We Are Up Project

Initial Study & Proposed Mitigated Negative Declaration

We Are Up

23 March 2023

County of Humboldt
PLN-2022-18047 CUP/SP
APN 509-181-057

Initial Study / Proposed MND
We Are Up Project

Prepared for:

We Are Up
4636 Fieldbrook Rd #109
McKinleyville, CA 95519

Prepared by:

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Contents

Table index

Appendices

1. Project Information

Project Title	We Are Up Housing Project
Lead Agency Name & Address	Humboldt County 825 5th Street Eureka, CA 95501
Humboldt County Planning Application Number	PLN-2022-18047
Contact Person, Phone Number, Email	Desmond Johnston, Senior Planner, (707) 441-2622, djohnston@co.humboldt.ca.us
Project Location	McKinleyville, CA
Project Sponsor's Name & Address	We Are Up 4636 Fieldbrook Rd., #109 McKinleyville, CA 95519
General Plan Land Use Designation	Commercial Services (CS) Residential Medium Density (RM) Residential Low Density (RL 1-7)
Zoning	Residential One-Family (R-1) Streamside Management Areas and Wetlands (WR) Community Commercial (C-2)

1.1 CEQA Requirements

This Project is subject to the requirements of the California Environmental Quality Act (CEQA). The lead agency is Humboldt County (County). The purpose of this Initial Study is to provide a basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration or a Negative Declaration. This Initial Study is intended to satisfy the requirements of the California Environmental Quality Act, CEQA, (Public Resources Code, Div 13, § 21000-21177), and the CEQA Guidelines (California Code of Regulations, Title 14, § 15000-15387). CEQA encourages lead agencies and applicants to modify their Projects to avoid significant adverse impacts.

§ 15063(d) of the State CEQA Guidelines states the content requirements of an Initial Study as follows:

– A description of the Project including the location of the Project;
– An identification of the environmental setting;
– An identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries;
– A discussion of the ways to mitigate the significant effects identified, if any;

– An examination of whether the Project would be consistent with existing zoning, plans; and other applicable land use controls; and
– The name of the person or persons who prepared or participated in the Initial Study.

1.2 Background and Need

The Project would offer safe housing opportunities for people with autism and/or I/DD needs who may not otherwise be able to live on their own. The Project would consist of new infill residential development within a Housing Opportunity Zone located in McKinleyville, California (Appendix A - Figure 1). The Project would address the urgent need for new accessible housing in the region with a focus on the shortage of housing specifically for individuals with disabilities.

The Project is to be funded and operated by We Are Up, a 501(c)(3) nonprofit organization. We Are Up was founded in 2021 with the mission to support seniors, adults on the autism spectrum and/or I/DD, and those with physical, intellectual and/or developmental disabilities by providing a secure, integrated, community-based, long-term, and affordable place to call home. The Project would facilitate training and education that leads to improved life skills and opportunities for employment, allowing people with disabilities to contribute to our community and enrich their lives. The project would be an integrated community by also providing some housing and credits opportunities for college students in related fields of study and visiting medical professionals.

1.3 Proposed Project Summary

The Project would construct housing units, a community center, a greenhouse, and install associated site improvements, including an access road, walking trails, related lighting, stormwater features, wetland creation, riparian planting, and community access (Appendix A – Figure 2 through 4). The Project would house approximately 69 residents through the creation of approximately 50 live in units composing of a mixture of studio, one-bedroom, and two-bedroom units, and include on-site parking for approximately 73 stalls.

In addition to housing, the Project would create functional and community spaces to be used by We Are Up residents and for classroom purposes, job creation, and community engagement. The Project would include a greenhouse, garden space, orchard, and shelters/pens for livestock to provide practical opportunities for resident enrichment and education. The Project would foster social interaction and community development by building a community center, gardens, and orchard and walking trails. Construction of the Project would be focused on the western third of the property, leaving the other two thirds undeveloped. Wetland and streamside habitat areas near the Project would be created and enhanced.

1.4 Project Location

The Project would be located in the unincorporated community of McKinleyville, Humboldt County, California. McKinleyville is situated on the Pacific Coast, approximately 14 miles north of Eureka, California and 90 miles south of the Oregon border (Appendix A - Figure 1).

The Project would be located on an approximately 15.4 acres on parcel designated as Assessor’s Parcel Number (APN) 509-181-057-000.

The Project Area is located north of Bartow Road, east of Central Avenue, and south of Sandpiper Lane. Access to the Project Area is via Weirup Lane, south of Sutter Road. The Project Area address is 144 Weirup Lane, McKinleyville, California 95519.

The Project Area is situated within an established commercial and residential area and within the Urban Development Area as defined by the McKinleyville Community Plan (Humboldt County 2017a). The northwest portion of the Project Area consists of a vacant field, two-unit residential structure (duplex), three outbuildings, and a barn. The remainder of the Project Area is undeveloped. Terrain across the Project Area gradually slopes to the southeast. Vegetation throughout the Project Area consists of non-native grasses and other low-habitat value vegetation (GHD 2022).

As defined by the 2017 Humboldt County General Plan, the Project Area land use designation is Commercial Services (CS), Residential Medium Density (RM), and Residential Low Density (RL 1-7) (Humboldt County 2022b). The Project's housing elements would be located within RM, meaning the area has full urban services and is appropriate for developments including common-walled housing units (i.e., duplexes, townhouses, etc.) (Humboldt County 2017b). The Project Area is represented by the following Humboldt County zoning and combining zone designations: Community Commercial (C-2) and Residential One-Family (R-1) with a Streamside Management Areas and Wetlands combining zone (WR) (Humboldt County 2022a). The Project is not located within an Airport Land Use Compatibility Zone.

The Project is located within the Mill Creek Drainage Basin and Mill Creek borders the south and southeast portions of the Project Area. The Project Area consists of approximately 5.07 acres of uplands with the remaining portion consisting of wetlands, Coastal Willow and/or Sitka Spruce riparian habitat (GHD 2022). Much of the Project Area is within the Mill Creek Streamside Management Area which follows the Mill Creek alignment. The southeast portion of the Project Area near Mill Creek is included in the mapped Federal Emergency Management Agency (FEMA) 100-year flood zone. All of the proposed Project elements except the barn and part of the wetlands creation area and riparian planting area are outside of the 100-year flood zone. No portion of the Project Area is within the California Coastal Zone.

There is a 15- to 20-foot drainage easement bisecting the Project Area along a north-south axis to accommodate McKinleyville Community Services District (MCSD) stormwater piping. The MCSD drainage pipe currently terminates near the center of the Project Area. A 15- to 20-foot sewer easement to MCSD is located along the south and southeast portion of the Project Area. The MCSD easement parallels the southern parcel boundary until the parcel midpoint, then diverges northeast approximating the alignment of Mill Creek.

1.5 Project Description

Project development and construction would be limited to the western portion of the Project Area. Mitigation work, including wetland creation, habitat restoration, and riparian enhancement would be carried out throughout portions the remaining Project Area. Key Project elements are summarized below.

Community Center

The Project would construct a three to four level community center for use by We Are Up residents, staff, and others (Appendix A – Figure 3 through 4). The community center would be used by residents and the community for classes, projects related to onsite gardens, livestock, and greenhouse production, shared meals, meetings, and events.

The first floor of this building would be approximately 13,000 SF and would consist of a large multifunctional meeting room with partitionable space, including an approximately 1,800 SF commercial kitchen. The kitchen may utilize gas utilities. The second-floor mezzanine would be approximately 8,200 SF of a mixed public use, and the third and fourth floors would consist of approximately 11,800 SF each for residential use.

The community center would serve the residents by providing a site for regular classes, a site for value added product production, income generation, and important socialization opportunities for residents. It would also serve the community at large as space available for rent for events such as rotary meetings, weddings, and other gatherings. Many of these uses would also provide income for the non-profit, thus decreasing it's need for grants or other and ongoing public funding.

We expect to have a variety of classes, workshops, and activities for residents primarily on Monday - Friday during typical business hours. Classes would be designed primarily by and for residents, but would include such things as computer skills, yoga, art, music, movement, life skills, cooking, etc. and may be open to the public. These classes may, in time be available to others from the community at large with about 50 guests the expected maximum.

Events such as those listed above would be held in the community center, its outdoor areas, and in the greenhouse. There would be guests walking between the onsite locations.

Living Units & Vehicle Trips

The Project would construct a residential complex consisting of approximately 50 living units to accommodate a total of approximately 69 occupants (Appendix A – Figure 2 through 4). Living units would include up to 24 one-bedroom units ranging in size from 580 to 640 square feet (SF) and up to 19 two-bedroom units ranging in size from 820 to 880 SF. In addition, there would be seven studios.

The number of daily one-way trips associated with the facility during operation are calculated in Table 3.17-1. The assumptions associated with the trip analysis are as follows:

– Only a portion of the residential occupants would drive, of the approximately 69 occupants projected for the facility only 24 are anticipated to drive.
– A total of 10 daily visitors and deliveries are anticipated.
– A weekly dinner, breakfast, or similar open event would be held at the site with a total of 112 visiting guests, with a car occupancy rate of 2.2 (FHA 2003).
– The facility would have one live-in full-time employee that takes a trip offsite an average of once per day.
– The facility would have six non-live-in full-time employees that would each take one trip per day during the work week.
– The facility would have five part time employees that would each work 4 days a week and take one trip per day on the days that they are working at the facility.

Homes would be connected to public water (MCSD), power (Pacific Gas & Electric Company, PG&E), and sewer (MCSD).

Greenhouse

The Project would construct a greenhouse to be used primarily for hydroponic growing of plants. The Greenhouse would be used as an educational/teaching venue for residents, community members, and an occasional gathering place for community events. Unusable plant material would be composted, and water would be recycled onto other plants. The greenhouse would be approximately 2,880 SF and located on the southern portion of the Project Area (Appendix A – Figure 2).

The greenhouse would have a permanent concrete foundation, supporting arches, and polycarbonate walls. The structure would include one restroom, an equipment storage shed, and an area to wash materials. The greenhouse would include horizontal air flow (HAF) fans for ventilation, exhaust fans, and intake shutters,

automatic cooling pad, heating system, and climate controller. An in-ground 1,200-gallon water reservoir (approximately 8 feet by 12 feet by 6 feet) would be installed to provide water for greenhouse operations.

Agricultural Elements

Garden

A garden would be established onsite to be maintained and utilized by We Are Up residents, volunteers, or staff. The garden would consist of raised plant beds, in-ground beds, walkways, and a storage shed/barn.

Barn

An approximately 30'x40' barn would be established onsite along the southern portion of the Project Area (Appendix A – Figure 2). This structure would be used to house chickens, sheep, goats, cattle, and/or other domestic animals, which would be limited by section 314-43.3 of the Humboldt County Code. The barn would include a gravel access road to it. The animals would in the upland area year-round and may have access to wetland areas seasonally from May through November. The animals housed onsite may include animals from local youth agriculture programs such as FFA. Mill Creek riparian and sensitive natural community areas would be fenced off from livestock animals.

Orchard

Fruit trees would be planted onsite. Trees would be planted in proximity to the garden, livestock pens, structures, and/or greenhouse (Appendix A – Figure 2). Seasonal production from these trees would be harvested and the products utilized by We Are Up residents.

Parking

The living units and community center would be accessed via an asphalt paved driveway, turnaround areas and parking area (Appendix A – Figure 2). Parking stalls, including ADA accessible spaces, would be constructed adjacent to the structures. A minimum of one electric vehicle (EV) charging station would be installed with oversized electrical infrastructure to allow for future expansion as needed. In total, 73 paved parking stalls would be created. Driveway and parking areas would include associated sidewalk improvements.

Special Events

Special event hosting, such as weddings, community gatherings such as fundraising, rotary, or similar events would occur onsite, with approximately 24 per year and approximately 215 people expected for each. Events would be hosted year-round; however, winter events would primarily be held indoors. In the event that amplified music might be utilized at gatherings, it would cease by 10 PM.

As mentioned above, 73 paved parking spaces would be created onsite. In addition to the 73 created spaces, approximately 3 street spaces along Weirup Lane exist on We Are Up owned property for a total of 76 available permanent spaces. Factoring in every-day usage from We Are Up residents and associated as determined above in Living Units & Vehicle Trips, as well as in Table 3.17-1, an estimate of 41 spaces would be in at any one time which would leave 35 open permanent spaces. An additional 51 temporary parking spaces may be located at:

– 10 on gravel road west of storm drain piping.
– 15 on gravel road east of barn.
– 13 along gravel road west of barn.

– Eight east of gravel road hammerhead.

This would result in 86 available parking spaces for special events. Many of the wedding guests travel together as couples, families or groups of friends, and a vehicle occupancy factor of 2.5 persons per vehicle represents a common assumption (FHA 2003). Available paved spaces would be used in addition to additional temporary parking. With the use of this temporary parking, 215 participants would be able to be hosted onsite.

In the event of a need for overflow parking, MCSD General Manager Pat Kaspari has, through an email received on March 16, 2023, authorized use of their office parking lot located at 1656 Sutter Rd, McKinleyville, CA 95519. Their lot is 22 spaces, and the authorization is limited to weekend events and those outside MCSD business hours.

The Community Center would have enough restrooms that portable toilets are not expected to be utilized. Canopies or similar temporary structures may be used.

Special events, and all aspects of the Project, would adhere to relevant sections of the County Code. This includes, but is not limited to, public order, noise, and safety.

Walking Trails

Simple mowed walking paths would be created and maintained to be used by We Are Up residents, resident visitors, and maintenance staff walking between homes, the community center, greenhouse, garden, and throughout the Project Area. The trails may use wood chips or similar materials placed on the path to help identify the trail and to minimize maintenance needed. Ancillary trail features may include benches, bike racks, waste receptacles, dog waste facilities, picnic facilities, hitching posts, and other features. Ancillary trail features, such as nature viewing areas, may be constructed in select locations adjacent to the path alignment.

Habitat Enhancement

Non-native Tree Removal

Non-native Eucalyptus trees would be cutdown, timber removed, and the remnant stumps dug or ground out. Up to three Eucalyptus trees are expected to be removed.

Wetland Creation

Installing of new stormwater facilities, and development area grading would require filling wetlands. Based on the current conceptual plan, approximately 12,368 SF of wetlands would be filled. The filling of wetlands and buffer encroachment would be mitigated at a 1.8:1 ratio, which would be achieved by providing approximately 16,078 SF new onsite wetland (creation) areas at a 1.3:1 ratio and providing riparian plantings at a 0.5:1 ratio (if wetlands impacts are reduced through design footprint changes the ratios would remain, but the SFs may change). See below for more detail on proposed riparian planting. New wetlands would be installed within the existing upland areas located in the south-central region of the project site. Wetland creation would consist of excavation of mapped uplands and replanting of the excavated areas with native wetland plant species. Please see Appendix A - Figure 2.

Riparian Enhancement

Installing new stormwater facilities and development area grading would require filling wetlands. The filling of wetlands and buffer encroachment would be mitigated at a 1.8:1 ratio, which would be achieved by

providing new onsite wetland areas (creation) as described above and providing approximately 6,184 SF riparian plantings at a 0.5:1 ratio. Riparian plantings would be installed along the southeastern corner and eastern portions of the project site adjacent to existing riparian vegetation associated with Mill Creek. This area would be enhanced by planting native riparian vegetation (mainly trees, limited shrubs) and removing nonnative invasives. Please see Appendix A - Figure 2.

Lighting

The Project would include lighting installation to improve safety in key locations. Lighting infrastructure would be installed at the exterior of buildings and throughout the parking area in association with the Project. Lighting improvements to the site would comply with County and ADA requirements. New luminaires at driveway and parking areas would be mounted on poles approximately 16 feet above the ground. Luminaries would be downcast, and fixtures would be equipped with hoods (i.e., luminaries would be shielded). Approximately 14 standing lights would be installed within the Project site.

Lighting at the eastern side of the Project buildings would be minimized to mitigate light encroachment into the undeveloped areas to the east. Outside light fixtures would be cut-off fixtures and would be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent properties.

Exterior lighting would be designed to protect wildlife and night-time views, including views of the night sky. The Project would be designed to be consistent the recommendations of the International Dark-Sky Association, which includes standards for fixtures, shielding, placement, height, and illumination levels. To comply with these requirements, lighting for the Project would be the minimum lumens necessary, directed downward, shielded, and pedestrian level when feasible. This would ensure lighting is contained within the site and does not cause significant lighting and glare impacts for surrounding land uses and sensitive habitat areas.

Ancillary Site Features

Sidewalk Improvements

The Project would construct or improve the sidewalks and curbs along the frontage of the site. These improvements may include resurfacing, curb extensions, potential minor rerouting of Weirup Lane as it enters to project site, and landscaping.

Fencing and Gates

Fences and gates may be constructed around and within the Project Area to provide privacy, security, and direct access. A gate would be installed in the fence along with western Project Area boundary to facilitate resident access to the businesses and public transportation along Central Avenue.

Drainage and Stormwater Improvements

The existing drainage generally flows from the north to the south of the project site with two main offsite discharge locations. The eastern two thirds of the site is completely undeveloped and generally consists of open grasslands and forested areas. No additional stormwater (except some minor discharge from the subdivision to the north) from offsite is discharged onto this area and stormwater from this area discharges offsite at the southern central extent of the property near Mill Creek.

The western third of the site is partially developed with several buildings, gravel, and asphalt roads, with the remaining portion and majority of the site being open grassland areas. Additional offsite stormwater is discharged onto this portion of the site via MCSD’s stormwater piping, which surface discharges to a

shallow detention basin filled with willows. MCSD's stormwater discharge is a combination of the stormwater collected from two blocks of Weirup Lane, MCSD's Corp yard, and the partially developed neighboring property adjoining the northwestern corner of the project site. The western third of the property surface discharges stormwater offsite via a vegetated natural depression near the southwest corner of the property.

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

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

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

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

The excess stormwater generated from the impervious surfaces of the project would generally flow in a south southeastern direction via drainage inlets and piping, and surface discharge. The excess stormwater generated at the northwest corner of the property would be collected via surface flow, captured, and treated via vegetated swales and/or bioretention facilities, and then discharged via piping into the existing nearby MCSD drainage inlet located along Weirup Lane. The remaining majority of the site's stormwater would be collected and treated in a combination of vegetated swales and bio retention facilities that would run along the southern and eastern boundaries of the project footprint. The excess stormwater from the new vegetated swales and bioretention facilities would discharge via surface flow to the existing onsite vegetated natural channel and would ultimately flow offsite at the existing stormwater discharge location.

Geotechnical Investigations

Additional geotechnical investigations would be required during the Project design phase in order to obtain necessary information to support building and road design. The investigation would occur on the western portion of the site at building pad and road locations. The geotechnical investigations would employ drill rigs and ancillary equipment. Any excess sediments that result from geological investigations are expected to be relatively small in quantity and would be hauled off-site by the contractor for legal disposal or reuse.

Demolition and Site Preparation

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

The Project would demolish the duplex, three outbuildings, and a barn. Demolition would include foundation excavation, as needed, approximately up to three feet below ground surface.

Prior to demolition, hazardous materials surveys would be conducted to assess the structures in compliance with United States Environmental Protection Agency (USEPA) National Emissions Standards for Hazardous Air Pollutants (NESHAP) requirements. Identified hazardous materials, if any and as required, would be removed from the structures by licensed contractor prior to commencement of demolition.

The structures would be demolished using one or more crawler excavator(s) and other appropriate equipment. Open excavations and trenches would be backfilled with clean, compacted fill. The site would then be graded to match the surrounding topography.

Grading and Fill

Grading would need to occur within the development footprint along the western side of the project site, to replace the existing MCSD stormwater detention basin, and to create wetlands within a portion of the existing upland areas located in the southwestern area of the property. In addition, a small portion of the southwest drainage onsite would be filled, including installation of culverts, to allow for an access road to the barn.

Overall site grading would be balanced, with the excess cut soils from wetland creation and other site grading being utilized onsite within the development area footprint.

Development area grading would be limited to the western portion of the site to provide for the planned roads, sidewalks, buildings, stormwater swales and detention facilities, and landscaping areas of the project. The development area would generally be sloped relatively flat and drains towards the interior of the site. The stormwater facilities along the eastern edge of the development would require approximately 2-3’ of fill and would have side slopes ranging from 3:1 to 5:1.

The existing MCSD detention basin is within the development area footprint and would be filled and abandoned (this feature is not considered to be a jurisdiction wetland and is not part of the wetlands mitigation package). The piping to the detention basin would be rerouted around the development area, and a replacement detention basin would be installed within a portion of the existing wetland area downstream of the development area. The new detention basin would require grading a depression approximately 1-2’ deep with side slopes ranging from 3:1 to 5:1. This area would be planted with an appropriate wetlands plant species.

Installing a new MCSD stormwater detention basin, and development area grading and installation of stormwater features would require filling wetlands. The filling of wetlands would be mitigated (including wetlands setbacks of less than 50 feet) at a 1.8:1 ratio, which would be achieved by providing new wetlands (creation) areas at a 1.3:1 ratio and providing riparian plantings at a 0.5:1 ratio. New wetlands would be installed within the mapped upland areas located in the south-central region of the project site (See

Appendix A - Figure 2). New wetlands would be created by creating depressions in the downslope portions the existing upland areas, which would require approximately 2-3’ of soil removal with side wall slopes ranging from 3:1 to 4:1.

Utility Relocation and Improvements

Existing water, stormwater, communications, gas, and electrical utilities are all provided to the site near the northwest corner of the property (at the termination of Weirup Lane). All of the existing utility infrastructure within the project site is located in the new development footprint and is of insufficient size to serve the proposed project, and therefore would need to be demolished and removed or abandoned in place.

Minor offsite electrical improvements would be needed to accommodate the additional demand for the project, with the anticipated offsite modifications extending to the existing electrical infrastructure located adjacent to the house at 1682 Hideaway Court.

Sewer tie-ins to the existing sewer pipe located near the southern boundary of the property would be required to connect the new structures to the MCSD sewer system. The existing MCSD drainage culvert would also be rerouted around the development area to drain further downslope and outside of the footprint of the development area of the project. No other utility relocation or improvements would be required.

1.6 Project Construction

Construction Phasing

If feasible, vegetation clearing outside of the nesting bird and bee flight season would occur first, commencing between October through February. Construction scheduling would be split into two phases with phase one solely focusing on the greenhouse, and phase two encompassing all other Project elements.

Phase 1: Greenhouse

Construction of the greenhouse and associated access roads would be built first in the summer or fall 2023.

Phase 2: Remaining Project

All other Project elements would be scheduled for construction beginning in 2024.

Construction Activities and Equipment

All construction activities would be accompanied by both temporary and permanent erosion and sediment control best management practices (BMPs). Project construction would include the following activities:

- Drilling – In support of geotechnical investigations and potential retaining wall or building foundations.
- Clearing, grubbing, and tree removal – To clear the Project construction area.
- Grading/Excavation – Throughout the Project Area to achieve grade and dimensions to accommodate the trail, and parking areas and wetlands creation areas.
- Hauling – Transport of material to and from the Project Area.
- Jackhammering/Grinding – Site preparation/removal of existing material.
- Lighting and Electrical– At select locations throughout the Project footprint.
- Concrete Paving and Structures – At sidewalks, curb ramps, curbs, ADA parking stalls, and retaining wall areas.

