)

TOTAL 49,000 sq. ft

Business Operation Description

Refined Hydrocarbon Solutions (RHS), LLC. is a commercial distributor of liquefied petroleum products.

Hours of Operation and Employees

Up to 24 hours a day, 7 days a week.

Use: Commercial/Heavy Industrial

As per section 313-3.4 of the Humboldt County Code, the Use Type and Classification are Interim Conditionally Permitted Uses under the classification of Warehousing, Storage and Distribution and Heavy Industrial.

Warehousing, Storage, and Distribution use includes open-air wholesaling, storage, distribution and handling of materials and equipment. The use could also be considered Heavy Industrial which refers to industrial plants engaged in manufacturing, compounding, processing, assembling, packaging, treatment or fabrication of materials and products which includes petroleum refining and pulp mills.

Both the Warehousing, Storage and Distribution use type and Heavy Industrial use type are compatible with the interim uses allowed in the Industrial/Coastal Dependent zone because they are principally permitted in the MG and ML zones and meets all performance criteria.

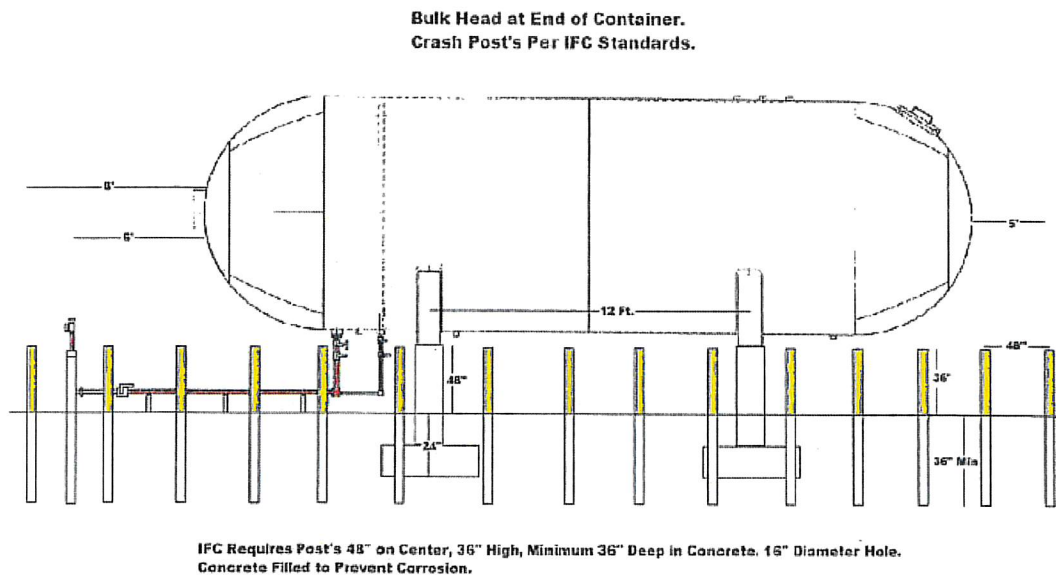
Parking Compliance:

Of the total parking spaces required for Area D1, this tenant will provide at least three parking spaces within their lease area. (Attachment F)

Use	Building Square footage	Parking demand per SF of lease area based on Use. (Humboldt County Code 109.1.3)	Parking Required from Use (Humboldt County Code 109.1.3)	Reported Number of Employees	Parking Required by Reported Employees	Number Parking Provided
Outdoor	49,000	0	0			
Office	384	1/300	1	1	1	2

Tenant Improvements

The existing temporary mobile office and fencing would be relocated to the proposed new lease area (shown on Figure 1 - Site Plan). The outdoor lease area would include installation of two 18,000 gallon, steel skid mounted bulk tanks and necessary cylinder filling equipment. The bulk tanks are built off-site and trucked to the site for installation. The skid mounts make tank mobilization much easier and are attached to steel caps in the ground. Bollards, would also be placed around the tanks for safety in compliance with IFC requirements. The bulk tanks would be attached to anchors that could be removed when necessary and the tanks can be loaded onto trucks for removal/ relocation from the site. The proposed improvements including tanks, anchors, and bollards, are secured to the site as necessary for safety, but they can be removed/relocated in a feasible manner. A chain link fence would surround the entire lease area with temporary gates to prevent unwanted access to the equipment and mobile office building.



By-Products

No by-products or hazardous materials are generated from the proposed activities. Solid waste is hauled to Humboldt Waste Management Authority.

Discharge

The proposed uses will be conducted within an existing industrial area.

Vehicle exhaust is generated from employees driving to/from the site. No other discharge into the air, surface or groundwater is expected as a result of this project. The appropriate protection measures and compliance with applicable National Fire Protection Association (NFPA) safety standards and the California Fire Code will be in place to minimize associated risks. NFPA standards apply to the storage, handling, transportation and use of LPG; these standards mitigate risks and ensure safe installations to prevent failures, leaks and tampering that could lead to fires and explosions.

The HBHRCD is responsible for overall stormwater management on the RMT II site. The site is covered under the Statewide General Permit for Stormwater Discharge Associated with Industrial Activities, Order 2014-0057-DWQ, which regulates discharges associated with industrial activities.

Noise

The proposed use would not result in heightened noise levels. The site is designated for industrial uses; no substantial noise generating activities currently occur on the site. Typical site activities such as vehicles and trucks entering and exiting the site generate some noise. The HBHRCD will ensure that no more than 60 dBs are audible at the property lines. Noise complaints should be directed to HBHRCD staff, (707) 443-0801, and will be addressed and mitigated as necessary on a case-by-case basis.

ATTACHMENT 4
Referral Agency Comments and Recommendation

Listed below are all of the agencies that were sent referrals on the project.

Referral Agency	Recommendation	Location
County Building Inspections Division	Approval	file
County Public Works, Land Use Division	Conditional Approval	Attached
NCIC	Contact local tribes	file
Division of Environmental Health	Approval	file
California Coastal Commission		
California Department of Fish & Game		
City of Eureka		
Samoa Peninsula Fire District		
City of Eureka	No comment	file
Caltrans		
Harbor District		
RWQCB		
Wiyot Tribe	No comment	file
Blue Lake Rancheria	Conditional Approval	file
Bear River Tribe	No comment	file



HC
HUMBOLDT COUNTY
PLANNING AND BUILDING DEPARTMENT
CURRENT PLANNING DIVISION
3015 H STREET, EUREKA, CA 95501 ~ PHONE (707) 445-7541

RECEIVED

DEC 14 2017

12/4/2017

PROJECT REFERRAL TO: Public Works Land Use Division

HUMBOLDT CO. PUBLIC WORKS
LAND USE DIVISION

Project Referred To The Following Agencies:

Building Inspection Division, Public Works Land Use Division, Health and Human Services Environmental Health Division, County Counsel, California Coastal Commission, California Department of Fish And Wildlife, Northwest Information Center, Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, Wiyot Tribe, City of Eureka, Regional Water Quality Control Board, North Coast Unified Air Quality Management District, Samoa Peninsula Fire Protection District, Assigned Planner: MEW

Applicant Name Humboldt Bay Harbor, Recreation & Conservation District **Key Parcel Number** 401-112-021-000

Application (APPS#) 10741 **Assigned Planner** Michael Wheeler (707) 268-3730 **Case Number(s)** CUP16-062
CDP16-049

Please review the above project and provide comments with any recommended conditions of approval. To help us log your response accurately, please include a copy of this form with your correspondence.

Questions concerning this project may be directed to the assigned planner for this project between 8:30am and 5:30pm Monday through Friday.

County Zoning Ordinance allows up to 15 calendar days for a response. If no response or extension request is received by the response date, processing will proceed as proposed.

☐ If this box is checked, please return large format maps with your response.

Return Response No Later Than 12/19/2017

Planning Commission Clerk
County of Humboldt Planning and Building Department
3015 H Street
Eureka, CA 95501
E-mail: PlanningClerk@co.humboldt.ca.us **Fax:** (707) 268-3792

We have reviewed the above application and recommend the following (please check one):

☐ Recommend Approval. The Department has no comment at this time.

☐ Recommend Conditional Approval. Suggested Conditions Attached.

☐ Applicant needs to submit additional information. List of items attached.

☐ Recommend Denial. Attach reasons for recommended denial.

☒ Other Comments: It is not known if there is an existing road maintenance association for Vance Avenue. It is recommended that a road maintenance association be formed if one does not exist.

DATE: 01-10-2018

PRINT NAME: Ken Frazee

ATTACHMENT 5

Addendum #2 to Mitigated Negative Declaration Adopted by the Humboldt Bay Harbor, Recreation and Conservation District as the Lead Agency under CEQA



ADDENDUM #2 TO THE CEQA INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION FOR THE REDWOOD MARINE TERMINAL II COASTAL DEVELOPMENT PERMIT/ CONDITIONAL USE PERMIT (SCH #2015092007)

INTRODUCTION

This document constitutes Addendum #2 to the 2015 Initial Study/Mitigated Negative Declaration (IS/MND) prepared for renovation of existing facilities and infrastructure at Redwood Marine Terminal II (RMT II) and for conditionally allowing a broader range of industrial uses on the site. The 2015 IS/MND was adopted by the Harbor District as lead agency on November 12, 2015 and by the Humboldt County Planning Commission on December 3, 2015. Addendum #1, prepared in February 2018, evaluated installation of a 5-inch diameter, up to 300 feet deep, salt water well on the site. This Addendum #2 considers coastal dependent industrial use of existing infrastructure and facilities within the northern RMT II project area (APN 401-112-024); with no changes to size, shape, and capacity of facilities or infrastructure.

RMT II consists of two APNs (401-112-021 and -024) (Exhibit A); the 2015 IS/MND analyzed necessary maintenance and upgrade of infrastructure and facilities; and permitting aquaculture, coastal-dependent, coastal-related, heavy industrial, research/light industrial, and other interim use types at RMT II, on APN 401-112-021. The District's parcel acquisition of the northern RMT II project area (APN 401-112-024) was approved by County PC GPC 15-002 & CDP 15-136. This Addendum evaluates whether use of existing facilities and open yard areas on APN 401-112-024, with no changes to size, shape, and capacity of infrastructure, would result in any new or substantially more adverse significant effects or require any new mitigation measures not identified in the 2015 IS/MND.

As verified in this Addendum, the analyses and the conclusions in the 2015 IS/MND remain current and valid. The proposed coastal dependent industrial use of existing facilities and open yard areas on APN 401-112-024 would not cause new significant effects not identified in the MND nor increase the level of environmental effect to substantial or significant, and, hence, no new mitigation measures would be necessary to reduce significant effects. No change has occurred with respect to circumstances surrounding the proposed project that would cause new or substantially more severe significant environmental effects than were identified in the 2015 IS/MND. In addition, no new information has become available that shows that the project would cause new or substantially more severe significant environmental effects which have not already been analyzed in the 2015 IS/MND. Therefore, no further environmental review is required beyond this Addendum.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FRAMEWORK

This addendum analyzes the proposed coastal dependent industrial use of existing infrastructure and facilities on APN 401-112-024 as required under the CEQA Guidelines, Sections 15162 and 15164. An

addendum to an adopted mitigated negative declaration shall be prepared if only minor technical changes or additions are necessary or none of the following conditions calling for the preparation of a subsequent MND have occurred:

- (1) Substantial changes in the project which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes with respect to the circumstances under which the project is undertaken which require major revisions to the MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time of MND adoption, shows any of the following:
 - A) The project will have one or more significant effects not discussed in the MND,
 - B) The project will result in impacts substantially more severe than those disclosed in the MND,
 - C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponent declines to adopt the mitigation measure or alternative, or
 - D) Mitigation measures or alternatives that are considerably different from those analyzed in the MND would substantially reduce one or more significant effects on the environment, but the project proponent declines to adopt the mitigation measure or alternative.

The purpose of this Addendum #2 is to evaluate whether coastal dependent industrial use of existing facilities within the northern RMT II project area (APN 401-112-024) would result in any new or substantially greater significant effects not identified in the 2015 IS/MND and to demonstrate that the proposed project does not trigger any of the conditions described above. Based on the analysis provided below, an Addendum to the 2015 IS/MND is the appropriate CEQA document.

