Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Humboldt
825 5th Street - 5th Floor
Eureka, CA 95501

From: (Public Agency): City of Eureka
531 K Street
Eureka, CA 95501
(Address)

Project Title: Eureka Regional Transit and Housing Center (EaRTH Center)

Project Applicant: City of Eureka

Project Location - Specific:

On the south side of 3rd ST between G and H ST (APNs 001-136-001, 001-136-002)

Project Location - City: Eureka Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

Construction of a mixed-use, 3-to-5-story building on City-owned property in Downtown currently developed as public parking lots. The ground floor will primarily be dedicated to an intermodal transit center for the Humboldt Transit Authority with a number of individual leasable commercial tenant spaces, while the upper floors will include up to 99 apartment-style housing units, all or the majority of which will be deed-restricted affordable. The two underlying parcels will be merged, followed by a condominium subdivision to separate ownership of the housing from the transit center. H Street will be reduced by one lane between 3rd and 4th Streets to provide the space necessary for bus parking, passenger loading/unloading and sidewalk pedestrian traffic.

Name of Public Agency Approving Project: City of Eureka

Name of Person or Agency Carrying Out Project: City of Eureka, The DANCO Group, and Humboldt Transit Authority

Exempt Status: **(check one):**

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☒ Categorical Exemption. State type and section number: §15332 (Class 32) Infill
- ☒ Statutory Exemptions. State code number: §21083.3 (CEQA Guidelines §15183)

Reasons why project is exempt:

The project qualifies for an exemption under CEQA Guidelines §15183: the project is consistent with the City's 2040 General Plan for which an environmental impact report was certified in 2018 (State Clearinghouse #2016102025) and Eureka City Council held a duly noticed public hearing on the exemption determination on June 4, 2024. The project is infill development and also qualifies for exemption under CEQA Guidelines §15332. See attached pages for further explanation.

Lead Agency Contact Person: Cristin Kenyon Area Code/Telephone/Extension: (707) 441-4160

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Cristi Kenyon Date: 6/5/24 Title: Development Services Director

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

EXEMPTION JUSTIFICATION

DATE: 5/24/24

TO: The City Council of the City of Eureka

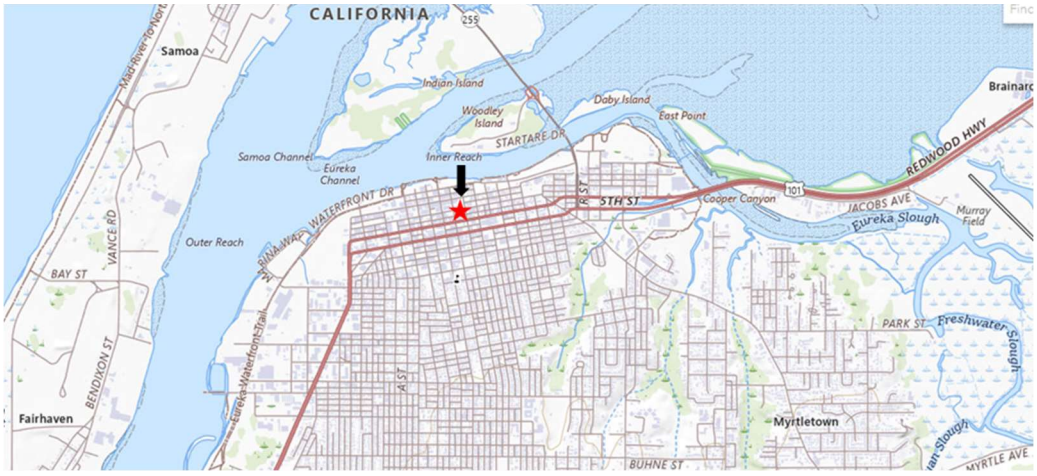
FROM: Cristin Kenyon, AICP, Development Services Director

SUBJECT: California Environmental Quality Act (CEQA) exemption memo for the EaRTH Center project on the south side of 3rd Street between G and H Streets (APNs 001-136-001 and 001-136-002)

Project Description & Background

The Eureka Regional Transit and Housing Center (EaRTH Center) project ("project") involves construction of a mixed-use, multi-story building on a 26,400-square-foot (sf), City-owned property currently developed with public parking lots. The building will be three to five stories in height with up to 99 apartment-style housing units above the first floor, all or the majority of which will be deed-restricted affordable. The ground floor will primarily be dedicated to an intermodal transit center for the Humboldt Transit Authority (HTA) with a number of individual leasable commercial tenant spaces fronting the street. The ground floor will also include space supporting the upper-floor housing, such as a reception/lobby area and bicycle storage room. The development is intended to provide a central intermodal transit center for the City of Eureka (City) and Humboldt County as well as affordable housing required by Implementation Program Imp H-34 of the City's 2019-2027 Housing Element. The project site is comprised of two 13,200-square-foot Accessor Parcel Numbers (APNs 001-136-001 and 001-136-002) that will be merged into one legal parcel, followed by a condominium subdivision to separate ownership of the affordable housing and associated amenities from the ground-floor intermodal transit center.

Figure 1. Project Location within City Limits

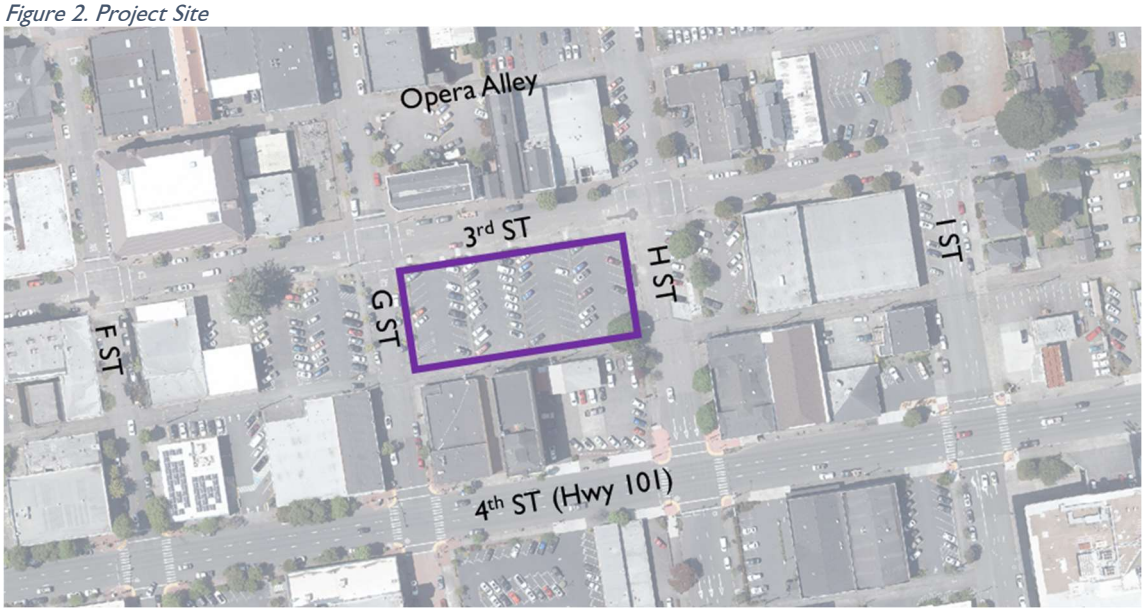


Background

Eureka City Council entered into a Memorandum of Understanding with HTA to collaborate on the development of the EaRTH Center project on November 16, 2021. On February 1, 2022, Council declared the project site exempt from Surplus Land Act regulations pursuant to Government Code §37364, and on March 1, 2022 Council authorized the reduction or removal of public parking from the Parking Assessment District.

HTA was awarded a California State Transportation Agency 2022 Transit and Intercity Rail Capital Program (TIRCP) grant with up to $10 million for the construction of the ground-floor intermodal transit center. On May 1, 2024, HTA's Board adopted a resolution conditionally approving Danco as the developer for the EaRTH Center project, subject to the Eureka City Council confirming Danco as the developer, and conditionally authorizing commitment of TIRCP grant funds to Danco, subject to HTA's approval of the conceptual site plan for the ground floor. Eureka City Council is scheduled to act on June 4, 2024 to authorize a Disposition and Development Agreement (DDA) between the City and Danco for disposition and development of the project.

Figure 2. Project Site



Setting

The flat, rectangular project site is currently used for public parking and is improved with asphalt paving and concrete curbing and limited landscape planters and parking meters. The site is located on the north side of the Downtown Zoning District, just south of the California Coastal Zone and the Old Town National Historic District, three blocks south of the City's northern waterfront on Humboldt Bay (Eureka, 2024). The site is located in an area with the highest employment and population density of Humboldt County within walking distance of a wide range of community amenities, including retail, food, recreational, educational, and cultural destinations (Census, 2020a, 2020b, and 2023). Surrounding land uses include retail shops, public and private parking lots, professional offices, restaurants, car sales and services, other miscellaneous

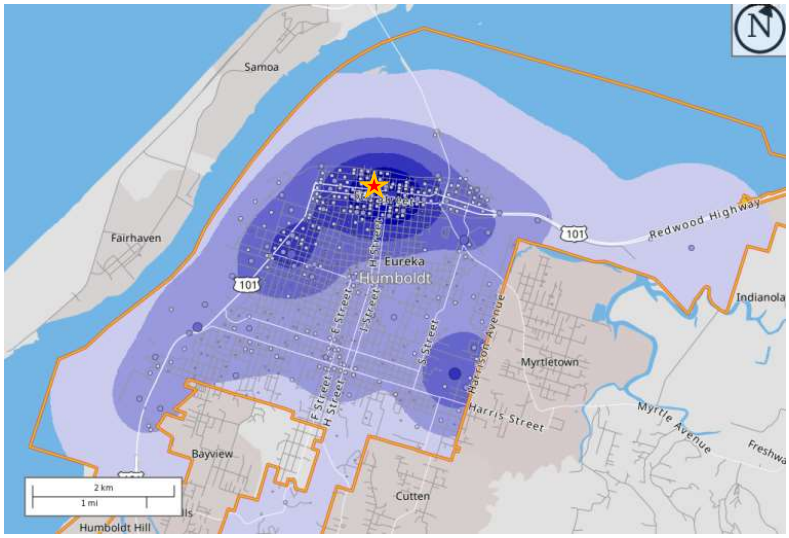


Figure 3. Job Density in Eureka (2020 Census; darker purple = higher density jobs/ square mile; star = project site)

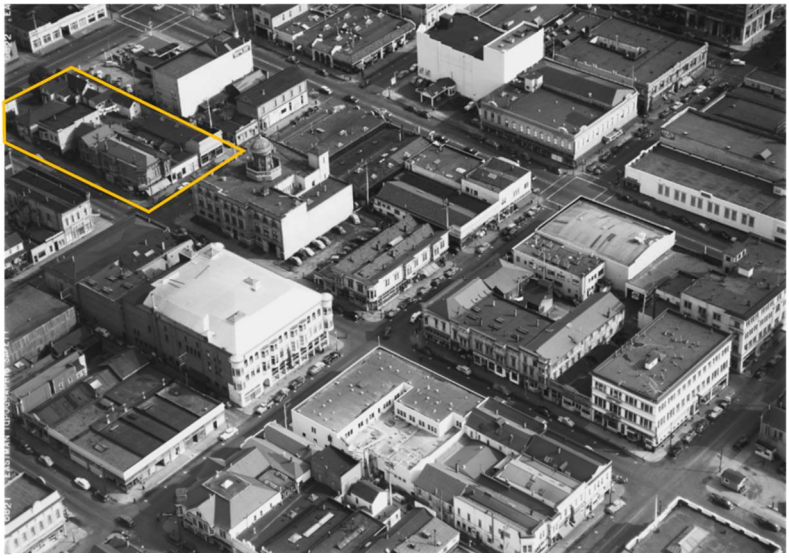


Figure 4. 1947 Aerial Image with Project Site Outlined in Orange (image from Merle Shuster collection at Cal Poly Humboldt: https://cdm16166.contentdm.oclc.org/digital/collection/shuster/id/446/rec/1)

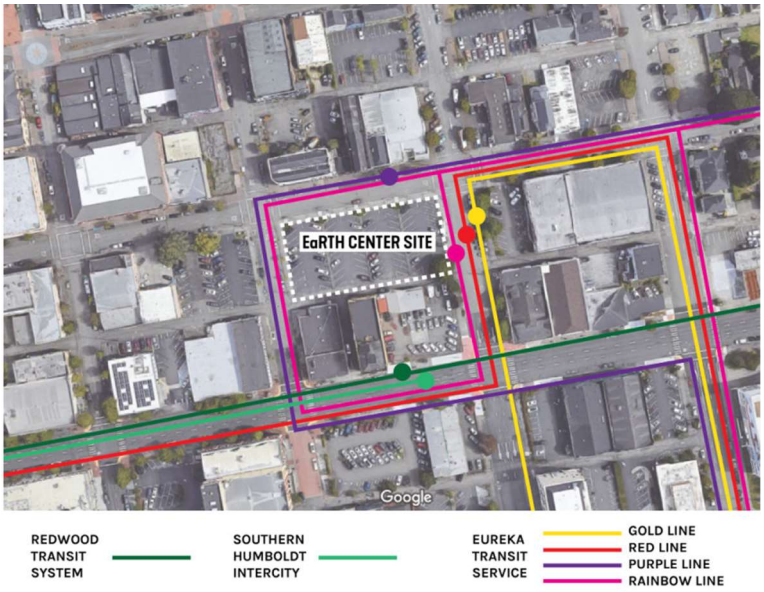
commercial uses, and upper floor residences. The site is located in the Eureka Cultural Arts District, and recreational amenities within a half mile of the site include but are not limited to: the Humboldt County Library, Redwood Discovery Museum, Eureka Boardwalk and Waterfront Trail, Cal Poly Humboldt's Aquatic Center, the Adorni Recreational Center, and Halvorsen Park, which will soon by home to a new maritime-themed playground.

The site comprises one-half of a City block and is surrounded by sidewalks and City streets on three sides and an asphalt improved, public alley on the fourth side. Sanborn Maps from various years from 1886 through 1949 show the site developed with a variety of structures including dwellings, sheds, various businesses, and offices. In the 1950s the site was acquired by the City with Parking Assessment District fees for the development of City parking lots and has been continuously used for public parking since that time.

The site has 240 feet of frontage on 3rd Street, 110 feet of frontage on G Street, and 110 feet of frontage on H Street. Pursuant to the City's 2040 General Plan Figure M-1, 3rd Street is a two-way east/west major collector, G Street is a two-way north/south local street, and H Street is a one-way southbound major arterial. Currently vehicles enter the project site from four driveways on 3rd Street and exit via four access points onto the alley.

Class II bicycle lanes are located three and four blocks south on 6th and 7th Streets (west and eastbound) and H and I Streets (south and northbound), and the site is in easy walking distance of the Eureka Waterfront Trail (a portion of the Humboldt Bay Trail, California Coastal Trail, and planned Great Redwood Trail) which runs along 7-plus miles of Eureka shoreline and will soon connect to Arcata to the north (the closest segment of trail is 2 blocks north along 1st Street).

Figure 5. Existing Bus Stops (graphic from the 2023 EaRTH Center Programming & Feasibility Report)



Multiple bus routes converge near the site, offering convenient access to shopping malls, hospitals, parks, industrial districts and suburban communities. Eureka Transit Service's transit hub is located on the eastern frontage of the project site on H Street, and bus stops for Redwood Transit Service's routes are located one and two blocks south on 4th and 5th Streets, which also serve as Highway 101 south and north, respectively. These existing bus stops will be replaced by the EaRTH Center, which will also serve intercity Amtrak buses and Greyhounds, as well as other mobility options.