- Hot Mix Asphalt Paving – Along the driveway sidewalks, and parking areas.
- Striping – For the driveway and parking areas.
- Fence and gate installation – Between some residential units, gate installation at existing western fence and fencing in the undeveloped areas.
- Erosion Control – to minimize erosion and prevent sediment from leaving the Project area.

Equipment required for construction would include:

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

Jackhammers or similar pieces of equipment may be necessary to support removal of existing material. It is not anticipated that any temporary utility extensions, such as electric power or water, would be required for construction. Water from legal sources would be used for dust control, compaction, and re-vegetation.

Construction Access

The Project Area would be accessed via Weirup Lane. Construction equipment staging would occur within the uplands portions of the Project Area.

Establish Exclusion Areas and Erosion Control

A site wetland delineation has identified wetlands throughout the Project Area (GHD 2022). Except for areas that would be unavoidably impacted during construction, resource areas to be protected would be identified prior to construction. Erosion control BMPs would also be installed prior to construction and maintained until the site is stabilized.

Stockpiling and Staging

Stockpiling and staging areas would be located on developed or uplands areas in the Project Area. These areas are included in the overall Project footprint.

Within the stockpiling and staging area, BMPs would be utilized to prevent materials and hazardous materials from impacting the environment. Excess soils, aggregate road base, and construction materials would be stored on site within designated stockpiling and staging areas. Excess materials may be re-used onsite for backfill and finished grading. Excess materials would not be stockpiled or disposed of onsite once the Project is complete. The contractor would haul additional excess materials off site for beneficial reuse, recycling, or legal disposal.

Dewatering

Groundwater dewatering is generally not expected but may be required. However, if needed, temporary groundwater dewatering would involve pumping water out of a trench or excavation area. Groundwater would typically be pumped to settling ponds, settling tanks, or into dewatering bags. Dewatering water may also be percolated back into the ground (in uplands). Discharge to regulated waters (wetlands) would not occur.

Considerations for Protected Species

Vegetation removal would be required. To minimize potential impacts to nesting birds, vegetation could be removed prior to March 15 or after August 15 to avoid the nesting bird season. If vegetation removal or ground disturbance cannot be confined to work outside of the nesting season, a qualified biologist would conduct pre-construction surveys within the vicinity of the Project Area, to check for nesting activity of native and migratory birds and to evaluate the site for presence of raptors and special-status bird species. If active nests were detected within the construction footprint or within the construction buffer established by the Project biologist, the biologist would flag a buffer around each nest. Buffers would vary in size considerate of the existing noise and disturbance setting, proximity of the nest to the construction area, species-specific needs, and California Department of Fish and Wildlife (CDFW) requirements.

Site Restoration and Closure

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

1.7 Maintenance and Operation

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

1.8 Regulatory Permits, CEQA, and NEPA

The County of Humboldt is the CEQA lead agency for the Project.

It is anticipated that the Project would impact regulated jurisdictional wetlands. The Project would thus require permits from the United States Army Corps of Engineering (USACE) under Section 404 of the Clean Water Act (CWA), and a corresponding Water Quality Certification from the North Coast Regional Water Quality Control Board (NCRWQCB) under Section 401 of the CWA. As part of the Section 404 permitting process, the USACE would review the Project under NEPA and Section 106 of the National Historic Preservation Act.

Wetlands and other regulated waters impacted by the Project would require compensatory mitigation in coordination with the USACE and Regional Board, which would occur onsite, and the project is self-mitigating.

The Project would not directly or indirectly impact anadromous waterways; therefore, no consultation with the National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act would occur. The Project is not expected to require consultation with the United States Fish and Wildlife Service (USFWS), as potential impacts to federal special status plants or wildlife species are not anticipated. The project also would not impact a stream, banks of stream or riparian vegetation so a permit from the CDFW is not anticipated.

A Conditional Use Permit (CUP) for a Quasi-Public use pursuant to Section 314-85 of Humboldt County Code, known as the We Are Up development project. The Project would construct housing units, a community center, a greenhouse, and install associated site improvements, including an access road, walking trails, related lighting, stormwater features, wetland creation, riparian planting, and community access. In addition to housing, the Project would create functional and community spaces to be used by We Are Up residents and for classroom purposes. The Project would include a greenhouse, garden space, orchard, and shelters/pens for livestock to provide practical opportunities for resident enrichment and education. The Project would foster social interaction and community development by building a community center, gardens, and orchard and walking trails. A CUP is also required for special events, such as weddings, that would occur onsite. A Special Permit (SP) is required for the creation and enhancement of wetland and streamside habitat areas. The Project would also require grading permits from the County. Roadway improvements to connect the Project driveway to Weirup Lane may require a County encroachment permit.

1.9 Environmental Protection Actions Incorporated into the Project

The following actions are included as part of the Project to reduce or avoid potential adverse effects that could result from construction or operation of the Project. Mitigation measures are presented in the following analysis sections in Chapter 3, Environmental Analysis. Environmental protection actions and mitigation measures, together, would be included in a Mitigation Monitoring and Reporting Program at the time that the Project is considered for approval.

Environmental Protection Action 1 – Stormwater Pollution Prevention Plan (SWPPP)

The Project will obtain coverage under State Water Resources Control Board (Water Board), Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activities (General Permit). The County will submit permit registration documents (notice of intent, risk assessment, site maps, SWPPP, annual fee, and certifications) to the Water Board. The SWPPP will address pollutant sources, best management practices, and other requirements specified in the Order. The SWPPP will include erosion and sediment control measures, and dust control practices to prevent wind erosion, sediment tracking, and dust generation by construction equipment. A Qualified SWPPP Practitioner will oversee implementation of the Project SWPPP, including visual inspections, sampling and analysis, and ensuring overall compliance.

1.10 Tribal Consultation

The County has sent out requests for consultation of proposed Projects from California Native American tribes pursuant to Public Resources Code Section 21080.3.1. Under Assembly Bill (AB) 52, notification letters were sent to the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, Cher-ae Heights Indian Community of the Trinidad Rancheria, and the Wiyot Tribe on December 16, 2022. One response was received from the Blue Lake Rancheria on January 4, 2023 and is discussed in Section 3.18 Tribal Cultural Resources. No other responses to AB52 referrals were received. However, responses to later standard referrals were received that found the Cultural Resources Investigation (CRI) adequate. Requests from standard referrals for inadvertent discovery protocols are addressed in Section 3.5 Cultural Resources.

2. 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:

☐ Aesthetics	☒ Greenhouse Gas Emissions	☐ Public Services
☐ Agricultural & Forestry Resources	☐ Hazards & Hazardous Materials	☐ Recreation
☒ Air Quality	☒ Hydrology & Water Quality	☒ Transportation
☒ Energy	☐ Land Use & Planning	☒ Tribal Cultural Resources
☒ Biological Resources	☐ Mineral Resources	☐ Utilities & Service Systems
☒ Cultural Resources	☐ Noise	☐ Wildfire
☒ Geology & Soils	☐ Population & Housing	☐ Mandatory Findings of Significance

DETERMINATION (To be completed by the Lead Agency)

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 would be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there would 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 would be prepared.

☐ I find that the proposed 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 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 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.

Desmond Johnston

Desmond Johnston
Senior Planner

03/24/2023
Date

3. Environmental Analysis

3.1 Aesthetics

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?			✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public view of the site and its surroundings? (Public Views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				✓

The Project is located on the south terminus of Weirup Lane. The proposed Project would develop a currently minimally developed site into a residential housing complex. The Project would construct multiple, including multi-story, buildings that may block views of the existing viewshed. These buildings are concentrated on the western third of the Project Area, where public views are currently limited due to the Grocery Outlet development. The Project would include townhomes that may partially block views from three residential homes along Hideaway Court, however the townhomes would be single-story and at a lower grade than the existing homes.

a) Have a substantial adverse effect on a scenic vista? (Less Than Significant Impact)

For purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. The visual setting within which the proposed Project consists of a vacant field, two-unit residential structure (duplex), three outbuildings, and a barn. The remainder of the Project Area is undeveloped. Terrain across the Project Area gradually slopes to the southeast. Vegetation throughout the Project Area consists of non-native grasses and other low-habitat value vegetation on a majority of the site, and some trees and willows to the northeastern and southeastern portions of the site. Development of the Project would only occur in the western 1/3rd of the Project Area, maintaining the overall visual scene of the area.

The view of the Project elements include the community center, housing units, barn, and greenhouse once constructed. The Project elements are concentrated along the western third of the Project Area where

existing views from the public are currently limited due to the Grocery Outlet development and the existing duplex. Townhome elements would partially shield the existing view of open grasslands and riparian vegetation from three nearby residences along Hideaway Court. The townhomes would be lower than the existing homes, leaving the majority of the viewshed intact. Given that low-density residential and commercial construction is common adjacent and near the project site, and elements that are directly limiting existing residents are limited, any potential impact on a scenic vista would be less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (No Impact)

The Project is not located within, near, or within view of a state scenic highway (Caltrans 2019). The project is not located on, near, or within view of a state scenic highway. No impact would result.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public view of the site and its surroundings? (Public Views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality? (Less Than Significant Impact)

Public view of the Project Area is limited from neighboring residential housing. Visual elements of the Project include multi-story housing units and community center on the northwest of the Project Area. Due to development being contained to the western 1/3rd of the Project Area, the visual quality would not be significantly altered by the Project. Views from three residents along Hideaway Court may be partially limited from constructed townhomes, however these would be single-story and below grade. The views of open grassland space and of riparian vegetation would remain mostly intact. The visual quality resulting from the Project would not be diminished or be inconsistent with the existing visual character of pre-Project viewsheds from local landmarks. The Project would be mainly located in an area with a land use for medium density residential development, and the rest would be on low density residential. The potential impact as it relates to zoning and other regulations would also be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Less Than Significant Impact)

The Project would include lighting installation to improve safety in key locations. Lighting infrastructure would be installed at the exterior of buildings and throughout the parking area in association with the Project. Lighting improvements to the site will comply with County and ADA requirements. New luminaires at driveway and parking areas would be mounted on poles approximately 16 feet above the ground. Luminaries would be downcast, and fixtures would be equipped with hoods (i.e., luminaries would be shielded). Approximately 14 standing lights would be installed within the Project site.

Lighting at the eastern side of the Project buildings would be minimized to mitigate light encroachment into the undeveloped areas to the west. Outside light fixtures would be cut-off fixtures and would be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent properties.

Exterior lighting would be designed to protect wildlife and night-time views, including views of the night sky. The Project would be designed to be consistent the recommendations of the International Dark-Sky Association, which includes standards for fixtures, shielding, placement, height, and illumination levels. To comply with these requirements, lighting for the Project would be the minimum lumens necessary, directed

downward, shielded, and pedestrian level when feasible. This would ensure lighting is contained within the site and does not cause significant lighting and glare impacts for surrounding land uses and sensitive habitat areas. A less than significant impact would occur.

3.2 Agriculture and Forest Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
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?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

There are no agricultural or forestry zoning or land uses within the Project Area (Humboldt County 2022a, Humboldt County 2022b).

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance)? (No Impact)

As of the date of this ISMND, the Department of Conservation (DOC)'s Farmland Mapping and Monitoring Program has not been completed for Humboldt County. Therefore, lands within the Project Area have not been formally analyzed by the DOC to determine if they meet the criteria for being designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

For this analysis, "Agricultural Soils" and "Prime Agricultural Soils" designations via the Humboldt County WebGIS online mapping tool were utilized, which utilizes soils data from the Natural Resources Conservation Service (NRCS). According to the Humboldt County WebGIS, the Project Area does not include Prime Agricultural Soil (Humboldt County 2022c). The Soil Report from the Aquatic Resources Delineation Rev2 (Appendix E of Appendix C) also shows that the primary soil series, 226—Arcata and Candymountain soils 2 to 9 percent slopes, as Prime farmland if irrigated. The potentially Prime farmland if irrigated is approximately 90% of the Project Area and is not irrigated. The Project would not remove agricultural land from production or result in a change in land use, as there is no such land presently zoned for agricultural use within the Project Area. No impact would result.

b) Conflict with Agricultural Zoning or Williamson Act Contract? (No Impact)

There are no agricultural zoning or active Williamson Act contracts within the Project Area (Humboldt County 2022a, Humboldt County 2022b, Humboldt County 2022d). Zoning within the Project Area is discussed further in Section 3.11 (Land Use and Planning). Therefore, construction and operation of the Project would have no effect on agricultural zoning or Williamson Act contracts because none exist within the Project Area. No impact would result.

c, d) Conflict with Forest Land Zoning or Convert Forest Land? (No Impact)

There are no forest lands, timberland or timberland zoned Timberland Production in the Project Area; therefore, no forest land or timberland would be converted to non-forest or non-timberland use. No impact would result.

e) Convert Farmland or Forest? (No Impact)

The Project would include the removal of some small trees. However, these trees are not considered forest resources. Potential biological impacts associated with tree removal are discussed in Section 3.4 (Biological Resources). There are no other changes in the existing environment caused by the Project that would impact farmland or forest land in or adjacent to the Project Area. No impact would result.

3.3 Air Quality

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?		✓		
b) Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		✓		
c) Expose sensitive receptors to substantial pollutant concentrations?		✓		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			✓	

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

a) Conflict with or obstruct implementation of the applicable air quality plan? (Less than Significant with Mitigation)

This impact relates to consistency with an adopted attainment plan. Within the Project vicinity, the NCUAQMD is responsible for monitoring and enforcing local, state, and federal air quality standards. Humboldt County is designated 'attainment' for all National Ambient Air Quality Standards. Pursuant to California Ambient Air Quality Standards, Humboldt County is designated attainment for all criteria air pollutants except PM_{10}. Humboldt County is designated as "non-attainment" for the State's PM_{10} standard.

PM_{10} refers to inhalable particulate matter with an aerodynamic diameter of less than 10 microns. PM_{10} includes emission of small particles that consist of dry solid fragments, droplets of water, or solid cores with liquid coatings. The particles vary in shape, size, and composition. PM_{10} emissions include unpaved road dust, smoke from wood stoves, construction dust, open burning of vegetation, and airborne salts and other particulate matter naturally generated by ocean surf. Therefore, any use or activity that generates airborne particulate matter may be of concern to the NCUAQMD. The proposed Project would create PM_{10} emissions in part through vehicles coming and going to the Project Area and the construction activity associated with the Project.

To address non-attainment for PM_{10}, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM_{10} standard exceedances and identifies cost-effective control measures to reduce PM_{10} emissions to levels necessary to meet California Ambient Air Quality Standards. However, the NCUAQMD states that the plan, "should be used cautiously as it is not a document that is required in order for the [NCUAQMD] to come into attainment for the state

standard" (NCUAQMD 2022). Therefore, compliance with applicable NCUAQMD PM_{10} rules is applied as the threshold of significance for the purposes of analysis. NCUAQMD Rule 104 Section D, Fugitive Dust Emissions, is applicable to the Project.

Rule 104, Section D – Fugitive Dust Emissions is used by the NCUAQMD to address non-attainment for PM_{10}. Pursuant to Rule 104 Section D, the handling, transporting, or open storage of materials in such a manner, which allows or may allow unnecessary amounts of particulate matter to become airborne, shall not be permitted. Reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including, but not limited to covering open bodied trucks when used for transporting materials likely to give rise to airborne dust and the use of water during the grading of roads or the clearing of land. During earth moving activities, fugitive dust (PM_{10}) would be generated. The amount of dust generated at any given time would be highly variable and is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions, and meteorological conditions. Unless controlled, fugitive dust emissions during construction of the Project could be a potentially significant impact, therefore, Mitigation Measure AQ-1 would be incorporated to comply with NCUAQMD's Rule 104 Section D.

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

Mitigation

Implementation of Mitigation Measures AQ-1 is proposed to reduce the potential impact related to PM_{10} fugitive dust by requiring BMPs.

Mitigation Measure AQ-1: BMPs to Reduce Air Pollution

The contractor shall implement the following BMPs during construction:

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

48 hours. The NCUAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

With implementation of Mitigation Measure AQ-1, the Project would implement relevant fugitive dust (PM10) controls during construction and would not conflict with applicable air quality plans. This impact would be reduced to a less-than-significant level with mitigation.

b) Result in a cumulatively considerable net increase in any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard? (Less than Significant with Mitigation)

The Project's potential to generate a significant amount of criteria pollutants of concern during Project construction and operation is assessed in this Section. As noted above, Humboldt County is designated nonattainment of the State's PM10 standard. The County is designated attainment for all other state and federal standards. Potential impacts of concern will be exceedances of state or federal standards for PM10. Localized PM10 is of concern during construction because of the potential to emit fugitive dust during earth-disturbing activities.

Construction

Localized PM_{10}

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

The NCUAQMD does not have formally adopted thresholds of significance for fugitive, dust-related particulate matter emissions above and beyond Rule 104, Section D which does not provide quantitative standards. For the purposes of analysis, this document uses the Bay Area Air Quality Management District (BAAQMD) approach to determining significance for fugitive dust emissions from Project construction. The BAAQMD bases the determination of significance for fugitive dust on a consideration of the control measures to be implemented. If all appropriate emissions control measures recommended by BAAQMD are implemented for a project, then fugitive dust emissions during construction are not considered significant. BAAQMD recommends a specific set of "Basic Construction Measures" to reduce emissions of construction generated PM_{10} to less than significant. Without incorporation of these Basic Construction Measures, the Project's construction-generated fugitive PM_{10} (dust) would result in a potentially significant impact.

The Basic Construction Measure controls recommended by the BAAQMD are incorporated into Mitigation Measure AQ-1. These controls are consistent with NCUAQMD Rule 104 Section D, Fugitive Dust Emission and provide supplemental, additional control of fugitive dust emissions beyond that which would occur with Rule 104 Section D compliance alone. Therefore, with incorporation of Mitigation Measure AQ-1, the Project would result in a less than significant impact for construction-period PM_{10} generation and would not violate or substantially contribute to an existing or projected air quality violation.

Regional Criteria Pollutants

The NCUAQMD does not have established CEQA significance criteria to determine the significance of impacts that would result from projects such as the proposed Project; however, the NCUAQMD does have criteria pollutant BACT thresholds for new or modified stationary source projects proposed within the NCUAQMD's jurisdiction. For construction emissions, the NCUAQMD has indicated that emissions are not considered regionally significant for projects whose construction would be of relatively short duration, lasting less than one year. NCUAQMD has indicated that it is appropriate for lead agencies to compare proposed construction emissions that last more than one year to its BACT thresholds for stationary sources identified in Rule 110(E)(1), which are:

– Nitrogen Oxides – 40.0 tons per year, 50.0 pounds per day
– Reactive Organic Gases – 40.0 tons per year, 50.0 pounds per day
– PM_{10} – 15.0 tons per year, 80.0 pounds per day
– Carbon Monoxide – 100 tons per year, 50.0 pounds per day

CalEEMod version 2020.4.0 was used to estimate air pollutant emissions from Project construction (Appendix B – Air Quality Modeling Results). Material hauling volumes were provided by the Project's Design Team. The Project's estimated construction emissions are provided in Table 3.3-1 and 3.3-2 for annual and daily emission rates, respectively. As shown in the tables, the Project would not exceed the NCUAQMD's thresholds of significance. Therefore, the Project's construction emissions are considered to have a less than significant impact.

Table 3.3-1 Annual Construction Regional Pollutant Emissions

Parameter	Maximum Annual Emissions (tons/year)			
	ROG	NO_X	CO	PM_{10}
Project Construction (2024)	0.2	1.7	1.9	0.3
Project Construction (2025)	1.0	0.6	0.8	<0.1
NCUAQMD Stationary Source Thresholds	40.0	40.0	100	15.0
Exceed Threshold?	*No*	*No*	*No*	*No*

Table 3.3-2 Daily Construction Regional Pollutant Emissions

Parameter	Average Daily Emissions (pounds/day)			
	ROG	NO_X	CO	PM_{10}
Project Construction (2024)	2.5	20.8	23.9	3.1
Project Construction (2025)	27.7	16.0	22.2	1.3
NCUAQMD Stationary Source Thresholds	50.0	50.0	500.0	80.0
Exceed Threshold?	*No*	*No*	*No*	*No*

Operation

Following construction, the Project would not include any stationary sources of air emissions. The Project will generate emissions from vehicle trips, as well as from landscaping activity, and prescribed burns. Project operational emissions were estimated using CalEEMod version 2020.4.0 and Project-specific trip generation, energy consumption, and water demand (Appendix B). Emissions were modeled for year 2026.

As shown in Table 3.3-3, the Project's operational emissions will not exceed the NCUAQMD's stationary sources emission thresholds. Therefore, the Project's operational emissions are considered to have a less than significant impact.

Table 3.3-3 Operational Regional Pollutant Emissions (2026)

Parameter	Emissions (tons/year)			
	ROG	NO_X	CO	PM_{10}
Project Operation	0.2	<0.1	1.0	0.1
NCUAQMD Stationary Source Thresholds	40.0	40.0	100	15.0
Exceed Threshold?	*No*	*No*	*No*	*No*

c) Expose sensitive receptors to substantial pollutant concentrations? (Less than Significant with Mitigation)

Sensitive receptors include school-aged children (schools, daycare, playgrounds), the elderly (retirement community, nursing homes), the infirm (medical facilities and offices), and those who exercise outdoors regularly (public and private exercise facilities, parks). The nearest sensitive receptors to the Project site include residential housing, with the nearest residence is located on Hideaway Court within approximately 35 feet from the Project. There is not a school within close proximity to the Project.

BAAQMD's Basic Construction Measures included in Mitigation Measure AIR-1 (BMPs to Reduce Air Pollution) minimize idling times for trucks and equipment to five minutes (as required by the California Airborne Toxic Control Measure to Limit Diesel-Fueled Commercial Motor Vehicle Idling, included in Title 13, Section 2485 of California Code of Regulations [CCR]) and ensures construction equipment is maintained in accordance with manufacturer's specifications.

Project construction activities may occur over two or more construction seasons, starting in late 2023, 2024 or 2025. The Project would not result in prolonged construction equipment use. Due to distance to the nearest potential receptor, the limited duration and activity for construction, and the implementation of Mitigation Measure AIR-1, which would control fugitive dust, the Project would not result in the exposure of sensitive receptors to substantial pollutant concentrations. Therefore, with implementation of Mitigation Measure AIR-1, the construction-related impact would be less than significant with mitigation.

Following construction, the Project will not include any stationary sources of air emissions or new emissions that will result in substantial long-term operational emissions of criteria air pollutants that will substantially affect sensitive receptors. Therefore, Project operation will not expose nearby sensitive receptors to

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people? (Less than Significant)

Implementation of the Project would not result in major sources of odor. The Project type is not one of the common types of facilities known to produce odors (i.e., landfill, coffee roaster, wastewater treatment facility, etc.). Minor odors from the use of equipment during construction activities would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance. The Project emissions or odors caused by construction would not adversely affect a substantial amount of people.