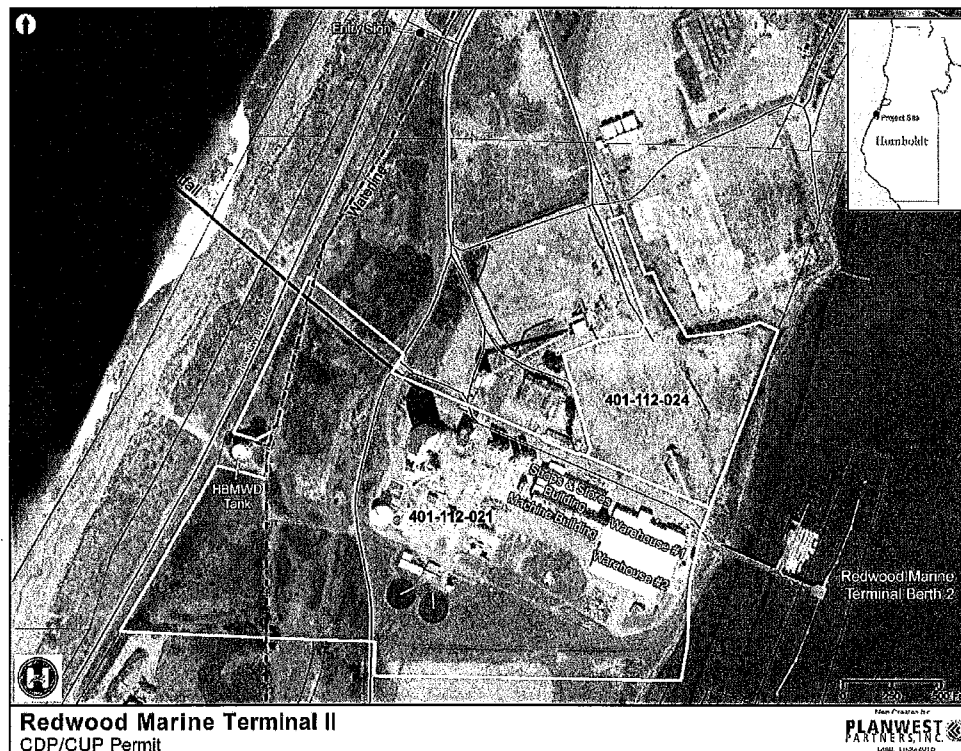
PROJECT INFORMATION

The site is designated and zoned for coastal dependent industrial use and surrounded by similar coastal dependent industrial designated lands associated with historic lumber and pulp mill operations. The overall project intent is to allow for infrastructure renovations to facilitate existing and future coastal dependent uses of the Redwood Marine Terminal II facility; and for conditionally allowing a broader range of industrial uses on the site. The focus of the project is to ensure that the utility of the parcel and remaining lands continue to support coastal dependent industrial uses. The previously approved project allows for the maintenance of existing infrastructure and facilities including: new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades including substation and energy efficiency retrofits, and upgraded security fencing.

The proposed coastal dependent industrial use of existing facilities within the northern RMT II project area (APN 401-112-024) are the same as those that were considered in the 2015 IS/MND and would result in no changes to size, shape, and capacity of facilities or infrastructure. APN 401-112-024 is a flat, mostly paved/gravel area that was part of the former pulp mill site. The site is almost completely open, with a few pieces of remnant equipment.

Use of open yard areas could include aquaculture (shellfish and finfish culturing, cultivation and processing facilities) and coastal dependent industrial uses (import/export operations, boat repair, commercial fishing facilities and fish processing) not requiring infrastructure improvements or ground disturbing activities. The proposed use of the existing facilities and open yard areas for aquaculture and coastal dependent industrial uses were evaluated in the 2015 IS/MND. The proposed use of APN 401-112-024 does not constitute a substantial change in the RMT II site infrastructure; will not adversely affect adjacent property or property owners; and will not alter the findings made when the IS/MND was approved.

Exhibit A – Redwood Marine Terminal II



EVALUATION OF POTENTIAL ENVIRONMENTAL EFFECTS

The proposed use of APN 401-112-024 is expected to result in less than significant impacts to all resources of concern. The environmental analysis provided in the 2015 IS/MND remains current and applicable to the proposed project in all areas listed below:

- *aesthetics*
- *agricultural and forest resources*
- *air quality*
- *biological resources*
- *cultural resources*
- *geology and soils*
- *greenhouse gas emissions*
- *hazards and hazardous materials*
- *hydrology and water quality*
- *land use planning*
- *mineral resources*
- *noise*
- *population and housing*
- *public services*
- *recreation*
- *transportation/traffic*
- *utilities and service systems*

Of these, the 2015 MND identified potentially significant impacts to biological resources and cultural resources and adopted mitigation measures to ensure that these impacts were less than significant. There will be no change in the significance of any of the potential impacts as a result of the proposed use of APN 401-112-024.

The District is not proposing any change to the mitigation measures incorporated into the 2015 IS/MND. Therefore, all potential impacts are expected to remain less than significant. The following discussion addresses potential environmental effects of the proposed use of APN 401-112-024 to biological and cultural resources.

Biological Resources

The proposed coastal dependent industrial use of APN 401-112-024 would be conducted on existing paved/gravel surfaces adjacent to existing developed areas on the site. No direct impacts to rare or endangered species are expected and no riparian or other sensitive habitat would be impacted. The project area is not located near the southern property line and does not propose construction or ground disturbing activities; therefore mitigation measures BIO-1 and BIO-2 are not applicable. The proposed use of APN 401-112-024 would not have a substantial adverse effect on special status species or habitats and is not expected to result in any biological resource impacts. Therefore, a less than significant impact would occur.

Cultural Resources

The proposed uses on APN 401-112-024 would be conducted on existing paved/gravel surfaces; would not involve construction or ground disturbing activities; and is not within the area subject to Mitigation Measure CR-1 in the southern portion of the site. Mitigation Measures CR-2 and CR-3 involving protocols for inadvertent discoveries remain in effect. Therefore, the potential impacts to cultural resources are the same as those analyzed in the 2015 IS/MND and are expected to remain less than significant with mitigation.

SUMMARY OF FINDINGS

Overall, the proposed coastal dependent industrial uses of existing facilities on APN 401-112-024 are similar to those analyzed in the 2015 IS/MND and would therefore generate comparable effects. The proposed use of APN 401-112-024 would not cause new significant effects nor increase the level of environmental effect to substantial or significant and thus no new mitigation measures would be required. No change has occurred and no new information has become available with respect to circumstances surrounding the proposed project that would cause new or substantially more severe significant environmental effects than were identified in the 2015 IS/MND. The analysis and conclusions in the 2015 IS/MND remain current and valid and the mitigation measures would remain as applicable.

On the basis of the evaluation presented above, the proposed use would not trigger any of the conditions requiring preparation of a subsequent or supplemental environmental impact report or negative declaration. Thus, this Addendum satisfies the requirements of CEQA Guidelines sections 15162 and 15164.

**Final Initial Study/
Mitigated Negative Declaration
for**

**REDWOOD MARINE TERMINAL II
Coastal Development Permit/Conditional Use Permit**

SCH#: 2015092007

Lead Agency:



Humboldt Bay Harbor, Recreation, and Conservation District
601 Startare Drive
Eureka, CA 95501

October 2015

PROJECT TITLE: Redwood Marine Terminal II CDP/CUP
(SCH#: 2015092007)

LEAD AGENCY: Humboldt Bay Harbor, Recreation and Conservation District
601 Startare Drive
Eureka, CA 95501

PREPARED BY: Planwest Partners, Inc.
1125 16th Street, Suite 200
Arcata, CA 95521

CONTACT PERSON: George Williamson, AICP

PROJECT LOCATION: 1 TCF Drive, Samoa, CA 95564

**GENERAL PLAN
DESIGNATION(s):** Industrial/Coastal Dependent (MC)

**ZONING
DESIGNATION(s):** Industrial/Coastal Dependent, Archaeological Resource Area
(MC/A)

PARCEL NUMBER: 401-112-021

INTRODUCTION: This Final Draft Initial Study/ Mitigated Negative Declaration (IS/MND) reflects comments received from Wiyot area (Bear River Blue Lake, Wiyot) Tribal Historic Preservation Officers (THPOs) on the draft Initial Study dated September 1, 2015. Minor revisions to the Cultural Resources mitigation measures have been incorporated, no other IS/MND changes have been made.

PROJECT SUMMARY:

A Coastal Development Permit for renovation of existing facilities and infrastructure on the project site; these renovations will not expand the facility capacity. Renovations include: new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades, and upgraded security fencing. Additionally, a Conditional Use Permit for short term industrial tenant approval, as a pilot project, until the Humboldt Bay Area Plan can be amended to allow a broader range of industrial uses.

Background

In 2013, the Humboldt Bay Harbor, Recreation and Conservation District (District) acquired the 72 acre Parcel A of the former Samoa pulp mill (APN 401-112-21). Now known as Redwood Marine Terminal II (RMT II), this industrial site had been in operation on the Samoa Peninsula for over 50 years. Cleanup of contaminants associated with the former pulp mill is nearly complete by EPA and over 200,000 square feet of under roof space is available for lease. Less than 5% (7,000 sq. ft. private mariculture operation) is currently being leased. However, infrastructure upgrades and maintenance, utility costs, insurance, security and other site maintenance expenses are primarily being paid for through the District's general fund. This is not sustainable and the District has been aggressively pursuing tenants.

The District has received inquiries from numerous entities interested in leasing portions of the existing RMT II facility, but has only executed the one mariculture related lease. This Coastal Development / Conditional Use Permit (CDP/CUP) seeks short term approval to attract tenants until the Humboldt Bay Area Plan can be amended to allow a broader range of industrial uses. In addition to maintaining and upgrading on land facilities and infrastructure, the district has made a significant investment in the adjacent dock facilities, including new decking and utilities. Dredging of the adjacent Humboldt Bay main channel is scheduled for summer 2015 by the Army Corps of Engineers. The Harbor District is committed to maintaining this sites' readiness for Coastal Dependent Industrial (CDI) uses should those uses remain viable in the future.

Around Humboldt Bay there are over 1,800 acres of underutilized CDI designated land and demand for uses conforming to all CDI requirements is very low. The District is proposing an innovative pilot project that will allow for compatible industrial, manufacturing, energy generation and research uses until there is increased demand for coastal dependent uses. Revenue from these interim uses will be critical for maintaining infrastructure at the site and business attraction to other sites on Humboldt Bay.

This is an application made by a public agency for a pilot project to allow for a range of general industrial and research related uses at the site. This permitting will facilitate tenant attraction and allow the District, County and Coastal Commission to work together on longer term solutions, including:

- A Humboldt Bay Area Plan amendment that allows for interim and permanent coastal and non-coastal dependent uses.
- Replacement of existing non-conforming uses (i.e., chemical storage, etc.) with other non-conforming uses.

The proposed CUP/ CDP will allow the District to pursue a broader range of tenants and execute leases as appropriate. The lessee must agree to remove the use after notice from the District; the lessee will have six months to vacate the site should notice be given.

Existing Conditions

The site is designated and zoned for coastal dependent industrial use and surrounded by similar coastal dependent industrial designated lands associated with historic lumber and pulp mill operations. To the north of the site is the former Evergreen pulp mill that was recently permitted to allow sawdust briquette manufacturing by Fiberol Energy Inc. Humboldt Bay is east of the site with access from RMT II. South of the site is vacant industrial land, south west is the Fairhaven Biomass Facility. To the west, across New Navy Base Road there are beach and dune areas that meet the Pacific Ocean.

Existing buildings and leasable space, as shown on the attached site plan and photos, include:

- Machine Building: 30,400 sq. ft.
- Shops and Stores Building: 41,040 sq. ft.
- Offices – 1: 3,200 sq. ft.
2: 450 sq. ft.
- Warehouses – 1: 66,200 sq. ft.
2: 65,000 sq. ft.

RMT II infrastructure, also shown on the attached site plan and photos include:

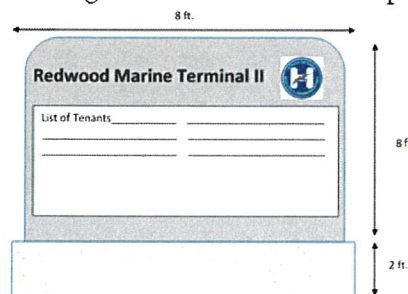
- Fire suppression system inside Shops & Stores, Warehouse and Machine building;
- Industrial fresh water supplied by HBMWD and stored in two million gallon storage tank adjacent to New Navy Base Road;
- Domestic Water also supplied by HBMWD;
- Industrial wastewater treatment system including double clarifiers, water filtration and ocean outfall pipe;
- Domestic and industrial wastewater treatment system including collection system, septic tanks, and leach field;
- Onsite electrical substation and distribution system to all buildings;
- 23 Megawatt chemical recovery boiler and turbine/generator; and
- Parking, cargo storage and loading facilities.