Operation

Intermodal Transit Center: HTA intends for the intermodal transit center to integrate intra- and inter-city bus services with other mobility options like carshare, rideshare, paratransit, and bicycle and pedestrian travel at this centrally-located Downtown site surrounded by jobs and services.

The intermodal transit center will include ticketing and passenger waiting and loading areas, public restrooms, a security office, real-time signage, and space for transit center and HTA staff, including offices, a break room, restroom, and conference room. Workspace may also be rented out by local government agencies and community organizations. Buses will stop and passengers will board on the eastern edge of the project site on H Street. H Street will be reduced by one lane between 3rd and 4th Streets to provide the space necessary for bus parking, passenger loading/unloading and sidewalk pedestrian traffic. The alley will also include access for smaller mobility vehicles such as taxis, rideshare, and paratransit.

In addition, the intermodal transit center will include up to 11,000 square feet of sublease space for commercial tenants such as a café, retail shop, pharmacy, childcare center, etc. Each individual tenant space will be less than 3,000 sf in size and will front surrounding streets to enhance the pedestrian environment.

Housing: There will be up to 99 housing units on the upper floors of the building. Danco intends for all or the majority of housing units to be deed-restricted affordable.[1] To be consistent with

[1] An affordable housing deed restriction is something a property owner records with the grant deed or title of their property with terms that impose maximum rents and tenant eligibility standards for a fixed period of time. In this case, the affordable housing units required by the City's Housing Element must be restricted to remain continually affordable to low- and very-low income households for a minimum of 55 years. Once the deed restriction is recorded with the County assessor's office, it becomes permanent and legally binding.

Affordable housing generally means not spending more than 30% of a household's income on housing, including rent and utilities for renters. For purposes of affordable housing planning and funding, State housing laws define very-low income households as earning 31 to 50% of area median income (AMI), and low-income households as earning 51 to 80% of AMI. HCD has set the 2024 median income in Humboldt County at $88,300 for a family of

Housing Element Implementation Program Imp H-34, at least 20 units will be deed-restricted affordable for very-low income households and 10 units will be deed-restricted affordable for lower-income households as determined by the Department of Housing and Community Development pursuant to §§50105 and 50079.5 of the Health and Safety Code. Additionally, because the City declared the project site exempt from Surplus Land Act regulations pursuant to Government Code §37364, the affordability provisions in §37364 must be met, including, but not limited to the requirement that not less than 40% of the total number of housing units on the project site be deed-restricted affordable. These requirements will be included in a DDA between the City and Danco. Housing amenities will include onsite laundry facilities, long-term bicycle storage, a multipurpose room for gatherings (likely with a kitchen), and a first-floor reception/lobby area likely with mailboxes, a package room, a security/leasing office, and a restroom.

2040 General Plan Policies N-1.4, N-1.5, and N-1.8 require a project-specific acoustical analysis and incorporation of acoustical insulation treatments into housing unit design and mitigation of new stationary sources of noise as necessary to ensure interior noise levels within the housing units are 45 dBA or lower, consistent with City residential noise standards. To protect future residents from any air quality impacts, the applicant also proposes to install filters with a minimum efficiency reporting value of 13 (MERV-13) in the indoor air heating, ventilation, and air conditioning (HVAC) systems for proposed housing units.

Miscellaneous: The building will include spaces for mechanical and electrical, trash/recycling, custodial, maintenance, fire riser/alarm, elevator control, generator, storage, etc. The project will also trigger public improvement requirements, including improvements to surrounding sidewalks, curbs, and alleys as deemed necessary by the City to ensure consistency with City standards. There is existing sanitary sewer, water service, and stormwater system infrastructure in the surrounding streets and alleyway adequate to serve the project. The Engineering Division of the Public Works Department will require installation of adequate service connections consistent with City standards.

Additionally, because over 5,000 sf of impervious surface is proposed to be replaced on the project site, the project will be classified as a "Regulated Project" according to the Small Municipal Separate Storm Sewer System (MS4 Permit) and will be required to prepare a Stormwater Control Plan to ensure stormwater runoff is adequately managed for the life of the project consistent with the Humboldt Low Impact Development Stormwater Manual.

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four (HCD raises Humboldt County's area median income to equal California's non-metropolitan median income). HCD uses the $88,300 median income value to determine which Humboldt County households qualify as very-low income and low income as follows:

	Official 2024 State Income Limits for Humboldt County by Income Category and Household Size			
Income Category	4-person Household	3-person Household	2-person Household	1-person Household
Very Low Income	$44,150	$39,750	$35,350	$30,950
Low Income	$70,650	$63,600	$56,550	$49,500

Construction

Project construction is anticipated to begin in 2025 and be completed by 2027. Pursuant to 2040 General Plan Policy N-1.13, operation of heavy equipment will be limited to daytime hours between 7 AM and 7 PM. Construction staging and parking will be mostly contained on the project site, but limited closures of surrounding sidewalk and street parking will likely occur. The Engineering Division of the Public Works Department will require an encroachment permit and approved traffic control plan for any work conducted in the City's right-of-way to ensure any impacts of road closures on surrounding land uses are minimized. Pursuant to 2040 General Plan Policy AQ-1.3, construction contractors will be required to utilize air quality Best Management Practices (BMPs) consistent with the North Coast Unified Air Quality Management District (NCUAQMD) requirements and State regulations, including adherence to standard dust control measures to reduce fugitive dust generation during excavation and earthmoving construction activities. Pursuant to the City's stormwater provisions, an Erosion and Sediment Control Plan will be prepared and adhered to during project construction, ensuring adequate BMPs will be installed and maintained to prevent water quality impacts. As is the City's standard practice, the City will require inadvertent discovery protocol for ground-disturbing activity, and will refer the project to the applicable Tribes and require tribal monitoring during construction if requested.

CEQA Guidelines §15332 (Class 32) Exemption Applicability

Summary of Findings

The CEQA Guidelines §15332 (Class 32) exemption applies to projects characterized as infill development meeting the conditions described in this section. As demonstrated below, the project qualifies for the §15332 categorical exemption and no known exceptions to the exemption apply.

(a) The project is consistent with the applicable general plan designations and all applicable general plan policies as well as with applicable zoning designations and regulations.

Applicable General Plan Designation and Policies

The project is located in Eureka's "Downtown," one of four community places (along with the Library District, Old Town, and Commercial Bayfront) that comprise the City's "Core Area," which is defined as the business and cultural center of the City. The project is consistent with the 2040 General Plan's vision for Downtown as becoming "an even stronger regional center of retail, cultural facilities, and office-based professional and business services with a dense development pattern, multi-story buildings, and upper floor office and residential uses." The applicable 2040 General Plan land use designation is "Downtown Commercial" which is "intended to have a high intensity urban form, retain and enhance Eureka's identity and historic character, and promote a vibrant pedestrian environment." The project will add an intermodal transit center with public spaces, street-facing commercial tenants and upper floor residential uses to a site currently developed with surface parking, consistent with the vision for the area.

Staff has reviewed the 2040 General Plan policies, and the project does not conflict with any policies and furthers the following applicable policies in the Mobility (M), Housing (H), and Land Use (LU) Elements:

- **Policy M-1.2 Investment in Alternative Modes.** Emphasize investment in alternative travel modes to provide a realistic and cost-effective balance between modes.
- **Policy M-1.3 Multimodal Options.** Establish an interconnected transportation network that offers safe and convenient mobility options including adequate streets, transit services, pedestrian walkways, bike routes, commercial rail connections, aviation services, and trucking and shipping.
- **Policy M-1.6 Dense Development.** Integrate transportation and land use decisions to enhance opportunities for development that is compact, walkable and transit friendly.
- **Policy M-4.1 Transit Services.** Work with local and regional transit providers to maintain and expand services within the City that meet the needs of residents, and are accessible, timely, and responsive to growth patterns, and design routes with transit stops linking to trails and recreation areas.
- **Policy M-4.3 Intermodal Transportation Center.** Work with Humboldt Transit Authority to explore the development of an intermodal transportation center that would provide a central focal point for all transportation modes serving Humboldt County, including buses,

cabs and limousines, rideshare, railroad passenger service, bay excursion services, horse-drawn carriages, and possibly cruise ships, trolleys, and carshare.

- **Policy M-4.5 Transit Use.** Work with Core Area employers, workers, residents, and visitors to encourage public transit use, thereby reducing traffic congestion and parking demand in the Core Area.
- **Policy M-4.6 Bus Stops.** Design new bus stops and improve existing bus stops with appropriate amenities and features to increase rider comfort and feelings of safety and encourage walking and bicycling, including shelters, benches, lighting, shade trees, signs, information kiosks, waste receptacles, paved surfaces, and secure bicycle parking. Where appropriate, add either bus stop lanes or bus turnouts.
- **Policy M-5.4 Parking Lot Location.** Discourage placement of parking lots along major commercial, high pedestrian-use street frontages, and corners in the interest of maintaining continuous building frontages along the primary commercial streets and improving walkability in the Core Area.
- **Policy H-2.8 Mixed-Use Residential.** Promote and encourage the development of new residential units in mixed-use zones, with particular emphasis on multi-story buildings, upper floor residential units, and residential units near transit stops.
- **Policy H-2.20 Transit Services.** Support the enhancement and expansion of intra-city and regional transit services that complement the development of mixed-use and affordable housing.
- **Policy H-6.6 Transit Services.** Support regional efforts to enhance and expand transit services.
- **Policy LU-1.2 Compact Form.** Provide for a compact pattern of mixed land uses at densities/intensities consistent with the development patterns Eureka experienced from the 1870s to the 1940s and at densities/intensities that are higher than were allowed in the past three general plan updates. Focus this compact pattern of land uses to radiate out from the Core Area, Employment Areas, Commercial Corridors, and Commercial Centers to make efficient use of the City's limited remaining developable lands and to promote walkability and urban growth.
- **Policy LU-1.3 Beneficial Development.** Support development that affords benefits to all segments of the community that:
    a. Offers varied housing choices.
    b. Provides for mixed use development.
    c. Develops underutilized or vacant parcels.
    d. Reuses and expands upon underutilized or dilapidated buildings.
    e. Furthers the attraction and/or retention of businesses targeted in the Eureka Economic Development Strategic Plan.
    f. Enhances the City's tax base.
    g. Encourages people to walk, bike, or use transit.
    h. Integrates development with public rights- of- way, parks, open spaces, plaza's, boardwalks, trails, and other public spaces.
    i. Preserves and/or enhances valuable natural, historic, or cultural resources.

j. Applies practices that help to reduce development's carbon footprint.
k. Develops intersection corners and street frontages with buildings instead of parking lots.
l. Advances other City goals.

- **Policy LU-1.19 Pedestrian-oriented Design.** In the downtown, commercial core, mixed use, and neighborhood commercial areas, promote the creation of a strong and appealing pedestrian environment by requiring the use of transparent commercial storefronts (i.e., windows and doors) and continuous and compatible building facades, while prohibiting the creation of blank walls and discontinuity in building facades.
- **Policy LU-2.12 Building Intensity.** Encourage new development in core areas to achieve the maximum allowable building intensity to the extent compatible with the surrounding context.
- **Policy LU-2.14 Housing Expansion and Integration.** Expand the supply of housing in the Core Area through the vertical and horizontal integration of residential uses with other uses.

The project will create a compact, walkable, pedestrian- and transit-friendly, mixed-use, multi-story development through infill development in the heart of the City's Core Area consistent with the densities/intensities and development patterns Eureka experienced from the 1870s to the 1940s. The project will develop high-pedestrian-use intersection corners and street frontages with buildings instead of parking lots and creating a strong and appealing pedestrian environment with commercial storefronts and continuous and compatible building facades framing the street. The project will encourage transit use by improving transit service and rider comfort at a central, accessible location, and increase housing options and supply in the Core Area through vertical integration of affordable residential uses with commercial and public facility uses.

The project also specifically implements Housing Element Implementation Program IMP H-34 (Affordable Housing on City-Owned Properties) which requires the project site to be put up for sale or lease for affordable housing. Pursuant to the DDA between the City and Danco, the project will meet the minimum number of low- and very-low-income deed-restricted affordable housing units and the minimum floor-area-ratio (FAR) of 1.5 required by Implementation Program Imp H-34. The project will also achieve a number of the key housing objectives the City intends to accomplish with Implementation Program Imp H-34, including encouraging mixed-income and mixed-use developments, maximizing development potential, and reducing greenhouse gas emissions with projects that encourage/incentivize residents to use active/collective modes of transport.

Applicable Zoning Designation and Regulations

The project site is located in the Downtown Zoning District (DT District) and the project is aligned with the purpose of the DT District which is described in Eureka Municipal Code (EMC) §155.208.010(B) as follows:

> The DT zoning district maintains, promotes, enhances, and builds upon Eureka's Downtown as a vibrant center for residents, businesses, the arts, local/regional visitors, and out-of-town tourists. Vertical mixed-use development with a diversity of uses promote daytime and evening activity, including residential, cultural, lodging, civic, professional office, entertainment, retail, and other customer-serving and employment-intensive uses. Multi-story buildings built to lot lines fully utilize

> available land and support a high-intensity economic and cultural center for the surrounding region. Existing buildings are fully utilized with uses that serve residents, employees, visitors, and the broader region. A diversity of building types and architectural styles, many with active ground-floor uses, support a vibrant pedestrian environment and active and inviting public spaces.

Consistent with the purpose of the DT District, the project consists of vertical mixed-use development within a multi-story building built to lot lines fully utilizing available land with a diversity of uses promoting daytime and evening activity, including residences above active ground-floor commercial and public uses.

The project's uses are principally permitted in the DT District under the "Multi-Family Dwellings" and "Government Facilities" use types. The proposed ground-floor commercial tenant spaces are individually less than 3,000 sf in size and their uses will also likely be principally permitted under the following use types: "General Retail-Indoor, Small," "Restaurants, Cafes, and Beverage Sales," "Day Care Facility," "Fitness, Dance, or Health Facility," "General Services," "Indoor Commercial Recreation," "Personal Services," "Offices," and "Civic Institutions." Any future proposed conditional uses in the building will require additional discretionary review.

The project will meet the minimum FAR of 1 and minimum building height of 2 stories in the DT District, and will be below the maximum FAR of 6 and building height of 100 feet. There are no minimum setbacks in the DT District, but there is a maximum front setback of 10 feet, and new buildings must be constructed at or within the maximum front setback for a minimum of 50% of the lot's linear frontage. The project involves a new building built to lot lines that will meet this maximum setback requirement. There are no maximum density or site coverage standards, and the entire project is anticipated to be exempt from parking requirements by EMC §155.324.020(B) and (C) which exempt the following from parking requirements in the DT District: all new non-residential construction, eight new market-rate housing units, and any number of deed-restricted affordable housing units, along with a market-rate manager's unit. The project requires Design Review and a Building Permit, which will ensure the project is consistent with all applicable code standards, including but not limited to objective design standards (EMC §155.312), bicycle parking (EMC §155.324.070), landscaping (EMC §155.328), multi-family laundry facilities (EMC §155.304.100), outdoor lighting (EMC §155.308.050), solid waste/recyclable material storage (EMC §155.308.070), and signs (EMC §155.340).

