

## 2. Introduction

The County of Humboldt is the project sponsor for the Samoa Peninsula Wastewater Project (project). The Peninsula Community Services District (PCSD), which is anticipated to be fully formed by the early 2019, is the project proponent and would be responsible for construction and operation of the project.

The California Environmental Quality Act (CEQA) requires that discretionary decisions by public agencies be subject to environmental review. The project is subject to the provisions of the CEQA because it will result in a physical change in the environment and involves the issuance of discretionary approvals, permits, and entitlements. The County of Humboldt will serve as the lead agency for CEQA compliance because it is the public agency which has the principal responsibility for approving the project.

Humboldt County is sponsoring the planning for the project and has served as the applicant for the State Water Resources Control Board grant funding because the PCSD was not yet official formed. Humboldt County is responsible for amending the LCP to allow the project to be developed and approving, with the Coastal Commission, Coastal Development Permits to allow the construction of the project.

Funding has been provided in full or in part through an agreement with the State Water Resources Control Board using funds from Proposition 1. The contents of this document do not necessarily reflect the views and policies of the foregoing, nor does mention of trade names or commercial products constitute endorsement or recommendation for use.

### 2.1 Overview of the California Environmental Quality Act Process

The California Environmental Quality Act (CEQA) requires that discretionary decisions by public agencies be subject to environmental review. The purpose of an Environmental Impact Report (EIR) is to identify the significant effects of the project on the environment, to identify alternatives to the project, and to indicate the manner in which those significant effects can be mitigated or avoided (Public Resources Code [PRC] Section 21002.1[a]). Each public agency is required to mitigate or avoid the significant effects on the environment of projects it approves or carries out whenever it is feasible.

This Draft EIR has been prepared by the County of Humboldt (County) for the proposed Samoa Peninsula Wastewater Project (project) pursuant to CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (California Code of Regulations Section 15000 et seq.). Environmental effects of the project that must be addressed include the significant effects of the project, growth-inducing effects of the project, and significant cumulative effects of past, present, and reasonably anticipated future projects.

The purpose of an EIR is not to recommend either approval or denial of a project. CEQA requires decision-makers to balance the benefits of a project against its unavoidable environmental effects in deciding whether to carry out a project. The lead agency will consider the Draft EIR, comments received on the Draft EIR, and responses to those comments before making a final decision. If significant environmental effects are identified, the lead agency must adopt “Findings” indicating whether feasible mitigation measures or alternatives exist that can avoid or reduce those effects. If

significant environmental impacts are identified as unavoidable after proposed mitigation, the lead agency may still approve the project if it determines that the social, economic, or other benefits outweigh the unavoidable impacts. The lead agency would then be required to prepare a “Statement of Overriding Considerations” that discusses the specific reasons for approving the project, based on information in the EIR and other information in the administrative record.

## 2.2 Background

The communities of Fairhaven and Finntown, and surrounding areas on the Samoa Peninsula, do not have a wastewater collection and treatment system, and instead use individual onsite septic systems that discharge to individual leachfields. The DG Fairhaven Power Facility discharges to an existing ocean outfall.

Existing septic and leachfield systems in the area predominantly pre-date current standards for adequate soil conditions and groundwater separation. The near-sea-level ground elevation and influence of tidal waters results in a shallow groundwater table, that is susceptible to further rise in conjunction with fluctuations of sea level. This, coupled with the fast-draining sandy soils comprising the peninsula presents a situation preventing adequate biological and filtrative treatment of wastewater compliant with current onsite waste treatment system (OWTS) regulations.

In May 2018 the County of Humboldt Planning and Building Department finalized the Samoa Peninsula Wastewater Project Planning and Design Study (PER) to evaluate the feasibility and cost of potential wastewater collection, treatment, and disposal options for the town of Samoa, Fairhaven, and Finntown. The main focus of the PER was to evaluate the opportunities, identify constraints and approaches to address the constraints, and ultimately determine the path of future wastewater development on the Samoa Peninsula.

## 2.3 Purpose and Authority

This Draft EIR is a project-level environmental document that analyzes construction and operation of the Samoa Peninsula Wastewater Project. Humboldt County has commissioned the preparation of this Draft EIR to disclose the potential environmental effects that may result from the construction and operation of the project in accordance with the requirements of CEQA.