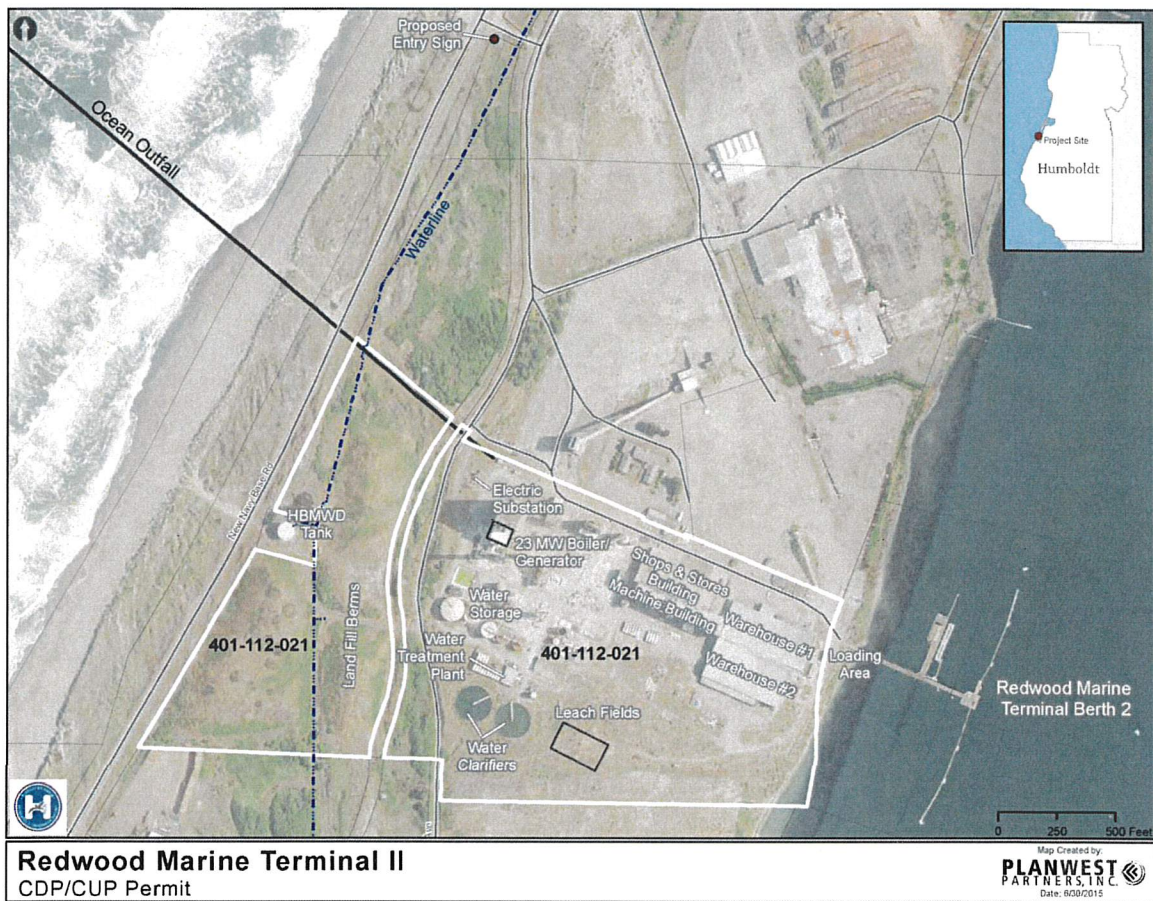
Project Description and Plan of Operation

Existing Facilities Renovation

This permitting will allow for necessary maintenance of existing infrastructure and facilities. The Harbor District will be securing new market tax credits in 2015 to make renovations to the existing facility including: new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades including substation and energy efficiency retrofits, and upgraded security fencing. These renovations will not expand the facility capacity.

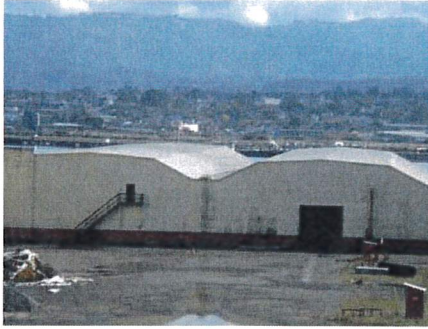
- Roofing and building siding – New roof on the shop, warehouse, machine building and new siding, windows and doors on the shop and warehouse buildings.
- Water system – Distribution, storage and piping renovations;
- Wastewater system upgrades – onsite leachfield denitrification upgrade and collection piping repairs.
- Fire suppression system upgrades in shops & stores and machine buildings.
- Electrical and natural gas system upgrades, including substation upgrades, pump and control upgrades and energy efficiency upgrades.
- Security fencing – Repair and expand fencing along northern property boundary.
- New monument sign near New Navy Base Road and Samoa Pulp Lane/TCF Drive. In compliance with County visibility ordinance, the sign will be located at least 30 feet beyond the New Navy Base Road double yellow line, and 50 feet from the Samoa Pulp Lane stop bar. The proposed 8' x 8' monument type sign will sit on a concrete/stone pedestal base and be constructed of concrete, stone and/or wood materials. Additionally, up to three small (1' x 4') directional signs will be placed along the access roads. Conceptual design below is not to scale.





Site Photos

Warehouses



Shop Building



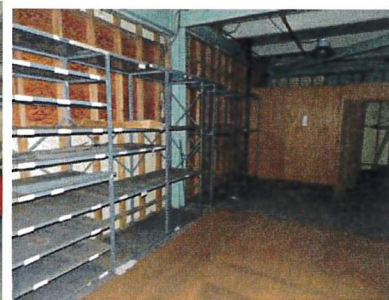
East Warehouse Loading Entrance



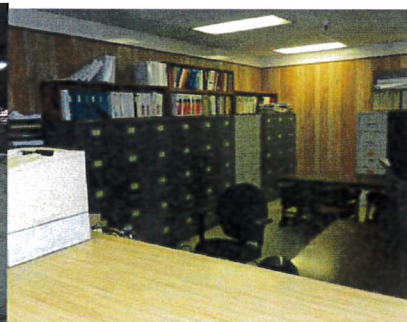
Roof View



Interior



Office



Proposed Use Types

The District seeks CUP/CDP approval for industrial and research uses that would utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. This project would permit aquaculture, coastal-dependent, coastal-related, heavy industrial, and research/ light industrial use types shown in the table below.

USE	INFRASTRUCTURE/ STANDARDS COMPLIANCE/ BENEFITS
Aquaculture (HCC 313-175.1)	
Seed Development, Culturing, Nursery, Processing Shellfish and Finfish culturing, cultivation and processing facilities	These aquaculture processes use water and wastewater system infrastructure present at the facility and the adjacent dock facility for bay access. These uses are also complimentary to the subtidal mariculture sites proposed to be leased adjacent to the dock facilities as part of the District's mariculture pre-permitting project.
Coastal-Dependent (HCC 313-175.2)	
Import/export operations , boat repair, commercial fishing facilities, fish processing	Fish processing often requires water at volumes that can be accommodated at the facility, and requires processing facilities for fish waste also available at the facility. These facilities will be upgraded as needed for these uses and rents will offset upgrade costs. The shop facility is equipped to handle repairs of the processing equipment and support equipment used in transport and maintenance.
Import/export operations Wood Pellet Manufacturing/ Export	The Harbor District has entered into an exclusive right to negotiate a lease with a wood pellet manufacturer and exporter. The potential tenant would lease 92,000 sq. ft. of warehouse space, 30,000 sq. ft. of the drying building, 12,000 sq. ft. of the shops, and 120,000 sq. ft. of outside space. The prospective tenant projects sufficient volume to fill five ships per year exporting materials from the adjacent dock facility.
Coastal-Related (HCC 313-175.3)	
Fish waste processing , Using ocean and bay intake/outfall pipeline. Dredge slurry dewatering , Using water clarifiers, filtration and ocean outfall pipeline. Municipal wastewater , Using ocean outfall pipeline.	The facility has the capacity to accommodate the processing, storage and processing of fish waste which is a very important horticulture nutrient source. Byproducts of this operation can be disposed of through the ocean outfall, to help maintain flows that prevent sediment intrusion thereby lowering maintenance costs.
Electrical research generating facility using ocean and bay intake/outfall pipeline.	Humboldt State University is conducting research on a variety of renewable power technologies, including Pressure Retarded Osmosis. This technology has both desalinization and energy generation potential. It relies on large quantities of both freshwater and saltwater separated by a membrane. The facility is the only one in Humboldt County with the sufficient freshwater and saltwater quantities at the same location.
Heavy Industrial (HCC 313-175.6)	
Organic and Plant Materials, Animal and Fish Product Processing	Companies such as Home & Garden have expressed interest in the facility, attracted by large manufacturing spaces under

USE	INFRASTRUCTURE/ STANDARDS COMPLIANCE/ BENEFITS
Manufacturing (compounding, processing, assembling, packaging, treatment or fabrication)	roof, existing laboratory facilities, sufficient water and power to support volume manufacturing for worldwide distribution.
Wood Products and other Natural Resource based Manufacturing (compounding, processing, assembling, packaging, treatment or fabrication),	The moving, processing and treatment of wood and other bulky resource products requires a significant amount of physical space given the volume and weight of the raw materials and quantities needed to make wood product manufacturing cost effective. The existing facility is well suited for this use with no exterior renovation except for larger rollup doors which are planned improvements.
Electrical generation and distribution equipment Manufacturing (compounding, processing, assembling, packaging, treatment or fabrication), Electrical generation facility , converting the 23 megawatt power boiler to a wood burning biomass generator.	Humboldt State University is conducting research on a variety of renewable power technologies, including biomass conversion (Waste to Wisdom) wave energy and marine based wind turbines. The marine based energy would be transported ashore along the ocean outfall pipe and link to the existing substation at the facility. Wood waste to energy technology improvements and testing would benefit the nearby biomass facility and offers potential to help restart two other biomass facilities in the area that are currently not operating.
Electrical generation and distribution Onsite Solar Array	The landfill berms at the facility provide a suitable location for installation of a solar array to generate power for the facility and potential sale back to the grid. A potential tenant is interested in constructing the array and routing power through the onsite substation.
Research/ Light Industrial (HCC 313-175.7)	
Low impact manufacturing, industrial and scientific research, carpentry and cabinet making, clothing manufacturing, contractor's yards, metal working shops	The facility has all the capabilities for manufacturing, industrial and scientific research. There are large open assembly areas under roof, shop area, laboratory space for research and high ceilings for industrial uses. One use that has been considered for this area is modular unit manufacturing and export. Residential, commercial, construction site, and temporary housing modular component manufacturing could be accommodated at this facility. This use would draw on the areas materials resources, primarily wood products, and on the skilled structural, electrical, plumbing, cabinetry, framing, tiling, and finishing labor force. This product would be exportable worldwide.

Priority will be given to Aquaculture, Coastal Dependent and Coastal Related uses as defined in the table above and similar uses where a substantial conformity determination can be made. Leases for other listed and similar uses will be shorter term, five years or less, with limited tenant improvements. Should Aquaculture, Coastal Dependent and Coastal Related use tenants become viable, other tenants occupying space proposed for those uses will have a lease clause to vacate within 6 months.

Parking & Traffic

The estimated parking requirements, based on Humboldt County Code (H.C.C.) standards for industrial uses per building square foot, are shown in the table below. There is approximately 255,510 square feet of onsite space available for parking, loading, and associated travel ways. This includes paved and unpaved areas both north and south of the shops & stores, machine, and warehouse buildings. These areas could accommodate up to 800 standard parking spaces. Therefore, there is more than enough on-site capacity to meet parking requirements.

Proposed Use	H.C.C Parking Standards 313-109.1.4.4	Minimum Number of Parking Spaces Required
Management Offices 3,650 square feet	One parking space for every 300 sq.ft. plus one for each employee	12 (plus one for each office employee)
Manufacturing 71,440 square feet	Either one parking space for each 1,500 sq.ft. or one space for each employee at peak shift	48
Warehouse 131,200 square feet	Either one parking space for each 2,500 sq.ft. or one space for each four employees	53
TOTAL REQUIRED		113

There is not expected to be an increase in traffic to and from the site as a result of new uses, compared to past facility use. Traffic would be associated with both employees and other operational truck traffic depending on the type of use. Truck traffic to and from the site will use New Navy Base Road to Samoa Pulp Lane and then to the project site; trucks would use the same route when exiting. There would be a maximum of 20 truck trips per day.

Water/ Wastewater

Humboldt Bay Municipal Water District (HBMWD) service includes both domestic and industrial water delivery to the site. The domestic system serves restrooms and related facilities requiring potable water. The Industrial supply system has 30 million gallons/day water delivery and treatment capacity and a two million gallon storage tank adjacent to New Navy Base Road. The ocean outfall was previously permitted for 15 million gallons/day discharge. It is still used for discharge by Fairhaven Power.

The onsite wastewater system includes a 1,800 gallon wet well, wastewater pumping system and leach field. Wastewater flows are from restrooms, sinks and wash stations within the existing buildings, and are of relatively low volume. The wet well is monitored and solids removed by pumping as needed. The proposed uses are projected to generate fewer workers than were employed for pulp mill operations. The District has installed a groundwater monitoring well between the leach field and Humboldt Bay. The design capacity of the existing system is greater than the wastewater flows projected to be generated by the proposed uses.

The onsite water filtration system and clarifiers were used primarily to treat industrial water to water quality standards required for pulp production. These systems are still operational should they be needed by the proposed users. These water and wastewater systems were designed for the pulp mill operation and have greater capacity than needed for proposed tenant uses.

Operations

The District will maintain staff at the facility to monitor operations and conduct ongoing repairs and renovations. District staff operates a fully equipped maintenance shop at the facility, and has vehicles and equipment, including trucks and a forklift for servicing the site. The maximum number of employees during peak shift would be 120. The facility has accommodated three work shifts in the past, and could do so again based on tenant needs. Much of the proposed tenant activity would be conducted within existing buildings, and there are no non industrial uses in the vicinity that would be affected by nighttime operations.

Other Considerations

Proposed uses and operations will comply with applicable noise and emission requirements. All exterior lighting, whether installed for security, safety, or signage purposes will be shielded and/or positioned to broadcast light downward so that light will not shine beyond the site boundaries. A tsunami evacuation plan has been prepared for the Samoa Peninsula. The onsite landfill berms are of sufficient height as to not be inundated during the event predicted in the Samoa Peninsula plan, and are designated as a Redwood Marine Terminal II and Town of Fairhaven evacuation site.

Proposed Findings and Consistency

The Harbor District proposes that the requested uses will be interim in nature, as part of this pilot project, until a LCP Amendment, and would be relocated should permanent CDI uses become available for the site.