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The project site is located within City limits, on an approximately 0.61-acre project site developed as public parking lots. While the term "substantially surrounded by urban uses" is not defined for the purposes of the Class 32 exemption, CEQA defines a "qualified urban use" as "any residential, commercial, public institutional, transit, or transport passenger facility, or retail use, or any combination of those uses," (CEQA §21072). The project site is surrounded by road and alleyways; commercial sales, services and office uses; upper floor residences; and public and private parking lots, and thus is "substantially surrounded by urban uses."

(c) The project site has no value as habitat for endangered, rare or threatened species.

The project site has been paved with public parking lots since the 1950s and has been developed with urban uses since the late 1800s. The project site is entirely paved except for four small landscaped planters and one landscape tree, and is surrounded by roads and urban development. The closest habitat is Humboldt Bay, which is located three blocks and over 800 feet north of the site, separated from the site by three roads, two alleys, and a number of intervening developments. The project site is devoid of habitat suitable to support endangered, rare, or threatened species.

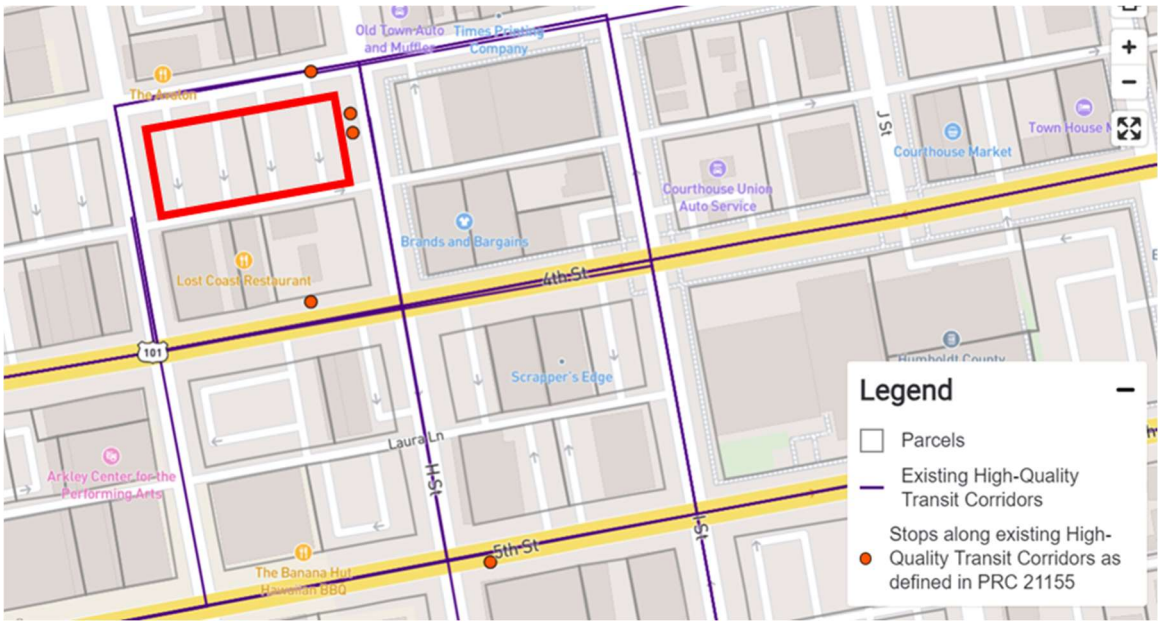
(d) Approval of the project would not result in any significant effects related to traffic, noise, air quality, or water quality.

Traffic

Pursuant to CEQA §21099, the criteria for determining the significance of transportation impacts must "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." As a result, CEQA Guidelines §15064.3 identifies vehicle miles traveled (VMT) as the most appropriate metric to evaluate a project's transportation impacts, and asserts that a project's effect on automobile delay does not constitute a significant environmental impact.

CEQA Guidelines §15064.3(b)(1) states that generally projects within one-half mile of an existing major transit stop, or stop along an existing high-quality transit corridor, should be presumed to cause a less than significant transportation impact. The California Office of Planning and Research's (OPR's) Site Check Tool identifies the project site as being surrounded by high-quality transit corridors, and the 3rd and H Street bus stop directly adjacent to the project site has been identified by Humboldt County Association of Government's Regional Transportation Plan as a major transit stop (OPR, 2024; HCAOG, 2022).

Figure 6. OPR's Site Check Tool with the Project Site Outlined in Red (https://sitecheck.opr.ca.gov/)



CEQA Guidelines §15064.3(b)(1) also states that projects that decrease VMT in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. The project will replace two surface parking lots (with a total of 82 parking spaces) with a mixed-use development that includes an intermodal transit center serving intercity Amtrak buses, Greyhounds, locally-operated intercity transit routes, local city routes, rideshare, and more. The project will also re-establish a continuous street wall and enhance the sidewalk landscape as well as replace one block of a vehicle lane with transit/pedestrian space. By improving and facilitating low-carbon transportation alternatives, the project is anticipated to reduce VMT below existing conditions.

Furthermore, the 2018 OPR Technical Advisory on Evaluating Transportation Impacts in CEQA suggests that transit projects, projects that repurpose a motor vehicle lane for other modes of transportation, projects that add affordable residential units near transit, and mixed-use projects in areas with low VMT can all be presumed to cause a less-than-significant impact on transportation (OPR, 2018). The project includes new affordable housing above a new intermodal transit center in the area of the City with the highest employment density, in the largest and densest City in Humboldt County with more persons and jobs per square mile than any other city in Humboldt (Census, 2020a, 2020b, and 2023), where, according to OPR's Site Check Tool, per capita VMT is 15% or more below the regional average (OPR, 2024).

For all these reasons, the project will not result in significant impacts to transportation, and additional traffic impact analysis is unwarranted.

Noise

The project is located in Eureka's urban Downtown surrounded by a variety of commercial, residential, civic/cultural, and recreational uses. Construction will result in some temporary and intermittent increases in noise above existing levels but consistent with 2040 General Plan Policy N-1.13, construction-related noise and vibration impacts will be minimized by limiting construction activities to between 7 AM and 7 PM. Operation noise from residential, commercial, and transit center uses will be consistent with the surrounding uses and zoning and will not increase ambient noise levels in excess of City standards. 2040 General Plan Policies N-1.4, N-1.5, and N-1.8 require a project-specific acoustical analysis and incorporation of acoustical insulation treatments into housing unit design (e.g., sound-rated windows and doors, sound-rated wall construction, acoustical caulking, etc.) and mitigation of new stationary sources of noise (e.g., HVAC units, loading docks, generator, etc.) as necessary to ensure interior noise levels within the housing units are 45 dBA or lower, consistent with 2040 General Plan Table N-3. As a result, the project will not expose residents to significant noise impacts.

For all these reasons, the project will not result in any significant effects relating to noise.

Air Quality

The site is within the North Coast Air Basin and is subject to the authority of the NCUAQMD. The NCUAQMD is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the state 24-hour particulate (PM_{10}) standard, which relates to concentrations of suspended airborne particles that are 10 micrometers or less in size. PM_{10} emissions include, but are not limited to, smoke from wood stoves, dust from traffic on unpaved roads, vehicular exhaust emissions, and airborne salts and other particulate matter naturally generated by ocean surf.

Due to the "nonattainment" status for PM_{10}, the NCUAQMD prepared a draft PM_{10} Attainment Plan in 1995 (NCUAQMD, 1995). The PM_{10} Attainment Plan identifies cost effective control strategies that can be implemented to bring PM_{10} to within California standards. Methods include transportation measures (e.g., public transit, ridesharing, and bicycle incentives, etc.), land use measures (infill development), and combustion measures (hearth/wood burning stove limitations). As described in the traffic impact analysis above, the project is anticipated to reduce VMT and associated vehicle exhaust emissions and is aligned with the aforementioned transportation and land use measures of the PM_{10} Attainment Plan. In addition, the applicant proposes to install MERV-13 filters in the HVAC systems for proposed housing units. As a result, project operations will have a neutral or positive impact on air quality.

There is the potential for fugitive dust emissions to temporarily impact nearby sensitive receptors – those with a heightened risk of negative health outcomes due to air pollution – during project construction. Although the PM_{10} Attainment Plan does not include project-specific requirements, NCUAQMD Rule 104, Section D – Fugitive Dust Emissions is used to address non-attainment for PM_{10} by prohibiting specific activities and providing reasonable precautions to prevent particulate matter from becoming airborne (NCUAQMD, 2015). Under Rule 104, Section D "no person shall allow handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne." Rule 104, Section D provides the following reasonable precautions that shall be taken to prevent particulate matter from becoming airborne, including, but not limited to, the following provisions:

- Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
- The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
- The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
- The prompt removal of earth or other track out material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

Pursuant to 2040 General Plan Policy AQ-1.3, the City will require the construction contractor to implement air quality BMPs consistent with NCUAQMD requirements and State regulations, including adherence to standard dust control measures to reduce fugitive dust generation during excavation and earthmoving construction activities.

For these reasons, the project will not result in any significant effects relating to air quality.

<u>Water Quality</u>

As outlined in the project description, the City will require preparation and implementation of a construction-phase Erosion and Sediment Control Plan to ensure construction-phase water-quality and hydrologic impacts are avoided. BMPs such as inlet protection, straw wattles, construction fencing, covering of stockpiled materials, and proper disposal of any waste materials will be incorporated into the Plan. Because over 5,000 sf of impervious surface is proposed to be replaced on the project site, the project will be classified as a "Regulated Project" according to the City's MS4 Permit and will be required to prepare a post-construction Stormwater Control

Plan to ensure stormwater runoff is adequately managed consistent with the Humboldt Low Impact Development Stormwater Manual for the life of the development. The project must also comply with City's Urban Storm Water Quality Management and Discharge Control Ordinance (EMC Chapter 54).

For these reasons, the project will not result in any significant effects relating to water quality.

(e) The site can be adequately served by all required utilities and public services.

As analyzed in the adopted 2040 General Plan EIR, the City has adequate utility and public service capacity to serve existing and potential future development in the City envisioned by the 2040 General Plan, including the anticipated intensification of mixed-use development in Downtown. The project site is located in the center of Eureka's Core Area in proximity to all required utilities and public services, including a City sewer lateral and PG&E power poles and communication lines traversing the adjacent alleyway, and City water lines beneath all three surrounding streets and the alley. There is also existing sidewalks and stormwater infrastructure (curbs and gutters) along surrounding streets. HTA and Cal Poly Humboldt conducted a programming and feasibility study in August of 2023 for the project, and no utility or public service concerns were identified (HTA, 2023). The developer will be required to pay all applicable development impact fees, including sewer and water impact fees. For these reasons, the project site can be adequately served by all required utilities and public services.

(f) Exceptions to the categorical exemptions

Where a project qualifies for a categorical exemption, the City, as Lead Agency, may not rely on the exemption if any of the exceptions to the categorical exemptions set forth in the CEQA Guidelines §15300.2 apply. Specifically, the exceptions prohibit use of categorical exemptions under the following circumstances:

i. for certain classes of projects (Classes 3, 4, 5, 6 and 11) due to location where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law;
ii. when the cumulative environmental impact of successive projects of the same type in the same place, over time, is significant;
iii. where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances;
iv. where the project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
v. where the project is located on a stale designated hazardous waste site; and
vi. where the project may cause a substantial adverse change in the significance of a historical resource.

As demonstrated below, none of the above exceptions apply to the project. Therefore, the project is exempt from the requirements of CEQA.

(i) §15300.2(a) is not applicable to the Class 32 exemption.

§15300.2(a) is not applicable to the project because the project qualifies as exempt under Class 32 and this exception only applies to Class 3, 4, 5, 6, and 11 exemptions. Nevertheless, as discussed in the tables above, the area surrounding the project site is largely developed with commercial and residential land uses and is not considered environmentally sensitive. Therefore, the project does not have the potential to impact any environmental resources of hazardous or critical concern that are designated, precisely mapped, and officially adopted pursuant to law.

(ii) Development of the proposed project will not result in any significant cumulative environmental impacts.

The project is located in a built-out urban area and will replace existing surface parking lots. While other property owners may propose to develop or redevelopment remaining vacant and underutilized properties in the area in the future, the timing, number, and size of such projects will be limited by the existing built-out nature of the City. Future projects in the vicinity of the project site will include infill development on existing developed or previously developed urban lots without any major subdivisions. The area is zoned for residential, cultural, lodging, civic, professional office, retail and other customer-serving and employment-intensive uses, while industrial uses that could individually or cumulatively impact project residents are prohibited. Infill development will also reduce development pressure on surrounding agricultural, forest, and natural resource lands. For these reasons, the project does not have the potential to result in significant cumulative impacts taking into consideration existing and future projects in the same area, over time.

(iii) No unusual circumstances are caused by or associated with the proposed project.

As explained in Berkeley Hillside Preservation v. City of Berkeley (2015) 60 Cal.4th 1086 (Berkeley Hillside), a two-part test applies to determine whether an unusual circumstance is present that excludes use of a categorical exemption. This two-part test requires the Lead Agency to first consider whether there are unusual circumstances ("whether a particular project presents circumstances that are unusual for projects in an exempt class is an essentially factual inquiry, founded on the application of the fact-finding tribunal's experience with the mainsprings of human conduct"). This inquiry is subject to the substantial evidence standard of review, which means that all evidentiary conflicts must be resolved in the agency's favor and all legitimate and reasonable inferences must be made to uphold the agency's finding. Second, if a Lead Agency finds an unusual circumstance exists, the Lead Agency next asks if there is a reasonable possibility of a significant effect on the environment due to unusual circumstances. If this second inquiry is necessary, the Lead Agency applies the "fair argument" standard of review to determine whether the project may have a significant impact on the environment.

In establishing this bifurcated test, the Court emphasized that circumstances do not become unusual merely because a fair argument can be made that they might have a significant effect. For environmental impacts to constitute an unusual circumstance, the Lead Agency must determine based on substantial evidence that the project will have a significant environmental effect.

Unusual circumstances may exist where a project has some characteristic or feature that distinguishes it from others in the exempt class, such as its size or location. In determining whether unusual circumstances exist, an "apples-to-apples" comparison should be used to consider whether the project is distinguishable from other similar projects subject to the

exemption. There is nothing unusual about the project as compared to other similar development projects within the City. The project site is developed, flat, and paved for use as parking with ample street frontage and alley access and surrounded by urban uses. Due to the developed nature of the site for parking lot use, the site contains no known historical or biological resources. In addition, the site is not located within an earthquake fault zone (CDC, 2024; Eureka, 2018b), landslide or liquefaction hazard zones (Humboldt 2015, 2024; Eureka, 2018b), a fire hazard zone (Eureka, 2018b), a tsunami hazard zone (CGS and OES, 2022), or FEMA-mapped floodplain (FEMA, 2017). At 30-37 feet in elevation (NAVD88), the site is also well above the area potentially subject to sea level rise under the worst-case scenario California Ocean Protection Council sea level rise projections for 2100 for Humboldt Bay (Eureka, 2024; OPC, 2018).

Furthermore, to apply to a project, the unusual circumstance exception requires findings of both unusual circumstances and a potentially significant effect. As no unusual circumstances are present, the City is not required to analyze the second prong further. Nevertheless, this memo also demonstrates that the project does not and likely will not have the potential to result in any significant environmental impacts. For these reasons, the unusual circumstances exception is not applicable to the project.

(iv) The proposed project is not located adjacent to or visible from a scenic highway.

§15300.2(d) does not apply to the project site as the site is not located adjacent to or visible from a designated scenic highway. Thus, the project will not result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

(v) The proposed project is not located on a hazardous waste site.

