

1.1 Purpose for Preparing the EIR

The County of Humboldt (“County”), acting as the lead agency, has determined that the McKinleyville Town Center Project (hereinafter “proposed project”) could result in significant adverse environmental impacts and preparation of an environmental impact report (EIR) is required to evaluate these effects. The purpose of an EIR is to identify a project’s potential significant environmental effects, indicate how those significant effects can be mitigated or avoided, and identify alternatives to the proposed project that would substantially lessen one or more of the significant effects.

This EIR has been prepared in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, to inform public decision makers and their constituents of the environmental impacts of the proposed project. In accordance with CEQA guidelines, this EIR describes both beneficial and adverse environmental impacts generated by the proposed project and identifies measures for mitigating significant adverse environmental impacts.

As described in detail in Section 4.0, Project Description, the County is the lead agency and project proponent. The County is proposing to rezone the project site from several existing zoning designations to one zoning designation – Mixed Use (Urban). The County is also proposing to adopt overlay zoning to modify the Mixed Use (Urban) zoning regulations to provide more specific development regulations and guidance for the project site. The County has prepared the *McKinleyville Town Center Q-Zone* (Humboldt County 2024) (hereinafter “Q-Zone”) regulations for this purpose. In addition, the County is proposing to modify a policy in the *McKinleyville Community Plan* (Humboldt County 2002) (hereinafter “Community Plan”) associated with defining wetlands.

If the County Board of Supervisors approves the zoning and Community Plan amendment actions, future individual projects proposed within the project site boundary would be evaluated against the newly adopted zoning regulations. If such specific projects have potential to result in new or more severe significant impacts than are evaluated in this EIR, additional CEQA documentation in the form of a negative declaration or EIR may be required.

1.2 Analysis Methodology

General

EMC Planning Group has prepared this EIR under contract to the County in accordance with CEQA and its implementing guidelines, using an interdisciplinary approach. The County has the discretionary authority to review and approve the proposed project. This EIR is an informational document that is intended to inform County decision makers and the public, as well as responsible and trustee agencies, of the environmental impacts of the proposed project and to identify feasible mitigation measures that would avoid or reduce the severity of the impacts. The lead agency is required to consider the information contained in this EIR prior to taking any discretionary action to approve the proposed project.

An EIR is an objective public disclosure document that takes no position on the merits of the proposed project. Therefore, the findings of this EIR do not advocate a position "for" or "against" the proposed project. Instead, the EIR provides information on which decisions about the proposed project can be based.

Information from private and public sources noted herein, as well as information generated through field investigation by EMC Planning Group and other technical experts, has been used as inputs to this EIR.

Emphasis

This EIR focuses on the significant effects on the environment in accordance with CEQA Guidelines section 15143. The significant effects are discussed with emphasis on their severity and probability of occurrence.

Forecasting

In accordance with CEQA Guidelines section 15144, the analysis in this EIR necessarily involved some degree of forecasting. While foreseeing the unforeseeable is not possible, professional expertise and judgement was exercised to identify and disclose reasonably foreseeable conditions.

Speculation

If, after thorough investigation, a particular impact was determined to be too speculative for evaluation, that conclusion is noted and the issue is not discussed further (CEQA Guidelines section 15145).

Degree of Specificity

In accordance with CEQA Guidelines section 15146, the degree of specificity in this EIR corresponds to the degree of specificity involved in the proposed project. Normally, an EIR on a well-defined proposed development project (Project EIR) will be more detailed than an EIR on a policy document or regulatory action or document (e.g., land use plan, specific plan, or zoning ordinance) where the resulting physical environmental changes cannot yet be precisely identified. In this particular case, the zoning action is for a limited area and the degree of specificity of what can be permitted is well defined, and there is a specific project envisioned within the Town Center. While the precise mix of uses is not known at this point, the worst case or maximum build out of the Town Center is being evaluated in this EIR. This EIR is of sufficient specificity to allow future development of permitted uses in conformance with the Town Center Regulations to proceed without further environmental review.

Technical Detail

The information contained in this EIR includes summarized technical data, maps, plans, diagrams, and similar relevant information sufficient to permit assessment of significant environmental impacts by reviewing agencies and members of the public, pursuant to CEQA Guidelines Section 15147. Highly technical and specialized analysis and data is included in the appendices to the EIR.

Citation

Per CEQA Guidelines section 15148, this EIR incorporates information from many sources including engineering reports and scientific documents relating to environmental features. If the information was prepared specifically for the proposed project, the document is included in the technical appendices discussed above. Documents that were not prepared specifically for the proposed project, but contain information relevant to the environmental analysis of the proposed project, are cited but not included.