General Plan Section(s)	Evidence Supporting General Plan Conformance Finding
Land Use, 3.14(a) 4.10(a) HBAP	The Project is located within and contiguous with existing developed areas.
Geologic, 3.17(b.1)(b.3) HBAP	Based on the Geologic Hazard maps in the Humboldt County General Plan (Volume 1) the project site is located in an area where slope instability is moderate. It is not located in either an Alquist-Priolo Fault Hazard special studies zone or other mapped potentially active fault zone. The project site is relatively flat and not susceptible to landslide.
Flood Hazards 3.17(b.4) HBAP Tsunami Risk 3.17(b.3) HBAP	The Proposed project site is located in zone C, which is defined as areas of minimal flooding (FIRM #775). The 100-year tsunami run-up elevation for the area is approximately 10.8 feet. The project site is located at 12-40 feet elevation. The 500 year tsunami run-up elevation for the area is approximately 20.2 feet. There is a tsunami evacuation site on the Harbor District property.
Sensitive Habitats 3.14 HBAP	The project will convert industrial land to productive industrial use. No natural habitats being converted or impacted to implement the project.
Water Supply, Sewage Disposal Urban Limits §2600 3340, 3360, 4530 (FP)	The proposed project has public water and is served by on-site sewage disposal.
Airport Safety §3290 (FP)	The project site is within two miles of the runway at the Eureka Municipal Airport, which is located further south on the Samoa Peninsula at 990 New Navy Base Road. The Eureka Municipal Airport is a general aviation airport owned and operated by the City of Eureka. Based on the airport's volume of air traffic, the orientation of the runway, and the project's proposed use, the project would not interfere with airport operations.

General Plan Section(s)	Evidence Supporting General Plan Conformance Finding
Transportation §4237 (FP)	The project will not significantly create or aggravate safety, capacity or parking problems on County roads.
Cultural Resources, §3.37 HBAP	There are no known historic or pre-historic resources on the proposed project site.
Visual Resource §3.40 HBAP	The proposed project site is a portion of the site formerly operated as a pulp mill and containing industrial structures. The boiler is the most visually dominant feature in the vicinity. No new buildings proposed.

Zoning	Evidence That Supports the Zoning Finding
§313-3.4 Industrial Coastal Dependent (MC)	The project proposes Industrial uses conditionally permitted in the MC Zone
Industrial General: Minimum Parcel Size: §313-3.4 H.C.C.	Parcel is 72 acres in size
Yard Setbacks: §313-3.4 H.C.C	Meets all setbacks
Maximum Structure Height. §313-3.4 H.C.C.	Meets 50 feet plus one (1) foot for each foot of front yard setback over 50 feet to a maximum of 75 ft.
Industrial Performance Standards , §313-103.1 et seq. H.C.C.	
Noise	Noise shall not exceed 70 dB at property line
Lights	No Restrictions
Traffic	No Restrictions
Vibrations	No perceptible vibrations interfere with adjacent land uses.
Electronic Interference	No visual or audible interference of radio or television reception by operations.
Enclosed manufacturing and fabrication areas	All manufacturing and fabricating areas enclosed in buildings.
Archaeological Resource Area Combining Zone, §313-16.1 H.C.C.	The project is located within an existing industrial area with no known prehistoric or historic archaeological sites.
Public Safety and Welfare §312-17.1.4	The project will not be detrimental to the public health safety and welfare or materially injurious to properties or improvements in the vicinity; and will not adversely impact the environment.

SURROUNDING LAND USES AND SETTING:

The site is designated and zoned for coastal dependent industrial use and surrounded by similar coastal dependent industrial designated lands associated with historic lumber and pulp mill operations. To the north of the site is the former Evergreen pulp mill that was recently permitted to allow sawdust briquette manufacturing by Fiberol Energy Inc. Humboldt Bay is east of the site with access from RMT II. South of the site is vacant industrial land, south west is the Fairhaven Biomass Facility. To the west, across New Navy Base Road there are beach and dune areas that meet the Pacific Ocean.

REQUIRED APPROVAL(s) BY OTHER PUBLIC AGENCIES:

County of Humboldt CDP/CUP

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

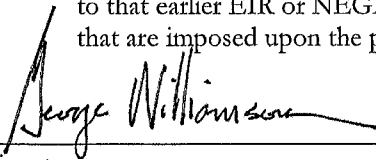
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

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

DETERMINATION

On the basis of this initial evaluation:

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



Signature

George Williamson, AICP

Printed Name

October 19, 2015

Date

Harbor District Planner

For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify:
 - a) the significance criteria or threshold used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL CHECKLIST

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Discussion

The project site is surrounded by industrial designated lands associated with historic lumber and pulp mill operations. The site contains numerous industrial buildings and facilities formerly associated with pulp mill operations. The site is visible from New Navy Base Road; however vegetated open space areas and old landfill berms act as visual buffers of site facilities. Views from the site are of Humboldt Bay, adjacent industrial facilities, and open space areas.

The project would involve maintenance of existing infrastructure and facilities including: new roofing, building siding and access doors, water, wastewater and fire suppression system upgrades, electrical upgrades including substation and energy efficiency retrofits, and upgraded security fencing. These renovations would not expand the facility capacity. The exterior repairs would be aesthetically similar to existing materials and most of the repairs would not be visible from off-site locations. Proposed uses would utilize the interior spaces of existing facilities with little to no exterior changes.

- a) The project site is located on the Samoa Peninsula which offers informal scenic vistas of Humboldt Bay, beaches, dunes, and the Pacific Ocean. Views of and from the project site would not change as a result of the project. The project site is currently developed with large industrial facilities; the proposed project would not expand facility capacity or construct additional facilities. There would be negligible change to existing views in the project vicinity. There are no designated scenic vistas at or near the site. **No impact** would occur.
- b) According to the California Scenic Highway Mapping System, the project site is not located within view of a designated or eligible state scenic highway, or locally designated scenic roadway. There are no officially designated Scenic Highways within Humboldt County; however Highway 101, Highway 36, and Highway 299 have been identified as eligible. These eligible routes are not visible from the project site. **No impact** would occur.

- c) As discussed above, the project site contains numerous industrial buildings and facilities and is surrounded by industrial designated lands associated with historic lumber and pulp mill operations. The project involves maintenance of existing infrastructure and facilities and would not expand the facility capacity or construct new facilities. The proposed building maintenance (i.e. new roofing and siding) would replace old deteriorating materials. The proposed project is consistent with the existing visual character of the property and its surroundings. A **less than significant impact** would occur.
- d) Limited security lighting may be installed for site safety purposes. All exterior lighting would be shielded and/or positioned to broadcast light downward so that light would not shine beyond the site boundaries. The upper portions of the landfill berms may provide a suitable location for the installation of a solar array to generate power. Any such system would be designed to avoid glare to surrounding areas. Therefore, the proposed project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
AGRICULTURE AND FOREST RESOURCES: 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?				X

Discussion

- a) The proposed project site is designed and developed for industrial use and does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project site is surrounded by similar industrial designated lands. The project would not convert any type of Farmland to non-agricultural use. **No impact** would occur.
- b & c) The project site is zoned industrial coastal dependent (MC). No Williamson Act contracts are in place on or near the project site. The project would not conflict with agriculture or forest land zoning or Williamson Act contracts. **No Impact** would occur.
- d & e) No forest land or timberland exists on or near the project site. The project would not result in the loss or conversion of forest land, or involve other changes in the existing environment which would result in conversion of farmland to non-agricultural use or conversion of forest land to non-forest use. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
AIR QUALITY: Would the project:				
a) Conflict with or obstruct Implementation of the applicable air quality plan?			x	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			x	
c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			x	
d) Expose sensitive receptors to substantial pollutant concentrations?			x	
e) Create objectionable odors affecting a substantial number of people?			x	

Discussion

The project site is located within the North Coast Air Basin (NCAB) and the jurisdiction of the North Coastal Unified Air Quality Management District (NCUAQMD). The NCUAQMD includes Del Norte, Humboldt, and Trinity Counties. The NCAB currently meets all federal air quality standards; however, the entire air basin is currently designated as non-attainment for the State 24-hour and annual average particulate matter smaller than 10 microns in size (PM₁₀) standards. Both natural and anthropogenic sources of particulate matter (including vehicle emissions, dust, wildfire and residential wood burning stoves) in the NCAB have led to the PM₁₀ non-attainment designation.

To address this, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM₁₀ standard exceedance, and

identifies cost-effective control measures to reduce PM₁₀ emissions, to levels necessary to meet California Ambient Air Quality Standards.

- a) The project would generate a minor amount of particulate emissions during construction and project operations, mainly in the form of vehicle emissions. The project would not substantially add to the level of PM₁₀ or other emissions such that it would cause a cumulatively considerable net increase of pollutant emissions in the area. The project would not conflict with or obstruct implementation of the NCUAQMD Particulate Matter Attainment Plan; therefore, a **less than significant impact** would occur.
- b) As discussed above, the NCAB is currently designated as a state non-attainment area for PM₁₀, but does not violate other federal, state, or local air quality standards. In the NCAB, most particulate matter is caused by vehicle emissions, wind generated dust, construction dust, wildfire, and residential wood burning stoves.

The proposed project would cause the release of a limited amount of PM₁₀ emissions due to construction air emissions in the form of exhaust from construction equipment, worker commute, and haul trucks. Operational vehicle emissions would be due to worker commute, deliveries, and truck trips associated with proposed site uses. The proposed project would not involve grading or moving materials that would generate significant dust. Operational emissions related to potential tenants are expected to be limited to emissions from combustion engines. Any such emissions would be off-set by the air quality credits the District received for the discontinued use of the on-site boiler.

Emissions associated with proposed construction activities would be short term and limited in scope; these activities would not cause a violation of air quality standards or contribute substantially to an existing or projected air quality violation. Project operation would increase vehicle trips to the site; however this would not result in a substantial increase of PM₁₀ emissions in the project area. A **less than significant impact** would occur.

- c) As described above, the NCAB is in non-attainment for the criteria air pollutant PM₁₀. Project construction would cause minor and short term production of PM₁₀ and would not significantly increase the background levels. The project would not substantially add to the level of PM₁₀ or other emissions such that it would cause a cumulatively considerable net increase of pollutant emissions in the area. The project would result in a **less than significant** cumulative impact to air quality from criteria air pollutants and precursor emissions.
- d) The project site is adjacent to other industrial uses; there are no residences or schools in the project vicinity. Sensitive receptors in the project area could include recreational users of the beach and dunes across New Navy Base Road, west of the project site. Project construction and operation would not produce substantial pollutants and would not expose sensitive receptors to substantial pollutant concentrations. A **less than significant impact** would occur.
- e) Diesel powered vehicles and equipment may generate localized odors. These odors would be temporary and not likely noticeable beyond the project site. Project operations would not

emit objectionable odors affecting a substantial number of people. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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?		x		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		x		
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			x	
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			x	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				x
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				x

Discussion

The project site is located on the Samoa Peninsula, west of the City of Eureka in Humboldt County, California. The Peninsula is immediately west of Humboldt Bay and east of the Pacific Ocean. The project area is relatively flat with dune features along New Navy Base Road. The western portion of

the project site contains old landfill berms that range in elevation from sea level up to approximately 40 feet.

The project site is currently developed with industrial buildings and facilities formerly associated with pulp mill operations including paved roadways and graveled parking areas. The project site has been heavily used for industrial purposes for many decades. The limited natural habitat is primarily ruderal (weedy) herbaceous species (non-native annual and perennial forbs), a few areas contained willow hallow, beach grass and dune mat habitats (LACO 2013a). According to USFWS National Wetlands Inventory (NWI) seasonal freshwater marshes may be located on the project site west of Vance Ave.

- a, b) A California Natural Diversity Database (CNDDDB) and CNPS Inventory of Rare and Endangered Vascular Plants records search was conducted for the project area. A list of federal endangered, threatened and candidate species for the project area was reviewed from USFWS Information for Planning and Conservation. These queries reported a number of special-status species with potential to occur in the Eureka USGS quadrangle. Appendix A lists those special status species and the potential for the species to occur on the project site. Most of the listed species have limited potential to occur in the project vicinity.

The preliminary biological evaluation for the Samoa Industrial Waterfront Transportation Access Plan (SIWPTAP) (LACO 2013a) noted the presence of dark-eyed gilia (*Gilia millefoliata*) along a portion of the southern property boundary. Dark-eyed gilia is listed in the California Native Plant Society's List 1B.2 (rare, threatened, or endangered in California and elsewhere; fairly endangered in California) and is considered a California Species of Special Concern. The existing leachfield is located near this area, although significant ground disturbing activities are not expected.

There are known osprey nesting sites on and near the project area. Site operations are not expected to affect the birds, however construction activities during nesting will be monitored and limited as appropriate, see Mitigation Measure BIO-2.

The project involves building maintenance activities and would allow industrial uses within existing facilities. No direct impacts to rare or endangered species are expected from project implementation and no riparian or other sensitive habitat would be impacted. The project would not have a substantial adverse effect on special status species or habitats. Implementation of mitigation measures BIO-1 and BIO-2 would reduce impacts to **less than significant**.