§15300.2(c) does not apply because the project site is not on any list of facilities and sites compiled pursuant to §65962.5 of the Government Code (DTSC, 2024; SWRCB, 2024). A Phase I Environmental Site Assessment (ESA) was prepared by a registered environmental assessor for the project site in March 2023 and included site reconnaissance; reviews of historical topographic maps, street directories, Sanborn maps, and aerial photographs; review of agency records; personal and telephone interviews; and a land use questionnaire (SHN, 2023). According to the report, there is no evidence of past land uses on the subject property that may have generated or caused the release of regulated or hazardous material within the subject property.

f) The project will not cause a substantial adverse change in the significance of a historical resource.

The project will replace existing paved surface parking lots that have been used for parking since the 1950s. As described under "Construction" above, consistent with 2040 General Plan Policy HCP-2.5, inadvertent discovery protocol will be required for any archaeological and cultural resources or human remains encountered during construction ground disturbance, and the project will be referred to applicable Tribes, and tribal monitoring of construction ground disturbance will be required if requested by a Tribe.

The project site is not on the Local Register of Historic Places, the California Register of Historical Resources, or the National Register of Historic Places and is located just outside of the Old Town National Historic District (Eureka, 2024; CSP-OHP, 2024; USDI-NPS, 1991). The project will replace surface parking with a multi-story building framing the street, consistent with

the historic development patterns of Old Town. The project is subject to the objective design standards contained in EMC §155.312, and the site's 3rd, G, and H Street frontages are identified by the code as Pedestrian-Focused Frontages and are therefore subject to additional objective design and development standards contained in EMC §155.208.040 to maintain and enhance an active and engaging pedestrian environment.

Additionally, the project will undergo discretionary Design Review pursuant to EMC §155.412.040 to ensure the street-facing facades exhibit high quality design, complement neighboring properties, and contribute to Eureka's distinctive identity and unique sense of place. For all these reasons, the project will not cause a substantial adverse change in the significant of a historical resource.

CEQA Guidelines §15183 Applicability

Overview of §15183 Exemption

CEQA §21083.3(b) and CEQA Guidelines §15183(a) mandate that projects which are consistent with the development density established by existing general plan policies for which an environmental impact report (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.

CEQA Guidelines §15183(b) specifies the examination of environmental effects shall be limited to those effects that: (1) are peculiar to the project or the parcel(s) on which the project would be located; (2) were not analyzed as significant effects in a prior EIR on the general 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; 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.

CEQA Guidelines §15183(c) further specifies that if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

City of Eureka 2040 General Plan and EIR

The City's 2040 General Plan is a comprehensive, long-range planning document that establishes a roadmap for the long-term physical, social, and economic future of Eureka (Eureka, 2018a). It provides goals, policies, and programs to direct land use and development decisions, manage resources, deliver public services, and provide infrastructure within the City.

An EIR was certified for the 2040 General Plan on October 15, 2018, in conjunction with adoption of the General Plan (State Clearinghouse #2016102025; Eureka, 2018b). The 2040 General Plan EIR (GP EIR) comprehensively evaluated environmental impacts that would result from General Plan implementation, including information related to existing conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts from planned growth and development ("buildout"), and feasible mitigation measures that could reduce or avoid environmental impacts.

As discussed in the relevant analysis sections in this document, the GP EIR identified significant and unavoidable impacts associated with General Plan implementation as follows:

- Increase in operational PM_{10} emissions that exceed air district standards, and for which the air basin is in non-attainment;
- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of historic resources;
- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of archaeological and tribal cultural resources, including human remains; and
- Unacceptable increase in VMT that does not meet recommended reduction targets.

The Housing Element is a mandated component of a general plan but is updated more frequently than the remainder of the General Plan; the City's Housing Element has been comprehensively updated since adoption of the 2040 General Plan in 2018. The City's current Housing Element ("the 2019-2027 Housing Element") covers the planning period of August 31, 2019 through August 31, 2027. The City prepared an Addendum to the GP EIR for the 2019-2027 Housing Element pursuant to the provisions of CEQA Guidelines §15164 (Eureka, 2019). The Addendum concludes that the 2019-2027 Housing Element is well within the analysis contained in the adopted GP EIR. The City Council reviewed and accepted the Addendum when adopting the 2019-2027 Housing Element on December 3, 2019. The Housing Element was then certified by the California Department of Housing and Community Development (HCD) on March 16, 2020.

On October 18, 2022, Council adopted an amendment to the 2019-2027 Housing Element that in part added the project site to Implementation Program IMP H-34 (Affordable Housing on City-owned Properties) which identifies City-owned parcels to be put up for sale or lease to affordable housing developers (Eureka, 2022a). The amendment was certified by HCD on November 10, 2022. Council considered and accepted another Addendum to the GP EIR for the Housing Element changes at their October 18, 2022 meeting (Eureka, 2022b). The amendment was certified by HCD on November 10, 2022.

With the exception of the Housing Element update and a few land use designation map amendments, no significant amendments have been made to the City's 2040 General Plan since the certification of the GP EIR.

Summary of Findings

A comprehensive environmental evaluation has been completed for the proposed EaRTH Center project. This evaluation concludes that the project qualifies for an exemption from additional environmental review pursuant to CEQA Guidelines §15183 because the project is consistent with the scope of the environmental analysis in the previously certified GP EIR (State Clearinghouse #2016102025), and all required findings can be made.

In accordance with CEQA §21083.3 and CEQA Guidelines §15183, the project qualifies for an exemption because the following findings can be made:

1. **The project is consistent with the development density established by existing general plan policies for which an EIR was certified.** The project site has a Downtown Commercial Land Use Designation (DC Designation) under the 2040 General Plan which allows for a mix of residential, commercial, and public facilities uses. The DC Designation is "intended to have a high intensity urban form" with a maximum FAR of 6, allowing for up to 158,400 square feet (sf) of building floor area on the 26,400-sf project site (this equates to a 6-story building covering the entire site). The proposed building will be 3-5 stories in height, resulting in a maximum potential floor area of 132,500 sf, below the maximum density dictated by the 2040 General Plan. Additionally, the project is aligned with 2040 General Plan Policy 2.12 which encourages new development in core areas to achieve the maximum allowable building intensity to the extent compatible with the surrounding context.

   The project site is also specifically called out in the 2019-2027 Housing Element under Implementation Program IMP H-34 which requires the project site to be put up for sale or lease for affordable housing with a minimum of 20 very-low-income housing units, 10 low-income units, and a minimum FAR of 1.5 (equating to a 39,600-sf building). Pursuant to the DDA between the City and Danco, the project will meet the minimum housing density and FAR requirements.

2. **There are no project specific effects which are peculiar to the project or its site, and which the GP EIR failed to analyze as significant effects.** The subject property is no different than other properties in the surrounding mixed-use Core Area. The project site is previously disturbed and currently developed as surface parking in a central, infill location with access to City utilities and services and surrounded by City rights-of-way. The site is outside of the Coastal Zone, relatively flat, of standard size and shape (a rectangular, ½ City block) and not located in an ecologically sensitive or hazardous area. A Phase I ESA was prepared for the site by a qualified consultant and no evidence of potential soil or groundwater contamination was identified and no further investigation was recommended (SHN, 2023). The project site and surrounding area have been developed since the late 1800s and do not contain any peculiar environmental features, and the project will not result in any peculiar effects.

   In addition, as explained further in the §15183 Checklist below, all project impacts were adequately analyzed by the GP EIR. The project is subject to applicable GP EIR mitigation measures, which include 2040 General Plan policies, City regulations, and other laws and regulations which reduce project specific impacts to a less than significant level. The City

will ensure implementation of these mitigation measures during the project entitlement process.

3. **There are no potentially significant off-site or cumulative impacts which the GP EIR failed to evaluate.** The GP EIR analyzes gradual buildout of the City over a 20-year period (through 2040), including the addition of up to 1,886 new residential dwelling units and up to 1.6 million square feet of non-residential uses. The project is consistent with the density and use characteristics of the development considered by the GP EIR and will represent a small part of the forecasted growth for build-out of the 2040 General Plan. The GP EIR considered the incremental impacts of the project along with other planned similar projects, and as explained further in the §15183 Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.

4. **There is no substantial new information which results in more severe impacts than anticipated by the GP EIR.** As explained in the §15183 Exemption Checklist below, no new information has been identified which will result in a determination of a more severe impact than what had been anticipated by the GP EIR.

5. **The project will undertake feasible mitigation measures specified in the GP EIR.** As explained in the §15183 Exemption Checklist below, the project will undertake feasible mitigation measures specified in the GP EIR. These requirements will be implemented through project design, compliance with regulations and ordinances, and/or through project conditions of approval.

§15183 Exemption Checklist

1. Aesthetics

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	Less than Significant		✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than Significant		✓	
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		✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant		✓	

1(a)-(d) Findings

The GP EIR concludes impacts to aesthetic resources will be less than significant with the implementation of 2040 General Plan policies, including, but not limited to, those addressing the protection of scenic resources, design and architectural review, and outdoor lighting impacts (Policies LU-1.12, LU-1.13, LU-1.14, LU-1.16, LU-1.19).

The project proposes to replace surface parking lots with a multi-story building framing the street in the heart of Eureka's pedestrian-rich Core Area, consistent with 2040 General Plan policies discouraging the placement of parking lots along major commercial, high-pedestrian-use street frontages and corners in the interest of maintaining continuous building frontages (Policies LU-1.3, LU-1.19, M-5.4). As concluded in the 2040 General Plan, the City is largely built out and few developable sites remain inside the City limits; therefore, the City aims to promote full-build-out of all remaining vacant and underutilized sites in the city, particularly in the Core Area where the project site is located (Policies H-2.4, LU-1.2, LU-2.12, LU-6.1, LU-6.2). The core of the City is defined largely by the presence of multi-story buildings, and the project will fit into the existing built environment and will not affect the quality of the City's skyline as viewed from the Bay or Woodley Island. The streets surrounding the project site allow public views of the scenic Humboldt Bay shoreline and historic Core Area structures, and the project will not obstruct these view corridors.

In May 2019, the City Council adopted an ordinance repealing and replacing EMC Chapter 155, the City's Inland Zoning Code, in order to bring the zoning code into alignment with the recently-

adopted 2040 General Plan. The current Inland Zoning Code implements the aesthetic-resource-related goals and policies of the 2040 General Plan through a variety of development standards, including but not limited to standards for outdoor lighting (EMC §155.308.050), screening of waste/recyclable material storage (EMC §155.308.070), fences and walls (EMC §155.320), landscaping (EMC §155.328), signs (EMC §155.340), and parking (EMC §155.324) (Eureka, 2023). In addition, the project is subject to the objective design standards contained in EMC §155.312, and the site's 3rd, G, and H Street frontages are identified by the code as Pedestrian-Focused Frontages and are therefore subject to additional objective design and development standards contained in EMC §155.208.040 to maintain and enhance an active and engaging pedestrian environment.

In addition to the objective standards described above, the Inland Zoning Code also requires the project to undergo discretionary Design Review pursuant to EMC §155.412.040 to ensure the street-facing facades exhibit high quality design, complement neighboring properties, and contribute to Eureka's distinctive identity and unique sense of place. As discussed in the GP EIR, Design Review will allow for the review of the project for potential aesthetic impacts.

Regarding nighttime views, the City is already urbanized and subject to substantial amounts of existing nighttime ambient light; therefore, the GP EIR concludes the increase in such light that will be attributable to development under the 2040 General Plan will not significantly affect nighttime views of the sky. In addition, the 2040 General Plan includes Policy LU-1.13 which requires minimization of outdoor lighting that is misdirected, excessive, or unnecessary, and requires light for development to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare. This policy is implemented by EMC §155.308.050 which requires all new exterior lighting to be directed downward, and requires light fixtures to be shielded or recessed and to meet the International Dark Sky Association's requirements for reducing waste of ambient light ("dark sky compliant").

Therefore, with the implementation of 2040 General Plan policies, Inland Zoning Code standards, and the Design Review Process, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

2. Agriculture and Forest Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant			✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant			✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?	Less than Significant			✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?	Less than Significant			✓
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?	Less than Significant			✓

2(a)-(e) Findings

The GP EIR concludes impacts to agriculture and timber resources will be less than significant with the implementation of 2040 General Plan policies, including, but not limited to, those addressing the requirement to protect and conserve important farmland, and the conservation of existing zoning for agriculture and timber uses (Policies AG-1.1, AG-1.7, AG-1.9, NR-3.1).

The project site and surrounding area have been developed with urban uses since the late 1800s, and the project site has been used for public parking since the 1950s. The site is not zoned for agricultural or timber production and does not contain important agricultural land or timberland. Consistent with the 2040 General Plan, the project will take place within an existing developed area, away from agricultural and forest resources.

Therefore, based on the project location, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

3. Air Quality

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
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?	Significant and Unavoidable		✓	
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than Significant		✓	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant		✓	

3(a) Conflict with or obstruct implementation of the applicable air quality plan?

As discussed in the GP EIR, the City is in attainment of all federal and state criteria air pollutant standards, except for state PM_{10} levels, for which the entire North Coast Air Basin, including Humboldt County, is currently designated as a non-attainment area and for which the NCUAQMD prepared a draft PM_{10} Attainment Plan in 1995. The PM_{10} Attainment Plan identifies control strategies that can be implemented to bring PM_{10} to within California standards, including transportation measures (e.g., public transit, ridesharing, and bicycle incentives, etc.), land use measures (infill development), and combustion measures (hearth/wood burning stove limitations) (NCUAQMD, 1995).

The GP EIR concludes impacts related to conflicting with or obstructing implementation of the PM_{10} Attainment Plan will be less than significant with the implementation of 2040 General Plan policies that support implementation of the PM_{10} Attainment Plan and other NCUAQMD regulations. These policies address issues including, but not limited to, encouraging efficient land use patterns, promoting alternative modes of transportation, and reducing VMT (Policies LU-1.2, LU-1.3, LU-1.19, LU-5.4, LU-6.2, AQ-1.3, AQ-1.4, AQ-1.9, M-1.1, M-1.2, M-1.3, M-1.6, M-1.7, M-2.4, M-3.5, M-3.8, M-3.9, M-4.1, M-4.2, M-4.3, M-4.4, M-4.5, M-4.6).

The project will comply with the PM_{10} Attainment Plan measures and furthers a number of the 2040 General Plan policies cited as mitigation for air quality impacts, including Policy M-4.3 which calls for the City to work with HTA to develop an intermodal transportation center, and Policies LU-5.4 and H-2.8 which call for new housing in mixed-use zones, with particular emphasis on upper floor housing units in multi-story buildings near transit stops, commercial and community services, and employment opportunities. The project involves construction of a dense, mixed-use, multi-story infill development in the City's Core Area with high-density housing above an intermodal transit center (Policies LU-1.2, LU-1.3, LU-5.4). The project will be compact, walkable and transit-friendly and will promote a strong and appealing pedestrian environment by developing prime intersection corners and street frontages with a building rather than surface parking, with

ground-floor commercial storefronts facing the street (Policies LU-1.3, LU-1.19, M-1.6). The project invests in and increases access to transit and other transportation alternatives, including through dedication of a vehicle lane on H Street between 3rd and 4th Streets for use by buses (Policies AQ-1.9, M-1.1, M-1.2, M-1.3, M-4.1 through M-4.6). As required by the Inland Zoning Code, the project will also include short- and long-term bicycle parking (Policies M-3.8, M-3.9).