Project demolition could result in exposure of construction workers to Asbestos Containing Material (ACM) that may be present in the existing facilities. During demolition and construction asbestos abatement would

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

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

3.4 Biological Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
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?		✓		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		✓		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		✓		
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?			✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			✓	
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?				✓

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

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? (Less Than Significant with Mitigation)

Special-status Plant Species

Special status plant species under State jurisdiction include those listed as endangered, threatened, or as candidate species by the California Department of Fish and Wildlife (CDFW) under the California Endangered Species Act (CESA). Plant species on CNPS California Rare Plant Ranking (CRPR) Lists 1A, 1B and 2A and 2B are considered eligible for state listing as endangered or threatened pursuant to the California Fish and Game Code and CDFW has oversite of these special status plant species as a trustee agency. As part of the CEQA process, such species should be considered as they meet the definition of Threatened or Endangered under Sections 2062 and 2067 of the California Fish and Game Code. There are occasions where CRPR List 3 or 4 species might be considered of special concern particularly for the type locality of a plant, for populations at the periphery of a species range, or in areas where the taxon is especially uncommon or has sustained heavy losses, or from populations exhibiting unusual morphology.

Two seasonally appropriate floristic surveys for special status plants were conducted in the Project Area. No special status plants were detected in the Project Area. GHD conducted surveys for special status plant species and vegetation assessments during the spring and summer of 2022 (April 12 and June 2). An additional site assessment was made on September 15, 2022, for a small area of frequently disturbed habitat added to the Project Area as part of a lot line adjustment (northwest corner of Project).

Based on database searches, historical records, and an overview of the primary literature, only one special status species had a moderate potential of occurring in the Project Area, and two had a high potential. Howell's montia (*Montia howellii)* has a CRPR of 2B.2, Siskyou checkerbloom (*Sidalcea malviflora ssp. patula)* has a CRPR of 1B.2, and Coast checkerbloom (*Sidalcea oregana ssp. Eximia*) has a CRPR of 1.B2. Howell's montia had a moderate likelihood of occurring within the Project Area, while Siskyou checkerbloom and Coast checkerbloom had a high likelihood of occurrence. Sixteen additional special status species were thought to have a low likelihood of occurring within the Project Area (Appendix D – Botanical Memorandum Rev1). Given that required protocol level plant surveys are completed with no detections of sensitive plant species during the initial survey, and that the habitat on the area of lot line adjustment is highly disturbed, the impact on special-status plants is considered less than significant.

Special Status Wildlife Species

A database search of the California Natural Diversity Database (CNDDB) (CDFW 2022), U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) (USFWS 2022). In addition, citizen science databases such as the Bat Acoustic Monitoring Visualization Tool, Bumble Bee Watch, eBird, and iNaturalist were reviewed for additional local wildlife information (BAMVT 2022, Bumble Bee Watch 2022, eBird 2022, iNaturalist 2022).

The potential for species to occur was determined at the level of the BSA. Explanations for determinations are provided in Table 3.4-1. Mitigations measures to reduce potential impacts to listed and special status species are provided below.

Special-status Mammal Species

The White-footed Vole (*Arborimus albipes*) has a moderate potential to occur in the Project area near Mill Creek due to suitable habitat present. There are three bat species, the Townsend's Big-eared Bat

(*Corynorhinus townsendii*), Hoary Bat (*Lasiurus cinereus*), and Long-eared Myotis (*Myotis evotis*) that have a moderate to high potential to occur based on observations nearby (BAMVT 2022) and suitable habitat present. The Townsend's Big-eared Bat and Long-eared Myotis may roost within the buildings being planned for demolition. No state or federally listed mammal species have a moderate to high potential to occur, and these species are either considered CDFW Species of Special Concern (SSC) or on their Special Animals List (SAL). Explanations for determinations are provided below in Table 3.4-1.

Special Status Bird Species

There are 20 special status bird species with a moderate to high potential to occur within the BSA. This includes two state endangered species, the Willow Flycatcher (*Empidonax traillii*) and Bald Eagle (*Haliaeetus leucocephalus*). Both have been detected within 0.25 miles of the BSA and have a high potential to occur (eBird 2022). The eighteen other species are considered CDFW Species of Special Concern, on the Watch List, Fully Protected, or on their Special Animals List. Explanations for determinations are provided below in Table 3.4-1.

Special Status Invertebrate Species

The California Floater (*Anodonta californiensis*) and Western Pearlshell (*Margaritifera falcata*) have a moderate potential to occur within Mill Creek. However, there is no in-water work currently proposed and the species are unlikely to be impacted. These species are on the CDFW Special Animals List. Explanations for determinations are provided below in Table 3.4-1.

Special-status Bee Species

The Obscure Bumble Bee (*Bombus caliginosus*) has a moderate potential to occur based on suitable habitat present within the BSA and observations recorded nearby recently. The species is on the CDFW Special Animals List. Explanations for determinations are provided below in Table 3.4-1.

Special-status Fish Species

Mill Creek is within the Project Area. Western Brook Lamprey (*Lampetra richardsoni*), Coast Cutthroat Trout (*Oncorhynchus clarkii clarkia*), Steelhead (*Oncorhynchus mykiss irideus*; including pop. 16, pop. 36, pop. 48, and pop. 49) have a moderate to high potential to occur within Mill Creek. Eulachon (*Thaleichthys pacificus*) also has a moderate potential to occur. Life stages and Distinct Population Segments for Steelhead are federally-threatened, candidate state-endangered, state-endangered or a combination of these. Eulachon are federally-threatened. Explanations for determinations are provided below in Table 3.4-1.

Although these fish species have a moderate to high potential to occur within the Project vicinity, no in-water work is currently proposed. The Project activities are unlikely to impact these species. However, there is designated Essential Fish Habitat for Coho Salmon and Chinook Salmon within the Project area (NOAA 2022).

Special-status Amphibian and Reptiles Species

The Northern Red-legged Frog (*Rana aurora*), Foothill Yellow-legged Frog (*Rana boylii* pop. 1), and Southern Torrent Salamander (*Rhyacotriton variegatus*) have a moderate to high potential to occur based on suitable habitat present within the BSA. These three amphibians are CDFW Species of Special Concern.

The Western Pond Turtle (*Emys marmorata*) is a CDFW Species of Special Concern and has a moderate potential to occur based on suitable habitat present within the BSA. Explanations for determinations are provided below in Table 3.4-1.

Table 3.4-1 Potential for Special Status Wildlife to Occur within the Project Area and Biological Study Area (BSA).

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Mammals								
Aplodontia rufa humboldtiana	Humboldt Mountain Beaver	None	None	G5TNR	SNR		Coastal scrub; Redwood; Riparian forest. Coast Range in southwestern Del Norte County and northwestern Humboldt County. Variety of coastal habitats, including coastal scrub, riparian forests, typically with open canopy and thickly vegetated understory.	**Low potential.** The species may occur in areas adjacent to the BSA, but the BSA does not provide highly suitable habitat.
Arborimus albipes	White-Footed Vole	None	None	G3G4	S2	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern	North coast coniferous forest; Redwood; Riparian forest. Mature coastal forests in Humboldt and Del Norte counties. Prefers areas near small, clear streams with dense alder and shrubs. Occupies the habitat from the ground surface to the canopy. Feeds in all layers and nests on the ground under logs or rock.	**Moderate potential.** The Project Area does not provide suitable habitat for this species. However, a portion of the BSA surrounding Mill Creek does.
Arborimus pomo	Sonoma Tree Vole	None	None	G3	S3	CDFW SSC-Species of Special Concern, IUCN NT-Near Threatened	North coast coniferous forest; Old growth; Redwood North coast fog belt from Oregon border to Sonoma County. In Douglas-fir, redwood and montane hardwood-conifer forests. Feeds almost exclusively on Douglas-fir needles. Will occasionally take needles of grand fir, hemlock or spruce.	**Low potential.** The forested areas in proximity to the BSA are not the preferred habitat types.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Corynorhinus townsendii	Townsends Big-Eared Bat	None	None	G4	S2	BLM S-Sensitive, CDFW SSC-Species of Special Concern, IUCN LC-Least Concern, USFS S-Sensitive, WBWG H-High Priority	Broadleaved upland forest; Chaparral; Chenopod scrub; Great Basin grassland; Great Basin scrub; Joshua tree woodland; Lower montane coniferous forest; Meadow & seep; Mojavean desert scrub; Riparian forest; Riparian woodland; Sonoran desert scrub; Sonoran thorn woodland; Upper montane coniferous forest; alley & foothill grassland. Throughout California in a wide variety of habitats. Most common in mesic sites. Roosts in the open, hanging from walls and ceilings. Roosting sites limiting. Extremely sensitive to human disturbance.	**Moderate potential.** The BSA provides suitable habitat for this species. The buildings on-site may provide roosting habitat.
Enhydra lutris nereis	Southern Sea Otter	FT	None	G4T2	S2	CDFW_FP-Fully Protected | IUCN_EN-Endangered | MMC_SSC-Species of Special Concern	Aquatic; Protected deepwater coastal communities. Nearshore marine environments from about Ano Nuevo, San Mateo Co. to Point Sal, Santa Barbara Co. Needs canopies of giant kelp and bull kelp for rafting and feeding. Prefers rocky substrates with abundant invertebrates.	**No potential.** There is no marine habitat within the BSA.
Erethizon dorsatum	North American Porcupine	None	None	G5	S3	IUCN LC-Least Concern	Broadleaved upland forest; Cismontane woodland; Closed-cone coniferous forest; Lower montane coniferous forest; North coast coniferous forest; Upper montane coniferous forest. Forested habitats in the Sierra Nevada, Cascade, and Coast ranges, with scattered observations from forested areas in the Transverse Ranges. Wide variety of coniferous and mixed woodland habitat.	**Low potential.** The BSA does not contain suitable habitat.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Lasiurus cinereus	Hoary Bat	None	None	G3G4	S4	IUCN LC-Least Concern	Broadleaved upland forest, cismontane woodland, lower montane coniferous forest, north coast coniferous forest. Prefers open habitats or habitat mosaics, with access to trees for cover and open areas or habitat edges for feeding. Roosts in dense foliage of medium to large trees. Feeds primarily on moths. Requires water.	**High potential.** The BSA contains open and edge habitat with proximity to water. The species was detected at acoustic recorders approximately 3 miles south and 3 miles north of the BSA (BAMVT 2022).
Martes caurina humboldtensis	Humboldt Marten	FT	SE	G4G5 T1	S1	CDFW SSC-Species of Special Concern, USFS S-Sensitive	Occurs only in the coastal redwood zone from the Oregon border south to Sonoma County. Associated with late-successional coniferous forests, prefer forests with low, overhead cover.	**No potential.** No suitable old growth forest is available for this species within the BSA.
Myotis evotis	Long-Eared Myotis	None	None	G5	S3	BLM S-Sensitive, IUCN LC-Least Concern, WBWG M-Medium Priority	Found in all brush, woodland and forest habitats from sea level to about 9000 ft. Prefers coniferous woodlands and forests. Nursery colonies in buildings, crevices, spaces under bark, and snags. Caves used primarily as night roosts.	**High potential.** The BSA contains buildings and trees that could be used for nursery colonies. The species was detected at acoustic recorders approximately 3 miles south and 3 miles north of the BSA (BAMVT 2022).
Pekania pennanti	Fisher	None	None	G5	S2S3	BLM S-Sensitive, CDFW SSC-Species of Special Concern, USFS S-Sensitive	North coast coniferous forest; Old growth; Riparian forest. Intermediate to large-tree stages of coniferous forests and deciduous-riparian areas with high percent canopy closure. Uses cavities, snags, logs and rocky areas for cover and denning. Needs large areas of mature, dense forest.	**Low potential.** The BSA does not contain large extents of suitable forested habitat needed.
Birds								
Accipiter cooperii	Coopers Hawk	None	None	G5	S4	CDFW WL-Watch List, IUCN LC-Least Concern	Riparian woodland, upper montane coniferous forest. Woodland, chiefly of open, interrupted or marginal type. Nest sites mainly in riparian growths of deciduous trees, as in canyon bottoms on river flood-plains; also, live oaks.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022).

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Accipiter striatus	Sharp-Shinned Hawk	None	None	G5	S4	CDFW WL-Watch List, IUCN LC-Least Concern	Cismontane woodland; Lower montane coniferous forest; Riparian forest; Riparian woodland. Ponderosa pine, black oak, riparian deciduous, mixed conifer, and Jeffrey pine habitats. Prefers riparian areas. North-facing slopes with plucking perches are critical requirements. Nests usually within 275 ft of water.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022).
Ardea alba	Great Egret	None	None	G5	S4	CDF S-Sensitive, IUCN LC-Least Concern	Brackish marsh; Estuary; Freshwater marsh; Marsh & swamp; Riparian forest; Wetland Colonial nester in large trees. Rookery sites located near marshes, tide-flats, irrigated pastures, and margins of rivers and lakes.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022). The BSA provides suitable habitat.
Ardea herodias	Great Blue Heron	None	None	G5	S4	CDF S-Sensitive, IUCN LC-Least Concern	Brackish marsh; Estuary; Freshwater marsh; Marsh & swamp; Riparian forest; Wetland Colonial nester in tall trees, cliffsides, and sequestered spots on marshes. Rookery sites in close proximity to foraging areas: marshes, lake margins, tide-flats, rivers and streams, wet meadows.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022). The BSA provides suitable habitat.
Asio flammeus	Short-Eared Owl	None	None	G5	S3	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Found in swamp lands, both fresh and salt; lowland meadows; irrigated alfalfa fields. Tule patches/tall grass needed for nesting/daytime seclusion. Nests on dry ground in depression concealed in vegetation.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022). The BSA provides suitable habitat.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Asio otus	Long-Eared Owl	None	None	G5	S3?	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Cismontane woodland; Great Basin scrub; Riparian forest; Riparian woodland; Upper montane coniferous forest. Riparian bottomlands grown to tall willows and cottonwoods; also, belts of live oak paralleling stream courses. Require adjacent open land, productive of mice and the presence of old nests of crows, hawks, or magpies for breeding.	**Moderate potential.** The BSA provides suitable habitat for this species.
Botaurus lentiginosus	American Bittern	None	None	G5	S3S4	IUCN_LC-Least Concern	Freshwater and slightly brackish marshes. Also in coastal saltmarshes. Dense reed beds.	**Low potential.** No marshes present.
Brachyramphus marmoratus	Marbled Murrelet	FT	SE	G3	S2	CDF S-Sensitive, IUCN EN-Endangered, NABCI RWL-Red Watch List	Lower montane coniferous forest; Old growth; Redwood. Feeds near-shore; nests inland along coast from Eureka to Oregon border and from Half Moon Bay to Santa Cruz. Nests in old-growth redwood-dominated forests, up to six miles inland, often in Douglas-fir.	**Low potential.** The species may fly over the BSA to nesting locations further inland.
Cerorhinca monocerata	Rhinoceros Auklet	None	None	G5	S3	CDFW_WL-Watch List | IUCN_LC-Least Concern	Off-shore islands and rocks along the California coast. Nests in a burrow on undisturbed, forested and unforested islands, and probably in cliff caves on the mainland.	**No potential.** There is no marine or cliff cave habitat in the BSA.
Chaetura vauxi	Vauxs Swift	None	None	G5	S2S3	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Lower montane coniferous forest, North Coast coniferous forest, old growth. Redwood, Douglas-fir, and other coniferous forests. Nests in large hollow trees and snags. Often nests in flocks. Forages over most terrains and habitats but shows a preference for foraging over rivers and lakes.	**High potential.** Many detections within 0.25 miles of the BSA (eBird 2022).