Mitigation Measure BIO-1: Conduct Rare Plant Survey

Prior to construction activities near the southern property line, including near the leach field, the District shall hire a qualified biologist (or other individual appropriately qualified) to conduct seasonally appropriate rare plant survey(s) in this area. If rare plants are impacted by the project, the affected species will be transplanted or replanted on-site as recommended by the biologist.

Mitigation Measure BIO-2: Osprey Nesting Assessment

Prior to construction activities, a qualified biologist will determine whether osprey nests in the project area are active. If active nests are identified within 500 feet of the project

footprint, a qualified biologist will monitor osprey behavior when construction begins in order to assess disturbance and potential for nest abandonment. If the osprey exhibit behavior suggesting disturbance, construction activities shall cease. Construction activities shall resume only upon consultation with a qualified biologist.

- c) The western portion of the project site (the troughs of the old landfill berms west of Vance Avenue) may contain freshwater emergent and forest/shrub wetlands, according to the National Wetlands Inventory (USFWS 2015). Proposed project maintenance activities would be conducted east of Vance Avenue and would not impact this area of the project site. The project involves building maintenance activities and would allow industrial uses within existing facilities. The upper portions of the landfill berms may provide a suitable location for the installation of a solar array to generate power. Any such system would not impact potential wetland areas. The project would not have a direct effect on federally protected wetlands or waters of the U.S. through direct removal, filling, hydrological interruption, or other means. A **less than significant impact** would occur.
- d) Due to the developed nature of the project site, it is not likely to be used as a wildlife corridor. The project would not interfere with the movement of native resident or migratory fish species or with established native resident or migratory wildlife corridors. No native wildlife nursery sites exist at the project site. A **less than significant impact** would occur.
- e-f) No adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan applies to the Project site. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?		x		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		x		
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			x	
d) Disturb any human remains, including those interred outside of formal cemeteries?			x	

Discussion

The project area has a long history of human use associated with Humboldt Bay including Native American and later with European settlers beginning around 1850. The lands around Humboldt Bay have a rich cultural past including pre-historical use centered on the food resources of the Bay, and more recently based on manufacturing and industrial opportunities presented by the accessible

coastline and available undeveloped land. The project area is within the ethnographic territory of the Wiyot and the general area has potential for archaeological sites.

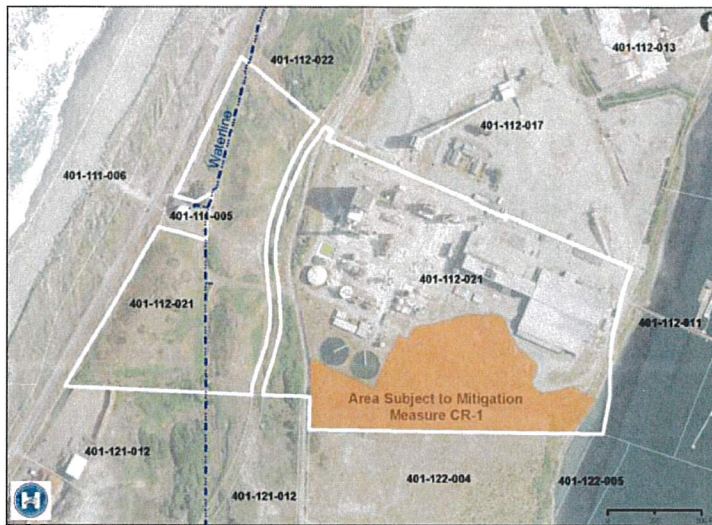
A records search was conducted through the Northwest Information Center (NWIC) which reviewed base maps that reference cultural resources records and reports, historic period maps, and literature for Humboldt County. One Wiyot site is mapped in a presently undeveloped portion of the project area. An on-site cultural resources investigation was not conducted for the proposed project because the project activities are within previously developed areas of the site.

- a, b) According to the records search and based on an evaluation of the environmental setting and features associated with known sites, Native American resources in this part of Humboldt County have been found along the coastal margins, near trending ridgelines and midslope terraces, near the mouths of rivers, near sources of water (including perennial and intermittent streams and springs), and near productive resource environments. Given the project location along Humboldt Bay, there is a potential of identifying Native American resources in the proposed project area. One Wiyot site is mapped in a presently undeveloped portion of the project area.

The project would involve the maintenance of existing facilities, would not result in construction of any area not previously developed, and would involve limited ground disturbing activities in previously disturbed areas; therefore, project implementation would be unlikely to impact cultural resources. Implementation of Mitigation Measures CR-1, CR-2, and CR-3 would reduce potential impacts to **less than significant**.

If previously unidentified archaeological or historic resources are discovered during project activities, impacts could be significant if not treated properly. Implementation of the recommended protocol for inadvertent cultural resource discoveries would reduce the potential impact to previously unidentified artifacts to **less than significant**.

Mitigation Measure CR-1: Cultural Resources Survey study. Prior to any ground disturbing activities on undeveloped lands in the southern portion of the property in the vicinity of the reported Wiyot Tribal Cultural Resource, as shown on the following figure, a cultural resources survey study shall be conducted by a qualified archaeologist experienced in NW California archaeology in coordination and consultation with the three Wiyot area THPOs (Bear River, Blue Lake, Wiyot). The study shall provide recommendations for avoiding, minimizing or mitigating significant impacts on Tribal Cultural Resource(s), which shall be enacted by the Harbor District in consultation with the three Wiyot area Tribes.



Mitigation Measure CR-2: Protocols for inadvertent discovery of any cultural or

archeological resource. Should an archaeological resource be inadvertently discovered during ground-disturbing activities, the Tribal Historic Preservation Officers (THPO) appointed by the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria and Wiyot Tribe shall be immediately notified and a qualified archaeologist with local experience retained to consult with the Harbor District and other applicable regulatory agencies to employ best practices for assessing the significance of the find, developing and implementing a mitigation plan if avoidance is not feasible, and reporting in accordance with the Harbor District's Standard Operating Procedures as described below.

1. Ground-disturbing activities shall be immediately stopped at the find locality if potentially significant historic or archaeological materials are discovered. Examples include, but are not limited to, concentrations of historic artifacts (e.g., bottles, ceramics) or prehistoric artifacts (chipped chert or obsidian, arrow points, groundstone mortars and pestles), culturally altered ash-stained midden soils associated with pre-contact Native American habitation sites, concentrations of fire-altered rock and/or burned or charred organic materials, and historic structure remains such as stone-lined building foundations, wells or privy pits. Ground-disturbing project activities may continue in other areas that are outside the discovery locale.
2. An "exclusion zone" where unauthorized equipment and personnel are not permitted shall be established (e.g., taped off) around the discovery area plus a reasonable buffer zone by the District, or party who made the discovery.
3. The discovery locale shall be secured (e.g., 24-hour surveillance) as directed by the District if considered prudent to avoid further disturbances.
4. The Contractor Foreman or authorized representative, or the party who made the discovery and initiated the SOP, shall be responsible for immediately contacting by telephone the contacts listed below to report the find:
 - a. The Harbor District's authorized POC.
5. Upon learning about a discovery, the District shall be responsible for immediately contacting by telephone the contacts listed below to initiate the consultation process for its treatment and disposition:
 - a. THPOs with Blue Lake Rancheria, Bear River Band and Wiyot Tribe; and
 - b. Other applicable agencies involved in Project permitting.

6. In cases where a known or suspected Native American burial or human remains are uncovered, the following contacts shall be notified immediately:
 - a. the Humboldt County Coroner (707-445-7242).
 - b. The SOP for Inadvertent Discovery of Native American Remains and Grave Goods (CR-3 below) shall be followed.
7. Ground-disturbing project work at the find locality shall be suspended temporarily while the District, THPOs, a consulting archaeologist and other applicable parties consult about appropriate treatment and disposition of the find. Ideally, a treatment plan may be decided within three working days of discovery notification and the field phase of a treatment plan may be accomplished within five days after its approval, however, circumstances may require longer periods for data recovery. The Treatment Plan shall reference appropriate laws and include provisions for analyses, reporting, and final disposition of data recovery documentation and any collected artifacts or other archaeological constituents. Where a Project can be modified to avoid disturbing the find, this may be the preferred option. Should Native American remains be encountered, the provisions of State laws shall apply.
8. Any and all inadvertent discoveries shall be considered strictly confidential, with information about their location and nature being disclosed only to those with a need to know. The District shall be responsible for coordinating any requests by or contacts to the media about a discovery.
9. These Mitigation Measures shall be communicated to the field work force (including contractors, employees, officers and agents) and such communications may be made and documented at safety briefings.
10. Ground-disturbing work at a discovery locale may not be resumed until authorized in writing by the District.
11. Final disposition of all collected archaeological materials shall be documented in a data recovery report and its disposition decided in consultation with Tribal representatives.

Mitigation Measure CR-3. Protocols for inadvertent discovery of Native American remains and Grave goods. In the event of a discovery of Native American remains or grave goods, the following protocol would be followed, in addition to the protocol described under Mitigation CR-2.

1. If human remains are encountered, they shall be treated with dignity and respect. Discovery of Native American remains is a very sensitive issue and serious concern of affiliated Native Americans. Information about such a discovery shall be held in confidence by all project personnel on a need-to-know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld. The preference of the Wiyot area tribes is to leave ancestral burials and remains in situ, and that no photographs or analyses will be made.
2. Violators of Section 7050.5 of the California Health and Safety Code may be subject to prosecution to the full extent of applicable law (felony offense).

In addition, the provisions of California law (Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the California Public Resources Code) will be followed:

1. The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American, the Coroner has 24 hours to notify the NAHC at (916) 653-4082.

2. The NAHC is responsible for identifying and immediately notifying the most likely descendant (MLD) of the deceased Native American.
 3. Within 48 hours of their notification by the NAHC, the MLD will be granted permission by the property owner of the discovery locale to inspect the discovery site if they so choose.
 4. Within 48 hours of their notification by the NAHC, the MLD may recommend the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses (if any) recommended by the MLD may be considered and carried out.
 5. Whenever the NAHC is unable to identify a MLD, or the MLD identified fails to make a recommendation, or the District rejects the recommendation of the MLD and mediation between the parties by NAHC fails to provide measures acceptable to the District, the District shall cause the re-burial of the human remains and associated grave offerings with appropriate dignity at an appropriate nearby location not subject to further subsurface disturbance.
- c) Paleontological resources are the remains or traces of prehistoric animals and plants, which include fossil remains and geologic sites with fossil-bearing strata. The dunes of the Samoa Peninsula were established during the late Holocene and are generally considered too young to contain fossilized remains. Holocene marine deposits along coastlines are rare because the rise in sea levels during the period generally exceed tectonic uplift (Leroy, 1999). Therefore, the project site has little potential to contain paleontological resources. A **less than significant impact** would occur.
- d) Project activities may involve replacing water/sewer lines in the same alignment as existing lines. Since the proposed project involves negligible ground disturbing activities which would occur in previously disturbed areas, the project is not anticipated to disturb any human remains. No known cemeteries or burial sites are located on the project site; however, given the long history of human activity in the area, encountering human remains during ground disturbing construction activities would be possible.

If human remains or Native American archaeological sites were inadvertently encountered during construction, HBHRCD would comply with California Health and Safety Code 7050.5, and contact the county coroner. If the coroner determines that the find is Native American, the coroner is required to contact the Native American Heritage Commission in Sacramento, pursuant to Public Resources Code 5097.98. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.			x	
ii) Strong seismic ground shaking?			x	
iii) Seismic-related ground failure, including liquefaction?			x	
iv) Landslides?			x	
b) Result in substantial soil erosion or the loss of topsoil?			x	
c) Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			x	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			x	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?			x	

Discussion

The project area is situated on low gradient land between the Pacific Ocean and the northwestern region of Humboldt Bay. Grading activities associated with historic land uses have resulted in modification of the ground surface throughout the project area. Dune fields have been leveled and slopes adjacent to Humboldt Bay have been reclaimed (filled). Surface disturbance is considered ubiquitous and the site is fairly flat and developed. The project would not expand facility capacity, all site activities would modify existing infrastructure. The level of site use would be less than when the pulp mill was operational.

- a) i) Based upon the Alquist-Priolo Fault Hazard maps available on the California Department of Conservation website, the project site is situated in neither an Alquist-Priolo Fault Hazard special studies zone, nor any other mapped potentially active fault zone. A **less than significant impact** would occur.
- ii) Multiple active faults, capable of producing strong seismic shaking, are located within the region and throughout coastal northern California. There are no permanently habitable

structures on site and proposed project activities would structurally improve existing facilities. The impact from seismic ground shaking would be **less than significant**.

