

5. Other CEQA Required Sections

5.1 Environmental Issues Determined Not to Be Significant

CEQA Guidelines Section 15128 requires an Environmental Impact Report (EIR) to briefly describe any possible significant effects that were determined not to be significant and were, therefore, not discussed in detail in the Draft EIR. For the purposes of this Draft EIR, an evaluation of agriculture and forestry resources, land use, mineral resources, public services, recreation, and tribal cultural resources were eliminated from further consideration during the scoping phase of the environmental analysis for the reasons presented below.

5.1.1 Agriculture and Forestry Resources

The Project Site does not include any Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or land covered by a Williamson Act contract (County 2020). There are no parcels in the Project Area that are in agricultural production. In addition, the Project Site is not zoned for agricultural, forest land, or timberland, nor are there any agricultural or forest lands within the confines of the Project Site (Humboldt County 2020). No impact to agriculture or forest resources would occur.

5.1.2 Land Use

The Project would not divide an established community. The Project Site and surrounding area is overwhelmingly industrial area with the nearest residential communities being Fairhaven and Finntown, which are located approximately one mile to the southwest. The Town of Samoa is located approximately one mile to the northwest. The Project would not block, modify, or alter vehicle or pedestrian circulation on any existing streets or paths. No impact related to dividing an established community would result.

The Project Site is zoned Coastal Dependent Industrial (MC); the proposed use of “Aquaculture” is principally permitted in this zone. Principally permitted uses are uses that are explicitly approvable and expected within a given zone district. The Humboldt County Code contains a number of land use regulations intended to avoid and mitigate environmental impacts. Among these, §313-45.1 of the Humboldt County Code contains industrial performance standards intended to reduce the impact of coastal industrial development on coastal resources.

Humboldt County Code §313-45.1 seeks to reduce the impact of coastal dependent industrial development on coastal resources by requiring alternative sites to be considered for new coastal dependent industrial uses. Alternative sites, once identified, are classified according to a priority schedule consisting of four levels, ranging from Priority 1 to Priority 4.

Priority 1 sites are considered the most suitable (i.e. minimal impacts to coastal resources), while Priority 4 sites are considered the least suitable. Following consultation with the County Staff, the proposed facility was found to be a Priority 2 site because it requires the construction of new facilities to accommodate the proposed use but does not involve the conversion of wetlands. The Alternative Sites analysis required by the Humboldt Bay Area Plan (HBAP) (incorporating Section 30260 of the Coastal Act) is distinct from the alternatives analysis included in Chapter 4 of this Environmental Impact Report (EIR).

The Alternative Sites analysis required by §313-45.1.3.1 was initiated by County Staff as a component of the required corresponding Coastal Development Permit application. Priority Site 2 Letters seeking alternative site location proposals for the Project were sent to the following agencies in November 2020: California Coastal Commission, Humboldt Bay Harbor Recreation and Conservation District, Army Corps of Engineers, and the Humboldt County Planning and Building Department, Long Range Planning Division. Based upon responses received from the solicited

agencies, the County has determined the RMT II Site is the most appropriate location for the Project, given the alternative sites evaluated do not meet the minimum Project requirements, including necessary intake and outfall infrastructure. Given the Project is a principally permitted Priority 2 site, requirements of the Local Coastal Program would be met, the Project would be consistent with the applicable policies of the certified Local Coastal Program and the Humboldt County Code, and would therefore no impact would occur.

5.1.3 Minerals

Humboldt County has not yet been included in the California Mineral Land Classification System by the State Mining and Geology Board to designate lands containing mineral deposits of regional or statewide significance, and there are no mining operations in the Project Area. Construction of the Project would not result in the loss of a known mineral resource or availability of a locally-important mineral resource recovery site as delineated on a land use plan, such as a local general plan or specific plan. Neither the County of Humboldt General Plan nor HBAP designate the Project Site as having a known mineral resource of value (Humboldt County 2014, Humboldt County 2017). No impact to mineral resources would occur.

5.1.4 Public Services

The Project would not require new or physically altered government facilities. The Project's facility's fire and medical response needs can be met by the PCSD Fire Department (Nicolini personal communication 2020). Hazardous materials emergency response is provided by the Humboldt Bay Fire via a mutual aid agreement. Water based fire suppression is provided by the Harbor District. The Project would not increase the need for additional police protection at the facility. The Project is anticipated to employ approximately direct 150 full time employees once the facility is fully operational. Nordic is currently working with Humboldt State University, College of the Redwoods and Humboldt County Office of Education to support the engagement, education and training of local students and residents to help address future workforce needs. Developing the local workforce and implementing robust on-the-job training and advancement programs is therefore anticipated to reduce the need for outside-the-area recruitment and the demand on public services. Nordic anticipates that less than 10 of these positions would be filled with workers outside of the Humboldt Bay Area to the highly specialized experience required and the scarcity of these resources in the market. The remaining positions, approximately 140, are anticipated to be filled by local residents. Therefore, the minimal increase in population to fill the 10 specialized positions would not require additional police or fire services and would not create a need for additional school, parks, or other public facilities would not increase. No impact would result.