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

3(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?
As noted above, Humboldt County is non-attainment for the state 24-hour particulate matter (PM_{10}) standard. The GP EIR concludes cumulative impacts related to increased PM_{10} emissions will be significant and unavoidable from buildout under the 2040 General Plan.

Project Construction
As discussed in the GP EIR, construction-related emissions will arise from a variety of activities including grading, excavation, exhaust from construction equipment and employee vehicles, architectural coatings and asphalt paving. While the GP EIR concludes that buildout under the 2040 General Plan will result in a cumulatively considerable net increase in PM_{10}, impacts related to construction were identified as being less than significant with the implementation of 2040 General Plan Policy AQ-1.3, which requires new discretionary developments to incorporate mitigation measures that utilize BMPs and reduce emissions from construction activities, consistent with the NCUAQMD requirements and State regulations. The City will condition approval of the project consistent with Policy AQ-1.3, including requiring adherence to standard dust control measures to reduce fugitive dust generation during excavation and earthmoving construction activities.

Project Operation
As noted in the GP EIR, the increase in PM_{10} emissions resulting from the 2040 General Plan buildout is predominantly attributable to woodstoves and fire places, as well as mobile sources resulting from a net increase in VMT. The GP EIR notes the 2040 General Plan includes a number of policies which will provide for modest reductions in VMT and associated PM_{10} emissions including, but not limited to, policies supporting efficient land use patterns, promoting alternative modes of transportation, and reducing VMT (Policies LU-1.2, LU-1.3, LU-1.19, LU-5.4, LU-6.2, AQ-1.3, AQ-1.4, AQ-1.9, M-1.1, M-1.2, M-1.3, M-1.6, M-1.7, M-2.4, M-3.5, M-3.8, M-3.9, M-4.1, M-4.2, M-4.3, M-4.4, M-4.5, M-4.6). Although the GP EIR anticipates these policies will reduce the generation of PM_{10}, there are no mitigation measures identified that will reduce impacts to a less-than-significant level. Therefore, the GP EIR concludes impacts will be significant and unavoidable.

As described under 3(a) above, the project furthers a number of the aforementioned mitigating policies, and as described under 17(b) of the Checklist, the project actually has the potential to reduce VMT below existing conditions by replacing surface parking and an adjacent vehicle lane with an intermodal transit center with upper floor affordable housing in an infill location rich with jobs and services. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

3(c) Expose sensitive receptors to substantial pollutant concentrations?
The GP EIR concludes impacts to sensitive receptors from pollutant concentrations from implementation of the 2040 General Plan will be less than significant with the implementation of rules and regulations of the NCUAQMD, California Air Resources Board (CARB), and 2040 General Plan policies including, but not limited to, those calling for reduction of localized points of concentrated emissions (Policy AQ-1.8), consultation with the NCUAQMD (Policy AQ-1.5), buffering of land uses that produce toxic or hazardous air pollutants (Policy AQ-1.6), and implementation of BMPs to reduce emissions from both construction and operational activities and minimize hazardous material use and waste generation (Policies AQ-1.3, HS-3.7).

Construction
Toxic air contaminant (TAC) emissions from project construction activities would be related to diesel particulate emissions associated with heavy equipment operations during grading, excavation, and transportation activities. Due to the limited scale and duration of construction activities, and the rapid dissipation of diesel particulate emissions with distance, it is not anticipated that sensitive receptors will be exposed to substantial diesel particulate concentrations. Additionally, CARB requires engine manufacturers to meet increasingly stringent exhaust emission standards (CARB, 2022). As a result, construction will be increasingly less likely to expose sensitive receptors to substantial emissions of TACs as the vehicle fleet is replaced. Therefore, it is not anticipated the project's construction activity will expose sensitive receptors to substantial diesel particulate concentrations.

Operation
The project proposes the replacement of surface parking with a multi-story, mixed-use building including a ground-floor intermodal transit center with commercial tenant spaces and upper-floor affordable housing, as encouraged throughout the polices of the 2040 General Plan. The project involves bringing new sensitive receptors (residents) to a mixed-use commercial/residential district where the largest source of pollutants/emissions is vehicle exhaust. Air districts in California typically require an analysis of health impacts from highways or major roadways which have an Annual Average Daily Traffic (ADT) greater than 30,000 (CARB, 2017). Although no nearby roadways exceed 30,000 ADT (4th Street at G Street was at 27,800 ADT in 2022; Caltrans, 2022), there is the potential for cumulative impacts from proximity to a number of streets and the new transit hub. CARB recommends exposure reduction measures be considered for a proposed land use where individuals will be exposed to high concentrations of pollution, such as indoor HVAC filters, described by their minimum efficiency reporting value (MERV). According to CARB, use of MERV-13 filters provides an 85 percent reduction to indoor concentrations of particulate matter (CARB, 2017). The applicant proposes to install MERV-13 HVAC filters in the proposed housing units, consistent with CARB recommendations.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

3(d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?
The GP EIR concludes impacts related to odors affecting a substantial number of people will be less than significant with the implementation of 2040 General Plan policies. Specifically, Policy AQ-1.6

addresses odor impacts by requiring buffering of uses, facilities, and operations that may produce toxic or hazardous air pollutants and/or odors (e.g., commercial and industrial uses, highways, etc.) to provide an adequate distance from sensitive receptors such as housing and schools, consistent with CARB recommendations.

The GP EIR also notes implementation of the 2040 General Plan may expose people to odors generated from the operation of diesel-powered construction equipment and/or asphalt paving during the construction period of individual projects. However, these odors would be short-term in nature and would not result in permanent impacts to surrounding land uses and would not affect a substantial number of people.

The project proposes the replacement of surface parking with a multi-story, mixed-use building including a ground-floor intermodal transit center with commercial tenant spaces and upper-floor affordable housing, furthering a number of the 2040 General Plan polices described under 3(a) above. The proposed residential, commercial, and public facility uses are not anticipated to be significant sources of objectionable odors.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

4. Biological Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
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		✓	
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		✓	
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		✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	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			✓

4(a)-(f) Findings

The GP EIR concludes impacts to biological resources will be less than significant with the implementation of agency consultation, applicable permitting requirements, and 2040 General Plan policies, including, but not limited to, those promoting the avoidance of sensitive habitat areas and provision of buffers around such areas, and those restricting development in areas of riparian habitat, sensitive natural communities, and wetlands (Policies NR-1.3, NR-2.1, NR-2.2, NR-2.4, NR-2.5, NR- 2.6, NR-3.2).

The project site does not contain and is not located adjacent to areas of sensitive habitat such as streams, gulches, wetlands, etc. The project site and surrounding area have been developed with urban uses since the late 1800s, and the project site has been covered in surface parking since the 1950s. The project site is entirely paved except for four small landscaped planters and one landscape tree. No Habitat Conservation Plans, Natural Community Conservation Plans, or any other local, regional, or state habitat conservation plans have been adopted in the Eureka area.

According to Figure 3.4-1 (Vegetation Types) of the GP EIR, the project site is located in a "Developed" area of the City where previously existing habitats have been reduced or replaced by development and there is a lack of habitat connectivity for wildlife movement. The closest habitat is Humboldt Bay, which is located three blocks and over 800 feet north of the site, separated from the site by three roads, two alleys, and a number of intervening developments. The Inland Zoning Code includes provisions for new outdoor lighting (EMC §155.308.050), requiring lighting to be shielded/recessed, dark-sky compliant, and directed downward to avoid impacts to nearby wildlife habitat. The Inland Zoning Code also has provisions for prohibiting invasive plant species in landscaping (EMC §155.328) and tree removal (EMC §155.304.140). Furthermore, as described under 10(a), stormwater impacts will be avoided through City requirements for a construction-phase Erosion and Sediment Control Plan and post-construction Stormwater Control Plan consistent with the MS4 Permit, Humboldt Low Impact Development Stormwater Manual, and City stormwater regulations.

Therefore, based on the project location, and with the implementation of City regulations, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

5. Cultural Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Significant and Unavoidable		✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Significant and Unavoidable		✓	
c) Disturb any human remains, including those interred outside of formal cemeteries?	Significant and Unavoidable		✓	

5(a)-(c) Findings

The GP EIR concludes impacts to historical and archaeological resources and human remains are significant and unavoidable under 2040 General Plan buildout because there are no feasible or practical policies or mitigation measures available to ensure the City does not approve the demolition of a historic building or structure nor to ensure archaeological resources and human remains are not destroyed inadvertently or when projects are allowed without discretionary review ("by-right").

The project site is not on the Local Register of Historic Places, the California Register of Historical Resources, or the National Register of Historic Places and is located just outside of the Old Town National Historic District (Eureka, 2024; CSP-OHP, 2024; USDI-NPS, 1991). The project site has been used for public parking since the 1950s and includes no buildings or structures that could be historic.

However, there could be buried historic resources, archaeological resources, and/or human remains, and construction ground disturbance has the potential to expose previously unrecorded resources. For this reason, the 2040 General Plan includes Policy HCP-2.5 (Construction Monitoring), to condition permit approval with requirements for inadvertent discovery and/or monitoring of ground-disturbing activities in areas known or believed to contain buried archaeological or cultural resources. The project will require discretionary City review (Design Review), and, in compliance with 2040 General Plan Policy HCP-2.5, the project will be conditioned to follow the City's standard inadvertent discovery protocol during construction activity. The project will also be referred to applicable Tribes as part of the discretionary review process, and tribal monitoring of construction ground disturbance will be required if requested by a Tribe.

As previously discussed, the GP EIR determines impacts to historic resources, archaeological resources, and human remains will be significant and unavoidable under General Plan buildout. Although the GP EIR determines these impact will be significant and unavoidable, as discussed above, the project site does not contain any known resources and the project will require discretionary review. With the implementation of 2040 General Plan Policy HCP-2.5, the project

is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

6. Energy Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant		✓	

6(a) and (b) Findings

The GP EIR concludes impacts to energy resources will be less than significant with implementation of 2040 General Plan policies including, but not limited to, those calling for energy conservation and energy conserving land use practices, incorporation of energy efficient practices into the design process for both private and public buildings, encouragement of new development to install renewable energy systems and facilities and implement energy efficiency measures, and encouragement of property owners to participate in the Community Choice Aggregation program administered by Redwood Coast Energy Authority (Policies U-5.1, U-5.2, U-5.3, U-5.4, U-5.5, U-5.6, U-5.7).

The GP EIR analyzes gradual buildout of the City over a 20-year period, including the addition of up to 1,886 new residential dwelling units and up to 1.6 million square feet of non-residential uses. As concluded in the GP EIR, the resulting additional energy use from electricity demand is not anticipated to result in wasteful, inefficient or unnecessary consumption, and buildout of the plan is not anticipated to conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

As required by State regulations and building code requirements, the design and construction of the project will be in accordance with California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations). These requirements regulate insulation, window space and type, and other building features to maximize structural energy efficiency. These standards also require the installation of solar panels on the new building to offset electricity use. Compliance with these standards restricts unnecessary energy consumption.

The GP EIR anticipates future development under the 2040 General Plan will primarily occur in, adjacent to, or in the vicinity of existing developed urban areas, allowing for the logical extension and utilization of existing utilities and public services, use of alternative modes of transportation including biking, walking, and mass transit, and proximity of residences to employment centers and commercial uses. This project will be consistent with the 2040 General Plan as it will improve transit service and provide additional residential units and commercial tenants on an infill site that has been used for surface parking since the 1950s. Future residents and employees will be within

walking distance of shopping, employment, and recreational facilities, and will have immediate access to transit and services that will reduce VMT and energy consumed for transportation.

Therefore, with the implementation of 2040 General Plan policies and state and local regulations regarding energy conservation and renewable energy, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

7. Geology and Soils

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides?	Less than Significant		✓	
b) Result in substantial soil erosion or the loss of topsoil?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	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			✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant		✓	

7(a),(c), and (d) Findings

The GP EIR concludes impacts related to geology and soils will be less than significant with the implementation of building codes, geotechnical and seismic design standards, and 2040 General Plan policies, including, but not limited to, 2040 General Policy HS-1.1, which calls for appropriate siting and design of new structures intended for human occupancy consistent with limitations imposed by seismic and geological hazards.

As discussed in the GP EIR, there are no active faults within City limits as determined by California Geological Survey (CGS) mapping, and therefore no impact related to fault rupture (CDC, 2024). However, as discussed in the GP EIR, Eureka will likely experience a large regional earthquake within the operational life of the 2040 General Plan, and therefore strong-ground shaking is likely to occur during the life of the project. The project site is not located in a mapped liquefaction hazard zone and is flat and not located near any significant slopes with the potential for landslide (Humboldt County, 2024). According to the Phase 1 ESA prepared for the project site (SHN, 2023), the dominant upper soil component in the vicinity of the subject property is

Hookton, a Class C silty clay loam with slow infiltration rates. According to the GP EIR, soils with a higher potential for expansion are located south and east of the Eureka Slough area, away from the project site.

As outlined in the GP EIR, the State of California provides minimum standards for building design through the California Building Code (CBC). Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC identifies seismic factors that must be considered in structural design. As a requirement of the CBC and local codes, the project will be required to prepare a site-specific geotechnical investigation prior to final design and construction, and the City will require implementation of any resulting recommendations to address seismic and geologic hazards as a condition of permit approval. The site-specific analysis and compliance with State and City regulations related to seismic and geologic hazards (e.g., building codes and other applicable regulations), will reduce potential impacts related to seismic and geologic hazards to less than significant.

Therefore, with the implementation of 2040 General Plan policies and building code standards, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

7(b) Result in substantial soil erosion or the loss of topsoil?
The GP EIR concludes impacts related to soil erosion and topsoil will be less than significant with implementation of local and state regulations requiring erosion and sediment control during construction and land disturbance activities. As described under 10(a), the City will require the project to prepare and implement an Erosion and Sediment Control Plan to avoid and minimize construction-phase impacts during excavation, grading, trenching, and soil stockpiling. Erosion control measures will include but not be limited to containment of stockpiled material and inlet protection. Once constructed, the project will include no further ground disturbance and no potential for erosion. Therefore, with the implementation of the City requirement for an Erosion and Sediment Control Plan, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

7(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?
The GP EIR identified no impact related to septic tanks or alternative wastewater disposal systems, since development within the City is required to connect to the City's wastewater collection and treatment (i.e., sewer) system pursuant to 2040 General Plan Policy U-2.5. In compliance with City requirements, the project will connect to the City's sewer system via a City sewer lateral within the adjacent alleyway. Therefore, with the implementation of 2040 General Plan Policy U-2.5, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR.

7(f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
The GP EIR concludes impacts to paleontological resources will be less than significant with the implementation of 2040 General Plan Policy HS-1.7, which requires the protection of

paleontological resources through inadvertent discovery protocols. In compliance with 2040 General Plan Policy HS-1.7, the project will be conditioned to require implementation of an inadvertent discovery protocol during construction activities that covers discovery of paleontological resources. Therefore, with the implementation of 2040 General Plan Policy HS-1.7, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR.