- iii) Based on the soil make up of the area, the occurrence of liquefaction during an earth quake event may be possible on portions of the property. These soils are predicted to be susceptible to liquefaction and portions of the property are mapped as having a high liquefaction potential. Project activities will not build any new structures, nor add any fill material; because of this, impacts would be **less than significant**.
- iv) According to the Humboldt County Hazard Mitigation Map found on their website, the project site is in an area of "Low (slope) Instability". Additionally, the Hazard Map indicates no known historic landslides in the area, and ground surface gradients are almost entirely below 15 percent slope. Based on the lack of historic landslide occurrence and minimal ground slopes in the area, the risk of landslides at the project site is very low. A **less than significant** impact would occur.
- b) Since the project site's surface has been modified by historical uses, there is little in the way of exposed soils susceptible to erosion. Buildings and paved areas cover large portions of the property. Much of the unpaved areas are covered with gravel. No project activity would happen outside of these modified areas, therefore the project would not result in substantial soil erosion or loss of top soil. A **less than significant impact** would occur.
- c) A study of the site vicinity projected shallow soils within the project area which consist primarily of loose silty sands (SM on the Unified Soil Classification System) and loose, poorly-graded, fine sands (SP) (LACO 2013b). The topsoils and organic rich soils are thought to be relatively thin (less than ~ 12 inches thick) or nonexistent. The area is underlain by geologically young, unconsolidated Quaternary marine shoreline and eolian (dune) deposits. Fill soils consisting of woody debris, building rubble, and mixed soils may be present near the south eastern portion of the site. Additionally, soils exposed on the ground surface in the southern region of the site contain abundant shell fragments and coarse sand resembling dredge spoils. These fill soils within the project area are considered as "undocumented" because the origin, composition, thickness, and compaction are unknown. As such, these fill soils (where present) are considered to have an unknown, but possible high settlement potential. Proposed project activities will not build any new structures, nor add any fill material; because of this, impacts would be **less than significant**.
- d) As discussed above, the project site and surrounding area are made up of loose silty sands and fine sands. The proposed project would involve maintenance of existing structures and would not create substantial risks to life or property as a result of expansive soils. A **less than significant impact** would occur.
- e) The existing onsite wastewater system includes a 1,800 gallon wet well, wastewater pumping system and leach field. Wastewater flows are from restrooms, sinks and wash stations within the existing buildings, and are of relatively low volume. The wet well is monitored and solids removed by pumping as needed. The proposed uses are projected to generate fewer workers than were employed for pulp mill operations. The District has installed a groundwater monitoring well between the leach field and Humboldt Bay. The design capacity of the existing system is greater than the wastewater flows projected to be generated by the proposed uses. The project activities include adding denitrification treatment at leachfield, maintenance and collection piping repairs. No new or expansion of existing wastewater facilities would result from the proposed project. Because the soils have historically been

capable of adequately supporting the existing wastewater system, the project includes repair/upgrades to parts of the system, and the proposed uses would generate less wastewater than historical usage, the impact would be **less than significant**.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			x	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				x

Discussion

Greenhouse gases are so called because of their role in trapping heat near the surface of the earth; they are implicated in global climate change, commonly referred to as “global warming.” These GHGs contribute to an increase in the temperature of the earth’s atmosphere by preventing the escape of heat in much the same way as glass in a greenhouse. These gases, mainly water vapor, carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), chlorofluorocarbons (CFCs), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆), all act as effective global insulators, reflecting visible light and infrared radiation back to earth. These are released into the earth’s atmosphere through a variety of natural processes and human activities.

Climate change is not a local environmental impact; it is a global impact. Unlike criteria pollutants, CO₂ emissions cannot be attributed to a direct health effect. Human activities, such as producing electricity and driving internal combustion vehicles, have contributed to the elevated concentration of GHG gases in the atmosphere. This in turn is causing the Earth’s temperature to rise. A warmer Earth may lead to changes in rainfall patterns, smaller polar ice caps, a rise in sea level, and a wide range of impacts on plants, wildlife, and humans. There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is much uncertainty concerning the magnitude and rate of the warming and the extent of the impact on environmental systems.

In 2006, the California Global Warming Solutions Act (Assembly Bill 32) definitively established the state’s climate change policy and set GHG reduction targets (health & Safety Code §38500 et seq.), including setting a target of reducing GHG emissions to 1990 levels by 2020. AB 32 requires local governments to take an active role in addressing climate change and reducing greenhouse gas (GHG) emissions. The NCUAQMD does not have rules, regulations, or thresholds of significance for non-stationary or construction-related GHG emissions.

- a) Project implementation would cause GHG emissions as a result of combustion of fossil fuels used in construction equipment and vehicles from workers commuting to and from the project site. The NCUAQMD has not adopted a threshold for construction-related GHG

emissions against which to evaluate significance and has not established construction-generated criteria air pollutant screening levels above which quantitative air quality emissions would be required. Given that construction is short term and the project scale is relatively small, the proposed project would not have a measurable or considerable contribution to the cumulative GHG impact at the local, regional or state level. A **less than significant impact** would occur.

- b) The current Humboldt County General Plan does not include policies relevant to GHG emissions and global warming. Through the ongoing General Plan update process, Humboldt County has informally established relevant draft goals and policies applicable to reducing GHG emissions; however, as of June, 2015 the county has not adopted the General Plan update.

In 2007 the Humboldt County Board of Supervisors initiated a campaign in effort to reduce county-wide carbon emissions by committing to implement the following milestone steps:

- Conduct a baseline emissions inventory and forecast of emissions growth.
- Set an emissions reduction target.
- Develop a Climate Action Plan to meet the emissions reduction target.
- Implement the Climate Action Plan.
- Monitor and report progress and results.

Though not yet adopted or finalized, the ongoing General Plan update recognizes the county's intent to reduce GHG emissions in the unincorporated area resulting from its discretionary land use decisions to 10 percent below 2003 levels by 2020 as part of a county-wide Climate Action Plan. The county also intends to reduce GHG emissions in its own operations to 10 percent below 2003 levels by 2020.

As stated above, Humboldt County has prepared draft goals and policies related to GHG emissions as part of the General Plan update process, but has not yet adopted any formal GHG emission reduction policies in its General Plan or in a Climate Action Plan. Although the project would produce minor construction- and operational related emissions, the project would not conflict with any plans, policies, or regulations, adopted for the purpose of reducing the emissions of greenhouse gases. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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?			x	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of			x	

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				x
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			x	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			x	
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?			x	
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			x	
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?			x	

Discussion

- a, b)** At typical construction sites, onsite materials that could be considered hazardous include fuels, motor oil, grease, various lubricants, solvents, soldering equipment, and glues. Construction activities for the project would be short-term and one-time in nature, and would involve the limited transport, storage, use, or disposal of hazardous materials. Numerous laws and regulations ensure the safe transportation, use, storage and disposal of hazardous materials. Worker safety regulations cover hazards related to exposure to hazardous materials. Regulations and criteria for the disposal of hazardous materials mandate disposal at appropriate landfills. Modern engineering designs for containment and proven BMPs and standards of care would minimize any potential release of hazardous waste to within the project boundary.

The HBHRCDC, contractors, and other construction service providers would be required to comply with hazardous materials laws and regulations for the transport, use, and disposal of hazardous materials. The core group of identified lease tenants would not use or generate hazardous materials. Hazardous materials handling and transportation is regulated and controlled by numerous state, federal, and local agencies. The regulations for handling hazardous materials are sufficiently stringent to render the potential for release to the environment from spill or accidental breach of containment as less than significant. Therefore, the impacts associated with the potential to create a significant hazard to the public or the environment would be considered **less than significant**.

During construction, routine transport of hazardous materials to and from the project site could indirectly result in an incremental increase in the potential for accidents. Caltrans and the California Highway Patrol (CHP) regulate the transportation of hazardous materials and wastes, including container types and packaging requirements, as well as licensing and training for truck operators, chemical handlers, and hazardous waste haulers. Because the HBHRCDC, contractors, and other construction service providers would be required to comply with existing and future hazardous materials laws and regulations for the transport of hazardous materials, the impacts associated with the potential to create a significant hazard to the public or the environment would be **less than significant**.

- c) No schools are located within ¼ mile of the project site. The closest school is Peninsula Union Elementary School approximately 1.4 miles north of the project site. Additionally, the project would not emit hazardous emissions or handle hazardous or acutely hazardous materials. **No impact** would occur.
- d) The project site is a former pulp mill facility that is listed as an open cleanup site on the State Water Resources Control Board (SWRCB) Geotracker website. Upon transfer of site to the HBHRCDC in 2013, the US Environmental Protection Agency (EPA) was contacted to assess the site contamination risks. EPA identified four million gallons of caustic pulping liquors being stored improperly in fragile tanks. EPA determined that the pulping liquors on site posed a serious danger to public and environmental health, making it eligible for an emergency cleanup. Cleanup of contaminants associated with the former pulp mill is nearly complete by EPA and there will continue to be ongoing monitoring to ensure residual contaminants do not pose a threat to the public or the environment. These cleanup areas are located east of the existing buildings and facilities available for lease. There would be no use of the cleanup areas as part of the proposed project. Therefore, the project would not create a significant hazard to the public or the environment. A **less than significant impact** would occur.
- e, f) The project site is located approximately two miles north-east of the Samoa Field Airport (formerly Eureka Municipal Airport). This public general aviation airport is owned by the City of Eureka. The airport has an average of 48 flight operations per week with 60 percent of local origin, and 40 percent transient aircraft. Approximately 10 aircraft are based at the airport (AirNav.com 2015). The airport serves relatively small aircraft and is typically approached from the north or south.

The proposed project would place workers within approximately two miles of the Samoa

Field Airport. However, normal airport operations would not result in airport-related safety hazards for people working in the project area. The project does not include structures or other features which could potentially represent a hazard to aviation. There are no known private airstrips within the project vicinity. A **less than significant impact** would occur.

- g) The Humboldt County Office of Emergency Services (OES) is the primary local coordination agency for emergencies and disasters affecting residents, public infrastructure, and government operations in the County. The County OES coordinates and participates in emergency planning, response, and recovery under the direction of the Sheriff and in collaboration with local, state, and federal partners. The OES would coordinate evacuation planning in the event of seismic events, tsunamis, slope failure, floods, storms, fires, and hazardous materials spills.

The project site is located within a mapped tsunami inundation area. Safe evacuation areas are located on the high dunes approximately 1.4 miles north of the project site. The project would not impair implementation of or physically interfere with implementation of tsunami or other evacuation plans because it would not obstruct evacuation routes and would not necessitate any changes to existing evacuation plans. A **less than significant impact** would occur.

- h) Grass fires have been known to occur on the Samoa Peninsula; however the severity of these fires is typically limited due to the proximity to the Samoa Peninsula Fire District in Fairhaven and Humboldt Bay Fire in Eureka. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?			x	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				x
c) Substantially alter the existing drainage pattern of the site or area, including through stream or river course alteration, in a manner which would result in substantial erosion or siltation onsite or offsite?			x	

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?			x	
e) 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?			x	
f) Otherwise substantially degrade water quality?			x	
g) Place housing within a 100-year flood hazard Area 1 as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			x	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			x	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				x
j) Inundation by seiche, tsunami, or mudflow?			x	

Discussion

a, f) Construction activities can introduce pollutants to stormwater runoff including sediment, paints, solvents, construction debris, trash, and fluids from construction vehicles. The proposed project would involve negligible ground disturbance, therefore substantial sediment runoff is not anticipated. The project would implement construction BMPs to protect stormwater quality. Below are examples of the actions that would be incorporated into project construction as necessary to reduce soil erosion and protect water quality.

1. Erosion and sediment control actions will be in effect and maintained by the contractor on a year-round basis until all disturbed areas are stabilized.
2. Stockpiled material will be covered or watered daily sufficient to eliminate dust.
3. Fiber rolls or similar products will be utilized to reduce sediment runoff from disturbed soils.
4. A stabilized construction entrance will be maintained to minimize tracking of mud and dirt from construction vehicles onto public roads.
5. Storm drain inlets receiving stormwater runoff will be equipped with inlet protection.

The Harbor District would amend the existing SWPPP as necessary to address information regarding design, implementation, operation, monitoring, and reporting of activities associated with construction activities.

When the former pulp mill was operational, the existing ocean outfall pipe was permitted for 15 million gallons per day discharge. Although not currently in use, future site tenants may necessitate outfall pipe use, which would require review and approval from the North Coastal Regional Water Quality Control Board (NCRWQCB).

In association with remediation of the former pulp mill facilities, the Harbor District, in consultation with the NCRWQCB, sealed sewer system inlets and outlets with cement plugs to prevent pollutants from entering the stormwater system at Inlet#5 that connects to the outfall pipe extending into the Pacific Ocean. An additional monitoring well has been installed between the existing system and Humboldt Bay.

With implementation of the erosion control measures above and the SWPPP the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality. The impact would be **less than significant**.

- b) The proposed project would not require the use of groundwater wells, interfere with groundwater recharge or require any groundwater pumping. The site is not a substantial recharge area for any groundwater recharge basin and there would be no increase in impervious surfaces. Therefore, **no impacts** on groundwater would occur as a result of the proposed project.
- c, d) The project would not substantially alter the existing drainage pattern of the project site or in the area, and would not alter any waterway. Drainage from the site generally infiltrates the substrate or flows directly into Humboldt Bay. Additionally, the site contains a system of storm drain inlets and piping that discharge to Humboldt Bay. The project would involve maintenance of existing facilities that would not result in substantial erosion or siltation and would not increase the rate or amount of surface runoff. Drainage patterns on the site would remain the same as current patterns. A **less than significant impact** would occur.
- e) As discussed above, the site contains a system of storm drain inlets and piping that discharge to Humboldt Bay. Stormwater generally flows away from on-site facilities and either infiltrates into the ground or flows into the stormwater system. The project would not be expected to cause on- or off-site flooding given that the project would not increase impervious surface area. Runoff will continue to infiltrate to the soils and/or through the stormwater system and to Humboldt Bay. The proposed project would not change the existing on-site storm drain system and would not create or contribute runoff that would exceed system capacity. The effects on storm drainage system capacity would be **less than significant**.
- g, h) The eastern portion of the project site adjacent to Humboldt Bay is located within the 100-year flood zone according to Humboldt County's GIS. The project, however, will not place housing within the 100-year flood zone or place new structures within the 100-year flood zone that would impede or redirect flood flows. A **less than significant impact** would

occur.