5.1.5 Recreation

The Project Site is not currently open to the public, nor has it supported recreational activities in the past. The Project Area does not have a history of land uses involving recreation; rather it has been used as a pulp mill site and for industrial paper manufacturing. Construction of the Project would not block access or in any way limit access to the three nearby coastal access points, including boating recreation on Humboldt Bay. The Project would not include the use of existing parks or recreational facilities; thus, use of such facilities would not increase or accelerate. Incidental use of the beach access points near the proposed facility may occur given close proximity to the Project. No impact would result.

As described in Section 3.12 Transportation, public access protection policies of the California Coastal Act and the Humboldt Bay Area Plan require protection of public recreational access to the coast. The Project Site is located directly east of New Navy Base Road at the intersection of New Navy Base Road and LP Drive across from an informal access point to Samoa Beach known as Milwaukee Beach Access Point. Roadside parking in this area provides little buffer between industrial trucks and recreational visitors who utilize these non-designated parking areas. In an effort to reduce unwarranted parking and increase safety for recreational users, two nearby projects have been approved by the County of Humboldt. The Humboldt County Department of Public Works implemented Ordinance 2659 (Humboldt County Code Section 431-79), which prohibits parking on the westside of New Navy Base Road between designated hours in an effort to discourage off road vehicle use of adjacent vegetated dunes. Additionally, as a required condition of approval to the Samoa Town Master Plan Project (County CDP Case No. PLN-2020-16401),

required improvements will be executed to dedicate Milwaukee Beach Access as a parking lot with 10 parking spaces, including one handicap accessible parking space. Cumulatively, these projects will enhance the overall public recreational access points adjacent from the Project Site.

There is no federal, state, or local policy in effect that would necessitate the creation or expansion of a recreational facility as a result of the Project. The policies of the HBAP call for the protection of existing coastal points, but does not impose a requirement to create or expand coastal access in this situation. Therefore, the Project would not result in the required construction or expansion of recreation facilities. No impact would result.

5.1.6 Tribal Cultural Resources

The Project Area is within the traditional territory of the Wiyot Tribe, which once encompassed several hundred square miles extending from the Bear River Mountains in the south to the Little River in the north; and in general, the first mountain range crest to the east.

The Project Site is not listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code section 5020.1(k).

Consistent with the requirements of CEQA and the requirements of Public Resources Code section 21080.3.1, Humboldt County initiated consultation regarding tribal cultural resources pursuant to Assembly Bill (AB) 52 via letter on November 10, 2020, with the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, Cher-Ae Heights Indian Community of the Trinidad Rancheria, and the Wiyot Tribe. Although the Project Site is outside of the ancestral territory of the Yurok Tribe, the County held a preliminary consultation meeting with Yurok Tribe representatives on March 2, 2021, and a formal request for consultation was sent via email to the Yurok Tribe on March 3, 2021.

A request for consultation was received by the County on November 19, 2020 from Edwin Smith, Vice-Chairperson of the Bear River Rancheria Tribal Council. Following the request for formal AB 52 Consultation with the Bear River Band of the Rohnerville Rancheria, a formal meeting was held on December 9, 2020. No tribal cultural resources were identified, though questions regarding fish species, fish escape measures, and effluent discharge were raised. The County provided a follow-up letter to Vice-Chairperson Smith on February 9, 2021, as a formal response to the requested information and concerns raised in the consultation meeting. No additional comments have been provided to the County.

On November 24, 2020, the County received an email from Janet Eidsness, Tribal Historic Preservation Officer for the Blue Lake Rancheria, declining AB 52 consultation. A subsequent email from Ms. Eidsness received on December 13, 2020 confirmed there are no identified Tribal Cultural Resources on the subject project area.

The March 2, 2021 preliminary consultation meeting with the Yurok Tribe raised several concerns that are of importance to the Tribe, including fish species, fish escape measures, effluent discharge impacts, competition with commercial and Tribal fisheries, and aquaculture methods. County staff followed up by sharing the supporting technical studies prepared for the project, which are the basis for the related impact sections of this document. The County sent a follow-up letter to Executive Director Donald Barnes of the Yurok Tribe on April 9, 2021 concluding government to government consultation. No tribal cultural resources have been disclosed to the County, and a formal request for consultation has not been received.

