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# 1 Introduction

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This document is a programmatic Environmental Impact Report (EIR) that assesses the potential environmental impacts associated with implementation of the RCAP and CEQA GHG Emissions Thresholds (collectively referred to as proposed plan). A programmatic EIR evaluates the effects of broad proposals or planning-level decisions such as the proposed plan with a level of detail sufficient to allow informed decisions among planning-level alternatives and to develop broad mitigation strategies.

This chapter discusses (1) the proposed plan and EIR background; (2) the legal basis for preparing an EIR; (3) the scope and content of the EIR; (4) the lead, responsible, and trustee agencies; and (5) the environmental review process required under the California Environmental Quality Act (CEQA). The proposed plan is described in detail in Chapter 2, *Project Description*.

## 1.1 EIR Purpose, Type, and Authority

### 1.1.1 Regulatory Purpose

The Humboldt Regional Climate Action Plan (RCAP) EIR requires the discretionary approval of the County's Board of Supervisors; therefore, the proposed plan is subject to the environmental review requirements of CEQA. In accordance with Section 15121 of the CEQA Guidelines (California Code of Regulations, Title 14), the purpose of an EIR is to serve as an informational document that:

“...will inform public agency decision makers and the public generally of the significant environmental effects of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.”

As such, the regulatory purpose of this EIR is to disclose the environmental impacts, including any significant effects, of the proposed plan, identify ways to avoid or reduce environmental impacts through planning design or environmental mitigation measures, consider feasible alternatives to the proposed plan, and integrate public participation and input into the overall planning process.

### 1.1.2 EIR Type

This EIR has been prepared as a programmatic EIR pursuant to Section 15168 of the CEQA Guidelines. A programmatic EIR is appropriate for planning documents or other long-term programs. As stated in the CEQA Guidelines:

“A program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- 1) Geographically,
- 2) As logical parts in the chain of contemplated actions;
- 3) In connections with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program; or
- 4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”

This EIR is programmatic in nature with a broad comprehensive evaluation to cover the actions taken under the RCAP. Some future RCAP-related projects may require additional project-specific environmental review, given that this program EIR analysis is not parcel- or project-specific.

### 1.1.3 Legal Authority

This EIR is intended to serve as an informational document for the public and Humboldt County decision makers. The approval process will include public hearings to consider certification of a Final EIR and adoption of the proposed plan. Adoption of the proposed plan may not be considered until this EIR has first been considered by the decision makers and certified by the approving body, in this case the County’s Board of Supervisors.

## 1.2 Environmental Impact Report Background

### 1.2.1 Notice of Preparation

The County distributed a Notice of Preparation (NOP) of the EIR for a 30-day agency and public review period starting on August 30, 2024, and ending on September 30, 2024. The NOP is included in Appendix A of this EIR. In addition, the County held an EIR Scoping Meeting on September 17, 2024. The meeting was aimed at providing information about the proposed plan to members of public agencies, interested stakeholders, and residents/community members, and at receiving input on the scope of the environmental review. The meeting was held at the Ag Center at 5630 S. Broadway Eureka, CA 95503 and online via Zoom.

### 1.2.2 Scoping Comments Received

The County received written EIR scoping comment letters from one agency and ten organizations in response during the EIR public scoping period. The written EIR scoping comments that were received are included in Appendix A of this EIR. Many of the comments received pertained to the contents of the Draft RCAP itself, rather than the EIR and CEQA scope. Table 1-1 summarizes the content of the letters and verbal comments that are applicable to the EIR and describes where the issues raised are addressed in this EIR.

**Table 1-1 EIR Scoping Comments and EIR Location Information**

Committer	Comment/Request	Where It Was Addressed
Humboldt County Association of Governments (HCAOG)	Clarify conditions under which an environmental impact assessment for GHG emissions from vehicle miles traveled (VMT) can be streamlined using the RCAP programmatic EIR.	The streamlining process for future project streamlining utilizing the CEQA GHG Emissions Thresholds is described under Section 2.0, <i>Project Description</i> .
	Define urban and rural areas in Humboldt County, specifying when, where, and how the 29 measures in the RCAP will contribute to achieving the Humboldt 2030 GHG emissions reduction target.	Urban and rural areas in Humboldt are defined in Section 2.0, <i>Project Description</i> . The RCAP measures apply to all areas of Humboldt, except for certain measures which specify if they are urban or rural. These measures are listed in Section 2.0, <i>Project Description</i> . The Draft RCAP and its supporting appendices include information on how the RCAP will contribute to achieving the Humboldt 2030 GHG emissions reduction target.