- i) The project site is located in a coastal settings but is not located within any levee or dam failure inundation zone. The proposed project would not expose people or structures to a significant risk of loss, injury, or death involving flooding. **No impact** would occur.
- j) The project site is located within a mapped tsunami inundation area and may be subject to inundation in the event of a tsunami or seismically generated seiche in Humboldt Bay. The project area has been subject to past tsunami evacuation planning. There is a designated tsunami evacuation site approximately 1.4 miles north of the project site on high elevation dunes adjacent to Peninsula Union Elementary School. The onsite landfill berms are of sufficient height as to not be inundated during the event predicted in the Samoa Peninsula plan, and could be used as a Redwood Marine Terminal II and Town of Fairhaven evacuation site. The tsunami inundation area and evacuation routes would be disclosed to tenants and tsunami evacuation routes would be posted on-site. The project site is not down-gradient of a debris-flow source and would not be subject to mudflows. Although the project is located within a potential tsunami inundation zone, because evacuation plans exist and because the project would not impede any identified evacuation route, the impact would be **less than significant**.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				x
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			x	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				x

Discussion

- a) The project consists of maintenance activities and allowing industrial uses within existing facilities. No aspect of the project would physically divide an existing community; therefore, **no impact** would occur.
- b) The site is designated and zoned for coastal dependent industrial use (MC). Around Humboldt Bay there are over 1,800 acres of underutilized coastal dependent industrial designated land and demand for uses conforming with all applicable requirements is very low. The District is proposing an innovative pilot project that will allow for compatible

industrial, manufacturing, energy generation and research uses until there is increased demand for coastal dependent uses.

The proposed project would allow for a range of general industrial and research related uses that would utilize existing warehouse and other site facilities with no changes to size, shape, and capacity of buildings or infrastructure. This project would permit aquaculture, coastal-dependent, coastal-related, heavy industrial, and research/ light industrial use types. Priority will be given to aquaculture, coastal dependent and coastal related uses and similar uses where a substantial conformity determination can be made. Leases for other listed and similar uses will be shorter term, five years or less, with limited tenant improvements. Should aquaculture, coastal dependent and coastal related use tenants become viable, other tenants occupying space proposed for those uses will have a lease clause to vacate within 6 months.

With approval of the proposed conditional use permit and implementation of appropriate lease terms specifying allowable uses and time frames, the project would not conflict with County General Plan policies. A **less than significant impact** would occur.

- c) Humboldt County does not have an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved conservation plan. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
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?				x
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				x

Discussion

- a-b) There are neither known mineral resources of value to the region nor known locally important mineral resources located on the project site. **No impact** to mineral resources would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
NOISE: Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or			x	

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
noise ordinance, or applicable standards of other agencies?				
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?			x	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			x	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			x	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			x	

Discussion

The proposed project site is located in a sparsely populated area, surrounded primarily by industrial uses where noise is part of general operations. The closest noise receptors during both daytime and nighttime are the residences in the existing town of Samoa, approximately one mile from the project site. Humboldt Bay is east of the site and to the west is New Navy Base Road and the Pacific Ocean.

The Humboldt County General Plan specifies that noise levels of 45 dB Ldn indoors and 55 dB Ldn outdoors are the maximum noise level below which there are no effects on public health and welfare. However, higher outdoor levels are identified as “normally acceptable” (60 dB to 70 dB Ldn) and “normally unacceptable” (70 dB to 80 dB Ldn).

a, c, d) The primary noise sources in the project area are traffic noise from New Navy Base Road, the adjacent industrial uses, and the Pacific Ocean. Noise impacts from the project itself would be minimal due to the nature of the project and distance of the project site to sensitive receptors.

Construction activities associated with the project could temporarily increase ambient noise levels. Demolition and dismantling of former pulp mill facilities and hazardous materials clean-up activities have been ongoing on the site for the past couple of years with no

significant noise impacts. Construction noise would be limited in duration and intensity such that construction noise at sensitive receptors would be less than significant.

During hours of operation, noise sources would include vehicle and truck traffic and noise generated from heavy machinery. Employees at the facility would be most exposed to these noises and/or vibrations, and would be required to comply with all applicable work safety practices to minimize noise impacts. Potential uses involving heavy machinery would be contained within existing buildings and would be required to meet the industrial performance standards of the zoning ordinance. Noise would not exceed 70 dB at property line.

Due to the isolated and industrial nature of the area, the project is not anticipated to result in a substantial permanent, temporary, or periodic increase in ambient noise levels in the project vicinity above levels existing without the project. A **less than significant impact** would occur.

- b) Proposed project activities would not generate excessive ground borne vibration or ground born noise levels. Construction activities could create a small temporary increase in ground borne vibrations, but the vibration would diminish rapidly with distance from the construction equipment. The project does not include any pile driving. Potential uses involving heavy machinery would be contained within existing buildings and would be required to meet the industrial performance standards of the zoning ordinance, which protect adjacent properties from excessive noise and vibrations. The project would not significantly expose persons to noise or vibration levels in excess of standards. A **less than significant impact** would occur.
- e, f) The project site is located approximately two miles north-east of the Samoa Field Airport (formerly Eureka Municipal Airport). This public general aviation airport is owned by the City of Eureka. The airport has an average of 48 flight operations per week with 60 percent of local origin, and 40 percent transient aircraft. Approximately 10 aircraft are based at the airport (AirNav.com 2015). The airport serves relatively small aircraft and is typically approached from the north or south. There are no know private airstrips in the project vicinity.

The proposed project would place workers within approximately two miles of the Samoa Field Airport. However, the project site is not directly under the typical north-south take-off/landing approach path. Normal airport operations would not expose people in the project area to excessive noise levels. Additionally, the project would not result in significant changes to the noise levels that would expose people in the project area to excessive noise levels. A **less than significant impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant with Mitigation	Less Than Significant	No Impact
POPULATION AND HOUSING: Would the project:				
a) Induce substantial population growth in the area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				x
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				x
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				x

Discussion

- a-c)** The project consists of maintenance activities and allowing industrial uses within existing facilities. The project may result in job creation associated with industrial type uses. However, this would not induce substantial population growth and would not result in the extension of utilities or roads. The project would not create new housing or displace existing housing or people necessitating the construction of replacement housing. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of 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:				
a) Fire protection?				x
b) Police protection?				x
c) Schools?				x
d) Parks?				x
e) Other public facilities?				x

Discussion

- a-c)** The Samoa Peninsula Fire District station is located in Fairhaven, approximately 1 mile south of the project site and police protection is provided by the Humboldt County Sheriff Department. The project would not directly or indirectly induce substantial population growth nor create substantial new demand for services. The project would have no impact on service ratios, response times, or other performance objectives for schools, parks, or other public facilities. The project would not require new or physically altered governmental facilities. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
RECREATION: Would the project:				
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?				x
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?				x

Discussion

- a-b) The project would not directly or indirectly induce substantial population growth. Therefore, the project would not 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. The project does not include and would not require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment. **No impact** would occur.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.			x	
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				x

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				x
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				x
e) Result in inadequate emergency access?				x
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				x

Discussion

New Navy Base Road is a predominantly two-lane rural arterial road posted at 55 miles per hour with passing lanes, acceleration lanes, and center medians incorporated intermittently. The road provides primary access to Highway 255 and Highway 101 to the north. All other streets accessing New Navy Base Road are controlled with one-way stop sign intersections, while New Navy Base Road itself is not controlled until its intersection with Highway 255. The project site would be accessed from Vance Avenue via Samoa Pulp Lane (private roadways), which intersects New Navy Base Road (County road).

Samoa Pulp Lane intersects New Navy Base Road at a 90-degree "T" intersection. There is a stop sign for traffic on Samoa Pulp Lane driving onto New Navy Base Road. The intersection has a right-turn lane and an acceleration lane for traffic traveling northbound onto New Navy Base Road. There is also a short acceleration lane for left turns onto New Navy Base Road southbound. On both the southbound and northbound approaches from New Navy Base Road, the single travel lane splits into two lanes to facilitate turning onto Samoa Pulp Lane. The intersection of Samoa Pulp Lane and Vance Avenue is also a "T" intersection, although larger radii allow wide turn movements for large trucks.

- a) There is not expected to be an increase in traffic to and from the site as a result of new uses, compared to past facility use. Project related traffic would be associated with both employees and other operational truck traffic depending on the type of use. Truck traffic to and from the site would use New Navy Base Road to Samoa Pulp Lane to Vance Avenue and then to the project site; trucks would use the same route when exiting. There would be a maximum of 20 truck trips per day.

The estimated parking requirements, based on Humboldt County Code (H.C.C.) standards for industrial uses per building square foot, are shown in the table below. There is approximately 255,510 square feet of onsite space available for parking, loading, and associated travel ways. This includes paved and unpaved areas both north and south of the

shops & stores, machine, and warehouse buildings. These areas could accommodate up to 800 standard parking spaces. Therefore, there is more than enough capacity to meet parking requirements. Vehicle trips would be generated primarily by employees traveling to and from the site.

Proposed Use	H.C.C Parking Standards 313-109.1.4.4	Minimum Number of Parking Spaces Required
Management Offices 3,650 square feet	One parking space for every 300 sq.ft. plus one for each employee	12 (plus one for each office employee)
Manufacturing 71,440 square feet	Either one parking space for each 1,500 sq.ft. or one space for each employee at peak shift	48
Warehouse 131,200 square feet	Either one parking space for each 2,500 sq.ft. or one space for each four employees	53
TOTAL REQUIRED		113

Because daily traffic estimates resulting from the project would be much lower than those previously experienced at the project site and the baseline traffic conditions have not significantly changed, potential impacts would not significantly alter the current level of service to existing roads within the project area. The project will not conflict with any plans, ordinances, or policies establishing measures of effectiveness for the performance of the circulation system. A **less than significant impact** would occur.

- b) There is no applicable Congestion Management Program; therefore, there would be **no impact**.
- c) The project site is located approximately two miles north-east of the Samoa Field Airport (formerly Eureka Municipal Airport). The project would not result in a change in or impact to air traffic patterns. **No impact** would occur.
- d) The project would not alter any street or roadway network or result in incompatible uses on public roadways. **No impact** would occur.
- e) There would be no lane closures on major or through highways or streets. The project will not substantially alter existing emergency access routes. **No impact** would occur.
- f) There are no plans or policies regarding public transit or alternative transportation that apply specifically to the project area. The streets serve as adequate bicycle and pedestrian routes, though for the most part they are not designated or signed as such. There is no public transportation service to any part of the project area. The project would not conflict with policies nor adversely affect facilities for public transit, bicycles, or pedestrians. There would be **no impact**.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			x	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			x	
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				x
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			x	
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			x	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			x	
g) Comply with federal, state, and local statutes and regulations related to solid waste?			x	

Discussion

The proposed project site contains water and wastewater treatment systems formerly associated with pulp mill operations. The project would involve renovations to these systems including piping repairs and wastewater treatment with added denitrification. These renovations would not expand the facility capacity. Additionally, proposed project uses would require less water and produce less wastewater than previous site uses.

- a) The existing onsite wastewater treatment system includes a 1,800 gallon wet well, wastewater pumping system and leach field. The wet well is monitored and solids are removed by pumping as needed. The District has installed a groundwater monitoring well between the leach field and Humboldt Bay. As mentioned previously, the proposed project involves upgrades to the wastewater system including- onsite leachfield denitrification upgrade, maintenance and collection piping repairs. Monitoring and upgrades to existing facilities as a

part of the proposed project would ensure that wastewater treatment requirements of the RWQCB would not be exceeded; a **less than significant** impact would occur.