8. Greenhouse Gas Emissions

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant		✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant		✓	

8(a) and (b) Findings

The GP EIR concludes impacts related to greenhouse gas (GHG) emissions will be less than significant with the implementation of NCUAQMD and State regulations and 2040 General Plan policies including, but not limited to, those requiring incorporation of BMPs for reducing emissions in project construction and operation; promoting efficient land use patterns and walkable, infill development; promoting transit and other less carbon-intensive modes of transportation; and encouraging waste reduction, energy and water conservation, and renewable energy facilities (Policies AQ-1.2, AQ-1.3, AQ-1.4, AQ-1.9, AQ-1.10, LU-1.2, LU-1.3, LU-1.19, LU-5.4, LU-6.2, M-1.1, M-1.2, M-1.3, M-1.6, M-1.7, M-2.4, M-3.5, M-3.8, M-3.9, M-4.1, M-4.2, M-4.3, M-4.4, M-4.5, M-4.6, U-5.1, U-5.2, U-5.3, U-5.4, U-5.5, U-5.6). The GP EIR concludes that with implementation of these measures, buildout under the 2040 General Plan will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

As encouraged by the above-mentioned 2040 General Plan policies, the project will replace surface parking with a mixed-use building including a ground-floor intermodal transit center with commercial tenant spaces and upper floor high-density housing in the City's Core Area. Future project residents and employees will be within walking distance of a variety of commercial, residential, civic/cultural, and recreational uses, and the project will expand access to transit and services for project users and the surrounding area, all of which will reduce VMT and associated GHG emissions.

It is noted the GP EIR analyzes the impacts of constructing up to 1.6 million square feet of new non-residential uses and creating 1,886 additional housing units in the City by 2040, double the City's 2019-2027 Regional Housing Needs Allocation (RHNA) of 952 housing units. The GHG emissions that will be generated by construction and operation of the project are within the scope of those analyzed in the GP EIR because the project is consistent with the overall residential and non-residential growth projections in the GP EIR.

The project will comply with all applicable 2040 General Plan policies discussed in the GP EIR, in addition to all other applicable local, regional and State law requirements that reduce GHG emissions, including those discussed in CARB's updated Scoping Plan (CARB, 2022). If a residential or mixed-use project is consistent with all of the key project attributes in Table 3 of Appendix D of the 2022 CARB Scoping Plan, it is "clearly" consistent with the policies and goals of the Scoping Plan. However, lead agencies may determine, with adequate additional supporting evidence, that

projects incorporating some, but not all, of the key project attributes are still consistent with the State's climate goals in the 2022 Scoping Plan. The project meets all but two key project attributes in Table 3 of Appendix D of the 2022 Scoping Plan: 1) the project is located on an infill site surrounded by existing urban uses and proposes to redevelop an underutilized site that is served by existing utilities and public services; 2) the project would not result in the loss or conversion of natural and working lands; 3) the project proposes transit-supportive densities (greater than 20 residential dwelling units per acre) and is located in proximity to existing transit stops; 4) the project proposes a residential parking supply at a ratio of less than one parking space per dwelling unit; 5) the project provides more than 20 percent of its units as affordable to lower income residents; and 6) the project would result in no net loss of existing affordable units. The project also removes over 80 surface parking spaces and one vehicle lane on H Street between 3rd and 4th Streets to accommodate an intermodal transit center; although these aspects of the project are not listed project attributes in Table 3 of Appendix D of the 2022 Scoping Plan, they are clearly aligned with the State's climate goals.

Additionally, the design and construction of the project will be in accordance with California's Energy Efficiency Standards for Residential and Nonresidential Buildings (Title 24, Part 6 of the California Code of Regulations). These requirements regulate insulation, window space and type, and other building features to maximize structural energy efficiency. These standards also require the installation of solar panels on the new building to offset electricity use. Compliance with local, regional, and State plans, policies, regulations, and requirements will reduce the project's GHG emissions, including those associated with power generation, water and energy consumption, and mobile and area sources.

Ultimately, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

9. Hazards and Hazardous Materials

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	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		✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant		✓	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant		✓	

9(a)-(g) Findings

The GP EIR concludes impacts regarding hazards and hazardous materials will be less than significant with the implementation of federal, state, and local laws governing transportation, handling, and disposal of hazardous materials and 2040 General Plan policies including, but not limited to, those addressing the safe production, use, storage, transport, and disposal of hazardous materials and hazardous waste and remediation of contamination to applicable regulatory standards (Goal HS-3 and associated policies), and emergency response and evacuation planning (Policies HS-4.1, HS-4.2, HS-4.5, HS-4.7). Additionally, as discussed in the GP EIR, construction activities will be required to comply with all applicable fire protection and prevention regulations

specified in the California Fire Code, Hazardous Materials Transportation regulations, and Cal/OSHA regulations.

The project site is not on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 (DTSC, 2024; SWRCB, 2024). To determine if the project site potentially contains hazardous materials contamination, a Phase I ESA was prepared by a registered environmental assessor for the project site to determine the existence of any release of a hazardous substance on the site and the potential for exposure of future occupants to significant health hazards from any nearby property or activity (SHN, 2023). Research completed for the ESA included site reconnaissance; reviews of historical topographic maps, street directories, Sanborn maps, and aerial photographs; review of agency records; interviews; and a land use questionnaire. According to the report, no evidence of past land uses was encountered on the subject property that may have generated or caused the release of regulated or hazardous material within the subject property. A leaking underground storage tank site, which formally existed south of the project site and alleyway, was identified and evaluated as a historical recognized environmental condition. A monitoring well was installed on the subject property as part of the investigation, and the case was closed by the regulatory agency in March 2000. As a result, the Phase I ESA recommended no further action/investigation at the project site.

As analyzed in the GP EIR, project construction activities will be required to comply with numerous hazardous materials regulations designed to ensure hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety, and to reduce the potential for a release of construction-related fuels or other hazardous materials into the environment, including into stormwater and downstream receiving water bodies. The project will involve operation of an intermodal transit center, commercial tenant spaces, and dwelling units; these uses are not anticipated to involve routine transport, use, or disposal of hazardous materials. Any future commercial tenant proposing to use hazardous materials at the project site over specified quantities would be required by the Humboldt County Division of Environmental Health to prepare and implement a Hazardous Materials Business Plan that would require hazardous materials to be used properly, stored in appropriate containers with secondary containment to contain a potential release, and disposed of at facilities permitted to accept the waste.

Additionally, the project site is located approximately 2.6 miles east of the Samoa Field Airport and 2.3 miles west of the Murray Field Airport, but is not located within the boundary of either airports' Airport Influence Area or Airport Compatibility Zone (Humboldt County, 2024). The closest school, Alder Grove Charter School, is located 0.25 miles from the project site, but the project will not produce hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste that could impact the school. The project site is not located within a mapped flood zone (FEMA, 2017), tsunami inundation area (CGS and OES, 2022), dam failure inundation zone (Humboldt, 2024), or fire hazard zone (Eureka, 2018b).

Therefore, with the implementation of federal, state, and local laws and 2040 General Plan policies, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

10. Hydrology and Water Quality

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant		✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant		✓	
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?	Less than Significant		✓	
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		✓	
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		✓	
iv. Impede or redirect flood flows?	Less than Significant		✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than Significant		✓	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant		✓	

10(a), (c.i-c.iii), (e) Findings

The GP EIR concludes impacts related to violations of water quality standards and waste discharge requirements [10(a)] or conflicts with a water control plan [10(e)] will be less than significant due to existing regulatory requirements (the National Pollutant Discharge Elimination System [NPDES] Construction General Permit, the City's MS4 Permit, etc.) and 2040 General Plan goals and policies including Policies NR-1.1 and NR-1.4, which aim to maintain surface water resources in their natural, high-quality state; and Policy NR-1.6, which seeks to ensure adherence to stormwater pollution prevention measures.

Construction

As discussed in the GP EIR, construction projects will result in ground-disturbing activities such as trenching, excavation, and grading. Sedimentation and/or contamination originating from construction sites within the City has the potential to be transported downslope to receiving bodies, including Humboldt Bay. However, construction projects are required to prepare and implement either a Stormwater Pollution Prevention Plan (for projects disturbing one or more acre of land) or an Erosion and Sediment Control Plan (for projects that disturb less than one acre but involve over 50 cubic yards of earthwork).

The project will disturb less than one acre of land, and will therefore be required to prepare and implement an Erosion and Sediment Control Plan, including depicting stormwater flow across the project site; demonstrating BMPs to be used during construction; depicting locations of stockpiles, porta potties, dumpsters, etc. and describing BMPs to prevent resulting pollution; depicting where stormwater run-on may be experienced and describing how it will be addressed; describing how excessive wind will be addressed; and providing contact information of the individual responsible for installing and maintaining BMPs who will ensure BMPs are in place before commencing any earthwork and will contact the City's Engineering Division 24 hours in advance for inspection.

Operation

Post-construction stormwater management is regulated under the City's MS4 Permit which requires the on-site management of stormwater so that runoff does not exceed pre-project conditions. Because over 5,000 sf of impervious surface is proposed to be replaced on the project site, the project will be classified as a "Regulated Project" according to the MS4 Permit and will be required to prepare a post-construction Stormwater Control Plan to ensure stormwater runoff is adequately managed consistent with the Humboldt Low Impact Development Stormwater Manual for the life of the development.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

10(b) and (e) Findings

The GP EIR concludes the 2040 General Plan buildout will result in less than significant impacts to groundwater supplies and groundwater recharge and will not conflict with or obstruct implementation of a sustainable groundwater management plan. The GP EIR concludes impacts will be less than significant due to existing policies, laws, and regulations protecting critical groundwater supplies, including the Humboldt Bay Municipal Water District (HBMWD) Groundwater Management Plan, and due to 2040 General Plan policies including, but not limited to, those addressing protecting groundwater quantity and quality (Policy U-1.4), preserving important groundwater recharge areas (Policy NR-1.2), preventing groundwater contamination from septic systems and onsite disposal of toxic substances (Policy NR-1.11), and encouraging installation of pervious pavement and surfaces (Policy NR-1.7). Additionally, the GP EIR discusses how the 2040 General Plan's policies of directing growth towards densification within existing urban areas will help minimize potential expansion of impervious surfaces.

As discussed in the GP EIR, the City has a water right to 8.0 million gallons per day (MGD) from the Mad River; the HBMWD supplies this water to the City. The HBMWD draws water from the unconfined Holocene River Channel Deposits aquifer at a depth of 60 to 90 feet below the bed of the Mad River through Ranney wells situated in or in close proximity to the Mad River. Water is extracted from this aquifer instead of directly from the river since percolation through surface ground layers help to naturally filter water and improve quality of the drinking water supply. The amount of water supplied to the City under existing conditions is less than 1 percent of the annual yield of the Mad River. The HBMWD Groundwater Management Plan indicates that groundwater recharge is achieved by inundation of the recharge areas in the Mad River channel through the District's operation of Matthews Dam and Ruth Lake. As a result, additional development within the City will not have a direct impact on the volume of groundwater available to HBMWD. Additionally, the HBMWD has indicated that there is sufficient supply for currently forecasted development. Furthermore, the HBMWD is required to comply with the applicable requirements intended to protect and preserve groundwater and groundwater recharge including its Groundwater Management Plan.

The project site is already paved and developed with surface parking and the project will not rely directly on groundwater and will be required to manage stormwater consistent with the City's MS4 General Permit and the Humboldt Low Impact Development Stormwater Manual for the life of the development. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

10 (c.i-c.iii) Findings

The GP EIR concludes impacts related to substantial alteration of existing drainage patterns will be less than significant with implementation of 2040 General Plan policies, including policies requiring adherence to stormwater pollution prevention measures and incorporation of low impact development measures and appropriate BMPs to minimize

erosion, runoff, and sedimentation (Policies NR-1.5, NR-1.6, U-3.11), preserving undeveloped natural open space areas (Policy NR-1.3), maintaining use of natural stormwater drainage systems (Policy U-3.4), and minimizing impervious surfaces and maintaining natural site drainage conditions (Policy U-3.12). Additionally, the GP EIR discusses how the 2040 General Plan's policies of directing growth towards infill locations will help minimize potential expansion of impervious surfaces.

As described in the GP EIR, the City is principally a developed, urban landscape, and, as a result, drainage patterns have been changed substantially compared to historical conditions as the area has been graded and paved. The project site is currently covered in two paved parking lots with stormwater flowing northward into bioswales constructed within the landscape planters situated on the northern side of the parking lots. The swales have drainpipes that run beneath the sidewalk and empty into the gutter along 3rd Street. As described under 10(a) above, the project will be required to prepare and implement a construction-phase Erosion and Sediment Control Plan and a post-construction Stormwater Control Plan and incorporate low impact development measures and appropriate BMPs to minimize stormwater runoff and pollutants entering drainage facilities. Additionally, by increasing the density and intensity of use of a previously disturbed and paved infill site, the project helps reduce growth pressure on undeveloped natural open space areas and minimize increases in impervious surfaces. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

10(c.iv) and (d) Findings

The GP EIR concludes impacts related to release of pollutants due to project inundation in flood hazard, tsunami, and seiche zones will be less than significant with adherence to 2040 General Plan policies. The GP EIR also concludes impacts related to impeding or redirecting flood flows will be less than significant due to 2040 General Plan policies including, but not limited to, Policy HS-2.1, which prohibits the construction of new land uses within the 100-year floodplain unless the structure and subsequent road access is elevated above the base flood elevation.

The project site is at 30-37 feet in elevation (NAVD88) and is outside of the FEMA-mapped flood zone and the tsunami hazard zone (Eureka, 2024; FEMA, 2017; CGS and OES, 2022). Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

11. Land Use and Planning

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Physically divide an established community?	Less than Significant		✓	
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		✓	

11(a) Physically divide an established community?

The GP EIR concludes impacts related to physically dividing an established community will be less than significant because the 2040 General Plan has been designed as a cohesive plan that builds upon existing neighborhoods and developed areas, targeting new development primarily to infill areas. In making this conclusion, the GP EIR references 2040 General Plan policies promoting a compact pattern of mixed land uses, growth through infill, and development of high-density housing in proximity to jobs, services and infrastructure (Policies LU-1.2, LU-5.3, LU-5.4, LU-6.2).

The project furthers these 2040 General Plan policies by creating a compact, mixed-use development with high-density housing at a centrally-located Downtown site surrounded by jobs and services. The project will also add an intermodal transit center serving intra- and inter-city bus services and other mobility options, further connecting (as opposed to dividing) the City and larger Humboldt County community. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

11(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?

The GP EIR concludes impacts will be less than significant because the 2040 General Plan was designed to reflect local and regional principles and strategies to mitigate potential impacts to the environment, and includes policies to ensure its implementation is consistent and compatible with applicable land use plans, policies, and regulations of agencies with jurisdiction over the City and adjacent lands. The GP EIR specifically identifies 2040 General Plan Policy LU-6.7 which directs the City to participate in regional planning efforts with surrounding jurisdictions, including the Harbor District, the Humboldt County Association of Governments, and other local and regional agencies; and Policy LU-6.8 which directs the City to review, comment, and coordinate on plans and projects of overlapping and neighboring agencies to ensure compatibility with the City's General Plan, and to ensure impacts are fully mitigated.

The project furthers a number of 2040 General Plan policies specifically identified in the GP EIR as policies that are intended to mitigate environmental effects of buildout under the 2040 General Plan, including policies intending to reduce impacts related to air quality, VMT, GHG emissions, utility/service extensions, impervious surfaces, and population and housing. The proposed ground-floor intermodal transit center is listed in Humboldt County Association of Governments' Regional Transportation Plan (HCAOG, 2022) as a proposed Regional Project for Public Transportation (Table Transit-2 on page 9-11), codified in the 2040 General Plan, Policy M-4.3, and included in HTA's Capital Plan in the 2023-2028 Humboldt County Transit Development Plan (HCAOG, 2023). The proposed upper floor affordable housing is required by the City's 2019-2027 Housing Element (Implementation Program IMP H-34).