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Charadrius montanus	Mountain Plover	None	None	G3	S2S3	BLM S-Sensitive, CDFW SSC-Species of Special Concern, IUCN NT-Near Threatened, NABCI RWL-Red Watch List, USFWS BCC-Birds of Conservation Concern	Chenopod scrub; valley & foothill grassland. Short grasslands, freshly plowed fields, newly sprouting grain fields, and sometimes sod farms. Short vegetation, bare ground, and flat topography. Prefers grazed areas and areas with burrowing rodents.	**Moderate potential.** The BSA contains a large extent of annual grasses and forbes.
Charadrius nivosus nivosus	Western Snowy Plover	FT	None	G3T3	S2	CDFW SSC-Species of Special Concern, NABCI RWL-Red Watch List	Great Basin standing waters; Sand shore; Wetland Sandy beaches, salt pond levees and shores of large alkali lakes. Needs sandy, gravelly or friable soils for nesting.	**Low potential.** There is not suitable habitat within the BSA.
Circus hudsonius	Northern Harrier	None	None	G5	S3	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern, USFWS BCC-Birds of Conservation Concern	Coastal scrub; Great Basin grassland; Marsh & swamp; Riparian scrub; Valley & foothill grassland; Wetland Coastal salt and freshwater marsh. Nest and forage in grasslands, from salt grass in desert sink to mountain cienagas. Nests on ground in shrubby vegetation, usually at marsh edge; nest built of a large mound of sticks in wet areas.	**High potential.** The BSA contains suitable habitat for this species.
Coccyzus americanus occidentalis	Western Yellow-Billed Cuckoo	FT	SE	G5T2T3	S1		Riparian forest. Riparian forest nester, along the broad, lower flood-bottoms of larger river systems. Nests in riparian jungles of willow, often mixed with cottonwoods, with lower story of blackberry, nettles, or wild grape.	**No potential.** The BSA is outside of the species range.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Contopus cooperi	Olive-Sided Flycatcher	None	None	G4	S3	CDFW_SSC-Species of Special Concern | IUCN_NT-Near Threatened | NABCI_YWL-Yellow Watch List | USFWS_BCC-Birds of Conservation Concern	Lower montane coniferous forest, redwood, upper montane coniferous forest. Nesting habitats are mixed conifer, montane hardwood-conifer, Douglas-fir, redwood, red fir and lodgepole pine. Most numerous in montane conifer forests where tall trees overlook canyons, meadows, lakes or other open terrain.	**Low potential.** The species is more associated with forested habitat types.
Coturnicops noveboracensis	Yellow Rail	None	None	G4	S1S2	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern, NABCI RWL-Red Watch List, USFS S-Sensitive, USFWS BCC-Birds of Conservation Concern	Freshwater marsh; Meadow & seep. Summer resident in eastern Sierra Nevada in Mono County. Freshwater marshlands.	**Low potential.** Occurrences in Humboldt County are extremely rare (eBird 2022). Humboldt County appears to be outside of the normal range.
Egretta thula	Snowy Egret	None	None	G5	S4	IUCN LC-Least Concern	Marsh & swamp; Meadow & seep; Riparian forest; Riparian woodland; Wetland. Colonial nester, with nest sites situated in protected beds of dense tules. Rookery sites situated close to foraging areas: marshes, tidal-flats, streams, wet meadows, and borders of lakes.	**Moderate potential.** Suitable riparian forest and stream habitat available within BSA.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Elanus leucurus	White-Tailed Kite	None	None	G5	S3S4	BLM S-Sensitive, CDFW FP-Fully Protected, IUCN LC-Least Concern	Cismontane woodland; Marsh & swamp; Riparian woodland; Valley & foothill grassland; Wetland. Rolling foothills and valley margins with scattered oaks and river bottomlands or marshes next to deciduous woodland. Open grasslands, meadows, or marshes for foraging close to isolated, dense-topped trees for nesting and perching.	**High potential.** The BSA provides suitable habitat for this species. Many detections within 0.25 miles of the BSA (eBird 2022).
Empidonax traillii	Willow Flycatcher	None	SE	G5	S1S2	IUCN_LC-Least Concern | USFS_S-Sensitive	Meadow & seep, riparian scrub, riparian woodland, wetland. Inhabits extensive thickets of low, dense willows on edge of wet meadows, ponds, or backwaters; 2000-8000 ft elevation. Requires dense willow thickets for nesting/roosting. Low, exposed branches are used for singing posts/hunting perches.	**High potential.** Observations recorded within 0.25 miles of the BSA (eBird 2022).
Falco columbarius	Merlin	None	None	G5	S3S4	CDFW_WL-Watch List | IUCN_LC-Least Concern	Estuary, Great Basin grassland, valley & foothill grassland. Seacoast, tidal estuaries, open woodlands, savannahs, edges of grasslands and deserts, farms and ranches. Clumps of trees or windbreaks are required for roosting in open country.	**High potential.** Observations recorded within 0.25 miles of the BSA (eBird 2022).
Falco peregrinus anatomy	American Peregrine Falcon	Delisted	Delisted	G4T4	S3S4	CDF S-Sensitive, CDFW FP-Fully Protected	Near wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, mounds; also, human-made structures. Nest consists of a scrape or a depression or ledge in an open site.	**High potential.** Observations recorded within 0.25 miles of the BSA (eBird 2022).
Fratercula cirrhata	Tufted Puffin	None	None	G5	S1S2	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern | USFWS_BCC-Birds of Conservation Concern	Protected deepwater coastal communities. Open-ocean bird; nests along the coast on islands, islets, or (rarely) mainland cliffs. Requires sod or earth into which the birds can burrow, on island cliffs or grassy island slopes.	**No potential.** The BSA does not contain marine habitat.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Haliaeetus leucocephalus	Bald Eagle	Delisted	SE	G5	S3	BLM S-Sensitive, CDF S-Sensitive, CDFW FP-Fully Protected, IUCN LC-Least Concern, USFS S-Sensitive	Lower montane coniferous forest; Old growth. Ocean shore, lake margins, and rivers for both nesting and wintering. Most nests within 1 mile of water. Nests in large, old growth, or dominant live tree with open branches, especially ponderosa pine. Roosts communally in winter.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022). The BSA does not provide suitable nesting habitat, however.
Hydrobates furcatus	Fork-Tailed Storm-Petrel	None	None	G5	S1	BLM_S-Sensitive | CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern	Protected deepwater coastal communities. Colonial nester on small, offshore islets. Forages over the open ocean, usually well off-shore. Birds choose offshore islets which provide nesting crannies beneath rocks or sod for burrowing.	**No potential.** The BSA does not encompass marine habitat.
Icteria virens	Yellow-Breasted Chat	None	None	G5	S3	CDFW_SSC-Species of Special Concern | IUCN_LC-Least Concern	Riparian forest, riparian scrub, riparian woodland. Summer resident; inhabits riparian thickets of willow and other brushy tangles near watercourses. Nests in low, dense riparian, consisting of willow, blackberry, wild grape; forages and nests within 10 ft of ground.	**Moderate potential.** There is a recorded observation within 0.25 miles of the BSA (eBird 2022). The BSA near Mill Creek provides suitable habitat.
Nannopterum auritum	Double-Crested Cormorant	None	None	G5	S4	CDFW WL-Watch List, IUCN LC-Least Concern	Riparian forest; Riparian scrub; Riparian woodland. Colonial nester on coastal cliffs, offshore islands, and along lake margins in the interior of the state. Nests along coast on sequestered islets, usually on ground with sloping surface, or in tall trees along lake margins.	**High potential.** There are recorded observations within 0.25 miles of the BSA (eBird 2022).
Numenius americanus	Long-Billed Curlew	None	None	G5	S2	CDFW_WL-Watch List | IUCN_LC-Least Concern | NABCI_YWL-Yellow Watch List	Great Basin grassland, meadow & seep. Breeds in upland shortgrass prairies and wet meadows in northeastern California. Habitats on gravelly soils and gently rolling terrain are favored over others.	**Low potential.** The BSA does not contain highly suitable habitat for this species.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Nycticorax nycticorax	Black-Crowned Night Heron	None	None	G5	S4	IUCN LC-Least Concern	Marsh & swamp; Riparian forest; Riparian woodland; Wetland. Colonial nester, usually in trees, occasionally in tule patches. Rookery sites located adjacent to foraging areas: lake margins, mud-bordered bays, marshy spots.	**Moderate potential.** The riparian area near Mill Creek is suitable for this species.
Pandion haliaetus	Osprey	None	None	G5	S4	CDF S-Sensitive, CDFW WL-Watch List, IUCN LC-Least Concern	Riparian forest. Ocean shore, bays, freshwater lakes, and larger streams. Large nests built in tree-tops within 15 miles of a good fish-producing body of water.	**Low potential.** The species is more associated with fish-producing waters than Mill Creek.
Passerculus sandwichensis alaudinus	Bryants Savannah Sparrow	None	None	G5T2T3	S2S3	CDFW_SSC-Species of Special Concern	Low tidally influences habitats, ruderal areas, and grasslands. Around Humboldt Bay, the species breeds in dairy pastures, taller grasses and rushes, along roads and fences, and water canals (Shuford and Gardali 2008). They are ground nesters.	**Moderate potential.** There is taller grasses present within the BSA. There is a recorded observation within 0.25 miles of the BSA (eBird 2022).
Pelecanus occidentalis californicus	California Brown Pelican	Delisted	Delisted	G4T3T4	S3	BLM_S-Sensitive | CDFW_FP-Fully Protected | USFS_S-Sensitive	Colonial nester on coastal islands just outside the surf line. Nests on coastal islands of small to moderate size which afford immunity from attack by ground-dwelling predators. Roosts communally.	**No potential.** The BSA does not encompass marine habitat.
Poecile atricapillus	Black-Capped Chickadee	None	None	G5	S3	CDFW_WL-Watch List | IUCN_LC-Least Concern	Riparian woodland. Inhabits riparian woodlands in Del Norte and northern Humboldt counties. Mainly found in deciduous tree-types, especially willows and alders, along large or small watercourses.	**Moderate potential.** There is a recorded observation within 0.25 miles of the BSA (eBird 2022). The BSA near Mill Creek provides suitable habitat.
Rallus obsoletus obsoletus	California Ridgways Rail	FE	SE	G3T1	S1	CDFW FP-Fully Protected, NABCI RWL-Red Watch List	Brackish marsh; Marsh & swamp; Salt marsh; Wetland. Salt water and brackish marshes traversed by tidal sloughs in the vicinity of San Francisco Bay. Associated with abundant growths of pickleweed but feeds away from cover on invertebrates from mud-bottomed sloughs.	**No potential.** The BSA is outside of the range.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Riparia riparia	Bank Swallow	None	ST	G5	S2	BLM S-Sensitive, IUCN LC-Least Concern	Riparian scrub; Riparian woodland. Colonial nester; nests primarily in riparian and other lowland habitats west of the desert. Requires vertical banks/cliffs with fine-textured/sandy soils near streams, rivers, lakes, ocean to dig nesting hole.	**Low potential.** Although there is riparian habitat near Mill Creek, there is not suitable vertical banks and cliffs for nesting holes. In addition, occurrences in Humboldt County are rare (eBird 2022).
Strix occidentalis caurina	Northern Spotted Owl	FT	ST	G3T3	S2S3	CDF S-Sensitive, IUCN NT-Near Threatened, NABCI YWL-Yellow Watch List	Old-growth forests or mixed stands of old-growth and mature trees. Occasionally in younger forests with patches of big trees. High, multistory canopy dominated by big trees, many trees with cavities or broken tops, woody debris, and space under canopy.	**Low potential.** No suitable habitat for this species available in the BSA.
Reptiles								
Chelonia mydas	Green Sea Turtle Aka East Pacific Green Sea Turtle	FT	None	G3	S1	IUCN EN-Endangered	Marine bay. Marine. Completely herbivorous; needs adequate supply of seagrasses and algae. Enters temperate waters in the summer.	**No potential.** There is no suitable habitat in the BSA for this species.
Emys marmorata	Western Pond Turtle	None	None	G3G4	S3	BLM S-Sensitive, CDFW SSC-Species of Special Concern, IUCN VU-Vulnerable, USFS S-Sensitive	A thoroughly aquatic turtle of ponds, marshes, rivers, streams and irrigation ditches, usually with aquatic vegetation, below 6000 ft elevation. Needs basking sites and suitable (sandy banks or grassy open fields) upland habitat up to 0.5 km from water for egg-laying.	**Moderate potential.** The BSA provides suitable habitat for this species by containing a grassy open field and proximity to Mill Creek.
Amphibians								
Ascaphus truei	Pacific Tailed Frog	None	None	G4	S3S4	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern	Aquatic; Klamath/North coast flowing waters; Lower montane coniferous forest; North coast coniferous forest; Redwood; Riparian forest. Occurs in montane hardwood-conifer, redwood, Douglas-fir and ponderosa pine habitats. Restricted to perennial montane streams. Tadpoles require water below 15 degrees C.	**Low potential.** The habitat type in the BSA is not preferred by this species.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Plethodon elongatus	Del Norte Salamander	None	None	G4	S3	CDFW_WL-Watch List | IUCN_NT-Near Threatened	Old-growth associated species with optimum conditions in the mixed conifer/hardwood ancient forest ecosystem. Cool, moist, stable microclimate, a deep litter layer, closed multi-storied canopy, dominated by large, old trees.	**Low potential.** The habitat type in the BSA is not preferred by this species.
Rana aurora	Northern Red-Legged Frog	None	None	G4	S3	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern, USFS S-Sensitive	Klamath/North coast flowing waters; Riparian forest; Riparian woodland. Humid forests, woodlands, grasslands, and streamsides in northwestern California, usually near dense riparian cover. Generally near permanent water, but can be found far from water, in damp woods and meadows, during non-breeding season.	**High potential.** The field, wetlands, and proximity to Mill Creek is highly suitable for this species.
Rana boylii pop. 1	Foothill Yellow-Legged Frog - North Coast DPS	None	None	G3	S3	BLM S-Sensitive, CDFW SSC-Species of Special Concern, IUCN NT-Near Threatened, USFS S-Sensitive	Partly-shaded, shallow streams and riffles with a rocky substrate in a variety of habitats. Needs at least some cobble-sized substrate for egg-laying. Needs at least 15 weeks to attain metamorphosis.	**Moderate potential.** Mill Creek is suitable for this species.
Rhyacotriton variegatus	Southern Torrent Salamander	None	None	G3G4	S2S3	CDFW SSC-Species of Special Concern, IUCN LC-Least Concern, USFS S-Sensitive	Lower montane coniferous forest; Old growth; Redwood; Riparian forest. Coastal redwood, Douglas-fir, mixed conifer, montane riparian, and montane hardwood-conifer habitats. Old growth forest. Cold, well-shaded, permanent streams and seepages, or within splash zone or on moss-covered rocks within trickling water.	**Moderate potential.** There is suitable aquatic and riparian forest habitat within and around Mill Creek.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Fish								
Acipenser medirostris pop. 1	Green Sturgeon - Southern DPS	FT	None	G3	S1	SSC	Coastal watersheds south of the Eel River with spawning confirmed in the Sacramento River system and present in Humboldt Bay. These are the most marine species of sturgeon. Spawns at temps between 8-14 C. Preferred spawning substrate is large cobble but can range from clean sand to bedrock.	**No potential.** The Mill Creek is not suitable aquatic habitat for this species.
Acipenser medirostris pop. 2	Green Sturgeon - Northern DPS	None	None	G2T1	S1	AFS_VU-Vulnerable | CDFW_SSC-Species of Special Concern | IUCN_VU-Vulnerable	Aquatic; Estuary; Klamath/North coast flowing waters; Marine bay. Exhibits spawning site fidelity. Known to spawn in the Klamath, Trinity, Salmon, and Eel Rivers in California; historically known to spawn in the South Fork Trinity River. Non-spawning adults occupy marine and estuarine waters. Spawning occurs primarily in cool (11-15 C) sections of mainstem rivers in deep pools (8-9 meters) with substrate containing small to medium sized sand, gravel, cobble, or boulder.	**No potential.** The Mill Creek is not suitable aquatic habitat for this species.
Acipenser transmontanus	White Sturgeon	None	None	G4	S2	AFS EN-Endangered, CDFW SSC-Species of Special Concern, IUCN VU-Vulnerable	Aquatic, Estuary, Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters. Live in estuaries of large rivers, moving into freshwater to spawn. Most abundant in brackish portions of estuaries. In estuaries adults concentrate in deep areas with soft bottoms.	**No potential.** The Mill Creek is not suitable aquatic habitat for this species.
Entosphenus tridentatus	Pacific Lamprey	None	None	G4	S3	AFS VU-Vulnerable, BLM S-Sensitive, CDFW SSC-Species of Special Concern, USFS S-Sensitive	Aquatic; Klamath/North coast flowing waters; Sacramento/San Joaquin flowing waters; South coast flowing waters. Found in Pacific Coast streams north of San Luis Obispo County, however regular runs in Santa Clara River. Size of runs is declining. Swift-current gravel-bottomed areas for spawning with water temps between 12-18 C. Ammocoetes need soft sand or mud.	**Low potential.** The BSA is not within the mapped distribution (Reid and Goodman 2021).

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Eucyclogobius newberryi	Tidewater Goby	FE	None	G3	S3	AFS EN-Endangered, IUCN VU-Vulnerable	Aquatic; Klamath/North coast flowing waters; Sacramento/San Joaquin flowing waters; South coast flowing waters. Brackish water habitats along the California coast from Agua Hedionda Lagoon, San Diego County to the mouth of the Smith River. Found in shallow lagoons and lower stream reaches, they need fairly still but not stagnant water and high oxygen levels.	**No potential.** No brackish water habitat is available in the BSA.
Lampetra richardsoni	Western Brook Lamprey	None	None	G4G5	S3S4	CDFW SSC-Species of Special Concern, USFS S-Sensitive	Found in the Sacramento River basin northward into British Columbia. Requires fine gravel beds for spawning. Larvae burrow in fine sediment.	**Moderate potential.** The species may occur within Mill Creek. However, no in-water work is currently proposed.
Oncorhynchus clarkii clarkii	Coast Cutthroat Trout	None	None	G5T4	S3	AFS VU-Vulnerable, CDFW SSC-Species of Special Concern, USFS S-Sensitive	Aquatic; Klamath/North coast flowing waters. Small coastal streams from the Eel River to the Oregon border. Small, low gradient coastal streams and estuaries. Needs shaded streams with water temperatures <18C, and small gravel for spawning.	**High potential.** There is a recorded observation in Mill Creek from 1995 (CDFW 2022). However, no in-water work is currently proposed.
Oncorhynchus gorbuscha	Pink Salmon	None	None	G5	S1		Aquatic. Most spawn in intertidal or lower reaches of streams and rivers in September and October. Move further upstream in Sacramento River. Optimal temperature = 5.6 to 14.4 C. Embryos and alevins require fast-flowing, well-oxygenated water for development and survival.	**No potential.** The BSA is outside of the species range.
Oncorhynchus keta	Chum Salmon	None	None	G5	S1		Aquatic, Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters. Short freshwater and extensive marine life stage. Especially dependent upon estuaries during non-migratory juvenile stage. Select spawning sites where there are good intragravel flows with optimum spawning temperatures of 7.2 - 12.8 C.	**No potential.** The BSA is outside of the species range.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Oncorhynchus kisutch pop. 2	Coho Salmon - Southern Oregon / Northern California ESU	FT	ST	G5T2Q	S2	AFS TH-Threatened	Aquatic; Klamath/North coast flowing waters; Sacramento/San Joaquin flowing waters. Federal listing refers to populations between Cape Blanco, Oregon and Punta Gorda, Humboldt County, California. State listing refers to populations between the Oregon border and Punta Gorda, California.	**Low potential.** Mill Creek does not provide suitable aquatic habitat for this species.
Oncorhynchus mykiss irideus pop. 16	Steelhead - Northern California DPS	FT	None	G5T2T3Q	S2S3	AFS TH-Threatened	Aquatic; Sacramento/San Joaquin flowing waters. Coastal basins from Redwood Creek south to the Gualala River, inclusive. Does not include summer-run steelhead.	**High potential.** The species has been detected within Mill Creek. However, no in-water work is to occur (CDFW 2014).
Oncorhynchus mykiss irideus pop. 36	Summer-Run Steelhead Trout	None	CE	G5T4Q	S2	CDFW SSC-Species of Special Concern	Aquatic, Klamath/North coast flowing waters, Sacramento/San Joaquin flowing waters. California coastal streams south to Middle Fork Eel River. Within range of Klamath Mtns province DPS and No. Calif DPS. Cool, swift, shallow water and clean loose gravel for spawning, and suitably large pools in which to spend the summer.	**High potential.** The species has been detected within Mill Creek. However, no in-water work is to occur (CDFW 2014).
Oncorhynchus mykiss irideus pop. 48	Steelhead - Northern California DPS Summer-Run	FT	SE	G5TNRQ	S2	AFS TH-Threatened	Aquatic, Estuary, Klamath/North coast flowing waters. Naturally spawning population of the stream-maturing summer-run ecotype. From Redwood Creek watershed south to and inclusive of Gualala River watershed. Distribution within range more limited. Require cool water (<23C); holding habitat to withstand higher temps; lower flows in summer/fall; require loose gravels at pool tails for redd construction. Favor cool, clear, fast-flowing riffles, ample riparian cover, undercut banks and diverse prey.	**High potential.** The species has been detected within Mill Creek. However, no in-water work is to occur (CDFW 2014).

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Oncorhynchus mykiss irideus pop. 49	Steelhead - Northern California DPS Winter-Run	FT	None	G5TN RQ	S3	AFS TH-Threatened	Aquatic, Estuary, Klamath/North coast flowing waters. Naturally spawning population of the ocean-maturing winter-run ecotype. From Redwood Creek watershed south to and inclusive of Gualala River watershed. Distribution throughout range. Adults require high flows of 18-20 cm for passage and loose gravels at pool tails for redd construction. Juveniles favor areas with cool (10-17 C), clear, fast-flowing riffles, ample riparian cover, undercut banks and diverse prey.	**High potential.** The species has been detected within Mill Creek. However, no in-water work is to occur (CDFW 2014).
Oncorhynchus tshawytscha pop. 17	Chinook Salmon - California Coastal ESU	FT	None	G5T2Q	S2	AFS_TH-Threatened	Aquatic, Sacramento/San Joaquin flowing waters. Federal listing refers to wild spawned, coastal, spring and fall runs between Redwood Cr, Humboldt Co and Russian River, Sonoma Co.	**Low potential.** Mill Creek is outside of the mapped and known distribution. Additionally, no in-water work is currently proposed.
Oncorhynchus tshawytscha pop. 30	Chinook Salmon - Upper Klamath And Trinity Rivers ESU	FC	ST	G5T2Q	S2	CDFW_SSC-Species of Special Concern | USFS_S-Sensitive	Aquatic. Klamath/North coast flowing waters. Spring-run chinook in the Trinity River and the Klamath River upstream of the mouth of the Trinity River. Major limiting factor for juvenile chinook salmon is temperature, which strongly effects growth and survival.	**No potential.** The BSA does not encompass the range of this ESU.
Spirinchus thaleichthys	Longfin Smelt	FC	ST	G5	S1		Aquatic; Estuary. Euryhaline, nektonic and anadromous. Found in open waters of estuaries, mostly in middle or bottom of water column. Prefer salinities of 15-30 ppt but can be found in completely freshwater to almost pure seawater.	**No potential.** The BSA is outside of the mapped range.
Thaleichthys pacificus	Eulachon	FT	None	G5	S2		Aquatic; Klamath/North coast flowing waters. Found in Klamath River, Mad River, Redwood Creek, and in small numbers in Smith River and Humboldt Bay tributaries. Spawn in lower reaches of coastal rivers with moderate water velocities and bottom of pea-sized gravel, sand, and woody debris.	**Moderate potential.** The BSA is within the range, and Mill Creek is connected to the Mad River, which is designated critical habitat for this species. However, no in-water work is to occur.
Mollusks								

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Anodonta californiensis	California Floater	None	None	G3Q	S2?	USFS S-Sensitive	Aquatic. Freshwater lakes and slow-moving streams and rivers. Taxonomy under review by specialists. Generally in shallow water.	**Moderate potential.** The species may occur within Mill Creek. However, no in-water work is currently proposed.
Littorina subrotundata	Newcombs Littorine Snail	None	None	G5	S1S2		Aquatic, brackish marsh. Salt/brackish water snail known only from Humboldt Bay in California. Restricted to Salicornia or the muddy substrate immediately below; submerged in sea water only a few hours per year.	**No potential.** No brackish water habitat available in the BSA.
Margaritifera falcata	Western Pearlshell	None	None	G4G5	S1S2		Aquatic. Prefers lower velocity waters.	**Moderate potential.** The species may occur within Mill Creek. However, no in-water work is currently proposed.
Insects								
Bombus caliginosus	Obscure Bumble Bee	None	None	G2G3	S1S2	IUCN VU-Vulnerable	Coastal areas from Santa Barbara County to north to Washington state. Food plant genera include Baccharis, Cirsium, Lupinus, Lotus, Grindelia and Phacelia.	**Moderate potential.** From 1975 to 1978, this species was observed within 3.5 miles of the BSA on the CNDDB (CDFW 2022). In addition, this species was observed approximately 5.5 miles from the BSA in July 2022 (Bumble Bee Watch 2022). There is also an observation near the coast of McKinleyville (exact location obstructed) from May 2020 (iNaturalist 2022). Three of the six food plant genera were observed during the botanical survey.
Bombus crotchii	Crotch Bumble Bee	None	CE	G2	S1S2		Coastal California east to the Sierra-Cascade crest and south into Mexico. Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.	**Low potential.** The food plant genera were not observed during the botanical site visit.

Scientific Name	Common Name	ESA	CESA	Global Rank[2]	State Rank[2]	Other Status	Habitat Requirements[1]	Potential to Occur
Bombus occidentalis	Western Bumble Bee	None	CE	G2G3	S1	USFS S-Sensitive	Once common and widespread, species has declined precipitously from central CA to southern B.C., perhaps from disease. Prefers large patches of native nectar plants. Typically, the species nests underground in abandoned rodent or other animal nests, but they have also been found aboveground among logs of railroad ties.	**Low potential.** From 1968 to 1982, this species has been documented in four locations within 3.5 miles of the BSA on the CNDDB (CDFW 2022). The nearest recent observation is over 20 miles east of the BSA (Bumble Bee Watch 2022, iNaturalist 2022). Since 1998, this species' range has drastically contracted, especially in California (Xerces Society 2023). The BSA appears to be outside of the species' currently mapped distribution (Bumble Bee Watch 2022, iNaturalist 2022), and occurrence within the BSA is unlikely.
Cicindela hirticollis gravida	Sandy Beach Tiger Beetle	None	None	G5T2	S2		Coastal dunes. Inhabits areas adjacent to non-brackish water along the coast of California from San Francisco Bay to northern Mexico. Clean, dry, light-colored sand in the upper zone. Subterranean larvae prefer moist sand not affected by wave action.	**Low potential.** No dune habitat is available within the BSA.
Danaus plexippus	Monarch Butterfly – California Overwintering, Pop. 1	FC	None	G4T2T3	S2S3		Fields, roadside areas, open areas, wet areas or urban gardens. This species only lays eggs on milkweed. Overwintering tree habitat includes eucalyptus, Monterey pine, Monterey cypress, western sycamore, coast redwood, and coast live oak trees.	**Low potential.** No suitable overwintering habitat for this species. The BSA is outside of the known distribution of overwintering sites (Xerces Society 2020).

Mitigation

The White-footed Vole (CDFW SSC), Townsend's Big-eared Bat (CDFW SSC), Hoary Bat (CDFW SAL), and Long-eared Myotis (CDFW SAL) have a moderate to high potential to occur based on public observations or habitat quality within and around the Project area. Mitigation Measure BIO-1 would be incorporated into the Project to reduce impacts on special status mammals to a less than significant level.

Mitigation Measure BIO-1: Avoidance and Minimization Measures to Protect Special Status Mammals

- Removal of confirmed or presumed-occupied bat roost habitat (the buildings planned for demolition) would occur only during seasonal periods of bat activity (when bats are volant, i.e., able to leave roosts) between March 1 and April 15 or September 1 and October 15, when evening temps rise above 45 F, and when no rainfall greater than ½ inches has occurred in the last 24 hours.
- If trees or structures cannot be removed during the volant period, i.e., Project activities occur during the bat maternity season which generally occur April 16th through August 30th, a qualified biologist shall conduct surveys within suitable habitat for special status bats. Survey methodology shall include visual examination with binoculars and may optionally utilize ultrasonic detectors to determine if special status bat species utilize the vicinity.
- Surveys shall be conducted by a qualified biologist within seven days prior to construction in any areas where potential maternity roosts may be disturbed/removed. The preconstruction surveys for bats may coincide with pre-construction surveys for other animals. Surveys shall include a visual inspection of the impact area and any large trees/snags with cavities or loose bark or crevices within infrastructure. If the presence of a maternity roost is confirmed, an appropriate buffer distance would be established in consultation with CDFW to ensure that construction noise would remain below disturbance thresholds for bats. If no bat utilization or roosts are found, then no further study or action is required. If bats are found to utilize the BSA, or presence is assumed, a bat specialist should be engaged to advise the best method to prevent impact.
- Project-related construction lighting shall be minimized if any construction occurs at night, either contained within structures or limited by appropriate reflectors or shrouds and focused on areas needed for safety, security or other essential requirements.
- Potential locations for White-footed Vole nesting will be inspected within the BSA within a week of construction commencing. This includes under rocks and logs within the Project vicinity.
- All trees planned for removal will be marked and a qualified biologist will thoroughly inspect them for signs of the species' inhabitance within a week of removal.

Two bird species (Bald Eagle and Willow Flycatcher) that are state-endangered have a high potential to occur based on recent detections in proximity to the Project Area (eBird 2022). Eighteen other special status bird species have a moderate to high potential to occur. With the implementation of the following measure, consultation under CESA is not expected to be required.