Commenter	Comment/Request	Where It Was Addressed
Coalition for Responsible Transportation Priorities (CRTP); 350 Humboldt; Climate 911; Environmental Protection Information Center (EPIC); Humboldt Coalition for Clean Energy; Humboldt Waterkeeper; Northcoast Environmental Center; Redwood Coalition for Climate & Environmental Responsibility (RCCER)	The commenter requests that the CEQA checklist be provided as soon as it becomes available.	The CEQA GHG checklist is being prepared and will be available for public review prior to EIR certification.
	The commenter expressed concern about the lack of clear guidelines and a Consistency Checklist in the RCAP. The commenter argues that this ambiguity makes it difficult to determine which projects might bypass public scrutiny of their greenhouse gas impacts. The commenter suggests that the EIR should adopt a conservative approach, considering the potential negative impacts of lenient tiering. They emphasize that the EIR must account for the environmental impacts if projects only adhere to the RCAP's exact wording, which often lacks firm policy commitments.	The EIR assesses potential environmental impacts on a programmatic level of the types of projects that may be implemented in accordance with the measures and actions contained in the RCAP, such as renewable energy and fuels, building decarbonization, microgrids, recycled water, organic waste, and active transportation projects and infrastructure. Impacts are addressed throughout Chapter 3.0, <i>Environmental Impact Analysis</i> .
	The commenter suggests that the RCAP would result in significant CEQA impacts due to conflicts with adopted local transportation plans, such as the HCAOG Regional Transportation Plan.	Consistency with transportation plans is addressed in Section 3.8, <i>Transportation</i> .
	The commenter suggests the RCAP would result in a significant VMT impact.	VMT impacts are addressed in Section 3.8, <i>Transportation</i> .

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Commenter	Comment/Request	Where It Was Addressed
Wendy Ring	<p>The commenter states the EIR should take a very conservative approach and include the impacts of overly permissive tiering, since that possibility can't be excluded. The EIR must include consideration of the greenhouse gas and other environmental impacts if projects only comply with the exact language of this CAP which frequently falls short of committing to policy adoption.</p>	<p>The RCAP is a policy document and this Draft EIR considers the potential GHG emissions and other environmental impacts of implementation of the RCAP on a programmatic scale throughout Chapter 3.0 of the document. Project-level proposals and details are not included as part of the RCAP. Future discretionary RCAP projects tiering from this EIR would still be required to comply with CEQA, document potential environmental impacts, and provide project-specific mitigation measures, as necessary. Future discretionary projects utilizing the RCAP to streamline CEQA GHG emissions analyses would be required to undergo project-specific CEQA analyses, document potential environmental impacts, and provide project-specific mitigation measures, as necessary.</p>
	<p>The commenter suggests that the RCAP's lack of commitment to zoning changes or other substantive action to promote infill would increase VMT, decrease road safety for non-vehicular users, destroy wildlife habitat, convert agricultural or timber lands, commit irretrievable public resources to the extension and maintenance of public infrastructure that could have been used for climate mitigation or resilience, and induce further development and concentration of residents and workers at urban margins.</p>	<p>The potential of the RCAP to result in impacts related to the transportation system are addressed in Section 3.8, <i>Transportation</i>. The potential of the RCAP to result in impacts to wildlife habitat and agricultural resources are addressed in Section 3.3, <i>Biological, Agricultural and Forestry Resources</i>. The potential for the RCAP to commit irretrievable resources or induce substantial unplanned growth is addressed in Section 3.6, <i>Land Use, Population, and Housing</i>, and Section 2.0, <i>Other CEQA Sections</i>.</p>
	<p>Scope should include conversion of forest, grassland, and marginal farmland in US and other countries.</p>	<p>The conversion of forestland and farmland is addressed in Section 3.3, <i>Biological, Agricultural, and Forestry Resources</i>, pursuant to the thresholds and requirements of CEQA Guidelines Appendix G.</p>
	<p>The commenter suggests that the GHG emissions reductions contained in the RCAP are questionable and that the EIR should address the impacts of GHG emissions that the RCAP will allow to happen.</p>	<p>GHG emissions impacts are addressed in Section 3.5, <i>Greenhouse Gas Emissions and Energy</i>.</p>
	<p>The commenter suggests including GHG and pollution emissions from the production and transportation of renewable diesel, assuming no local production. The commentor notes that while bio-oil could be produced locally, it would need to be transported to a distant refinery and then back to Humboldt for use, adding to emissions. The commenter also recommends including GHG emissions from hydrogen production using fossil gas.</p>	<p>The Draft EIR programmatically addresses the potential for GHG emissions impacts in Section 3.5, <i>Greenhouse Gas Emissions and Energy</i>.</p>
	<p>The commenter suggests that the RCAP would result in increased criteria air pollutant and air toxics emissions from increased energy demand and increased generation at the gas-fired Humboldt Bay Generating Station and Humboldt Sawmill Co's biomass plant.</p>	<p>Impacts to air quality are addressed in Section 4.2, <i>Air Quality</i>.</p>