On March 10, the County held a preliminary consultation meeting with the Wiyot Tribe to answer questions regarding the project. A formal request for consultation was not requested, and no tribal cultural resources were disclosed to the County by the Wiyot Tribe. Following circulation of the Notice of Preparation (NOP) of a Draft Environmental Impact Report, the County sent subsequent formal AB 52 invitations to the above-mentioned tribal leaders on June 4, 2021, extending formal invitation to participate in AB 52 consultation with the County on the Draft EIR. No responses were received from the Yurok Tribe, nor the Trinidad Rancheria. AB 52 closure letters were circulated to these tribes on July 21, 2021, formally closing the government to government opportunity for consultation due to no responses. On June 14, 2021, a response was received from the THPO at the Blue Lake Rancheria, declining formal consultation on the Project, and recommendations for implementing the standard inadvertent and monitoring protocols identified in the confidential Cultural Resource Survey prepared by Roscoe and Associates. A formal consultation meeting was

requested and held between the County and Bear River Band of the Rohnerville Rancheria on August 3, 2021. Tribal leaders expressed opposition to the Project as a whole, however, no new concerns were identified. Formal close of AB 52 government to government letters was sent to tribal leaders on November 12, 2021.

Ongoing discussions with Wiyot Tribe and formal government to government consultation continued with the tribe on October 14, 2021. No new concerns were identified by the tribe. On November 12, 2021, the County initiated formal close of AB 52 consultation.

Based on the outcome of AB 52 consultation with the Bear River Band of the Rohnerville Rancheria, the Blue Lake Rancheria's declined offer for formal consultation, and the consultation meetings with the Yurok Tribe and Wiyot Tribe, no tribal cultural resources are known to occur within the Project Area; therefore, no impact to tribal cultural resources would occur. Cultural resource protection measures are identified in Section 3.4 – Cultural Resources.

5.2 Growth Inducement

The CEQA Guidelines require that an EIR evaluate the growth inducing impacts of a proposed project. The CEQA Guidelines describe growth-inducing impacts in the following manner:

“Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.” (CEQA Guidelines Section 15126.2[d]).

Projects can have direct and/or indirect growth inducement potential. An example of direct growth inducement would be the construction of new housing. Examples of indirect growth inducement could include establishing substantial new permanent employment opportunities and removing obstacles to population growth (e.g. the expansion or improvement of utilities which allows for more growth within a service area).

Growth inducement itself is not an environmental effect but may lead to an environmental effect(s). Environmental effects may include increased demand on other public services and infrastructure, increased noise and traffic, degradation or loss of plant or animal habitats, degradation of air and water quality, or conversion of open space land to urban development.

The Project would construct and operate a commercial aquaculture facility. No new roads or other off-site infrastructure would be constructed that may indirectly induce population growth. The Project is estimated to employ approximately 150 employees in order to operate the facility. It is anticipated that the majority of these employees would be hired locally, from residents residing on the Samoa Peninsula or in the adjacent communities. As stated above, Nordic is currently working with Humboldt State University, College of the Redwoods and Humboldt County Office of Education to support the engagement, education and training of local students and residents to help address future workforce needs. Developing the local workforce and implementing robust on-the-job training and advancement programs is therefore anticipated to reduce the need for outside-the-area recruitment and associated growth inducement. Nordic anticipates that less than 10 of the necessary positions would be filled with workers outside of the Humboldt Bay Area due to the highly specialized experience required and the scarcity of these resources in the market. The remaining positions, approximately 140, are anticipated to be filled by local residents. Therefore, the minimal increase in population to fill up to 10 specialized positions would not create a significant demand for additional housing. Section 3.11, Populations and Housing, further describes the anticipated workforce.

The Project would result in an increase in demand for general retail and services such as lunch-time restaurants. An increase in these types of businesses would occur consistent with existing zoning in the area and the availability appropriately zoned land and commercial space. The impact would be less than significant.

Construction of the proposed Project is not anticipated to generate growth, as the construction jobs would be temporary and are anticipated to draw primarily from the local workforce. For these reasons, the proposed Project would not be expected to generate a substantial demand for new housing, nor be growth-inducing.

5.2.1 Significant and Unavoidable Impacts of the Proposed Project

Section 15126.2(c) of the CEQA Guidelines require that an EIR identify any significant environmental effects that cannot be avoided if the Project were implemented, including those that can be mitigated but not reduced to a level of insignificance.

The analysis presented in Chapter 3, Environmental Setting, Impacts, and Mitigation Measures, concludes that implementation of the proposed Project would not have any significant and unavoidable impacts. Although the Project has the potential to result in a number of significant environmental impacts, all can be avoided through the adoption of appropriate mitigation measures that will reduce those effects to a less-than-significant level.