In addition, migratory and nesting birds are protected by the Migratory Bird Treaty Act and Fish and Game Code. If state special status and/or native migratory birds are nesting in the Project Area, or up to 500 feet during construction activities (as feasible taking into account private property), these species may be impacted by removal of nesting habitat, elevated levels of noise, and anthropogenic disturbance. Mitigation

Measure BIO-2 would be incorporated into the Project to reduce impacts on special status and nesting birds to a less than significant level.

Mitigation Measure BIO-2: Avoidance and Minimization Measures to Protect Special Status and Nesting Birds

- If feasible ground disturbance and vegetation clearing would be conducted during the fall and/or winter months and outside of the avian nesting season (which is generally assumed to occur between March 15 – August 15) to avoid any direct effects to special-status and protected birds.
- If ground disturbance or vegetation clearing cannot be confined to the fall and/or winter outside of the nesting season, a qualified biologist would conduct pre-construction surveys within the vicinity of the Project Area to check for nesting activity of native birds and to evaluate the site for presence of raptors and special status bird species. The biologist would conduct at minimum a one-day pre-construction survey within the seven-day period prior to vegetation removal and ground-disturbing activities. If ground disturbance and vegetation removal work lapses for seven days or longer during the nesting season, a qualified biologist would conduct a supplemental avian pre-construction survey before Project work is reinitiated.
- If active nests are detected within the construction footprint, or within 500 feet of construction activities (taking into account private property), the biologist would flag a buffer around each nest. Construction activities would avoid nest sites until the biologist determines that the young have fledged, or nesting activity has ceased. If nests are documented outside of the construction (disturbance) footprint, but within up to 500 feet of the construction area, buffers would be implemented as needed. In general, the buffer size for common species would be determined on a case-by-case basis in consultation with the CDFW and, if applicable, with USFWS. Buffer sizes would consider factors such as (1) noise and human disturbance levels at the construction site at the time of the survey and the noise and disturbance expected during the construction activity; (2) distance and amount of vegetation or other screening between the construction site and the nest; and (3) sensitivity of individual nesting species and behaviors of the nesting birds.
- If active nests are detected during the survey, the qualified biologist would monitor all nests at least once per week to determine whether birds are being disturbed. Activities that might, in the opinion of the qualified biologist, disturb nesting activities (e.g., excessive noise), would be prohibited within the buffer zone until such a determination is made. If signs of disturbance or distress are observed, the qualified biologist would immediately implement adaptive measures to reduce disturbance. These measures may include, but are not limited to, increasing buffer size, halting disruptive construction activities in the vicinity of the nest until fledging is confirmed or nesting activity has ceased, placement of visual screens or sound dampening structures between the nest and construction activity, reducing speed limits, replacing and updating noisy equipment, queuing trucks to distribute idling noise, locating vehicle access points and loading and shipping facilities away from noise-sensitive receptors, reducing the number of noisy construction activities occurring simultaneously, and/or reorienting and/or relocating construction equipment to minimize noise at noise-sensitive receptors.
- A construction worker training on identification of special status birds and nests will occur within seven days of the start of construction.

The Northern Red-legged Frog (CDFW SSC), Foothill Yellow-legged Frog (CDFW SSC), and Southern Torrent Salamander (CDFW SSC) have a moderate to high potential to occur based on recorded occurrences (either public observations or on the CNDDB; CDFW 2022, iNaturalist 2022) or the presence of suitable habitat within or nearby the Project vicinity. Mitigation Measure BIO-3 would be incorporated into the Project to reduce impacts on special status amphibians to a less than significant level.

Mitigation Measure BIO-3: Avoidance and Minimization Measures to Protect Special Status Amphibians

- A qualified biologist would perform a pre-construction survey for the amphibian species within seven days prior to commencement of ground disturbance. The survey shall be limited to the BSA. Suitable habitat would be determined by the qualified biologist. The biologist would relocate any specimens that occur within the work-impact zone to nearby suitable habitat.
- In the event that a special status amphibian is observed in an active construction zone, the contractor would halt construction activities in the area and the frog and/or salamander would be moved by a qualified biologist to a safe location in similar habitat outside of the construction zone.
- A construction worker training on identification of special status amphibians will occur within seven days of the start of construction.
- Work crews shall inspect open trenches, pits, and under construction equipment and material left onsite in the morning and evening to look for amphibians that may have become trapped or are seeking refuge.

Western Brook Lamprey (SSC), Coast Cutthroat Trout (SSC), Steelhead (pop. 16, pop. 36, pop. 48, and pop. 49), and Eulachon (state-endangered) have a moderate to high potential to occur within Mill Creek. Additionally, there is designated Chinook (*Oncorhynchus tshawytscha*) and Coho (*Oncorhynchus kisutch*) Salmon EFH within the BSA, and the PFMC Salmon FMP encompasses these species. Currently, no in-water is proposed. If Project construction plans involving in-water work change, additional recommendations to protect special status fish will be implemented. Mitigation Measure BIO-4 would be incorporated into the Project to reduce impacts on special status fish and EFH to a less than significant level. Although riparian habitat is not anticipated to be impacted, Mitigation Measure BIO-4 is precautionary.

Mitigation Measure BIO-4: Avoidance and Minimization Measures to Protect Special Status Fish and EFH

- Any Project-related construction materials or soil from grading and digging will be restricted from entering Mill Creek to reduce impacts of sedimentation or turbidity.
- Removal of riparian habitat along Mill Creek shall be avoided if feasible. If riparian habitat removal cannot be avoided, riparian habitat would be replanted at ratios acceptable to jurisdictional resource agencies.

The Obscure Bumble Bee (Bombus caliginosus) has a moderate potential to occur based on suitable habitat present within the BSA and observations recorded nearby recently. Vegetation clearing could significantly impact the special status bee. Mitigation Measure BIO-5 would be incorporated into the Project to reduce impacts on special status fish and EFH to a less than significant level.

Mitigation Measure BIO-5: Avoidance and Minimization Measures to Protect Special Status Bees

- A qualified biologist will perform a pre-construction survey for the bee species within seven days prior to commencement of ground disturbance. The survey shall be limited to the BSA and may occur at the same time as surveys for other species. The biologist will search for bees and potential nesting sites.
- If possible, ground disturbance, mowing, and vegetation clearing will occur from October to February, which is outside of the flight season for bumble bees.
- If possible, the Project will not use pesticides. If necessary, the application will be direct and as local as possible to reduce drifting. The pesticide would ideally be applied when plants are not in bloom, in winter or fall, and/or at dusk or night when bees are not flying.
- If a bee or nest is observed, CDFW will be notified, and a no-work zone buffer may be established.

Implementation of Mitigation Measures BIO-1 through BIO-5 will reduce potential impacts to wildlife species and riparian habitat to a less-than-significant level.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Less Than Significant with Mitigation)

Sensitive Natural Communities

Protocol level vegetation assessments and mapping of Sensitive Natural Community (SNC) occurred on September 14, 2021. Two vegetation association qualified as a SNC, and vegetation communities within the Project Area were comprehensively assessed in the Aquatic Resources Delineation and Sensitive Habitat Report Rev2 (Appendix D). Sitka Spruce Alliance, a SNC with a State rank of S2, was observed in the north and northeast edges of the Project Area and covers 0.75 acre. Coastal Willow Alliance, a SNC with a State rank of S3, was observed in the north and east edges of the Project Area and covers 0.85 acre.

No Project elements are planned near the mapped SNCs, and the 1.6 acres of SNCs would be completely avoided during construction. A less than significant impact would occur.

c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Less Than Significant with Mitigation)

Wetlands

A wetland delineation was completed in 2023 (Appendix C) to determine the extent of wetlands and other waters within the Project Area based on hydrophytic vegetation, hydric soils, and wetland hydrology using methods and indicators outlined in the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys and Coast Region. In addition, under the McKinleyville Community Plan Section 3422 (7), Wetland Areas shall be defined as satisfy at least one of the following three criteria: (1) the presence of at least periodic predominance of hydrophytic vegetation; (2) predominately hydric soils; (3) periodic inundation for seven (7) consecutive days. Within the boundaries of mapped SNCs, no

wetlands were mapped. Outside of SNCs, all three-parameter wetlands were documented (no one-parameter wetlands were detected onsite).

The fill and relocation of the stormwater detention pond for the MCSD does not require to be mitigated for as stormwater facilities are not jurisdictional under Section 404 of the Clean Water Act. The State Water Resources Control Board (SWRCB) April 2021 Procedures for Discharges of Dredged or Fill Material to Waters of the State provide a jurisdictional exemption for artificial wetlands that are currently used and maintained for detention, retention, infiltration, or treatment of stormwater runoff per II.3(d)(iii). Thus, the detention pond for the MCSD stormwater discharge pipe is exempt from being regulated as a wetland, and no further analysis is needed, and this area is not included in the area of impaction for wetlands impacts.

Mill Creek, a 3rd order stream and tributary of Mad River, flows just along the southern boundary of the Project Area. Only one contiguous three-parameter wetland (W1) was mapped within the Project Area totaling 8.68 acres of the Project Area (excluding SNC mapped areas of 1.6 acres), and due to the hydrological connection with Mill Creek, is likely considered USACE and RWQCB jurisdictional. No instream work, or work within the ordinary high water mark is planned, nor in areas with riparian vegetation.

Within the Project Area, 5.07 acres are considered upland and did not meet any of the three parameters, hydric soil, hydrophytic vegetation, and hydrology indicators, to be considered wetland, nor do any of the uplands meet the one parameter wetlands definition found in the McKinleyville Community Plan as discussed in the following three paragraphs.

The upland area did not meet the hydrophytic vegetation parameter, as the vegetation plots did not pass the facultative neutral test. While many plots contained primarily facultative plants, these plants were not acting as hydrophytic vegetation, and were present on convex slopes with well drained soils. In addition, upland plots that had primarily facultative plants showed a Prevalence Index of greater than 3, therefore hydrophytic vegetation is not present in mapped uplands.

The upland soils did not meet the hydric soils parameter to be considered a wetland. Soils in uplands did not show hydric soil characteristics and contained mostly a loam texture with an upper horizon of 10YR 3/3 from 0 to 9 inches with no redoximorphic features, and a lower horizon from 9 to 14 inches of 10YR 3/4 with usually 0% redoximorphic features. Therefore, hydric soils are not present and not a qualifying parameter for wetlands.

The upland did not have any primary or secondary indicators of wetland hydrology to meet the hydrology parameter. The U.S. Army Corps of Engineers provides a technical standard for monitoring hydrology by requires 14 or more consecutive days of flooding or ponding, or a water table within 12 inches of the soil surface, during the growing season at a minimum frequency of 5 years in 10 (50 percent or higher probability) (Appendix C). Groundwater was monitored once 50 percent of the average annual rainfall had been met and was monitored for five consecutive weeks (Day 0, 7, 14, 21, 28, and 35), after the 50 percent of average annual rainfall, starting on January 7, 2023, and completed on February 21, 2023. Piezometers were installed onsite to measure depth to groundwater, and results did not show groundwater within 12 inches of the surface for 14 consecutive days. Therefore, the upland plots did not meet any parameters to be considered a wetland.

Based on the current design, the Project would have impacts to wetlands (Table 3.4-2 – Approximate impacts to wetlands). Permanent fill of wetlands would occur due to the construction of buildings, and of the asphalt driveway and parking areas. The filling of wetlands would be mitigated (including wetlands setbacks of less than 50 feet) at approximately 1.8:1 ratio, which would be achieved by providing new wetlands (creation) areas at a 1.3:1 ratio and providing riparian plantings at a 0.5:1 ratio. Additionally, temporary impacts will occur due to temporary road construction for equipment to access wetland mitigation sites, and

temporary construction impacts from grading and culvert installation. Any soil impaction for temporary road impacts, or from temporary grading impacts, would be disked and seeded with a native wetland grass herb mix and restored to pre-project conditions.

Table 3.4-2 Approximate Impacts to Wetlands

	Total Delineated (square feet / acres)	Current Estimated Permanent Impacts (square feet / acres)	Current Estimated Temporary Impacts (square feet / acres)	Mitigation (square feet / acres)
Three Parameter Wetlands	378,100 / 8.68	12,368 / 0.28	8,217 / 0.19	22,262 / 1.8:1 (creation and riparian planting combined)

The 1.8:1 mitigation ratio would create a significant ecological uplift with regard to the existing wetlands that will be filled, which are mostly pasture nonnative grass and herb species. Therefore, impacts to wetlands would be potentially significant. Mitigation Measures BIO-6 and BIO-7 would be incorporated into the Project to reduce impacts to wetlands to a less than significant level.

Mitigation

Mitigation Measure BIO-6: Avoidance and Minimization Measures to Protect Juxtaposed Wetlands

The project shall implement the following avoidance and protection measures for juxtaposed Waters of the United States and Waters of the State that would not be impacted (filled or excavated) during Project construction:

- The project shall attempt to avoid or minimize impacts to wetlands/waters to the greatest extent feasible in the final design plans.
- Juxtaposed wetlands (not proposed for filling) shall be clearly identified in the construction documents and reviewed by the County prior to issuing for bid to ensure they are clearly marked as equipment exclusion zones during construction.
- Suitable perimeter control measures, such as silt fences, or straw wattles shall be placed below all construction activities at the edge of surface water features to intercept sediment before it reaches the waterway. These measures shall be installed prior to any clearing or grading activities.

Mitigation Measure BIO-7: Compensate for Loss of Wetlands

The project shall avoid fill of wetlands to the extent feasible. If fill cannot be avoided, then the project shall compensate for the loss of seasonal wetland habitat so that there is no net loss in wetlands at a ratio of 1.8:1. The project shall compensate for impacts to identified wetlands through creation of wetland at a ratio of no less than 1.3:1 and restoration of riparian habitat (planting) at a ratio of no less than 0.5:1. A Mitigation and Monitoring Plan shall be prepared in coordination with the NCRWQB and the USACE. Compensation for wetlands shall occur so there is no net loss of wetland habitat at ratios to be determined in consultation with the NCRWQCB and USACE.

Mitigation would occur onsite (Figure 2, Appendix A). The Plan shall be acceptable to the regulatory agencies with jurisdiction over wetlands and waters and include the following elements: proposed mitigation ratios; description and size of the restoration or compensatory area; site preparation and design; plant species; planting design and techniques; maintenance activities; plant storage;

irrigation requirements; success criteria; monitoring schedule; and remedial measures. The Plan shall be implemented by the County.

Mitigation Measures BIO-6 and BIO-7 require avoidance and minimization of permanent impacts and temporary impacts to wetlands during construction, restoration of pre-Project conditions at the conclusion of construction, and compensation of regulated wetlands. Implementation of Mitigation Measures BIO-6 through BIO-7 will reduce potential impacts to wetlands to a less-than-significant level.

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? (Less Than Significant Impact)

Project construction and operations do not include in-water work or any other activity that might impede fish migration. Terrestrial Project construction and operations may include fences and gates around and within the Project Area to provide privacy, security, and direct access. A gate would be installed in the fence along with western Project Area boundary to facilitate resident access to the businesses along Central Avenue. Fences also may be installed along the riparian and SNC areas to prevent potential seasonal grazing animals from impacting the areas. A less than significant impact would result.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Less Than Significant)

Humboldt County General Plan

The Conservation and Open Space Element of the Humboldt County General Plan (2017a) summarizes policies germane to the protection of biological resources. Applicable policies include:

– BR-P5: Streamside Management Areas,
– BR-P7: Wetland Identification,
– BR-S5: Streamside Management Areas Defined
– BR-S7: Development within Streamside Management Areas
– BR-S10: Development Standards for Wetlands, and
– BR-S11: Wetlands Defined.

Policy BR-S5 established the Streamside Management Area (SMA) as 100 feet measured horizontally from the edge of top of bank or edge of riparian dripline, whichever is greater. Development within a Streamside Management Area requires a use permit from Humboldt County, which the Project would obtain.

Policy BR-S10 established that development standards for wetlands shall be consistent with the standards for SMAs. The SMA width applied to wetlands is designated as 50 feet for seasonal wetlands and 150 feet for perennial wetlands. The setback begins at the edge of the delineated wetland.

Humboldt County does regulate tree removal for trees larger than 12 inches in diameter that are in residential zones through a Special Permit. The small trees that would be removed are <12 inches in DBH. The Project is thus consistent with County policies and ordinances protecting biological resources.

As the Project would obtain a Use Permit from Humboldt County for construction and operations to occur, the Project would be required to be consistent with all applicable provisions of both the McKinleyville Community Plan and the Humboldt County General Plan as a condition of the permit.

No conflicts with policies or ordinances protecting biological resources have been identified. Therefore, the impact would be less than significant.

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? (No Impact)

There are no adopted Habitat Conservation, Community Conservation, or approval local, regional, or state habitat conservation plans that apply to the Project Area. No impact would result.

3.5 Cultural Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?		✓		
c) Disturb any human remains, including those interred outside of formal cemeteries?		✓		

The cultural resources study area is described as the Area of Potential Effect (APE). A Cultural Resources Investigation Report (CRI) was prepared for the project by Roscoe and Associates and includes an addendum due to a lot line adjustment in the northwest (Roscoe 2021, Roscoe 2022). The studies assessed the potential for surficial and/or buried archaeological and historical resources in the proposed improvement area through the completion of the following:

– Records and literature search at the Northwest Information Center (NWIC) of the California Historical Resources Information Center (CHRIS);
– Further literature review of publications, files, and maps for ethnographic, historic-era, and prehistoric resources and background information;
– Communication with the Native American Heritage Commission (NAHC) to request a review of the Sacred Lands File and contact information for the appropriate tribal communities;
– Contact with the appropriate local Native American Tribes; and
– Pedestrian survey of the project area.

Study results were used as a technical basis for evaluating potential impacts to historic and cultural resources under CEQA.

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5? (No Impact)

A Cultural Resources Investigation Report (CRI) was completed in November 2021 and included an addendum in October 2022 due to a lot line adjustment, by Roscoe and Associates (Roscoe 2021, Roscoe 2022). One potential historic resources, properties or structures was identified within 0.5-mile of the Project APE. The Mill Creek Barn, located within the Project Area and would be demolished, was found to be ineligible for listing as a historic resource due to significant modifications, advanced stages of disrepair, and lack of historic significance. Based on the findings of the CRI, there are no historic resources within the Project Area. Thus, no impact would result.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? (Less than Significant Impact with Mitigation)

A Cultural Resources Investigation Report was completed in November 2021 and included an addendum in October 2022 due to a lot line adjustment, by Roscoe and Associates (Roscoe 2021, Roscoe 2022). Lithic artifact scatter was identified within the Project Area; however, they were found isolated and did not appear to be part of a nearby feature or archeological site. The presence of these artifacts does indicate that the area was well utilized by the area's Native American inhabitants. These artifacts are not however diagnostic of a specific type or time period and by themselves do not contain the necessary qualities to be considered eligible for listing as a resource. Therefore, no impact would result.

Native American tribes and the NAHC were contacted to discuss the proposed Project through the CRI process. Consultation between Roscoe and Associates, the Blue Lake Rancheria, the Wiyot Tribe, and the Bear River Band of the Rohnerville Rancheria occurred. A request of that the CRI include protocols for inadvertent archaeological discovery and that the representatives be updated with the survey results. The request from the tribes has been incorporated into Mitigation Measures specific to archeological resources. To ensure potential impacts to archeological resources remain less than significant, Mitigation Measure CR-1 would be implemented to establish protocols from Roscoe and Associates and Native American consultation for inadvertent archaeological discovery.

Mitigation

Implementation of Mitigation Measures CR-1 would reduce the potential impact to archaeological resources by requiring procedures that shall be taken in the event of inadvertent discovery.

> **Mitigation Measure CR-1: Inadvertent Discovery of Archaeological Material**
>
> A pre-construction meeting shall be held with field contractors, where the protocols for inadvertent discovery (described below) would be communicated. The following provides means of responding to the circumstance of a significant discovery implementation of the proposed undertaking. If cultural materials for example: chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 66 feet of the discovery, per the requirements of CEQA (Revised Guidelines, Title 14 CCR 15064.5 (f)). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior’s Standards and Guidelines, has evaluated the materials and offered recommendations for further action. Tribal representatives shall be notified.

Implementation of Mitigation Measure CR-1 would reduce the potential impacts to a less-than-significant level during construction because a plan would be implemented to address discovery of unanticipated archaeological resources and to preserve and/or record those resources consistent with appropriate laws and requirements.

c) Disturb any human remains, including those interred outside of formal cemeteries? (Less than Significant Impact with Mitigation)

While the CRI did not determine archaeological resources were likely to be present within the APE, inadvertent discovery of human remains may still occur. In the event that human remains are encountered during construction, Mitigation Measure CR-2 would be implemented to ensure any potential impact would be less than significant.

Mitigation

Implementation of Mitigation Measure CR-2 would reduce the potential impact to archaeological resources or human remains by requiring procedures that shall be taken in the event of inadvertent discovery.

Mitigation Measure CR-2: Inadvertent Discovery of Human Remains

If human remains are discovered during project construction, work will stop at the discovery location, within 66 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (PRC, Section 7050.5). The Humboldt County Coroner will be contacted to determine if the cause of death must be investigated. If the Coroner determines that the remains are of Native American origin, it is necessary to comply with State laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (PRC, Section 5097). The Coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in PRC, Section 5097.98.

Implementation of Mitigation Measure CR-2 would reduce the potential impacts to a less-than-significant level during construction because a plan would be implemented to address discovery of unanticipated human remains and to preserve and/or record those resources consistent with appropriate laws and requirements.

3.6 Energy Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		✓		
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓

a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation? (Less than Significant with Mitigation)

Construction

Temporary energy use in connection with Project construction would entail consumption of diesel fuel and gasoline by construction equipment and by the transportation of earth moving equipment, construction materials, supplies, and construction personnel. Given the short construction period and implementation of State regulations regarding vehicle emission and fuels standards, such as the Low Carbon Fuel Standard and anti-idling regulations, energy use related to construction would not be wasteful or inefficient.

Inefficient construction-related fuels use would also be avoided due to the measures in Mitigation Measure AQ-1 (BMPs to Reduce Air Pollution). Equipment idling times would be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes or less (as required by Mitigation Measure AQ-1). Because construction would not encourage activities that would result in the use of large amounts of fuel and energy in a wasteful manner, and the incorporation of Mitigation Measure AQ-1 would reduce idling time, impacts related to the inefficient use of construction-related fuels would be less than significant with mitigation.

Operation

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

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency? (No Impact)

There are no local plans for renewable energy that would apply to the Project. Implementation of the Project would not obstruct a state plan for renewable energy. The Project would not conflict with or inhibit the

implementation of the State Energy Action Plan, or other State regulations. The Project would not inefficiently utilize energy due to incorporation of Mitigation Measure AQ-1, which limits idling time and provides measures to protect air quality. The Project would temporarily require the use of equipment to construct the components of the Project; however, these activities would be temporary and would not interfere with the broader energy goals of the State.