1.3 Type of EIR

The direction provided in CEQA Guidelines Section 15168, Program EIR, is being used to prepare this EIR. The section states:

- (a) General. A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:
 - (1) Geographically;
 - (2) As logical parts in the chain of contemplated actions;
 - (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or

- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.

(b) Advantages. Use of a program EIR can provide the following advantages.

The program EIR can:

- (1) Provide an occasion for a more exhaustive consideration of effects and alternatives than would be practical in an EIR on an individual action;
- (2) Ensure consideration of cumulative impacts that might be slighted in a case-by-case analysis;
- (3) Avoid duplicative reconsideration of basic policy considerations;
- (4) Allow the Lead Agency to consider broad policy alternatives and program-wide mitigation measures at an early time when the agency has greater flexibility to deal with basic problems or cumulative impacts; and
- (5) Allow reduction in paperwork.

(c) Use with Later Activities. Later activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared.

- (1) If a later activity would have effects that were not examined in the program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration. That later analysis may tier from the program EIR as provided in Section 15152.
- (2) If the agency finds that pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the program EIR, and no new environmental document would be required. Whether a later activity is within the scope of a program EIR is a factual question that the lead agency determines based on substantial evidence in the record. Factors that an agency may consider in making that determination include, but are not limited to, consistency of the later activity with the type of allowable land use, overall planned density and building intensity, geographic area analyzed for environmental impacts, and covered infrastructure, as described in the program EIR.

- (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the program EIR into later activities in the program.
- (4) Where the later activities involve site specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation were within the scope of the program EIR.
- (5) A program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the program EIR, and no further environmental documents would be required.

The analysis in this EIR addresses environmental effects of the proposed project at the level of specificity possible given information available in the zoning documents prepared by the County for rezoning the Town Center site as described in Section 4.0, Project Description. It is anticipated that the site will build out over time via a series of future individual projects that would constitute the “program” of actions for which this EIR identifies the broad impacts of the program. The project description includes information on the only reasonably foreseeable individual project being contemplated within the site - the Life Plan Humboldt project. That information is included to provide general context about that project’s relative contribution to the broad environmental impacts of developing the Town Center site over time; the information does not constitute a project-specific evaluation of that project’s environmental impacts.

CEQA review for future individual development projects will be conducted in the context of this program EIR to determine whether additional project-specific environmental review is required and if so, the scope and breadth of that review as noted in CEQA Guidelines section 15168(c) (see above). As noted in Section 4.6, Future Individual Project Approvals and Intended Uses of the EIR, the Humboldt County Director of Planning and Building will have authority to issue a zoning clearance certificate for future individual projects that are determined to be consistent with the proposed zoning regulations for the Town Center. Such projects would not require further CEQA review per CEQA Guidelines section 15168(c)(2).

Environmental review for future individual projects, if needed, may also be streamlined per CEQA Guidelines section 15183, Projects Consistent with a Community Plan or Zoning. The proposed project is primarily a zoning action. Section 15183(a) states:

CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

Section 15183(b) states:

In approving a project meeting the requirements of this section, a public agency shall limit its examination of environmental effects to those which the agency determines, in an initial study or other analysis:

- (1) Are peculiar to the project or the parcel on which the project would be located;
- (2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent;
- (3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
- (4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

The streamlining provisions will guide the County's determination whether no new CEQA documentation is required for future individual projects, or whether additional CEQA documentation in the form of a negative declaration or EIR may be appropriate.

1.4 EIR Process

There are several steps required in an EIR process. The major steps are briefly discussed below.

Notice of Preparation

CEQA Guidelines section 15082 describes the purpose of facilitating early public and public agency input on the scope of an EIR through the notice of preparation (NOP) process. CEQA Guidelines section 15375 defines a NOP as:

...a brief notice sent by the Lead Agency to notify the Responsible Agencies, Trustee Agencies, the Office of Planning and Research, and involved federal agencies that the Lead Agency plans to prepare an EIR for the project. The purpose of the notice is to solicit guidance from those agencies as to the scope and content of the environmental information to be included in the EIR.

A NOP was circulated from March 28, 2024 to April 27, 2024. Written responses to the NOP were received from the following:

1. Colin Fisk (April 8, 2024);
2. California Department of Fish and Wildlife (April 26, 2024);
3. California Department of Transportation (April 26, 2024);
4. Life Plan Humboldt (May 2, 2024); and
5. Kelley Garrett (May 3, 2024).

The NOP and comments received on the NOP are included in [Appendix A](#).