Commenter	Comment/Request	Where It Was Addressed
Gary Hughes (Biofuel Watch Organization)	<p>The commenter states the EIR should include the effects of renewable diesel on land use change, deforestation, habitat degradation, commodity markets, and palm oil importation. It should also address food system and economic impacts, electrification policies, transportation impacts, fuel spill risks, and public health and safety from refining processes.</p>	<p>The potential environmental impacts related to biofuel production are addressed throughout Chapter 3.0 of the document, pursuant to the thresholds and requirements of CEQA Guidelines Appendix G.</p>
	<p>The commenter states the EIR must consider deforestation and land use changes in the RCAP, including the impacts of silviculture activities like logging, which contribute to GHG emissions, wildfire risk, and water shortages. Wildfire impacts should be included, and a robust estimate of GHG emissions from logging activities is necessary. Climate stressors exacerbated by logging and road building, such as heat waves, droughts, and biodiversity loss, should be examined.</p>	<p>The RCAP does not promote increased logging activities or associated roadbuilding. The potential for the RCAP to result in impacts pursuant to the thresholds and requirements of CEQA Guidelines Appendix G related to GHG emissions, wildfire risk, water supply issues, and biological resources are addressed in Section 3.5, <i>Greenhouse Gas Emissions and Energy</i>, Section 3.10, <i>Effects Found Not to be Significant</i>, and Section 3.3, <i>Biological, Agricultural, and Forestry Resources</i>, respectively.</p>
	<p>The commenter states the EIR must address or evaluate the uncertainties about whether biomass gasification can be deployed at scale in any commercially viable way and look at the economic realities of this proposal. Addressing uncertainties regarding non-homogenous feedstocks, production of those impurities and byproducts like flu ash, nitrous oxide, sulfur oxide and tar. The commenter suggests looking at the science around carbon trading. There are a lot of assumptions around the efficacy of carbon credits and a lot of economic issues and environmental justice issues around carbon trading.</p>	<p>The EIR addresses the potential environmental impacts of new hydrogen production activities in Humboldt on a programmatic level pursuant to the thresholds and requirements of CEQA Guidelines Appendix G. CEQA environmental impacts are addressed throughout Chapter 3.0 of the document.</p>

## 1.3 Scope and Adequacy

### 1.3.1 Scope and Sources

This EIR addresses impacts related to Aesthetics, Air Quality, Biological, Agricultural and Forestry Resources, Cultural and Tribal Cultural Resources, Greenhouse Gas Emissions and Energy, Land Use, Population and Housing, Noise and Vibration, Transportation, and Utilities/Service Systems listed in the 2024 CEQA Guidelines Appendix G.

The alternatives chapter of this EIR (Chapter 5.0) was prepared in accordance with Section 15126.6 of the CEQA Guidelines and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the project while feasibly attaining most of the basic project objectives. The alternatives evaluated include the CEQA-required “No Project” alternative and two alternatives to the RCAP. In addition, the alternatives chapter identifies the “environmentally superior” alternative among the alternatives assessed.

In preparing this EIR, information was used from pertinent County and City policies and guidelines, certified EIRs and adopted CEQA documents, and other plans and background documents. References are included as footnote citation references where relevant throughout this EIR document.

### 1.3.2 Content Adequacy

The level of detail contained throughout this EIR is consistent with the requirements of CEQA and applicable court decisions. Section 15151 of the CEQA Guidelines provides the standard of adequacy on which this document is based. The CEQA Guidelines state:

“An EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of the proposed project need not be exhaustive, but the sufficiency of an EIR is to be reviewed in light of what is reasonably feasible. Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection, but for adequacy, completeness, and a good faith effort at full disclosure.”

## 1.4 Lead, Responsible, and Trustee Agencies

### 1.4.1 Lead Agency

The CEQA Guidelines define lead, responsible and trustee agencies. Humboldt County (also referred to as “the County”) is the lead agency for the proposed plan because it holds principal responsibility for approving the proposed plan.