Operationally, the Project would not adversely impact operational automobile-related energy consumption. Project lighting would be limited and energy efficiency. The majority of California's energy-related plans are not directly applicable to the Project or its operations. The Project would therefore not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. No impact would result.

3.7 Geology and Soils

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?				✓
ii. Strong seismic ground shaking?			✓	
iii. Seismic related ground failure, including liquefaction?				✓
iv. Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?			✓	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
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?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		✓		

The Project Area is gently sloping into the Mill Creek Drainage Basin. Regional geology is likely influenced by seismic activity as a result of the relatively close proximity of the Mendocino Triple Junction to the Project. The Project is located near the Mad River Fault Zone (CGS 2022). The Project Area is predominantly comprised of Arcata and Candymountain soils with 2 to 9 percent slopes; two other soil associations that each cover less than 10% of the Project Area are listed in the Custom Soil Resource Report located within Appendix E of Appendix C – Aquatic Resources Delineation and Sensitive Habitat Report Rev2. A geotechnical report would be completed before construction.

a, 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. (No Impact)

According to the California Geological Survey (CGS), there are no Alquist Priolo Fault Zones in the Project Area (CGS 2022). The Project would have no impact with regard to the rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. The nearest fault zone is the Holocene-age Mad River Fault Zone approximately 0.4 miles west of the Project (CGS 2022). Project activities, which include shallow excavation and repaving, would not cross any known fault. No impact related to fault rupture would result.

a, ii) Strong seismic ground shaking? (Less Than Significant)

The Project is situated within a seismically active area close to several seismic sources capable of generating moderate to strong ground motions. Because the Project is located within a seismically active area, the probability that strong ground shaking associated with large magnitude earthquakes would occur during the design life of the Project is high. The Humboldt County coast is a highly active tectonic region that has been subjected to numerous earthquakes of low to moderate strength and occasionally to very strong earthquakes. Seismicity in the region is attributed primarily to the Mendocino Triple Junction, or the interaction between the Pacific, Gorda, and North American plates.

Project implementation would not increase risk of strong seismic ground shaking or exposure to strong seismic ground shaking above existing conditions. Risk of damage to the proposed project from larger magnitude earthquakes (7.5 or greater) is within building code criteria and not particular to the project site. The project would also be designed and constructed in conformance with the site-specific recommendations contained in the geotechnical report prepared for the project, and any subsequent project-related geotechnical reports. By following the recommendations contained in the geotechnical report, the construction and operation of the project would result in a less than significant impact. Therefore, the impact to people and structures from strong seismic ground shaking would be less than significant.

a.iii, a.iv, c, d) Liquefaction, landslides, or otherwise unstable soils? (No Impact)

Liquefaction is a phenomenon involving loss of soil strength and resulting in fluid mobility through the soil. Liquefaction typically occurs when loose, uniformly sized, saturated sands or silts are subjected to repeated shaking in areas where the groundwater is less than 50 feet below ground surface. In addition to the necessary soil and groundwater conditions, the ground acceleration must be high enough, and the duration of the shaking must be sufficient, for liquefaction to occur. The Project is not located in a mapped liquefaction hazard zone (Humboldt County 2022i). Project implementation would be built to California building code and would not increase risk of liquefaction or exposure to liquefaction. No impact would occur.

The Project Area is gently sloped under 9 percent, and well away from any significant slopes. There is no evidence of recent active landslides and slope stability is considered relatively stable. Thus, landslides within or near the Project are unlikely to occur, and the potential for landslide occurrence is not increased by the Project.

Expansive soils can cause considerable distress to roads and building foundations as they “rise-and-fall” in accordance with the cycles of soil wetting (swelling) and drying (shrinking). Soils with high percentages of

silicate clays are those that have the potential for shrinking and swelling. Mapping by the NRCS shows the development footprint of the Project to have a percentage of clay content of 17 percent with a Plasticity Index value of 6. Thus, those soils are considered to have a low potential for expansion. The project is not anticipated to encounter expansive soils. A geotechnical report will be prepared prior to construction. No impact would result.

b) Result in substantial soil erosion or the loss of topsoil? (Less Than Significant Impact)

Construction activities, including cut, fill, removal of vegetation, and operation of heavy machinery will disturb soil and, therefore, have the potential to cause erosion. Erosion and sediment control provisions prescribed in the Humboldt County Code and NCRWQCB regulations would be required as part of the Project. BMPs may include: silt fences, straw wattles, soil stabilization controls, site watering for controlling dust, and sediment detention basins. Environmental Protection Action 1 requires development and implementation of a SWPPP in accordance with the State General Construction Permit. These mandatory ordinance requirements and permits are designed to maintain potential water quality impacts at a less than significant level during and post construction. Therefore, the potential soil erosion impact would be less than significant.

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? (No Impact)

The Project would utilize the MCSD sewar system and does not propose the installation or modification of septic tanks or alternative wastewater disposal systems. Therefore, construction and operation of the Project would have no impact.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Less Than Significant with Mitigation)

Paleontological resources are the remains or traces of prehistoric animals and plants. Paleontological resources, which include fossil remains and geologic sites with fossil-bearing strata are non-renewable and scarce and are a sensitive resource afforded protection under environmental legislation in California.

State law requires reasonable mitigation of adverse environmental impacts that result from development of public land and affect paleontological resources (PRC § 30244).

It is unlikely that Project construction will impact potentially significant paleontological resources because most of the Project occurs in relatively newly deposited alluvium. However, the possibility of encountering a paleontological resource during construction cannot be completely discounted, therefore, the impact related to the potential disturbance or damage of previously undiscovered paleontological resources, if present, is considered potentially significant.

Mitigation

Implementation of Mitigation Measure GEO-1 would reduce the impact of construction activities on potentially unknown paleontological resources to a less-than-significant level by addressing discovery of unanticipated buried resources and preserving and/or recording those resources consistent with appropriate laws and requirements.

Mitigation Measure GEO-1: Inadvertent Discovery of Paleontological Resources

In the event that fossils are encountered during construction (i.e., bones, teeth, or unusually abundant and well-preserved invertebrates or plants), construction activities shall be diverted away from the discovery within 50 feet of the find, and a professional paleontologist shall be notified to document the discovery as needed, to evaluate the potential resource, and to assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the material, if it is determined that the find cannot be avoided. The paleontologist shall make recommendations for any necessary treatment that is consistent with currently accepted scientific practices. Any fossils collected from the area shall then be deposited in an accredited and permanent scientific institution where they will be properly curated and preserved.

Implementation of Mitigation Measure GEO-1 would reduce this impact to a less-than-significant level for both construction and operation because a plan to address discovery of unanticipated paleontological resources and to preserve and/or record those resources consistent with appropriate laws and requirements would be implemented.

3.8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?		✓		
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				✓

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? (Less than Significant with Mitigation)

NCUAQMD has not adopted regulations regarding the evaluation of greenhouse gas (GHG) emissions in a CEQA document and has not established CEQA significance criteria to determine the significance of impacts with regard to GHGs. The NCUAQMD has stated that they would not comment adversely on the use of thresholds of significance from the Bay Area Air Quality Management District (BAAQMD) for projects within Humboldt County. However, the BAAQMD has recently revised their adopted recommended CEQA thresholds of significance for GHG. The BAAQMD's Justification Report for the newly adopted greenhouse gas thresholds identify the thresholds as specific for 'development projects' of commercial/residential development and other projects. Per the Draft Justification Report:

> *The Air District has developed these thresholds of significance based on typical residential and commercial land use projects and typical long-term communitywide planning documents such as general plans and similar long-range development plans. As such, these thresholds may not be appropriate for other types of projects that do not fit into the mold of a typical residential or commercial project or general plan update.*
>
> *Lead agencies should keep this point in mind when evaluating other types of projects. A lead agency does not necessarily need to use a threshold of significance if the analysis and justifications that were used to develop the threshold do not reflect the particular circumstances of the project under review. Accordingly, a lead agency should not use these thresholds if it is faced with a unique or unusual project for which the analyses supporting the thresholds as described in this report do not squarely apply. In such cases, the lead agency should develop an alternative approach that would be more appropriate for the particular project before it, considering all of the facts and circumstances of the project on a case-by-case basis.* (emphasis added)

Additionally, the BAAQMD's Justification Report states:

> *There is no proposed construction-related climate impact threshold at this time. Greenhouse gas emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions. (BAAQMD 2022)*

The BAAQMD's thresholds do not include guidance for greenhouses or similar development, or to construction-generated emissions. Therefore, This analysis applies two thresholds of significance in parallel. These two thresholds are:

– BAAQMD's 2022 Thresholds for Land Use Projects (Fair Share Design Elements): applied to the residential component of the Project.
– 1,100 metric tons of carbon dioxide (Bright-line Emissions): applied to total Project emissions (including annualized construction emissions.

The Sacramento Metropolitan Air Quality Management District's (SMAQMD) and South Coast Air Quality Management District's (SCAQMD) recommended GHG methodology and thresholds for construction and operational impacts were applied to inform the second threshold identified above. For Project construction, SMAQMD has a threshold of 1,100 metric tons of carbon dioxide ($MTCO_2e$) per year threshold of significance (SMAQMD 2021). SCAQMD recommends a threshold of 1,100 $MTCO_2e$ applied to construction and operation; SCAQMD recommends that construction emissions be amortized over the life of the project, defined as 30 years, and added to the operational emissions for comparison against the threshold of significance.

Fair Share Design Elements

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

The Project is analyzed for consistency with the BAAQMD's thresholds for land use developments, identified as Minimum GHG Design Elements, in Table 3.8-1. As shown in the table, the Project is consistent with the required minimum design elements after incorporation of Mitigation Measure AQ-1 and GHG-1.

Table 3.8-1 Consistency analysis between Project and BAAQMD GHG Design Elements

Minimum GHG Design Element Threshold	Project Review
Buildings	
The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).	**Consistent with Mitigation.** The Project's residential building would be designed to not include natural gas or propane-fueled appliances. The Project's commercial kitchen and laundry facilities may require gas appliances; however, with incorporation of Mitigation Measure GHG-1, the kitchen and laundry facilities would be ready to convert to electric appliances when feasible.
The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.	**Consistent with Mitigation.** As shown in Section 3.6 (Energy Resources) Impact a, the Project would not result in wasteful, inefficient, or unnecessary energy use after incorporation of Mitigation Measure AQ-1.
Transportation	
Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current	**Consistent**. There are no applicable locally adopted Senate Bill 743 VMT targets.

Minimum GHG Design Element Threshold	Project Review
version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA: i. Residential projects: 15 percent below the existing VMT per capita ii. Office projects: 15 percent below the existing VMT per employee iii. Retail projects: no net increase in existing VMT	As shown in Section 3.17 (Transportation) Impact b, the Project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), which provide the framework for analyzing a Project's VMT-based impacts. Although that analysis is not specifically addressing the BAAQMD's recommended design element, the basis of the Transportation section's VMT threshold is based on GHG reduction thresholds (OPR 2017). The California Governor's Office of Planning and Research (OPR) Technical Advisory on Evaluating Transportation Impacts in CEQA identifies the GHG reduction goals that inform the VMT analysis, and provides screening criteria that quickly identify when a project should be expected to cause a less than significant impact without conducting a detailed VMT study. As identified in Section 3.17 (Transportation) Impact b, the Project would generate fewer trips than the OPR's recommended screening threshold and would result in a less-than-significant impact regarding CEQA Guidelines 15064.3 subdivision (b). Because the Guidelines 15064.3 subdivision (b) VMT impact assessment is based on the State's GHG emission reduction goals, and the Project would generate a less than significant VMT impact, the Project would also generate a less than significant VMT impact as defined within this analysis section.
Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.	**Consistent.** As identified in the Project Description, the Project would be designed with a minimum of one electric vehicle (EV) charging station and would be installed with oversized electrical infrastructure to allow for future expansion as needed.

Bright-Line Emissions

In order to assess the potential impact of construction-generated emissions, the construction GHG emissions are annualized over an assumed 30-year project lifespan, added to operational emissions, and compared against a threshold of 1,100 $MTCO_2e$.

Project construction activities would result in exhaust emissions from on-road trucks, worker commute vehicles, and off-road heavy-duty equipment. Construction would require clearing, earthmoving, and delivery equipment, as used for similar Projects. Construction and operational emissions were estimated using CalEEMod v 2020.4.0. Project construction was estimated to generate approximately 451.8 $MTCO_2e$ from all construction activities, or 15.0 $MTCO_2e$ per year when annualized over the assumed 30-year lifespan of the Project. Project operations were estimated to generate 101.6 $MTCO_2e$ per year.

Project emissions of 116.7 $MTCO_2e$ per year (annualized construction plus operations) would be less than the 1,100 $MTCO_2e$ threshold. Therefore, the Project's impact would be less than significant.

Mitigation

Implementation of Mitigation Measures GHG-1 is proposed to allow the Project's commercial kitchen and laundry facilities to convert from gas appliances to electric appliances.

Mitigation Measure GHG-1: Design for Conversion to All Electric Appliances

The Project's commercial kitchen and laundry facilities shall be designed and constructed to allow for future conversion to all electric appliances. Design shall include, at a minimum, the appropriate

electrical wiring to convert the laundry facilities, commercial kitchen range, stove, and other gas-fueled appliances to all-electric options as they become feasible and available.

With implementation of Mitigation Measure GHG-1, the Project would be ready to install all electric appliances in the commercial kitchen and laundry facilities as those appliances become feasible and available. This impact would be reduced to a less-than-significant level with mitigation.

b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? (No Impact)

The California Air Resource Board (CARB) 2022 Scoping Plan identifies a path to meet the SB 32 GHG, as well as reducing anthropogenic GHG emissions to 85 percent below 1990 levels by 2045, and achieving carbon neutrality by 2045 or earlier, consistent with Assembly Bill 1279 (AB 1279). The 2022 Scoping Plan includes measures to move to a zero-emissions (decarbonized) transportation sector and phasing out the use of natural gas in residential and commercial buildings. The 2022 Scoping Plan would also reduce emissions of short-lived climate pollutants (SLCPs) and includes mechanical CO2 removal and carbon capture and sequestration actions, as well as natural working lands management and nature-based strategies. The plan's measures are identified in Table 2-2 and Table 2-3 of the 2022 Scoping Plan. The measures are statewide and programmatic in nature. The 2022 Scoping Plan is largely advisory, as CARB does not directly regulate many of the sectors identified by the plan's measures.

The 2022 Scoping Plan states that local action by municipalities can support and amplify efforts to reduce GHGs. Local government decisions play a critical role in supporting state-level measures to contain the growth of GHG emissions associated with the transportation system and the built environment. Local actions, provided in Appendix D of the 2022 Scoping Plan, are not required by statutory or gubernatorial direction, and are not binding, but contain guidance and information regarding actions that other jurisdictions may choose to take that complement the 2022 Scoping Plan measures. However, the 2022 Scoping Plan measures are broad policy and regulatory initiatives that would be implemented at the state level and do not relate to the construction and operation of individual projects such as the Project.

The Project is analyzed for consistency with the 2022 Scoping Plan in Table 3.8-2 – Consistency Analysis Between Project and 2022 Scoping Plan. As shown in the table, the Project is consistent the actions for the Scoping Plan scenario outlined in 2022 Scoping Plan for AB 32 GHG inventory sectors. Therefore, the Project would not conflict with AB 1279 or the 2022 Scoping Plan and would result no impact.

Table 3.8-2 Consistency analysis between Project and 2022 Scoping Plan

Scoping Plan Sector and Action	Consistency/Applicability Determination
GHG Emissions Reductions Relative to the SB 32 Target - 40% below 1990 levels by 2030.	**Not Applicable** - This is a statewide measure that cannot be implemented by the Project or lead agency.
Smart Growth / Vehicle Miles Traveled (VMT) - VMT per capita reduced 25% below 2019 levels by 2030, and 30% below 2019 levels by 2045.	**Not Applicable** - This is a statewide measure and VMT reduction goal that is not applicable to all individual projects due to regional variations and growth projections.

Scoping Plan Sector and Action	Consistency/Applicability Determination
Light-duty Vehicle (LDV) Zero Emission Vehicles (ZEVs) - 100% of LDV sales are ZEV by 2035	**Consistent**. - This is a statewide measure that cannot be implemented by the Project or lead agency. However, the standards would be applicable to the light-duty vehicles that would access the Project Area during construction and operation.
Truck ZEVs - 100% of medium-duty (MDV)/HDV sales are ZEV by 2040 (AB 74 University of California Institute of Transportation Studies [ITS] report).	**Consistent**. - This is a statewide measure that cannot be implemented by the Project or lead agency. However, the standards would be applicable to the trucks that would access the Project Area during operation.
Aviation - 20% of aviation fuel demand is met by electricity (batteries) or hydrogen (fuel cells) in 2045. - Sustainable aviation fuel meets most or the rest of the aviation fuel demand that has not already transitioned to hydrogen or batteries.	**Not Applicable** - This is a statewide measure that cannot be implemented by the Project or lead agency. The Project does not involve an aviation uses.
Ocean-going Vessels (OGV) - 2020 OGV At-Berth regulation fully implemented, with most OGVs utilizing shore power by 2027. - 25% of OGVs utilize hydrogen fuel cell electric technology by 2045.	**Not Applicable** - The Project does not involve an ocean-going vessels.
Port Operations - 100% of cargo handling equipment is zero-emission by 2037. - 100% of drayage trucks are zero emission by 2035.	**Not Applicable** - The Project does not involve a port.
Freight and Passenger Rail - 100% of passenger and other locomotive sales are ZEV by 2030. - 100% of line haul locomotive sales are ZEV by 2035. - Line haul and passenger rail rely primarily on hydrogen fuel cell technology, and others primarily utilize electricity.	**Not Applicable** - The Project does not involve freight or passenger rail.
Oil and Gas Extraction - Reduce oil and gas extraction operations in line with petroleum demand by 2045.	**Not Applicable** - The Project does not involve or gas extraction.
Petroleum Refining - CCS on majority of operations by 2030, beginning in 2028. Production reduced in line with petroleum demand.	**Not Applicable** - The Project does not involve or petroleum refining.
Electricity Generation - Sector GHG target of 38 million metric tons of carbon dioxide equivalent (MMTCO2e) in 2030 and 30 MMTCO2e in 2035. - Retail sales load coverage. - 20 gigawatts (GW) of offshore wind by 2045. - Meet increased demand for electrification without new fossil gas-fired resources.	**Not Applicable** - This measure would apply to electricity providers. The Project is not an electricity provider.

Scoping Plan Sector and Action	Consistency/Applicability Determination
New Residential and Commercial Buildings - All electric appliances beginning 2026 (residential) and 2029 (commercial), contributing to 6 million heat pumps installed statewide by 2030.	**Consistent** - The Project's residential facilities would be designed as all electric. Although the Project would involve the use of gas equipment in the commercial kitchen, construction would occur in 2024 or 2025, prior to the electrification goal. Additionally, with Mitigation Measure GHG-1, the kitchen would be pre-wired to allow conversion to electric appliances as they become feasible and available.
Existing Residential Buildings - 80% of appliance sales are electric by 2030 and 100% of appliance sales are electric by 2035. - Appliances are replaced at end of life such that by 2030 there are 3 million all-electric and electric-ready homes—and by 2035, 7 million homes—as well as contributing to 6 million heat pumps installed statewide by 2030.	**Not Applicable** - This is a measure for the state to modify its requirements for appliance sales to affect energy efficiency of existing residential buildings. The Project would not include appliance manufacturing or sales, or continued use of existing residential buildings.
Existing Commercial Buildings - 80% of appliance sales are electric by 2030, and 100% of appliance sales are electric by 2045. - Appliances are replaced at end of life, contributing to 6 million heat pumps installed statewide by 2030.	**Not Applicable** - The Project would not include continued use or existing commercial buildings.
Food Products - 7.5% of energy demand electrified directly and/or indirectly by 2030; 75% by 2045.	**Not Applicable** - The Project does not include agricultural or mass food production.
Construction Equipment - 25% of energy demand electrified by 2030 and 75% electrified by 2045.	**Not Applicable** - Although the Project would involve the use of construction equipment, construction would occur in 2024 or 2025, prior to the electrification goal. Additionally, the Project would not own the construction fleet used.
Chemicals and Allied Products; Pulp and Paper - Electrify 0% of boilers by 2030 and 100% of boilers by 2045. - Hydrogen for 25% of process heat by 2035 and 100% by 2045. - Electrify 100% of other energy demand by 2045.	**Not Applicable** - This measure would apply to the energy sources for pulp and paper manufacturers. The Project is not pulp or paper manufacture.
Stone, Clay, Glass, and Cement - CCS on 40% of operations by 2035 and on all facilities by 2045. - Process emissions reduced through alternative materials and CCS.	**Not Applicable** - This measure would apply to the direct GHG emissions from CCS industries. The Project is not a CCS industry.
Other Industrial Manufacturing - 0% energy demand electrified by 2030 and 50% by 2045.	**Not Applicable** - This measure would apply to the energy sources for industrial manufacturers. The Project is not an industrial manufacturer.

Scoping Plan Sector and Action	Consistency/Applicability Determination
Combined Heat and Power - Facilities retire by 2040.	**Not Applicable** - This measure would apply to the existing combined heat and power energy facilities. The Project is not combined heat and power facility.
Agriculture Energy Use - 25% energy demand electrified by 2030 and 75% by 2045.	**Not Applicable** - The Project does not include agricultural production.
Low Carbon Fuels for Transportation - Biomass supply is used to produce conventional and advanced biofuels, as well as hydrogen.	**Not Applicable** - This measure would apply to the bulk fuel providers The Project is not a fuel provider.
Low Carbon Fuels for Buildings and Industry In 2030s blended in pipeline. Renewable hydrogen blended in fossil gas pipeline at 7% energy (~20% by volume), ramping up between 2030 and 2040. In 2030s, dedicated hydrogen pipelines constructed to serve certain industrial clusters.	**Not Applicable** - This measure would apply to natural gas utilities and energy providers. The Project is not an energy provider.
Non-combustion Methane Emissions - Increase landfill and dairy digester methane capture. - Some alternative manure management deployed for smaller dairies. - Moderate adoption of enteric strategies by 2030. - Divert 75% of organic waste from landfills by 2025. - Oil and gas fugitive methane emissions reduced 50% by 2030 and further reductions as infrastructure components retire in line with reduced fossil gas demand.	**Consistent** - The Project does not include a landfill or dairy. The Project would reduce construction waste with implementation of state mandated recycling and reuse mandates.
High GWP Potential Emissions - Low GWP refrigerants introduced as building electrification increases, mitigating HFC emissions.	**Consistent** - The Project does would comply with applicable CARB refrigerant regulations.

Source of Scoping Plan Reduction Measures: CARB 2022

3.9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			✓	
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
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?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			✓	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			✓	

To evaluate the Project Area with respect to the presence and location of existing and/or historical soil and groundwater contamination, GHD completed a regulatory database review of available online government records. The regulatory database review was completed to identify areas of potentially impacted soil and/or groundwater within and near the Project Area that could potentially pose an exposure risk to humans and/or the environment.