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

12. Mineral Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	No impact			✓
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?	No impact			✓

12(a)-(b)

The GP EIR concludes no impacts to mineral resources including, but not limited to, loss of availability of a known mineral resource that will be of value to the region and residents of the state, and loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. As outlined in the GP EIR, CGS classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 (SMARA, Public Resources Code §§2710-2796), and CGS has not designated any Mineral Resource Zones in the City, indicating the City is not considered an area of importance when it comes to mineral resources. In addition, there are no current mining operations and limited available area for mining operations within the City.

Therefore, based on the project location, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

13. Noise

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
b) Result in generation of excessive groundborne vibration or noise levels?	Less than Significant		✓	
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?	Less than Significant		✓	

13(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?
The GP EIR concludes impacts from noise generated by construction and operation of future development under the 2040 General Plan buildout will be less than significant with the implementation of 2040 General Plan policies including, but not limited to, those requiring limitation on the hours of construction activity, requiring new stationary sources to mitigate noise impacts on noise-sensitive uses when noise standards are exceeded, and requiring an acoustical analysis to be prepared for projects that involve development of sensitive land uses to ensure the City noise standards are not exceeded (Policies N-1.5, N.1-8, N-1.13).

The project will comply with all applicable 2040 General Plan policies. Through the project entitlement process, the City will require noise-generating construction activities to be limited to the hours of 7 AM to 7 PM. The City will also require a project-specific acoustical analysis and incorporation of acoustical insulation treatments into housing unit design (e.g., sound-rated windows and doors, sound-rated wall construction, acoustical caulking, etc.) and mitigation of new stationary sources of noise (e.g., HVAC units, loading docks, generator, etc.) as necessary to ensure interior noise levels within the housing units are 45 dBA or lower, consistent with General Plan Table N-3.

The GP EIR identified on-road traffic associated with full buildout of the proposed 2040 General Plan as the primary source that will contribute to the cumulative noise environment. By adding an intermodal transit center, commercial space, and housing in the Core Area near jobs and services, the project will help reduce VMT and associated traffic noise. Based on traffic noise projections, the GP EIR determines traffic noise in the City will remain essentially unchanged from existing conditions under 2040 General Plan buildout (none of the roadways that the GP EIR analyzes will exceed a 3 dB increase with 2040 General Plan buildout, which is considered barely perceptible to the average human being).

For all these reasons, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

13(b) Result in generation of excessive groundborne vibration or noise levels?
The GP EIR concludes no impacts related to groundborne noise levels will occur because future planned development within the City will not involve equipment that will produce groundborne noise. The GP EIR separately concludes impacts related to groundborne vibration will be less than significant with the implementation of 2040 General Plan Policy N-1.14 which requires assessment of vibration potential when projects are proposed in the vicinity of sensitive receptors, historic buildings, and archaeological sites. Consistent with General Plan Policy N-1.14, the project-specific acoustical analysis required for the project will include an analysis of potential vibration impacts from project construction activities, and the City will condition the project to comply with any recommendations necessary to avoid risk of damage.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

13(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?
The GP EIR identifies the Murray Field and Samoa Field Airports as the only airports located within two miles of City limits, and concludes impacts related to exposure to excessive noise levels resulting from proximity to these airports will be less than significant due to the lack of sensitive land uses proposed within the airports' 65 CNEL contours.

Both airports are over two miles from the project site, with the closest airport, Murray Field, located approximately 2.3 miles to the east. The project site is well outside of the Murray Field noise contours shown on the 2040 General Plan Figure N-1. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or

more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

14. Population and Housing

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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)?	Less than Significant		✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant			✓

14(a)-(b)

The GP EIR concludes impacts to population and housing will be less than significant with the implementation of 2040 General Plan policies including, but not limited to, those calling for a compact pattern of mixed land uses radiating out from the Core Area and other commercial/employment areas; promoting development of vacant infill properties and redevelopment/reuse of economically underutilized sites and buildings; and supporting increased development of high-density housing in proximity to commercial and community services, employment opportunities, major transportation corridors, and where City infrastructure can accommodate increased densities (Policies LU-1.2, LU-5.3, LU-5.4, LU-6.2).

The GP EIR analyzes the impact of creating 1,886 additional housing units in the city, double the City's 2019-2027 RHNA of 952 units. The project will add up to 99 additional housing units at a location designated for affordable housing by the 2019-2027 Housing Element consistent with GP EIR projections.

As encouraged by the above-mentioned 2040 General Plan policies, the project will not displace housing and will instead add high-density housing to an infill site in the City's Core Area in proximity to commercial and community services, employment opportunities, and major transportation corridors, where City infrastructure can accommodate increased densities. The project will also add a new intermodal transit center with commercial tenant space, improving the accessibility and connectivity for surrounding residents. Therefore, with the implementation of 2040 General Plan policies, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

15. Public Services

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
Police protection?	Less than Significant		✓	
Schools?	Less than Significant		✓	
Parks?	Less than Significant		✓	
Other public facilities?	Less than Significant		✓	

15(a) Findings

Fire and Police Protection

The City is served by Humboldt Bay Fire and the Eureka Police Department. The GP EIR concludes impacts to fire and police protection services will be less than significant under the 2040 General Plan with implementation of 2040 General Plan policies, including, but not limited to, those designed to protect and enhance fire protection resources and ensure adequate fire facility standards, ISO ratings, and response times (Policies CS-2.1, CS-2.2, CS-2.3, CS-2.4); and those designed to protect and enhance law enforcement funding, services, staffing, facilities, equipment, and response times (Policies CS-1.1, CS-1.3, CS-1.4, CS-1.5, CS-1.6). The project will comply with all such applicable 2040 General Plan policies.

The project adds residential and non-residential uses at a central infill location in close proximity to fire and police protection services, with the nearest Humboldt Bay Fire Station located at 533 C Street and the Eureka Police Department Headquarters located at 604 C Street, both within one-half-mile of the project site. The City will ensure fire safety and emergency accessibility within the new building through provisions of the

Building and Fire Codes, and the new building will be reviewed and inspected by Humboldt Bay Fire as part of the Building Permit process. Consistent with 2040 General Plan Policy CS-1.8, the project will also be referred to the Eureka Police Department to ensure crime and safety are adequately addressed. The project will replace surface parking with a multi-story, mixed-use development, adding more "eyes on the street" around the clock (employees, customers, and transit riders during the day and residents at night), which will promote safety.

In addition, it is noted the GP EIR analyzes the impact of constructing up to 1.6 million square feet of new non-residential uses and creating up to 1,886 additional housing units in the City by 2040. The GP EIR determines future growth and development over the course of 20 years will potentially generate the need for new fire and police facilities, vehicles, equipment, and additional personnel to maintain adequate response times; however, this will not result in substantial impacts to fire and police protection services, as changes will be gradual and distributed broadly and incrementally. The project is consistent with the growth assumption underlying the GP EIR.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Schools

The Eureka City School District provides services to the project site and most of the City. The GP EIR concludes impacts to the School District will be less than significant with a modest, gradual, and broadly distributed program of physical development and implementation of 2040 General Plan policies, including, but not limited to, those designed to protect and enhance educational resources (Policies CS-3.1, CS-3.2, CS-3.3, CS-3.4, CS-3.5). The project will comply with all such applicable 2040 General Plan policies.

In addition, it is noted that the GP EIR analyzes the impact of creating 1,886 additional housing units in the city resulting in approximately 3,683 additional residents. The GP EIR determines future growth and development over the course of 20 years will potentially generate the need for new or upgraded facilities and personnel; however, it will not result in substantial changes to educational resources, as changes are anticipated to be distributed broadly and incrementally across the 16.4-square-mile City. The project will add up to 99 new housing units at an infill location and is consistent with the growth assumptions underlying the GP EIR.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Parks and Other Public Facilities

The GP EIR concludes impacts to parks and other public facilities will be less than significant with implementation of 2040 General Plan policies, including, but not limited

to, policies related to parks and open space (Policies PR-1.1 and PR-1.2), libraries (Policies CS-4.1, CS-4.2, CS-4.3), the Sequoia Park Zoo (Policy PR-1.12) and community centers (Policy AC-2.9). The project will comply with all such applicable 2040 General Plan policies.

The GP EIR analyzes the impact of creating 1,886 additional housing units in the City, which is double the City's 2019-2027 RHNA of 952 units. As noted in the GP EIR, currently, the ratio of community and neighborhood park space to residents is approximately 4.9 acres per 1,000 residents, which is substantially greater than the 2040 General Plan policy recommendation of 1 acre of park space per 1,000 residents. The GP EIR concludes that no additional park facilities will be required to be developed to accommodate the 1,886 additional housing units projected in the 2040 General Plan. The project is consistent with the growth assumptions underlying the GP EIR.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

16. Recreation

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than Significant		✓	

16(a),(b) Findings

The GP EIR concludes impacts to recreation will be less than significant with projected buildout and implementation of 2040 General Plan policies including, but not limited to, Policy PR-1.2, requiring adherence to open space and recreation definitions and standards included in 2040 General Plan Table PR-1; and Policy PR-1.1, requiring regular updates to the Eureka Open Space, Parks, and Recreation Commission's Strategic Plan.

As discussed in the GP EIR, the current ratio of community and neighborhoods park space to residents is 4.9 acres per 1,000 residents, well above the recommended 1 acre per 1,000 persons for neighborhood parks and 3 acres per 1,000 residents for community parks. The GP EIR analyzes development under 2040 General Plan buildout of up to 1,886 dwelling units resulting in a population increase of approximately 3,683 additional residents in Eureka by 2040. The GP EIR anticipates these residents will generally utilize the existing 133 acres of neighborhood and community parks, and no additional parks and recreational facilities will be required to maintain minimum ratios of park space to population.

The project will result in up to 99 new housing units above an intermodal transit center. The project is conveniently located within walking or cycling distance of a variety of park and recreational facilities, including but not limited to: the Cooper Gulch Park & Recreation Center, the Clara May Berry Park & Playground next to the Humboldt County Library, the Samoa Bridge Boat Launch, Halvorsen Park including the Bonnie Gool Guest Dock, the Adorni Recreation Center, the Eureka Boardwalk and Waterfront Trail, Coast Guard Plaza/ F Street Dock, Madaket Square/ C Street Dock, the Old Town Gazebo Plaza, and Clark Plaza. Moreover, project residents will have access via the ground-floor intermodal transit center to various large open space and wildlife areas within and adjacent to the City accessible by bus route, such as the Sequoia Park and Zoo.

Therefore, with the implementation of 2040 General Plan policies, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

17. Transportation

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	Significant and Unavoidable		✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant		✓	
d) Result in inadequate emergency access?	Less than Significant		✓	

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

The GP EIR concludes this impact will be less than significant under 2040 General Plan buildout with the implementation of 2040 General Plan policies intended to address potential impacts on alternative modes of transportation and mobility, such as pedestrian circulation, bicycle paths, and transit. The policies that address potential transportation impacts include safety and mobility-related Complete Streets Policies M-1.1. through M-1.9, pedestrian and bicyclist related Policies M-3.1 through M-3.12, and transit operations and accessibility related Policies M-4.1 through M-4.1. Additionally, the GP EIR points to the 2040 General Plan's overall concept of infill and densification within and around the City's Core Area which will serve to enhance opportunities for development that is compact, walkable, and transit-friendly (Policy M-1.6).

As encouraged by the above-mentioned 2040 General Plan policies, the project will improve transit service and provide additional residential units and commercial tenants in a new compact, mixed-use development in the City's Core Area. Future residents and employees of the EaRTH Center will be within walking distance of shopping, employment, and recreational facilities, near bicycle and walking paths, and co-located with a new transit hub which will facilitate use of transit and active transportation. The new ground-floor intermodal transit center will improve transit operations and accessibility for the Core Area, City and region. The transit center is listed in Humboldt County Association of Governments' Regional Transportation Plan (HCAOG, 2022) as a proposed Regional Project for Public Transportation (Table Transit-2 on page 9-11),

codified in the 2040 General Plan, Policy M-4.3, and included in HTA's Capital Plan in the 2023-2028 Humboldt County Transit Development Plan (HCAOG, 2023).

The 2040 General Plan and GP EIR do include policies and evaluation regarding level of service (LOS), but 2040 General Plan Policy M-2.4 calls for the City to consider the applicability of using transportation performance metrics such as VMT and associated thresholds for measuring transportation system impacts consistent with the CEQA Guidelines and State law, as well as for making General Plan consistency determinations. In addition, in a recent amicus brief filed by the California Attorney General Rob Bonta in a CEQA case involving the City, the Attorney General confirmed LOS impacts can be disregarded in further CEQA analysis related to the City's GP EIR:

> If an agency has a certified EIR that used the LOS method before the VMT mandate, and then prepares an addendum to that EIR after the VMT mandate, the agency can choose to use the old LOS method rather than the new VMT method to compare the environmental impacts. (Olden Properties Corp. v. City of Newport Beach (2023) 93 Cal.App.5th 270, 280–281.) Otherwise, the agency would be required to conduct a new traffic analysis from scratch, or compare "LOS apples to VMT oranges," instead of relying upon the analysis in the original EIR. (Ibid.) But LOS is no longer ever required. An agency should shift exclusively to a VMT analysis in environmental documents when possible including, as here, when the prior EIR analysis used both methods. (See OPR, Technical Advisory on Evaluating Transportation Impacts in CEQA, Dec. 2018, p. 18–19.) Here, the City appropriately shifted to using the VMT method in furtherance of CEQA and state policy.

Therefore, with the implementation of 2040 General Plan policies, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

17(b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

The GP EIR concludes that although the 2040 General Plan contains a number of policies that are directed towards lessening impacts from VMT, per-capita VMT is projected to decrease only slightly over the next 20 years, while buildout under the 2040 General Plan is projected to include 1,886 additional dwelling units and 1.6 million square feet of new non-residential uses. As such, the GP EIR concludes that VMT impacts under 2040 General Plan buildout will be significant and unavoidable.

CEQA Guidelines §15064.3(b)(1) states that generally projects within one-half mile of an existing major transit stop or stop along an existing high-quality transit corridor should be presumed to cause a less than significant transportation impact. OPR's Site Check Tool identifies the project site as being surrounded by high-quality transit corridors (OPR, 2024), and the 3rd and H Street bus stop directly adjacent to the project site has

been identified by Humboldt County Association of Government's Regional Transportation Plan as a major transit stop (HCAOG, 2022).

CEQA Guidelines §15064.3(b)(1) also states that projects that decrease VMT in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. The project will replace two surface parking lots (with a total of 82 parking spaces) with a mixed-use development including an intermodal transit center serving intercity Amtrak buses, Greyhounds, locally-operated intercity transit routes, local city routes, rideshare, and more. The project will also remove a vehicle lane on H Street between 3rd and 4th Streets to better accommodate buses and people using the transit center, and will re-establish a continuous street wall on 3rd and G Streets and enhance the surrounding sidewalk landscape. By improving and facilitating low-carbon transportation alternatives, the project is anticipated to reduce VMT below existing conditions.

Furthermore, the 2018 OPR Technical Advisory on Evaluating Transportation Impacts in CEQA suggests that transit projects, projects that repurpose a motor vehicle lane for other modes of transportation, projects that add affordable residential units near transit, and mixed-use projects in areas with low VMT can all be presumed to cause a less-than-significant impact on transportation (OPR, 2018). The project includes new affordable housing above a new intermodal transit center in the area of Eureka with the highest employment density, in the largest and densest City in Humboldt County with more persons and jobs per square mile than any other city in Humboldt, where, according to OPR's Site Check Tool, per capita VMT is 15% or more below the regional average.