5.2.2 Significant Irreversible Environmental Changes

Section 15126.2(d) of the CEQA Guidelines requires that an EIR include a discussion of significant irreversible environmental changes that would result from project implementation. The CEQA Guidelines describe irreversible environmental changes in the following manner:

“Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.” (CEQA Guidelines Section 15126.2[d]).

During operation, the Terrestrial Development and Humboldt Bay Intakes components would require the use of non-renewable energy sources. As stated in Section 3.8 (Energy Resources), the Project would not conflict with or inhibit the implementation of the State EAP, Senate Bill (SB) 1389, SB 100, AB 1007, or other state regulations that are applicable to the Project because the Project would not inefficiently utilize energy. The energy utilized would be sourced from either PG&E or Redwood Coast Energy Authority (RCEA). The electricity provided by PG&E or RCEA is subject to California’s Renewables Portfolio Standard, which mandates that a portion of the power comes from renewable sources. The California Renewables Portfolio Standard is a state mandate that all power providers are required to meet or exceed. The two primary electricity providers in the area are RCEA and PG&E and must meet the minimum requirements of the standard. Furthermore, the Project will utilize photovoltaic panels, highly efficient water to water cooling, and waste heat to supplement its energy supply and to reduce energy needs, respectively. The Project facilities will comply with applicable state requirements, such as Title 24 energy efficiency standards and the California Green Building Standards mandatory measures. This is further discussed in Section 3.7 (Greenhouse Gas Emissions). The Project will temporarily require the use of construction equipment in order to construct the components of the Project, however these activities will be temporary and will not interfere with the broader energy goals of the state or region. The majority of the energy plans and regulations are not directly applicable to the Project or its operations, but rather affect the Project through regulation of vehicle efficiency standards, renewable energy mix with energy providers, etc. For plan requirements that are directly applicable to the Project, the Project complies. Furthermore, the Project will directly support goals established in RCEA’s *Repower Humboldt Action Plan for Energy* (RCEA, 2019) by using efficient technologies, all electric equipment (except for emergency power associated with short-term power interruption), and installing a utility scale onsite solar energy generation system. Nordic is committed to the same goals as RCEA and will follow their lead when it comes to use of non-carbon and renewable energy-

based sources of electricity. The steady electrical base load of the Project may also benefit the advancement of ongoing renewable energy development objectives of the community by locally utilizing the renewable electricity produced within Humboldt County. The presence of a stable base load within the County that will be created by this Project may alleviate the need to upgrade transmission line and electrical infrastructure that will otherwise require significant upgrades to export power to energy consumers outside of the County. The Project will therefore not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

RCEA 2019 Update to the Comprehensive Action Plan for Energy (also called “RePower Humboldt”) is an action plan focused on the development and implementation of sustainable energy initiatives in the County. RCEA will address Humboldt County’s supply-side energy needs through its existing Community Choice Energy (CCE) program and development of new programs and initiatives. RePower Humboldt includes the following goals (RCEA 2019):

By 2025 100% of RCEA’s power mix will be from a combination of state-designated renewable energy sources—solar, wind, biomass, small hydroelectric, and geothermal—and state-designated net-zero-carbon-emission existing large hydroelectric facilities.

By 2030 Humboldt County will be a net exporter of renewable electricity and RCEA’s power mix will consist of 100% net-zero-carbon-emission renewable sources.

Nordic Aquafarms California Inc is committed to tie its goals and timeline of non-carbon and renewable use of energy to the goals of RCEA. However, the Proposed Project could receive energy from PG&E or RCEA and, therefore, the County has applied conservative carbon intensity factors for energy consumption, as detailed in Section 3.7.4.

5.3 References

Humboldt County. 2020. Humboldt County Web GIS, Farmland Layer. Available at: <https://webgis.co.humboldt.ca.us/HCEGIS2.0/>

Humboldt County 2017. Humboldt County General Plan. Available at: <https://humboldtgov.org/205/General-Plan>

Humboldt County 2014. Humboldt Bay Area Plan of the Humboldt County Local Coastal Program. Available at: <https://humboldtgov.org/DocumentCenter/View/50844/Humboldt-Bay-Area-Local-Coastal-Plan?bidId=>

Nicolini, T. 2020. Personal communication with Troy Nicolini, Board President of the Peninsula Community Services District on September 1, 2020.

Roscoe and Associates. 2021. An Archaeological and Historical Resource Investigation Report for the Humboldt Bay Water Intakes Addendum to the Nordic Aquafarms California, LLC, Samoa Peninsula Land-based Aquaculture Project, Humboldt County, California. Prepared for GHD, Eureka, CA.

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