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Less Than Significant Impact)

Construction of the Project would include the transport and use of common hazardous materials inherent to the construction process, including petroleum products such as fuel and lubricants for construction equipment and vehicles, paints, concrete curing compounds, and solvents for construction of Project

improvements. These materials are commonly used during construction, are not acutely hazardous, and would be used in relatively small quantities.

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

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

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

Project construction would be required to implement stormwater management requirements during construction in accordance with the State Water Resources Control Board General Construction Storm Water Permit (Section 1.10 – Environmental Protection Action 1). Stormwater management requirements for addressing materials management would be required, including proper material delivery and storage, spill prevention and control, and management of concrete and other wastes, as described in Section 3.10 (Hydrology and Water Quality).

The established regulatory framework, BMPs, and requisite construction protocols provide appropriate risk mitigation and hazard protections, thus the Project would not create a significant hazard to the public or environment from hazardous materials. Because the County and its contractors would be required to comply with existing and future hazardous materials laws and regulations addressing the transport, storage, use, and disposal of hazardous materials, the potential to create a significant hazard to the public or the environment during Project construction would be less than significant.

Following construction, operation of the Project would require intermittent maintenance and repair, which could involve hazardous materials. The operational risk posed by intermittent maintenance and repair of the Project specific to hazardous materials is low. The potential to create a significant hazard to the public or the environment during Project operation would be less than significant.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?? (Less Than Significant Impact)

The Project would utilize heavy machinery to perform some construction-related tasks including grading, drilling, excavation, and transportation of materials. There is always the possibility when equipment is operating that an accident could occur, and fuel could be released onto the soil. Equipment on site during construction would be required to have emergency spill cleanup kits immediately accessible in the case of any fuel or oil spills. Equipment would not be refueled near Mill Creek or any perennial wetland. If equipment must be washed, it would be washed off-site. The potential impact would be less than significant.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (No Impact)

The McKinleyville Middle School is located approximately 0.85 miles north of the Project. Construction activities are assumed to include the use of hazardous materials such as fuels, lubricants, degreasers, paints, and solvents. These materials are commonly used during construction, are not acutely hazardous, and would be used in small quantities. Numerous laws and regulations ensure the safe transportation, use, storage, and disposal of hazardous materials (see Impact discussion in Section 3.9 (a) and (b) above). Although construction activities could result in the inadvertent release of small quantities of hazardous substances, a spill or release at a construction area is not expected to endanger individuals at nearby schools given the nature of the materials, the small quantities that would be used, and the distance of the schools from the Project Area. Therefore, because the County and its contractors would be required to comply with existing and future hazardous materials laws and regulations covering the transport, use, and disposal of hazardous materials, and because of the nature and quantity of the hazardous materials to be potentially used by the Project, and because the McKinleyville Middle School is beyond one-quarter mile, there would be no impact related to the use of hazardous materials and school during construction. Project operations would have a no impact on McKinleyville Middle School, or any other school.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (No Impact)

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

e) For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard or excessive noise for people residing or working in the Project Area? (No Impact)

The nearest airport is the Arcata–Eureka Airport (ACV), which is located approximately 2.5 miles north of the Project Area. The ACV is covered by the 2021 Airport Land Use Compatibility Plan (ALUCP) prepared for the Humboldt County Airport Land Use Commission (ALUC) by ESA. The Project is not located within an airport land use plan or within two miles of a public airport. Therefore, no impact would result.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Less Than Significant Impact)

The Project Area is covered under the Humboldt County EOP. The Humboldt County EOP identifies the emergency response and evacuation policies and procedures for hazards related to earthquake, tsunami, extreme weather, flooding/flash flooding, landslides, transportation accidents, hazardous materials, interface wildlife fire, energy shortage, offshore toxic spill, civic disturbance, terrorist activities, and national security (Humboldt County 2015).

The Humboldt County EOP establishes a structure for Humboldt County Operation Area agencies to respond to large-scale emergencies requiring multiagency participation or activation of the Humboldt County Emergency Operations Center (EOC) (Humboldt County 2015). Hazard mitigation and risk assessment strategies for Humboldt County Operation Area are formalized in the Humboldt County Operational Area Hazard Mitigation Plan (HMP).

The Project would not impair implementation or physically interfere with the established Humboldt County EOP, or Humboldt County HMP. Once constructed, operational use of the Project would involve approximately 69 permanent residents living in onsite housing. This would not significantly increase emergency response or impact any evacuation plans. A less than significant impact would occur.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires? (Less Than Significant Impact)

Wildland fire is addressed in Section 3.20 (Wildfire). As noted in Section 3.20, the Project would not expose people or structures to a significant risk from wildland fires, thus a less than significant impact would result. Please see Section 3.20 for further discussion of the Project as it relates to wildland fire risks.

3.10 Hydrology and Water Quality

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?		✓		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i. Result in substantial erosion or siltation on- or off-site?			✓	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			✓	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			✓	
iv. Impede or redirect flood flows?			✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			✓	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

The Project is located in the Mad River watershed and the Project Area contains portions of Mill Creek. Mill Creek originates on private lands and is a tributary of the Mad River which ultimately drains into the Pacific Ocean. Mill Creek is considered a third order stream. In-water work would not occur.

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality? (Less Than Significant with Mitigation)

The Project is required to obtain and comply with necessary Clean Water Act permits requirements from the Regional Board and USACE, to ensure the Project does not violate any water quality standards or waste discharge requirements.

Construction activities such as site clearing, grading, excavation, and material stockpiling, placement of aggregate base, and related construction activities could leave soils exposed to rain or surface water runoff

that may carry soil contaminants (e.g., nutrients or other pollutants) into waterways adjacent to the site, degrade water quality, and potentially violate water quality standards for specific chemicals, dissolved oxygen, suspended sediment, or nutrients to surface waters. The greatest potential Project impacts to water quality would result from sediment mobilization during construction. This impact is considered to be potentially significant.

The proposed Project is anticipated to disturb over one (1) acre of land, therefore compliance with State Water Board Order No. 2009-0009 would be required which would regulate stormwater runoff from Project construction activities. Project operations would obtain coverage under State Water Resources Control Board Order No. 2009-0009-DWQ, Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction and Land Disturbance Activities, as amended by Order No. 2012-0006. In compliance with the National Pollutant Discharge Elimination System requirements, a Notice of Intent would be prepared and submitted to the North Coastal Regional Water Board prior to undertaking construction, providing notification and intent to comply with the State of California Construction General Permit (CGP). In addition, a SWPPP would be prepared for pollution prevention and control prior to initiating site construction activities.

The Construction SWPPP would be written by a Qualified SWPPP Developer (QSD) and would identify and specify the use of best management practices (BMPs) erosion control, sediment control, off-site tracking control, wind erosion control, non-stormwater management control, and waste management and materials pollution control. A sampling and monitoring program would be included in the Construction SWPPP that meets the requirements of the CGP to ensure the BMPs are effective. A Qualified SWPPP Practitioner (QSP) would oversee implementation of the Plan, including visual inspections, sampling and analysis, and overall compliance with the SWPPP and CGP.

Implementation of Environmental Protection Action 1, combined with Mitigation Measures BIO-5 and BIO-6 would reduce potential water quality impacts during Project construction activities to a less-than-significant level by requiring measures to minimize erosion, sediment, and pollutant contribution to surface waters.

Following construction, operation and maintenance of the Project would not result in a new point discharge or a substantial increase in impervious surfaces relative to the surrounding area. Therefore, less than significant operational impact would result.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin? (No Impact)

The Project is located in the Mad River Valley - Dows Prairie School Area Basin (1-008.02), which has a SGMA Basin Priority of Very Low and is not listed as Critically Overdrafted (DWR 2004). Contractor-supplied water would be used during construction for dust suppression on work areas. Use of groundwater is not anticipated for construction of the Project. Similarly, the Project would not decrease groundwater supplies or interfere with groundwater management. During construction, isolated and short-duration groundwater dewatering may occur as needed and would be small in scale and limited to shallow groundwater only. Construction-related impact on groundwater levels would not result. Following construction, the Project would be connected to municipality water, and would not utilize groundwater or result in an increase in population or employment that would indirectly increase groundwater demand. Therefore, the Project would not create a deficit in aquifer volume or a lowering of water levels. The Project is not expected to result in any change in the use or recharge of groundwater. No construction or operational impact to groundwater resources would result.

c, i) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site? (Less Than Significant Impact)

The Project is gently sloped and drains southeast to Mill Creek. Project construction would not significantly alter existing topography in manner that would result in a change of the existing drainage pattern or contribute to substantial erosion or siltation on- or off-site. The stormwater treatment design would incorporate vegetated bioretention/infiltration ponds, Low Impact Development (LID) facilities, and subsurface infiltration piping to capture and infiltrate the stormwater runoff. This would also serve to buffer the on-site wetland from potential water quality impacts. Fine sediments would also be captured and settle out into the bioretention/infiltration ponds.

Erosion and sediment prevention would be implemented during construction to avoid impacts to water quality, including those related to siltation (see impact “a” above). The Project would be required to adhere to BMPs and conditions to be included in a SWPPP and Clean Water Act Section 401 and 404 permits to prevent erosion-related impacts during construction. Substantial on- or off-site erosion and siltation would not result, and the potential construction-related impact with regard to erosion and siltation would be less than significant. Therefore, the impact would also be less than significant.

c, ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? (Less Than Significant Impact)

The Project would have a net increase of approximately 1.45 acres impervious surface. The Project would alter existing drainage patterns onsite through the construction of parking areas, new housing, and community center, as well as through wetland fill and mitigation. The Project also is located within a mapped FEMA flood hazard zone located along the southeast portion of the Project (Humboldt County 2022e), but no structure asides for an agricultural barn are proposed in FEMA flood hazard zone.

The overall stormwater design approach for the site would be developed using a LID approach to mimic the site’s predevelopment hydrology by using techniques that infiltrate, filter, store, evaporate, and detain runoff close to the source of rainfall with non-structural controls and conservation design measures as much as practicable. The stormwater treatment design would also incorporate vegetated bioretention/infiltration ponds, LID facilities, and subsurface infiltration piping to capture and infiltrate the stormwater runoff. The excess stormwater generated from the impervious surfaces of the project would generally flow in a south southeastern direction via drainage inlets and piping, and surface discharge. The excess stormwater generated at the northwest corner of the property would be collected via surface flow, captured, and treated via vegetated swales and/or bioretention facilities, and then discharged via piping to the existing nearby MCSD drainage inlet located along Weirup Lane. The remaining majority of the site’s stormwater would be collected and treated in a combination of vegetated swales and bio retention facilities that would run along the southern and eastern boundaries of the project footprint. The excess stormwater from the new vegetated swales and bioretention facilities would discharge via surface flow to the existing onsite vegetated natural channel and would ultimately flow offsite at the existing stormwater discharge location. Alteration or in-water work of the Mill Creek channel would not occur. Excavation depths to install drainage facilities may vary but would typically be limited to six feet below existing grade.

The existing MCSD discharge pipe would be rerouted approximately 60 feet southeast of the existing pipe where a new discharge detention basin would be constructed. The new pipe, and the detention basin, would be approximately the same size as the existing features being replaced. Excess stormwater flow

from the new detention basin would discharge via surface flow to the existing natural channels in the area and would ultimately flow offsite along Mill Creek.

Aside from the increase impervious surface area, the Project does not include elements that would increase surface runoff or necessitate significant design features to accommodate flooding. New vegetated swales and bio retention facilities, LID facilities, and subsurface infiltration piping incorporated into the Project design, and existing grassland open spaces along the eastern 2/3 or the Project Area would support stormwater infiltration. Additionally, in compliance with Environmental Protection Action 1, the Project would develop a SWPPP to be approved by the NCRWCB, and the Project would be designed to meet NCRQWB storm water requirements. There would also be no in-water work within Mill Creek. The Project would not cause on- or off-site flooding. The impact would be less than significant.

c, iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (Less Than Significant)

As discussed above in Section 3.10 (c) (ii), the project would include new stormwater drainage facilities in a combination of New vegetated swales and bio retention facilities, LID facilities, and subsurface infiltration piping. Existing stormwater drainage from the MCSD discharge pipe and detention basin would be rerouted southeast approximately 60 feet, including the recreating of the detention basin. Modification or alteration of Mill Creek would not occur.

Additionally, in compliance with Environmental Protection Action 1, the Project would develop a SWPPP to be approved by the NCRWCB, and the Project would be designed to meet NCRQWB storm water requirements. The Project would not cause on- or off-site flooding. The impact would be less than significant.

c, iv) Impede or redirect flood flows? (Less Than Significant)

The southeast portion of the Project Area is located within the FEMA 100-year flood zone (Humboldt County 2022e). However, the Project design does not include any features that would impede or redirect flood flows. Existing topography would not be significantly altered in such a manner as to redirect flood flows. Any potential impact on the impediment or redirection of flood flows would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation? (Less Than Significant)

The southeast portion of the Project Area is located within the FEMA 100-year flood zone (Humboldt County 2022e). As portions of the Project Area overlap the FEMA 100-year flood zone, construction would not occur during flood conditions (see Section 1.7 – Construction Schedule). Thus, there would be no potential for a flood-related release of pollutants during construction. The Project does not include unsecured elements that could be washed away during a flood. Any potential construction related impact would be less than significant.

The Project Area is not located near a larger isolated body of water that may be affected by a seiche. The Project Area is not located within a tsunami hazard zone. No impact from a seiche or tsunami would result.

Operational maintenance of the Project may involve trash/debris removal, occasional repair, and vegetation maintenance (e.g., mowing), which could involve hazardous materials (e.g., small equipment fuel).

However, these materials would be properly stored within the Project Area and thus would not be released into the environment in the event of a flood event. Any potential operational related impact would be less than significant.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? (No Impact)

The relevant water quality control plan is the NCRWQCB's Basin Plan which establishes thresholds for key water resource protection objectives for both surface waters and groundwater. The Project does not involve the use of groundwater resources and would not impact the quantity or quality of groundwater availability in the Mad River Valley - Dows Prairie School Area Basin.

The Project would be required to obtain coverage under SWRCB's Construction General Permit, which would include development and implementation of a SWPPP. The Project is also required to obtain and adhere to Clean Water Act Section 401 and Clean Water Act Section 404 permits (see Section 1.9 – Required Regulatory Permits) for proposed wetlands fill. Adherence to these regulatory requirements and associated requisite monitoring would ensure a conflict with the Basin Plan does not occur.

The Project would meet and/or support the following McKinleyville Community Plan goals and policies regulate hydrology and water quality during construction and operation of the Project: Drainage (Policy 3310), Sensitive and Critical Habitats (Policy 3422). The Project would also meet and/or support the following Humboldt County General Plan Water Resource Element goals and policies that regulate hydrology and water quality during construction and operation of the Project: Storm Drainage (Policy WR-G10), Erosion and Sediment Discharge (Policy WR-P10), Implementation of NPDES Permit (Policy WR-P35), Natural Stormwater Drainage Courses (Policy WR-P36), Erosion and Sediment Control Measures (Policy WR-P42), Storm Drainage Design Standards (Policy WR-P43), Storm Drainage Impact Reduction (Policy WR-P44), and Reduce Toxic Runoff (Policy WR-P45). No impact would result.

3.11 Land Use and Planning

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			✓	

This section evaluates the potential impacts related to land use, as it applies to construction and operation of the Project. The Project is located within McKinleyville, and therefore subject to the McKinleyville Community Plan land use designations and the 2017 Humboldt County General Plan as appropriate.

a) Physically divide an established community? (No Impact)

The proposed Project would not divide an existing neighborhood or community. The development is located at the end of Weirup Lane, and normal traffic (vehicular, bicycle, and pedestrian) on the local roadway would not be restricted. No impact would result.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect? (Less Than Significant Impact)

As defined by the 2017 McKinleyville Community Plan, the Project Area land use designation is Commercial Services (CS), Residential Medium Density (RM), and Residential Low Density (RL 1-7). Approximately 0.02 acres of the Project Area is located within an area zoned Noise that would impose building standards to reduce interior noise level, however no buildings would be located within this zone. The Project's housing elements would be located within RM, meaning the area has full urban services and is appropriate for developments including common-walled housing units (i.e., duplexes, townhouses, etc.) (Humboldt County 2017b). The Project would not preclude access to any neighboring parcels or future residential development near the Project. The Project would also be compatible with public (water, sewer, and stormwater) and private (electrical) services in the vicinity and would not preclude other uses in the vicinity, presently or in the future. To avoid a conflict with the McKinleyville Community Plan zoning policies and regulations, the Project would obtain a Special Permit for the planned development and comply with all resulting permit conditions. The Project would consist of new infill residential development within a Housing Opportunity Zone Any resulting impact would be less than significant.

3.12 Mineral Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
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?			✓	
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?			✓	

This section evaluates the potential impacts related to mineral resources associated with the Project.

a, b) 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, or a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Less than Significant)

The Project would require minor use of rock, gravel, sand, and other similar materials for construction, but is not expected to have any significant impact on locally available minerals or mineral resources valuable to the region or the State. Additionally, the Project Area is also not designated by the Humboldt County General Plan, McKinleyville Community Plan, or other local land use plans as having locally important mineral resources within the Project Area (Humboldt County 2017a, Humboldt County 2017b). The impact would be less than significant.

3.13 Noise

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			✓	
b) Result in generation of excessive groundborne vibration or noise levels?			✓	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

Current noise conditions on the Project Area consist of road noise associated with vehicles on Central Avenue, as well as residential noise from minor streets. Noise is also generated by existing commercial development to the west. The nearest sensitive receptors, consisting of residential homes, are located within approximately 35 feet north of the Project Area. Approximately 0.02 acres of the northwest portion of the Project Area is located within a Noise zone.

a) Result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Less Than Significant Impact)

Construction

Construction of the proposed project would temporarily increase noise in the immediate vicinity of the project site. The temporary noise increases would result from use of construction equipment for the project, as well as from increased traffic as construction workers commute to and from the project site.

Sensitive noise receptors adjacent to and near the project include residential housing, with the nearest residence is located on Hideaway Court within approximately 35 feet from the Project. There is not a school within close proximity to the project. Approximately 0.02 acres of the Project Area is located within an area zoned Noise that would impose building standards to reduce interior noise level, however no buildings would be located within this zone. The project would generate temporary noise during construction. Construction activities would be limited to daytime work hours between 7:00 a.m. to 7:00 p.m., Monday through Friday with occasional work on Saturdays. Construction noise levels would vary based on the type of equipment as summarized in Table 3.13-1 below.

Table 3.13-1 Construction Equipment Reference Noise Levels as Measured at 50'

Equipment	Noise Level (dB[1])	Equipment	Noise Level (dB)
Drill rig truck	84	Jackhammer	85
Horizontal Boring Hydraulic Jack	80	Large Generator	82
Front end loader or Backhoe	80	Paver or Roller	85
Excavator	85	Dump truck	84

Source: Federal Highway Administration, 2006

Sound from a point source is known to attenuate at a rate of -6 dB for each doubling of the distance to the receptor. For example, a noise Equivalent Continuous Level (Leq) of 84 dB as measured at 50 feet from the noise source would attenuate to 78 dB Leq at 100 feet from the source and to 72 dB Leq at 200 feet from the source to the receptor. Based on the reference noise levels in Table 3.13-1, the noise levels generated by construction equipment at the Project site may reach a maximum of approximately 85 dB Leq at 50 feet during site excavation and construction.

Short-term noise performance standards during daytime hours for Humboldt County range from a maximum of 65 dB – 85 dB, depending on the land use. Humboldt County provides exceptions to construction-related noise limits, which include the use of heavy machinery and tools used during construction of permitted structures when conforming to the terms of the approved permit (Humboldt County 2017). The Project would be fully permitted and would comply with terms of approved permits, including those that specifically address noise limitations. Further, Humboldt County has not established construction-related noise standards. As the construction phase would be temporary and construction activities would be intermittent and limited to between 7:00 a.m. and 7:00 p.m., potential noise impacts generated during the construction phase would be less than significant. Thus, construction of the Project with not conflict with a County noise standard.

Operation

The McKinleyville Community Plan utilizes Humboldt County General Plan Standard N-S1, which specifies that the Land Use/Noise Compatibility Standards shall be used as a guide to ensure compatibility of land uses. Development may occur in areas identified as "normally unacceptable" if mitigation measures can reduce indoor noise levels to "Maximum Interior Noise Levels" and outdoor noise levels to the maximum "normally acceptable" value for the given land use category. Once the Project is constructed, users would not generate a significant amount of noise in excess of County standards. Noise associated with the operation of the Project would be generally consistent with the nearby vicinity.

The Humboldt County General Plan N-S7 specifies short-term noise performance standards. N-S7 limits short-term noise within a residential zone as 65 dBA between 6:00 a.m. and 10:00 p.m. but allows for exceptions in conformance with an approved Conditional Use Permit. The Project would apply for a conditional use permit, as weddings, with amplified music, would be hosted onsite. This would then exempt the Project from the N-S7 standard. Adequate noise levels would be approved as part of the conditional use permit process which may or may not exceed the standards of N-S7. These standards would be used as guidance for the wedding venue.

[1] "dB" is a weighted decibel measurement for assessing hearing risk and, therefore, is used by most regulatory compliance.

Therefore, Project operation would not result in noise levels exceeding the County's noise standards for residential land uses and would not generate a substantial temporary, or permanent, increase in ambient noise levels in the vicinity of the Project. A less than significant impact would result.

b) Result in generation of excessive groundborne vibration or noise levels? (Less Than Significant Impact)

The County has not established vibration limits to minimize the potential for cosmetic damage to buildings. However, Caltrans recommends a vibration limit of 0.5 inches/second peak particle velocity (PPV) for buildings structurally sound and designed to modern engineering standards, 0.3 inches/second PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 inches/second PPV for ancient buildings or buildings that are documented to be structurally weakened. No known buildings that are documented to be structurally weakened or ancient adjoin the Project Area. Therefore, the 0.5 inches/second PPV limit would apply when considering the potential for groundborne vibration levels to result in a significant vibration impact.

The noise and vibration evaluation assessed typical vibration levels that could be expected from construction equipment at a distance of 25 feet, inclusive of required equipment and methods for construction. Project construction activities, such as drilling, the use of jackhammers, and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) may generate substantial vibration in the immediate vicinity.

Table 3.13-2 presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet (Caltrans 2020). High-power or vibratory tools and rolling stock equipment (e.g., tracked vehicles, compactors), may generate substantial vibration in the immediate vicinity. Vibratory rollers typically generate vibration levels of 0.210 inches/second PPV at a distance of 25 feet. Vibration levels are highest close to the source and attenuate with increasing distance. Vibration levels would vary depending on soil conditions, construction methods, and equipment used.