### 1.4.2 Responsible Agencies

A responsible agency refers to a public agency other than the lead agency that has discretionary approval over a project or plan. The seven incorporated cities of Arcata, Blue Lake, Eureka, Ferndale, Fortuna, Rio Dell, and Trinidad plan to also adopt the RCAP and are responsible agencies.



### 1.4.3 Trustee Agencies

A trustee agency refers to a State agency having jurisdiction by law over natural resources affected by a project or plan. The CDFW is a trustee agency for the proposed plan.

## 1.5 Environmental Review Process

The environmental impact review process, as required under CEQA, is summarized below and illustrated in Figure 1-1. The steps are presented in sequential order.

1. **Notice of Preparation (NOP).** After deciding that an EIR is required, the lead agency (Humboldt County) filed a NOP soliciting input on the EIR scope to the State Clearinghouse, other concerned agencies, and parties previously requesting notice in writing (CEQA Guidelines Section 15082; Public Resources Code Section 21092.2). The NOP for this EIR was posted in the Humboldt County Clerk's office for 30 days. In addition, the County held an EIR Scoping Meeting on September 17, 2024.
2. **Draft EIR.** This Draft EIR contains the following required components: a) table of contents or index; b) summary; c) project description; d) environmental setting as part of the various topical sections; e) discussion of significant impacts (direct, indirect, cumulative, growth-inducing, and unavoidable impacts) as part of the various topical sections; f) a discussion of alternatives; g) mitigation measures as part of the various topical sections; and h) discussion of irreversible change (CEQA Guidelines Sections 15120 through 15132).
3. **Notice of Completion (NOC).** The lead agency must file a NOC with the State Clearinghouse when it completes a Draft EIR and prepare a Public Notice of Availability of a Draft EIR. The lead agency must place the NOC in the County Clerk's office for 30 days (Public Resources Code Section 21092) and send a copy of the NOC to anyone requesting it (CEQA Guidelines Section 15087). Additionally, public notice of Draft EIR availability must be given through at least one of the following procedures: a) publication in a newspaper of general circulation; b) posting on and off the project site (not appropriate for citywide or plan-level efforts such as the proposed plan); and c) direct mailing to owners and occupants of contiguous properties (not appropriate for citywide or plan-level efforts such as the proposed plan). The lead agency must solicit input from other agencies and the public and respond in writing to all comments received (Public Resources Code Sections 21104 and 21253). The minimum public review period for a Draft EIR is 30 days. When a Draft EIR is sent to the State Clearinghouse for review, the public review period must be 45 days unless the State Clearinghouse approves a shorter period (Public Resources Code Section 21091). Given such requirements, this Draft EIR will be noticed via publication in a newspaper of general circulation and involve a 45-day public review and comment period.
4. **Final EIR.** A Final EIR must include the following components: a) the Draft EIR; b) copies of comments received during public review; c) list of persons and entities commenting; and d) responses to comments (CEQA Guidelines Section 15132).
5. **Final EIR Certification.** Prior to making a decision on the proposed plan, the lead agency must certify that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the decision-making body of the lead agency (i.e., Humboldt County); and c) the decision-making body reviewed and considered the information in the Final EIR prior to approving the proposed plan (CEQA Guidelines Section 15090).
6. **Lead Agency Plans Decision.** The lead agency may a) disapprove the proposed plan because of its significant environmental effects; b) require changes to the proposed plan to reduce or avoid

significant environmental effects; or c) approve the proposed plan despite its significant environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines Sections 15042 and 15043).

7. **Findings/Statement of Overriding Considerations.** For each significant impact of the proposed plan identified in the EIR, the lead agency must find, based on substantial evidence, that either:
  - a) the proposed plan has been changed to avoid or substantially reduce the magnitude of the impact;
  - b) changes to the proposed plan are within another agency's jurisdiction and such changes have or should be adopted; or
  - c) specific economic, social, or other considerations make the mitigation measures or proposed plan alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a plan or project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.
8. **Mitigation Monitoring Reporting Program.** When the lead agency makes findings on significant effects identified in the EIR, it must adopt a reporting or monitoring program for mitigation measures that were adopted or made conditions of project approval to mitigate significant effects (CEQA Guidelines Section 15097).
9. **Notice of Determination (NOD).** The lead agency must file a NOD after deciding to approve a plan or project for which an EIR is prepared (CEQA Guidelines Section 15094). A local agency must file the NOD with the County Clerk. The NOD must be posted for 30 days and sent to anyone previously requesting notice. Posting of the NOD starts a 30-day statute of limitations on CEQA legal challenges (Public Resources Code Section 21167[c]).

**Figure 1-1 Environmental Review Process**