The GP EIR determines impacts from VMT will be significant and unavoidable under 2040 General Plan buildout. However, based on the proposed project's location, design, land uses, and transit improvements, the proposed project will have a less than significant impact on VMT. Therefore, the proposed project is entirely consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

17(c),(d) Findings

The GP EIR concludes transportation impacts from inadequate emergency access and from the increase of hazards due to geometric design features or incompatible uses will be less than significant with the implementation of design standards and 2040 General Plan policies, including, but not limited to, those addressing Complete Streets directives (Policies M-1.1 through M-1.9), design standards (Policy M-2.5), improved circulation for pedestrians and bicyclists (Policies M-3.1 through M-3.12), and enhancement in goods movement (Policies M-7.1 through M-7.3). The GP EIR in some cases expects traffic operations to improve and delays to decrease, providing improved timeliness for emergency access.

The project will replace surface parking lots with a mixed-use building, which will result in the elimination of four driveways on 3rd Street, and will thus reduce potential points

of conflict between pedestrians and vehicles. HTA buses already utilize a bus stop on H Street directly east of the project site, but the proposed ground-floor intermodal transit center will increase the frequency of buses stopping on H Street. As a result, the project proposes to close one vehicle lane on H Street (a one-way street) to safely accommodate bus stopping and boarding separate from other vehicular traffic. Currently H Street is a one-lane street north of 3rd Street and transitions to two lanes adjacent to the project site; with the proposed lane reduction, H Street will remain one lane. Additionally, the project proposes to utilize the adjacent alleyway for paratransit and other mobility options, which will also help to minimize conflict with vehicular traffic on surrounding roadways. As part of the entitlement process, the Engineering Division of Public Works will review proposed changes to the surrounding street and alley network to ensure safe conditions and compliance with standard engineering and design requirements. This review will also ensure project improvements will not restrict emergency access to the site and surrounding properties.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

18. Tribal Cultural Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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 §5020.1(k)?	Significant and Unavoidable		✓	
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 §5024.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	Significant and Unavoidable		✓	

18(a) and (b) Findings

The GP EIR notes that given the long history of prehistoric and historic-period human occupation, the City is considered sensitive for the presence of subsurface prehistoric, Native American, and historic-period cultural resources and human remains. The GP EIR concludes impacts to tribal cultural resources are significant and unavoidable under 2040 General Plan buildout because there are no feasible or practical policies or mitigation measures available to ensure tribal cultural resources are not destroyed inadvertently or when projects are allowed without discretionary review ("by-right").

As part of the 2040 General Plan and GP EIR process, the City consulted with Native American tribes, providing local tribes the opportunity to participate in local land use decisions and to protect, or mitigate impacts to cultural places. The City and tribal representatives agreed to continue consultation and the 2040 General Plan includes policies to identify and protect tribal cultural resources that could be adversely affected by development activities. These include, but are not limited to, consultation with local tribes to identify and protect tribal cultural resources (Policy HCP-2.1) and requirements for implementing an inadvertent discovery protocol and construction

monitoring (Policy HCP-2.5). The project will comply with all such applicable 2040 General Plan requirements.

The project site is covered with surface parking and does not contain any known tribal cultural resources, but project construction involves ground-disturbing activities that have the potential to expose previously unrecorded resources. The project will require discretionary City review (Design Review), and, in compliance with 2040 General Plan Policy HCP-2.5, the project will be conditioned to require inadvertent discovery protocol during construction activity. The project will also be referred to applicable Tribes as part of the discretionary review process, and tribal monitoring of construction ground disturbance will be required if requested by a Tribe.

Therefore, with the implementation of 2040 General Plan Policy HCP-2.5, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

19. Utilities and Service Systems

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	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?	Less than Significant		✓	
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		✓	
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		✓	
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?	Less than Significant		✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant		✓	

19(a)-(e) Findings

The GP EIR states that 1,886 additional dwelling units and 1.6 million square feet of new non-residential uses are projected to be developed within the City during the 2040 General Plan planning period, and it is expected demand for expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, and telecommunications facilities will continue to increase with projected population and job growth. The GP EIR concludes new and infill development projected to occur under the 2040 General Plan will have a less than significant impact to existing utilities and service systems.

Water [(a),(b)]
The GP EIR concludes impacts related to water supply and the relocation or construction of new or expanded water facilities will be less than significant given the capacity of the City's water source and with the incorporation of 2040 General Plan policies calling for the continued provision of high-quality water through a cost-effective distribution system (Policy U-1.1), regular review and updating of the City's Urban Water Management Plan and capital improvement plans (Policy U-1.2), and collaboration with federal, State, and local water agencies and providers to create and enhance long-term water conservation programs (Policy U-1.7).

The City is one of several Public Water Systems reliant on the HBMWD for water service. The City's average annual daily system demand is roughly 4.0 MGD, while HBMWD has existing water supply sufficient to provide 17.9 MGD to domestic water customers. HBMWD has indicated there is sufficient supply to service existing water demand and accommodate new water demand at the full, 20 year expected build-out under the 2040 General Plan both in normal and multiple dry years.

The project will be able to connect to the City's water system, as there are existing adequately-sized City water lines located adjacent to the project site in G, H, and 3rd Streets and in the alleyway. The project is consistent with the growth assumptions underlying the GP EIR and will comply with applicable 2040 General Plan requirements. Furthermore, as new development, the project will comply with current state requirements for water-efficiency in landscaping, appliances, etc. The project will pay water connection and impact fees to pay its fair-share contribution to the water system.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Wastewater Treatment [(a),(c)]
The GP EIR concludes impacts related to wastewater treatment capacity and the relocation or construction of new or expanded wastewater treatment facilities will be less than significant due to the capacity of the City's wastewater treatment plant (WWTP) and with the incorporation of 2040 General Plan policies calling on the City to ensure sufficient wastewater system capacity to meet the needs of industrial, agricultural, and other high-impact users (Policy E-5.7), to maintain and improve the City's wastewater collection and treatment system capacity for all segments of the community to satisfy dry and wet weather conditions while also detecting and correcting infiltration/inflow issues (Policy U-2.1), and to regularly review and update the City's Sewer System Management Plan and other wastewater planning tools and capital improvement plans to ensure adequate wastewater collection, treatment, infrastructure, maintenance, rehabilitation, and funding (Policy U-2.2).

The City owns and operates a wastewater collection and treatment system that collects and conveys between 1.6 and 1.8 billion gallons of wastewater per year. According to the GP EIR, the City's WWTP was designed and permitted to treat an average dry

weather flow (ADWF) of 8.6 MGD and is currently reporting an ADWF of 3.6 MGD. The City estimates there is remaining available capacity at the WWTP for approximately 2,160 Estimated Dwelling Units, or new single-unit wastewater connections within the City service area. In addition, as noted in the GP EIR, the WWTP was designed so that its treatment capacity could be increased in the future to accommodate both the City's planned growth within its sphere of influence and Humboldt Community Services District's growth in the future.

The project will be able to connect to the City wastewater system as there is an existing adequately-sized sewer lateral located beneath the alleyway adjacent to the property. The project is consistent with the growth assumptions underlying the GP EIR and will not exceed the capacity of the WWTP or result in the need for the expansion of existing treatment facilities. The project will pay sewer connection and impact fees to pay its fair-share contribution to the wastewater collection and treatment system.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Stormwater Drainage (a)

The City manages and maintains the existing stormwater drainage system. The storm drain piping consists primarily of reinforced concrete pipe and corrugated metal pipe and flows by gravity and is discharged at numerous points into Humboldt Bay, sloughs, and drainages in and around the City. Where stormwater drainage runs along Highway 101 and traverses Broadway, 4th Street, and 5th Street, Caltrans is responsible for maintaining the stormwater system, before discharge into City maintained facilities.

As described in the GP EIR, the City currently holds an NPDES stormwater permit issued by the North Coast Regional Water Quality Control Board and has an adopted Storm Water Management Plan (SWMP), as required for the Federal Storm Water Phase II Final Rule Permit. The SWMP describes certain BMPs the City is required to implement. The City will continue to update its SWMP, and as such, will remain in compliance with the implementation of its NPDES permit. The GP EIR determines impacts from an increase in stormwater drainage as a result of the 2040 General Plan will be modest, gradual, and broadly distributed based on any physical development that will occur. Any new development will be required to be timed to match the capacity of storm drainage facilities.

The GP EIR concludes impacts to the stormwater system will be less than significant with implementation of 2040 General Plan goals and policies designed to protect utilities and service systems, including creation of a comprehensive stormwater collection and conveyance system (Goal U- 3), provision of adequate infrastructure for the City's stormwater drainage system (Policy U-3.1), and regular review and update of the Storm Drain Master Plan (Policy U-3.2). The project will comply with all such applicable 2040 General Plan requirements.

The project site is currently covered in two paved parking lots with stormwater flowing northward into bioswales that were constructed within the planters situated on the northern side of the parking lots. The swales have drainpipes that run beneath the sidewalk and empty into the gutter along 3rd Street. Because over 5,000 sf of impervious surface is proposed to be replaced on the project site, the project will be classified as a "Regulated Project" according to the City's MS4 Permit and will be required to prepare a post-construction Stormwater Control Plan to ensure on-site management of stormwater so that runoff does not exceed pre-project conditions.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Electrical Power and Natural Gas (a)

Pacific Gas and Electric (PG&E) owns both the natural gas and electricity transmission and distribution systems, and serves the entire Humboldt County area through their broader connection to the larger state grid system. Although the City is geographically isolated, the connection to the larger natural gas grid and two major connections (115 kV) to the larger electric grid are sufficient to provide electricity and natural gas for current and anticipated development. Energy storage is not expected to play a significant role in the near- or even intermediate-term due to the load-following capabilities of the PG&E Humboldt Bay Generating Station and the 70 MW per day of available transmission capacity connecting Humboldt County to the statewide electric grid. The City does not anticipate transmission/distribution capacity issues like southern Humboldt County.

The project is consistent with the growth assumptions underlying the GP EIR and will not exceed the capacity of the natural gas and electricity transmission and distribution systems. As described in the GP EIR, impacts will be less than significant with incorporation of 2040 General Plan policies designed to promote energy conservation and energy conserving land uses, incorporate energy efficient practices into the design process for both private and public buildings, and encourage the development of renewable energy systems (Policies U-5.1 through U-5.9). The project, as new construction, will be required to comply with current energy code standards and all applicable 2040 General Plan requirements. The GP EIR also discusses how under the 2040 General Plan, development will primarily occur in the vicinity of existing developed urban areas, which allows for the logical extension and utilization of existing utilities. The proposed infill project is consistent with the anticipated land use pattern.

Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Telecommunication Systems (a)

The telecommunication systems infrastructure in the City includes telephone, internet, and television/cable services from a variety of providers. According to the GP EIR,

overall, the availability of high-speed DSL, cable, and cellular phone service is widely available in the City. Additional improvements or new infrastructure are generally constructed as the need arises to meet customer demand or as new projects are built. The GP EIR concludes impacts related to the relocation or construction of new or expanded telecommunications facilities will be less than significant with implementation of 2040 General Plan policies promoting safe, efficient and accessible communication systems (Policies E-5.1, U-6.1 through U-6.4).

The project is consistent with the growth assumptions underlying the GP EIR and will comply with all such applicable 2040 General Plan requirements. The project is located within an existing developed urban area which will allow for the logical extension and utilization of existing communication systems without the need for construction or relocation of facilities in a manner that could cause significant environmental effects. Therefore, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Solid Waste [(d),(e)]

The GP EIR concludes impacts related to solid waste will be less than significant with sufficient capacity at the Dry Creek landfill facility, continued implementation of waste diversion programs, and implementation of 2040 General Plan policies related to solid waste, including, but not limited to, those focused on increasing waste diversion rates (Policies U-4.3 and U-4.5). The project will comply with all such applicable 2040 General Plan requirements.

As part of the entitlement process, the City will require the project to be designed with secure space for solid waste, recycling and compost adequate to serve anticipated residents, employees, and customers/transit riders. As discussed in the GP EIR, solid waste that cannot be recycled or composted is exported to the Dry Creek Landfill in White City, Oregon, which holds a Title V Operating permit. The Dry Creek Landfill accepts approximately 900 tons of solid waste per day and has an operational life expected to exceed 100 years. The GP EIR analyzes solid waste generation under buildout of the 2040 General Plan and concludes estimated solid waste will likely be of minimum burden on the permitted capacity of the landfill. The project is consistent with the growth assumptions underlying the GP EIR, and, as such, the landfill that will serve the project has adequate permitted capacity to accommodate the project's solid waste disposal needs.

Therefore, based on the Dry Creek landfill facility capacity and implementation of diversion programs and 2040 General Plan policies, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

20. Wildfire

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than Significant		✓	
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		✓	
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		✓	
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?	Less than Significant		✓	

20(a)-(d) Findings

The GP EIR concludes impacts related to wildfires will be less than significant with the implementation of the California Fire Code, Hazardous Materials Transportation regulations, Cal/OSHA regulations and 2040 General Plan policies, including, but not limited to, policies requiring adequate emergency access and wildfire preparedness (Policies HS-4.7 and HS-4.10).

The California Department of Forestry and Fire Protection maps identify fire hazard severity zones in state (SRA) and local (LRA) responsibility areas for fire protection. The SRA does not extend into City limits. The LRA fire severity map designates some areas within the City limits as moderate to high fire hazard severity zones. As shown on GP EIR Figure 3.7-3, the project site is not located in one of these moderate or high fire hazard severity zones. Therefore, there will be a limited potential for impacts related to wildfires.

Therefore, based on the project location, the project is consistent with the 2040 General Plan, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

Acronyms

ADWF	Average Dry Weather Flow
ADT	Annual Average Daily Traffic
APNs	Accessor Parcel Number
BMPs	Best Management Practices
CARB	California Air Resources Board
CBC	California Building Code
CGS	California Geological Survey
CNEL	Community Noise Equivalent Level
dB	Decibel
dBA	A-weighted Decibel
DDA	Disposition and Development Agreement
DC Designation	Downtown Commercial Land Use Designation
DT District	Downtown Zoning District
EIR	Environmental Impact Report
EMC	Eureka Municipal Code
ESA	Environmental Site Assessment
GHG	Greenhouse Gas
HBMWD	Humboldt Bay Municipal Water District
HCD	California Department of Housing and Community Development
HTA	Humboldt Transit Authority
HVAC	Heating, Ventilation, and Air Conditioning
ISO	Insurance Services Office
kV	Kilovolt
LRA	Local Responsibility Area
LOS	Level of Service
MERV-13	Minimum Efficiency Reporting Value
MGD	Million Gallons Per Day
MS4 Permit	Small Municipal Separate Storm Sewer System
MW	Megawatt
NCRWQCB	North Coast Regional Water Quality Control Board
NCUAQMD	North Coast Unified Air Quality Management District
NPDES	The National Pollutant Discharge Elimination System
OPR	California Office of Planning and Research
PG&E	Pacific Gas and Electric
RHNA	Regional Housing Needs Allocation
SF	Square Foot
SRA	State Responsibility Areas
SWMP	Storm Water Management Plan
TAC	Toxic Air Contaminant
TIRCP	Transit and Intercity Rail Capital Program Grant
VMT	Vehicle Miles Traveled
WWTP	Wastewater Treatment Plant

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