Table 3.13-2 Typical Vibration Levels for Construction Equipment used during Project Construction (Caltrans 2020)

Equipment	Reference PPV at 25 ft. (in/sec)
Vibratory Roller	0.210
Large Bulldozer	0.089
Caisson drilling	0.089
Loaded trucks	0.076
Jackhammer	0.035
Small bulldozer	0.003
Crack-and-seat operations (specific pavement rehabilitation process)	2.4

Project-related activities would not involve the use of explosives or other intensive construction techniques that could generate significant ground borne vibration or noise. The Project may also utilize a vibratory roller, large bulldozer, and jackhammer.

The proposed Project would comply with Humboldt County General Plan policy N-IM6, which requires limiting construction activity to specified daytime hours and regulate vibration sources.

Vibration impacts to residences are anticipated to be minor and below the Caltrans advisory of 0.3 inches/second PPV for buildings that are found to be structurally sound but where structural damage is a major concern, as the closest residences are located approximately 35 feet away from the Project Area. Minor vibration adjacent to mechanized equipment and road treatments during construction work would be generated only on a short-term basis. Therefore, groundborne vibration and noise would have a less than significant impact.

Following construction, operation of the Project would not result in groundborne vibration or groundborne noise. Project operation would not generate vibration, except in instances where larger repairs to the road might be required. These conditions would be short-term and temporary (taking from one to several weeks to complete depending on the extent of damage or other circumstances); therefore, no operational impact would result.

c) For a Project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project Area to excessive noise levels? (No Impact)

The nearest airport is the Arcata–Eureka Airport (ACV), which is located approximately 2.5 miles north from the Project Area. The ACV is covered by the 2021 Airport Land Use Compatibility Plan (ALUCP) prepared for the Humboldt County Airport Land Use Commission (ALUC) by ESA. The Project is not located within the ALUCP Noise Contours for KFOT (ESA 2021). Therefore, Project construction would not exacerbate existing airport noise. No impact would result.

3.14 Population and Housing

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			✓	

The 2020 population for the town of McKinleyville was estimated to be 16,262 people, with 6,726 housing units (US Census 2020). The proposed Project would create up to 50 housing units within McKinleyville.

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Less Than Significant Impact)

Humboldt County General Plan Policies

H-P12. Housing and Support Services for Elders and Disabled Persons. The County shall promote and encourage a range of housing and support services for elders and disabled persons that allow a wide spectrum of choices from fully independent to fully assisted living.

H-P18. Housing Opportunity Zones. The County shall continue to stimulate residential and infrastructure development within Housing Opportunity Zones. The County shall review and consider the expansion of or the addition of new Housing Opportunity Zones, as needed and where appropriate.

The key element of the Project is the creation of a residential complex consisting of approximately 50 living units to accommodate approximately 69 occupants. The Project would provide a safe and affordable mixed income housing for people with disabilities and seniors and would address the urgent need for new housing in the region with a focus on the shortage of housing specifically for individuals with disabilities. The Project is also located within a Housing Opportunity Zone (HOZ) (Humboldt County, 2022f). A HOZ is an area designated by the Humboldt County Planning Commission that has County policies to streamline and stimulate residential and infrastructure development. Thus, the Project is consistent with policy H-P12 and H-P18, and the proposed growth would not be unplanned. A less than significant impact would result.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere? (Less Than Significant Impact)

The proposed Project would demolish an existing duplex. One side of the duplex is currently used as a short-term rental, with tenants knowing and understanding the Project and its timeline. The other side of the duplex has one long-term tenant that has also been informed of the Project. This tenant would be displaced but will be given an option to be a future tenant of the Project. In addition, this tenant has been receiving assistance from We Are Up to find either permanent housing, or temporary if they choose to become a

future tenant of the proposed Project. Thus, only one tenant would be impacted and has been receiving assistance for replacement housing. A less than significant impact would result.

3.15 Public Services

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?				✓
Police protection?				✓
Schools?				✓
Parks?				✓
Other public facilities?				✓

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for public services? (No Impact)

As discussed in Section 3.14 (Population and Housing), implementation of the Project would induce a less than significant planned population growth. The Project Area currently receives fire protection services from the Arcata Fire District and police services through the Humboldt County Sheriff, consistent with the rest of McKinleyville. The Project would not result in the need to increase staffing, create new hazardous conditions, or result in a modification to the road system that would restrict access for emergency services. The Project would not result in an increase in student population, and therefore, no new or expanded schools would be required. The Project would not impact any park and would not necessitate any related new, or altered, public service facilities. Overall, no impact would occur.

3.16 Recreation

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) 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?				✓
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				✓

The Project would create walking trails onsite. Recreational facilities near the Project Area include Chah GAH Cho Trail, Pierson Park, Hammond Trail, Hiller Park, and the Azalea State Natural Reserve.

a) 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? (No Impact)

The Project proposes no new recreational amenity within Humboldt County. The Project would not increase use to Chah GAH Cho Trail, Pierson Park, Hammond Trail, Hiller Park, the Azalea State Natural Reserve, or other recreational facilities or parks that would result in a physical deterioration of those recreational areas. Construction and operation of the Project also would not modify, or impede, access to Chah GAH Cho Trail, Pierson Park, Hammond Trail, Hiller Park, the Azalea State Natural Reserve, or other recreational facilities or parks. No impact would result.

b) Include or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment? (No Impact)

The Project does not require a need to construct or expand outside recreational facilities. The Project would create walking paths between homes, the community center, greenhouse, garden, and throughout the Project Area. These paths may include benches, bike racks, waste receptacles, dog waste facilities, picnic facilities, hitching posts, and other features. Walking paths would be created and maintained to be used by We Are Up residents, resident visitors, and maintenance staff. Therefore, the walking paths are not a recreation facility. No impact would result.

3.17 Transportation

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		✓		
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?			✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				✓
d) Result in inadequate emergency access?			✓	

The Project includes removal of the existing gravel road at the south end of Weirup Lane to allow for construction of an asphalt paved driveway, turnaround areas, and parking area for vehicles.

a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities? (Less than Significant with Mitigation)

Weirup Lane, currently terminates at a private gravel road that services 144-146 Weirup Lane. The existing gravel road would be removed to allow for development of Project, an asphalt paved driveway, turnaround areas, and parking area for vehicles. These driveway and parking areas would include associated sidewalk improvements. The proposed Project would not constitute an extension of the Humboldt County roadway network; rather it would be a privately owned and maintained residential complex. These activities do not conflict with any of the goals or policies contained in the Humboldt County General Plan Circulation Element.

Level of Service (LOS) is a qualitative measure describing operational conditions within a traffic stream and their perception by motorists. The quality of traffic operations is expressed in terms of LOS A (no congestion) through LOS F (extreme congestions). LOS definitions generally describe traffic conditions in terms of speed, travel time, freedom to maneuver, traffic interruption, comfort, and convenience. The McKinleyville Community Plan has no standards on LOS, so the Humboldt County General Plan would be used. Policy C-P5 states that the County shall strive to maintain Level of Service C operation on all roadway segments and intersections. A level C is defined as a stable traffic flow, with less freedom to select speed, change lanes, or pass with some delay that may be experienced. The number of construction-related vehicles traveling to and from the Project Area would vary daily. Due to the infrequency of truck traffic and the temporary nature of construction, Project construction would not conflict with plans, policies or programs related to the effectiveness of the circulation system. Day-to-day operationally, the LOS would not exceed C due to the Project (Further analysis is below in section b). However, usage from special events (See Section 1.5 Special Events) may exceed LOS standards from vehicles queuing at the Sutter/Weirup stop sign intersection when the event is concluded. This impact would be potentially significant.

Mitigation

Implementation of Mitigation Measures TR-1 would reduce the potential impact to LOS by requiring procedures that shall be taken in the event of problematic congestion.

Mitigation Measure TR-1: Traffic Congestion

If the Humboldt County Department of Public Works determines that there is a congestion problem associated with the periodic events hosted at the project site, We Are Up shall complete one or more of the following measures to reduce congestion to acceptable levels:

- Apply for and obtain an Annual Encroachment permit from the Humboldt County Department of Public Works that authorizes the use of temporary traffic control measures (including, but not limited to, flaggers) at the Sutter/Weirup intersection. All temporary traffic control shall be installed and staffed by qualified traffic control personnel. All temporary traffic control measures are to be put in place by the applicant at We Are Up's expense.
- Reduce the size of events held onsite to reduce congestion to acceptable levels.
- Manage events to prevent all event visitors from attempting to exit the site simultaneously or within a short period of time.

Implementation of Mitigation Measure TR-1 would reduce the potential impacts to a less-than-significant level during special events because a plan would be implemented to address traffic congestion due to special events consistent with appropriate laws and requirements.

b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)? (Less Than Significant Impact)

CEQA Guidelines Section 15064.3, subdivision (b) establishes the criteria for analyzing transportation impacts. This Section determines that, for land use projects, "Vehicle miles traveled exceeding an applicable threshold of significance may indicate a significant impact. [...] A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled (VMT) and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate vehicle miles traveled and any revisions to model outputs should be documented and explained in the environmental document prepared for the project." Cal. Code Regs. tit. 14 § 15064.3.

The OPR Technical Advisory provides various screening criteria related to VMT that quickly identify when a project should be expected to cause a less than significant impact without conducting a detailed VMT study. According to the OPR Technical Advisory, projects that generate fewer than 110 trips per day can be assumed to cause a less than significant transportation impact (OPR 2018).

The Institute of Transportation Engineers (ITE) Publication *Trip Generation Manual* (11th Ed.) provides vehicular trip generation estimates for various land uses, based on numerous studies collected throughout the United States. The ITE Trip Generation Manual was evaluated to determine if a similar land use would be applicable to determine the number of daily trips attributable to the Project. Similar ITE land uses which may apply include Congregate Care Facility (Code 253), Assisted Living Facility (Code 254), and Nursing Home (Code 620). However, these land uses had a very limited sample size (2-3 data points) with a wide variation to justifiably apply an average trip rate from them. Therefore, Project site trip generation has been estimated below in Table 3.17-1 based on the Project's population, employment, and daily visitors.

Table 3.17-1 Daily 1-Way Trips

	Population	Assumption	Daily 1-Way Trips
Residential Occupants	69	45 don't drive	0.0
Residential Occupant Drivers	24	Each takes one trip per day	24.0
Daily Visitors and Deliveries	10	Each takes one trip per day	10.0
Weekly Dinner Guests	112	Divide this number by 7 for daily one-way trips and car occupancy will be 2.2	7.3
Live-In FT Employee	1	Each takes one trip per day	1.0
Non-Live In FT Employees	6	Each takes one trip per workday, multiply by 5/7 for daily 1-way trips	4.3
PT Employees	5	Each PT employee works 4 days/wk and takes one trip per workday, multiply by 4/7 for daily 1-way trips	2.9
		Total	**49.5**

The Project would construct a residential complex with approximately 50 living units to accommodate approximately 69 occupants. Table 3.17-1 shows that the daily 1-way trips would be 49.5, and accounting for return trips, there would be 99 total daily trips which is fewer than 110 trips. Trips associated with special events hosted onsite are not included within Table 3.17-1 and would instead be part of the CUP. Therefore, a less than significant impact would occur.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (No Impact)

The road-related elements of the Project are limited in nature and would result in a low-speed asphalt paved driveway, turnaround areas, and parking area. Because of the design of the driveway, and the limited number of vehicles, uses would not prove to be incompatible. Further, there is no vegetation along the driveway that would block visibility, nor does the road have sharp turns outside of turnaround areas. For these reasons, there would be no hazards due to a geometric design feature or incompatible use. There would be no impact.

d) Result in inadequate emergency access? (Less Than Significant)

Construction activities would occur at the dead end of Weirup Lane. 144-146 Weirup Lane, the only homes located on this dead-end, would be set to be demolished at time of construction. During construction, Weirup Land and Central Avenue may experience minor and limited construction-related traffic. Construction-related road or lane closures would not occur, and emergency access would not be limited. Operationally the Project includes a hammerhead turnaround in order to accommodate large vehicles, including emergency vehicles. The potential impact would be less than significant.

3.18 Tribal Cultural Resources

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource 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)?		✓		
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.		✓		

a, b) Cause a substantial adverse change in the significance of a tribal cultural resource? (Less Than Significant with Mitigation)

CEQA requires lead agencies to determine if a proposed Project would have a significant effect on tribal cultural resources. The CEQA Guidelines define tribal cultural resources as: (1) a site, feature, place, cultural landscape, sacred place, or object with cultural value to a California Native American Tribe that is listed or eligible for listing on the California Register of Historical Resources, or on a local register of historical resources as defined in Public Resources Code Section 5020.1(k); or (2) a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant according to the historical register criteria in Public Resources Code Section 5024.1(c), and considering the significance of the resource to a California Native American tribe.

Under Assembly Bill (AB) 52, notification letters were sent to the Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, Cher-ae Heights Indian Community of the Trinidad Rancheria, and the Wiyot Tribe on December 16, 2022. The AB 52 process gives tribes 30 days of receipt of the formal notification to initiate consultation which would end on January 15, 2023. A response was received from the Blue Lake Rancheria on January 4, 2023, who indicated no concerns with the Project outside of a recommendation for inadvertent discovery protocols which are incorporated as CR-1 and CR-2. No other responses were received before January 15, 2023. However, the Bear River Band of the Rohnerville Rancheria responded on January 17, 2023, and the Wiyot Tribe responded on February 8, 2023, both requesting inadvertent discovery protocols. Additionally, the Wiyot Tribe requested to be consulted during the development of the Wetlands Habitat Mitigation & Monitoring Plan to create a species list for planting that includes culturally significant species. Consultation with a Wiyot Tribe botanist occurred, and species were chosen for wetland and riparian plantings that are also considered sources of food, medicine, and/or use in other culturally important practices.

3.19 Utilities and Service Systems

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			✓	
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			✓	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			✓	

The Project site would be served by the MCSD water and sewer. Electric power and natural gas are provided by PG&E, and telecommunications are provided by AT&T and Optimum. A preliminary utility evaluation was conducted for the proposed Project to determine if existing infrastructure has the capacity to meet the demands of the proposed development. A summary of the utility evaluation results is provided in the discussion and analysis below.

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects? (Less than Significant Impact)

The following is a preliminary list of utilities within the construction limits:

– Natural Gas
– Electric
– Communications
– Potable Water
– Storm Drainage

The existing utilities are all provided to the site near the northwest corner of the property (at the termination of Weirup Lane).

All existing utility infrastructure within the Project Area is of insufficient size to serve the proposed project, and therefore would need to be demolished and removed or abandoned in place.

Minor offsite electrical improvements would be needed to accommodate the additional demand for the project, with the anticipated offsite modifications extending to the existing electrical infrastructure located adjacent to the house at 1682 Hideaway Court.

Sewer tie-ins to the existing sewer pipe located near the southern boundary of the property would be required to connect the new structures to the MCSD sewer system. The existing stormwater drainage from the MCSD discharge pipe and detention basin would be filled and rerouted southeast approximately 60 feet, including the recreating of a detention basin of approximately the same size. No other utility relocation or improvements would be required.

The proposed Project is a relatively small-scale residential complex on an infill site that has been planned for development and would not result in a significant adverse impact to utilities and service systems. The Project would not result in the need for the construction of new water or wastewater treatment facilities, or the expansion of existing such facilities. A less than significant result would occur.

b) Have sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry and multiple dry years? (Less Than Significant Impact)

The Project would create a small increase in demand for domestic water service from the MCSD. The MCSD purchases its water supply from the Humboldt Bay Municipal Water District (HBMWD) and is sourced from the Mad River watershed and Ruth Lake.

According to the MCSD Urban Water Management Plan 2020, MCSD has a peak rate allocation of 2.6 Million Gallons per Day (MGD) from HBMWD. The 2020 average daily demand was 1.42 MGD, or 56 percent of its allocation. In 2040, the projected demand is anticipated to be approximately the same of around 1.42 MGD as McKinleyville gets closer to full build out.

The data shows that the HBMWD has more than enough water supply to meet demand during normal, dry, and multiple dry years. Likewise, MCSD anticipates having its entire peak rate allocation available during multiple dry years since there are no projected shortfalls in the supply available to HBMWD (MCSD 2021). Therefore, the MCSD has sufficient water supplies available to serve the Project and reasonably foreseeable future development during normal, dry, and multiple dry years. A less than significant impact would occur.

c) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments? (Less than Significant Impact)

The Project would create a small incremental increase in demand for wastewater treatment/ disposal service from MCSD. The proposed Project would not interfere with the wastewater treatment facility ability to comply with NCRWQCB regulations because: (1) the Project would create only a small incremental increase in wastewater requiring treatment and disposal, (2) the wastewater generated would be consistent with other adjacent housing; and (3) the Project would pay applicable connection fees and monthly service

charges. The wastewater treatment plant was upsized in 2017 to accommodate flows until 2030/2035 and has capacity to accommodate flows from the proposed Project (Kaspari, pers comm. 2022). Therefore, the proposed Project would not result in a determination that there is not enough capacity to process the wastewater generated by the Project in addition to existing commitments. A less than significant impact would occur.

d, e) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals? (Less Than Significant Impact)

The solid waste providers in the area are Humboldt Sanitation (HS) and the Humboldt Waste Management Authority (HWMA). The proposed Project would generate solid waste during both construction and operation. Construction solid waste would include the one-time temporary generation of construction waste associated with the proposed construction. Excess soils and construction materials would be stored within designated staging areas. Excess materials may be re-used on site for backfill and finished grading. Excess materials would not be stockpiled on-site once the Project is complete. The contractor would haul additional excess materials off site for beneficial re-use, recycling, or legal disposal. Solid waste collected as a part of the Project would be disposed of via HS or HWMA. Project operation is anticipated to be served by dumpsters collected by HS. Solid waste produced in the County is trucked to State licensed landfills located in Anderson, California and Medford, Oregon in compliance with local, State, and federal regulations pertaining to solid waste disposal. These facilities have sufficient capacity to serve the Project's solid waste disposal needs; therefore, a less than significant impact is anticipated.

3.20 Wildfire

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			✓	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			✓	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slop instability, or drainage changes?			✓	

This section evaluates potential impacts related to wildfire risk. Almost all of the Project Area is located within a State Responsibility Area (SRA) where Cal Fire is the primary emergency response agency responsible for fire suppression and prevention, however the Arcata Fire District serves the Project Area (Humboldt County 2022g, Arcata Fire 2022). The Project is mostly located within a moderate Fire Hazard Severity Zone (FHSZ) (Humboldt County 2022h). There is a small portion of the northeast area of very high FHSZ within the LRA. The nearest land classified as a very high fire hazard severity zone is approximately 10 miles east of the Project Area (CAL FIRE 2007). The closest fire station to the Project Area is the McKinleyville Station located approximately 0.7 mile north of the Project and the Mad River Station approximately 2.5 miles south.

a) Substantially impair an adopted emergency response plan or emergency evacuation plan (No Impact)

A review of the Humboldt County EOP (Humboldt County 2015) indicates that the Project would not permanently impair emergency response activities nor established evacuation routes. The Project operation would not impair implementation or physically interfere with an established emergency response or evacuation plan; see Section 3.9 (Hazards and Hazardous Materials, Impact (f)) for discussion of the Project's effect on emergency response and evacuation plans.) The Project would not permanently impede access to any existing roads or pedestrian ways within the Project Area. No impact would result.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire? (Less than Significant Impact)

The Project Area includes topography that is gently sloped and where windy conditions are common. Fire ignition risk associated with construction activities is low and limited to accidental ignition associated with a potential heavy machinery-related incident. The Project would not otherwise increase exposure to wildlife fire above existing conditions. The impact would be less than significant.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment? (Less Than Significant Impact)

Development of the Project would not result in a need to expand wildfire protection infrastructure to the Project Area or in the immediate vicinity of the Project. New roads for fire defense and expanded water sources would not be required or are proposed. A new underground power line would be required, but any fire risk would be minimal due to the short distance required and it being underground. A less than significant impact would result.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes? (Less than Significant Impact)

Project construction would not expose people or structures to significant risk. The Project Area includes topography that is gently sloped, and the Project would be located on the upslope portion. The immediate Project Area is not forested, although some vegetation is present. Fire ignition risk associated with construction activities is low. A potential wildfire would be quickly extinguished due to the presence of the fire station and enhanced fire defense capabilities. It would be unlikely the parcel would succumb to wildfire as a result. A less than significant impact would occur.

3.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less-than-Significant w/ Mitigation Incorporated	Less-than-Significant Impact	No Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		✓		
b) 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)?			✓	
c) Have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly?			✓	

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Less Than Significant with Mitigation)

As evaluated in this IS/MND, the Project would not substantially degrade the quality of the environment; substantially reduce the habitat of a fish or wildlife species; cause a fish or wildlife population to drop below self-sustaining levels; threaten to eliminate a plant or animal community; reduce the number or restrict the range of an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory.

Mitigation measures are listed herein to reduce impacts related to Air Quality, Biological resources, Cultural Resources, Energy Resources, Geology and Soils, Greenhouse Gas Emissions, Hydrology and Water Quality, and Transportation. With implementation of the required mitigation measures, impacts would be less than significant.

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)? (Less than Significant Impact)

Cumulative impacts are defined as "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines § 15355). Cumulative impacts can result from individually minor but collectively significant actions taking place over a period of time.

Table 3.21-1 provides a list of past, present, and reasonably foreseeable future projects within and near the Project Area, including their anticipated construction schedules (if known). Efforts to identify cumulative projects included outreach to the Humboldt County Planning and Building Department, Humboldt County Department of Public Works, and the McKinleyville Community Services Districts.

Table 3.21-1 Cumulative Projects Summary

Agency	Project	Summary	Construction Year
MCSD	Central Avenue Water & Sewer Mainline Rehabilitation Project	Sewer lining on Central Avenue from Sutter Road to Hiller Avenue, and the installation of an a 16-inch water main.	2023
MCSD	4.5 MG Water Storage Reservoir Construction	Construction of a 4.5MG pre-stressed concrete water storage tank adjacent to Cochran Road.	2022-23

The impacts associated with the proposed Project analyzed in this IS/MND would not add appreciably to any existing or foreseeable future significant cumulative impact, such as visual quality, cultural resources, biological, traffic impacts, or air quality degradation. Incremental impacts, if any, would be negligible and undetectable. Any applicable cumulative impacts to which this Project would contribute would be mitigated to a less-than-significant level. Because the proposed Project would not result in significant impacts after mitigation the proposed Project would not contribute to any significant cumulative impacts which may occur in the area in the future. Therefore, the impact would be less than significant.

c) Does the Project have environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly? (Less Than Significant Impact)

The Project has been planned and designed to avoid significant environmental impacts. As discussed in the analysis throughout Section 3 of this IS/MND, the Project would not have environmental effects that would cause substantial adverse direct or indirect effects on human beings. The impact would be less than significant.

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Coversheets provided. See separate appendices PDF.

Appendices

Appendix A

Figures

Appendix B

Air Quality Modeling Results

Appendix C

Aquatic Resources Delineation and Sensitive Habitat Report Rev2

Appendix D

Botanical Memorandum Rev1

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The Power of Commitment