- b) Wastewater flows are from restrooms, sinks and wash stations within the existing buildings, and are of a relatively low volume. The proposed uses are projected to generate fewer workers than were employed for previous onsite pulp mill operations and the design capacity of the existing system is greater than the wastewater flows projected to be generated by the proposed uses. The onsite water filtration system and clarifiers were used primarily to treat industrial water to water quality standards required for pulp production. These systems are still operational should they be needed by the proposed users. With a relatively low volume of use for existing facilities, expansion and construction of new water or wastewater treatment facilities would not occur as a result of the proposed project and a **less than significant impact** would occur.
- c) Proposed project construction would not result in any new structures, expanded impermeable surfaces, or increased run off. Refer to the Hydrology and Water Quality section for discussion of stormwater. No expansion or new stormwater facilities are proposed; therefore **no impact** would occur.
- d) Humboldt Bay Municipal Water District (HBMWD) service includes both domestic and industrial water delivery to the site. The domestic system serves restrooms and related facilities requiring potable water. The industrial supply system has 30 million gallons/day water delivery and treatment capacity and a two million gallon storage tank adjacent to New Navy Base Road. The proposed project would require less water than system capacity and would use less than historic pulp mill activities. HBMWD has sufficient water supplies available to serve the project from existing entitlements; therefore impacts are considered **less than significant**.
- e) The project site has an onsite wastewater treatment system that was designed for pulp mill operation and has greater capacity than needed for proposed tenant uses. No wastewater will be treated off site. A **less than significant impact** would occur.
- f) Humboldt County, through Humboldt Waste Management Authority, trucks its solid waste approximately 175 miles to two out-of-county landfills (Humboldt County 2012). One third of this waste ships to Dry Creek landfill near Medford, Oregon under a long-term contract. The remaining two thirds of solid waste are hauled to the Anderson landfill near Redding, California. These two landfills together allow the county to meet its landfill disposal needs for the next 20 years. Construction of the upgrades and renovations to facilities would generate a small volume of construction waste that would be hauled by the construction contractor to an approved disposal site. Long-term ongoing waste disposal needs are expected to be comparatively low compared to previous site uses. Both the Anderson Landfill and the Dry Creek Landfill have adequate capacity to handle and dispose of solid waste generated by project activities. A **less than significant impact** would occur.
- g) Construction of the project improvements and renovations would generate a small volume of construction waste that would be hauled by the construction contractor to an approved disposal site. Waste would include construction materials remnants, replaced materials, and worker-generated trash and debris. During construction and operation of the project, the

District must comply with all County, and State solid waste diversion, reduction, and recycling mandates, including compliance with the Humboldt County Integrated Waste Management Plan; therefore, impacts would be **less than significant**.

Issues and Supporting Information	Potentially Significant	Less Than Significant With Mitigation	Less Than Significant	No Impact
MANDATORY FINDINGS OF SIGNIFICANCE:				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			x	
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)			x	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			x	

Discussion:

Certain mandatory findings of significance must be made to comply with CEQA Guidelines §15065. The proposed project has been analyzed, and it has been determined that it would not:

- Substantially degrade environmental quality;
- Substantially reduce fish or wildlife habitat;
- Cause a fish or wildlife population to fall below self-sustaining levels;
- Threaten to eliminate a plant or animal community;
- Reduce the numbers or range of a rare, threatened, or endangered species;
- Eliminate important examples of the major periods of California history or pre-history;
- Achieve short term goals to the disadvantage of long term goals;
- Have environmental effects that will directly or indirectly cause substantial adverse effects on human beings; or

- Have possible environmental effects that are individually limited but cumulatively considerable when viewed in connection with past, current, and reasonably anticipated future projects.
- a) The project as a whole does not have the potential to substantially degrade the quality of the environment including, fish or wildlife species or their habitat, plant or animal communities, or eliminate important examples of California history or prehistory. The proposed project is not located in an area where the degradation of biological communities would occur. See Biological Resources Section for a specific discussion of biological resources supporting this finding. No impacts to known historic and cultural resources would occur. See Cultural Resources Section for a specific discussion of historic resources supporting this finding.
- b) The project's individual impacts would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, historic resources, traffic impacts, or air quality degradation. Incremental impacts, if any, would be small and undetectable. All potential impacts would be less than significant with implementation of mitigation measures.
- c) The project is not expected to have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly. The proposed project has been designed to be consistent with General Plan policies and zoning requirements, and measures to reduce project related impacts to the environment have been incorporated into the project design wherever possible to ensure compliance.

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APPENDIX A - Special Status Species Evaluated

Scientific Name	Common Name	Federal/State/C NPS Status	General Habitat	Likelihood of Occurance
Amphibians				
<i>Rana aurora</i>	northern red-legged frog	SSC	Breeds in marshes and seasonal wetlands, forages in surrounding uplands	Moderate: Suitable habitat may be present east of Vance Ave.
Birds				
<i>Accipiter cooperii</i>	Cooper's hawk	WL	woodland, riparian forest, upper montane coniferous forest	No suitable habitat within project area.
<i>Circus cyaneus</i>	northern harrier	SSC	marshes, fields, prairies	No suitable habitat within project area.
<i>Pandion haliaetus</i>	osprey	WL	Coastal areas, including shoreline of Humboldt Bay	High: Suitable habitat present, known to occur in project vicinity.
<i>Ardea alba</i>	great egret	-	Forages in wetlands and pastures	Moderate: Suitable habitat may be present east of Vance Ave.
<i>Ardea herodias</i>	great blue heron	-	Forages in wetlands	Moderate: Suitable habitat may be present east of Vance Ave.
<i>Brachyramphus marmoratus</i>	marbled murrelet	FT	Oldgrowth	No suitable habitat within project area.
<i>Coccyzus americanus</i>	western yellow-billed cuckoo	PT	Open woodlands with clearings and a dense shrub layer, often found in woodlands near streams, rivers or lakes.	No suitable habitat within project area.
<i>Egretta thula</i>	snowy egret	-	Forages in wetlands	Moderate: Suitable habitat may be present east of Vance Ave.
<i>Nycticorax nycticorax</i>	black-crowned night heron	-	Forages in wetlands	Moderate: Suitable habitat may be present east of Vance Ave.
<i>Charadrius alexandrinus nivosus</i>	western snowy plover	FT, SSC	Ocean beaches, gravel bars in Eel River	No suitable habitat within project area.
<i>Riparia riparia</i>	bank swallow	-	Nests in bluff faces and steep river cut banks	No suitable habitat within project area.
<i>Setophaga petechia</i>	yellow warbler	SSC	Thickets along streams and wetlands	Low: Suitable habitat may be present east of Vance Ave.
<i>Strix occidentalis caurina</i>	northern spotted owl	FT	Lower montane coniferous forest/ oldgrowth	No suitable habitat within project area.
<i>Rallus longirostris obsoletus</i>	California clapper rail	FE, FP	Salt marsh	No suitable habitat within project area.
Fish				
<i>Acipenser medirostris</i>	green sturgeon	FT, SSC	Ocean and estuary, present in Humboldt Bay	No suitable habitat within project area.
<i>Eucyclogobius newberryi</i>	tidewater goby	FE, SSC	Brackish backwaters and lagoons	No suitable habitat within project area.
<i>Spirinchus thaleichthys</i>	longfin smelt	FC, SSC	Aquatic, estuary	No suitable habitat within project area.
<i>Thaleichthys pacificus</i>	eulachon	FT, SSC	Aquatic, Klamath North Coast flowing waters	No suitable habitat within project area.
<i>Oncorhynchus clarkii clarkii</i>	coast cutthroat trout	SSC	Anadromous, breeds in rivers and streams	No suitable habitat within project area.
<i>Oncorhynchus kisutch</i>	coho salmon - southern Oregon / northern California ESU	FT, SSC	Anadromous, breeds in rivers and streams	No suitable habitat within project area.
<i>Oncorhynchus mykiss irideus</i>	steelhead - northern California DPS	FT, SSC	Anadromous, breeds in rivers and streams	No suitable habitat within project area.
<i>Oncorhynchus tshawytscha</i>	chinook salmon - California coastal ESU	FT	Anadromous, breeds in rivers and streams	No suitable habitat within project area.

Insects				
<i>Cicindela hirticollis gravida</i>	sandy beach tiger beetle		Sandy areas adjacent to water	Low: Suitable habitat may be present east of Vance Ave.
Reptiles				
<i>Emys marmorata</i>	western pond turtle	SCC	Rivers, ponds, permanent marshes	No suitable habitat within project area.
Plant Communities				
Northern Coastal Salt Marsh	Northern Coastal Salt Marsh	-	Marsh and swamp/ wetland	No suitable habitat within project area.
Plants				
<i>Bryoria pseudocapillaris</i>	false gray horsehair lichen		Usually on conifers in coastal dunes and 3.2 North Coast coniferous forest within the Immediate coast	No suitable habitat within project area.
<i>Bryoria spirallifera</i>	twisted horsehair lichen	1B.1	North Coast coniferous forest within the Immediate coast	No suitable habitat within project area.
<i>Angelica lucida</i>	sea-watch		4.2 Coastal bluff scrub, coastal dunes, coastal scrub, coastal salt marshes and swamps	Low: Suitable habitat may be present east of Vance Ave.
<i>Glehnia littoralis</i> ssp. <i>lelocarpa</i>	American glehnia		4.2 Coastal dunes	Low: Suitable habitat may be present east of Vance Ave.
<i>Hesperis matronalis</i> var. <i>brevifolia</i>	short-leaved evax	1B.2	Coastal Bluff scrub/ coastal dunes	Low: Suitable habitat may be present east of Vance Ave.
<i>Layla carnosa</i>	beach layla	FE, 1B.1	coastal dunes/ coastal scrub	Low: Suitable habitat may be present east of Vance Ave.
<i>Erysimum menziesii</i>	Menzies' wallflower	FE, 1B.1	Dune mat	Moderate: Suitable habitat may be present along southern property boundary
<i>Spergularia canadensis</i> var. <i>occidentalis</i>	western sand-spurrey	2B.1	coastal, salt marsh	Low: Suitable habitat may be present east of Vance Ave.
<i>Carex arcta</i>	northern clustered sedge	2B.2	Wet areas	Low: Suitable habitat may be present east of Vance Ave.
<i>Carex lyngbyei</i>	Lyngbye's sedge	2B.2	Estuaries, coastal salt marsh, brackish marshes	Low: Suitable habitat may be present east of Vance Ave.
<i>Carex praticola</i>	northern meadow sedge	2B.2	Meadow and seep /wetlands	Low: Suitable habitat may be present east of Vance Ave.
<i>Astragalus pycnostachyus</i> var. <i>pycnostachyus</i>	coastal marsh milk-vetch	1B.2	Coastal prairie, coastal strand, wetland	Low: Suitable habitat may be present east of Vance Ave.
<i>Lathyrus japonicus</i>	seaside pea	2B.1	Coastal dunes from Humboldt to Del Norte Counties	Low: Suitable habitat may be present east of Vance Ave.
<i>Lathyrus palustris</i>	marsh pea	2B.2	Bog, fen, marsh, swamp wetland, coastal prairies, coastal scrub	Low: Suitable habitat may be present east of Vance Ave.
<i>Erythronium revolutum</i>	coast fawn lily	2B.2	Redwood forest, mixed evergreen forest, wetland, stream banks	No suitable habitat within project area.
<i>Lycopodium clavatum</i>	running-pine		4.1 Marsh and swamp, north coast coniferous forest/ wetland	No suitable habitat within project area.
<i>Sidalcea malachroides</i>	maple-leaved checkerbloom		Disturbed areas in broadleaved upland forest, 4.2 coastal prairie, coastal scrub, North Coast coniferous forest	No suitable habitat within project area.
<i>Sidalcea malviflora</i> ssp. <i>patula</i>	Siskiyou checkerbloom	1B.2	broad-leaved upland forest, coastal prairie	No suitable habitat within project area.
<i>Sidalcea oregana</i> ssp. <i>eximia</i>	coast sidalcea	1B.2	lower montane and north coast coniferous forest/meadow and seep, wetland	No suitable habitat within project area.
<i>Monotropa uniflora</i>	ghost-pipe	2B.2	broad-leaved upland forest, coastal prairie	No suitable habitat within project area.

Montia howellii	Howell's montia	2B.2	meadows and seeps, coniferous forest, vernal pools	No suitable habitat within project area.
Abronia umbellata var. breviflora	pink sand-verbena	1B.1	sandy soils, coastal scrub, lees of dunes near strand, open sandy beaches	No suitable habitat within project area.
Oenothera wolfil	Wolf's evening-primrose	1B.1	grasslands, coastal strand, roadsides, bluffs, sandy soils, areas protected from NW exposure	Low: Suitable habitat may be present east of Vance Ave.
Castilleja ambigua var. humboldtensis	Humboldt Bay owl's-clover	1B.2	Salt marsh, occurs near Mad River Slough and other salt marshes around Humboldt Bay	Low: Suitable habitat may be present east of Vance Ave.
Castilleja littoralis	Oregon coast paintbrush	2B.2	dry areas along bluffs	No suitable habitat within project area.
Chloropyron maritimum ssp. palustre	Point Reyes salty bird's-beak	1B.2	salt marsh	No suitable habitat within project area.
Gilia capitata ssp. pacifica	Pacific gilia	1B.2	Coastal bluff scrub/ coastal prairie/ valley and foothill grassland	No suitable habitat within project area.
Gilia millefoliata	dark-eyed gilia	1B.2	Coastal Dunes	High: Present along southern property boundary.
Viola palustris	alpine marsh violet	2B.2	bog and fen/ coastal scrub and wetland	Low: Suitable habitat may be present east of Vance Ave.

CNDDDB access July 20, 2015. USGS 7.5' Quadrangle: Eureka

FEDERAL - US Fish & Wildlife Service

Federal Endangered (FE); Federal Threatened (FT); Federal Proposed (FP, FPE, FPT); Federal Candidate (FC); Federal Species of Concern (FSC)

STATE - CA Dept. of Fish & Wildlife

State Endangered (SE); State Threatened (ST); State Species of Special Concern (SSC)

California Native Plant Society (CNPS) Rare Plant Ranks

1A - Plants presumed extinct in CA and rare or extinct elsewhere

1B - Plants rare, threatened, or endangered in California and elsewhere

2B - Plants rare, threatened, or endangered in California, but more common elsewhere

3: Plants about which we need more information

4: plants of limited distribution

Threat Ranks:

0.1 - seriously threatened in CA

0.2 - fairly threatened in CA

0.3 - not very threatened in CA