Contents

An EIR is an informational document which will inform public agency decision makers and the public of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project. The public agency is required to consider the information in a draft EIR along with other information which may be presented to the agency. CEQA Guidelines Article 9 requires an EIR to contain the following information:

- Table of Contents;
- Summary;
- Project Description;
- Environmental Setting;
- Consideration and Discussion of Environmental Impacts;
- Consideration and Discussion of Mitigation Measures Proposed to Minimize Significant Effects;
- Consideration and Discussion of Alternatives to the Proposed Project;

- Organization and Persons Consulted; and
- Discussion of Cumulative Impacts.

The contents of this EIR are outlined in the table of contents.

Public Review

The draft EIR must be circulated for a 45-day public review period. Responses to comments on the draft EIR that address environmental issues will be addressed in the final EIR. CEQA Guidelines section 15204(a) states that in reviewing a draft EIR, persons and public agencies should focus on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible, in light of factors such as the magnitude of the project at issue, the severity of its likely environmental impacts, and the geographic scope of the project. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters.

CEQA Guidelines section 15204(c) states that reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to section 15064, an effect shall not be considered significant in the absence of substantial evidence.

Final EIR

Contents

In accordance with CEQA Guidelines section 15132, a final includes following:

- List of persons, organizations, and public agencies commenting on the draft EIR;
- Comments received on the draft EIR;
- Responses to significant environmental points raised in comments; and
- Revisions that may be necessary to the draft EIR based upon the comments and responses.

The response to comments and the draft EIR constitute the entire final EIR.

CEQA Guidelines section 15088 requires the lead agency to provide a written response to comments made by public agencies at least 10 days prior to certifying an EIR.

Certification

CEQA Guidelines section 15090 requires lead agencies to certify the final EIR prior to approving the subject project. The lead agency must certify that the final EIR has been completed in compliance with CEQA, the final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the final EIR prior to approving the project, and that the final EIR reflects the lead agency's independent judgment and analysis.

1.5 Terminology

Characterization of Impacts

This EIR uses the following terminology to denote the significance of environmental impacts.

No Impact

"No impact" means that no change from existing conditions is expected to occur.

Adverse Impacts

A "less-than-significant impact" is an adverse impact, but would not cause a substantial adverse change in the physical environment, and no mitigation is required.

A "significant impact" or "potentially significant impact" would, or would potentially, cause a substantial adverse change in the physical environment, and mitigation is required.

A "less-than-significant impact with implementation of mitigation measures" means that the impact would cause no substantial adverse change in the physical environment if identified mitigation measures are implemented.

A "significant and unavoidable impact" would cause a substantial change in the physical environment and cannot be avoided if the project is implemented; mitigation may be recommended, but will not reduce the impact to less-than-significant levels.

Beneficial Impact

A "beneficial impact" is an impact that would result in a decrease in existing adverse conditions in the physical environment if the project is implemented.

Abbreviations and Acronyms

AB	Assembly Bill
AFY	Acre-Feet per Year
AIA	Airport Influence Areas

BAAQMD	Bay Area Air Quality Management District
BACT	Best Available Control Technology
BEES	Building Energy Efficiency Standards
BTU	British Thermal Unit
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
CARB	California Air Resources Control Board
CAPCOA	California Air Pollution Control Officers Association
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO ₂ e	Carbon Dioxide Equivalent
dB	Decibels
DPM	Diesel Particulate Matter
EIR	Environmental Impact Report
EMFAC	Emissions Factor Model
EPA	Environmental Protection Agency
FESA	Federal Endangered Species Act
GHG	Greenhouse Gas(es)
GPD	Gallons per Day
HBMWD	Humboldt Bay Municipal Water District
HCTDM	Humboldt County Travel Demand Model

HTA	Humboldt Transit Authority
kWh	Kilowatt-hour
LID	Low Impact Development
MCSD	McKinleyville Community Services District
MMAC	McKinleyville Municipal Advisory Committee
MGD	Million Gallons per Day
MT	Metric Tons
MU1	Mixed Use-Urban
NO _x	Nitrogen Oxides
NOP	Notice of Preparation
NPDES	National Pollutant Discharge Elimination System
OPR	Office of Planning and Research
PG&E	Pacific Gas and Electric
PM	Particulate Matter
PM ₁₀	Suspended Particulate Matter 10 micrometers or less
PM _{2.5}	Fine Particulate Matter 2.5 micrometers or less
ppm	Parts per Million
PPV	Peak Particle Velocity
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SF	Square Feet
SO _x	Sulfur Oxides
SWRCB	State Water Resources Control Board
TAC	Toxic Air Contaminant
TAZ	Traffic Analysis Zone

USACE	U.S. Army Corps of Engineers
USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compounds
VROOM	Variety in Rural Options of Mobility