The environmental impacts of the proposed project are analyzed in the EIR to the degree of specificity appropriate, in accordance with CEQA Guidelines Section 15146. This document addresses the potentially significant adverse environmental impacts that may be associated with the project. It also identifies appropriate and feasible mitigation measures and alternatives that may be adopted to significantly reduce or avoid these impacts.

## 2.4 Lead Agency Determination

The County of Humboldt is designated as the lead agency for the project. CEQA Guidelines Section 15367 defines the lead agency as “. . . the public agency, which has the principal responsibility for carrying out or approving a project.” Other public agencies may use this Draft EIR in the decision-making or permit process and consider the information in this Draft EIR along with other information that may be presented during the CEQA process, including, but not limited to, the California Coastal Commission. The Coastal Commission will serve as a responsible agency pursuant to CEQA Guidelines Section 15381 because the project requires amending the Local Coastal Plan. The

Peninsula Community Services District, which is in-process of formation and anticipated to be fully formed by early 2019, will be responsible for approving the project and implementing the project.

As discussed above, the County of Humboldt is designated as the lead agency for the project because they have principal responsibility for approving the project. This Draft EIR was prepared by GHD and SHN, environmental consultants. Prior to public review, it was extensively reviewed and evaluated by the County of Humboldt. This Draft EIR reflects the independent judgment and analysis of the County of Humboldt as required by CEQA. Lists of organizations and persons consulted and the report preparation personnel are provided in Section 8 of this Draft EIR.

## 2.5 Intended Uses of the EIR

The purpose of an EIR is to provide a clear understanding of the environmental impacts associated with the construction and operation of a project. To do this, an EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the Notice of Preparation (NOP) is published, from both a local and regional perspective. This environmental setting normally constitutes the baseline physical conditions by which the lead agency determines whether an impact is significant. The lead agency, the County of Humboldt, is the decision-making body that will consider the adequacy of the EIR, ultimately certifying if found adequate, and consider approval of the project.

In addition to the lead agency, other responsible and trustee agencies may use this EIR in approving permits or providing recommendations for the project. These agencies include, but are not limited to:

- Coastal Commission – Certify Humboldt Bay Area Plan (HBAP), Coastal Development Permit
- Caltrans – Encroachment Permit
- North Coast Regional Water Quality Control Board - National Pollutant Discharge Elimination System, Report of Waste Discharge, 401 Water Quality Certification
- State Water Resources Control Board - Construction General Permit
- California State Lands Commission – Lease

## 2.6 Public Involvement and Scoping Process

### 2.6.1 Notice of Preparation

On April 30, 2018, the Notice of Preparation (NOP) for the Humboldt County Samoa Peninsula Wastewater Project EIR was distributed (included in Appendix A). The NOP was mailed to the State Clearinghouse and the reviewing State agencies, as well as local and regional agencies, triggering the start of a 30-day scoping period. A public notice on the NOP was also mailed to property owners within the project area. On May 16, 2018 a public scoping meeting was held at the Fairhaven Fire Station, to solicit input regarding the issues that should be addressed in the EIR. The scoping period ended on May 30, 2018. Seven letters were received during the scoping period, and one comment card was submitted during the scoping meeting (included in Appendix B). Table 2-1, below, summarizes the comment letters and concerns.

## 2.6.2 Environmental Issues Determined Not to Be Significant

The NOP identified topical areas that were determined not to be significant. An explanation of why each area is determined not to be significant is provided in Section 7, Effects Found Not To Be Significant. These topical areas are as follows:

- Agriculture and Forestry Resources.
- Mineral Resources

Table 2-1 NOP Comment Letters

Affiliation	Signatory	Date	Topic(s) of Concern	EIR Section(s) where Topics are Addressed
<b>State Agencies</b>				
Native American Heritage Commission (NAHC)	Frank Lienert, Associate Governmental Program Analyst	May 7, 2018	AB 52 and SB 18 Compliance	Section 4.4, Cultural and Tribal Cultural Resources
State Water Resources Control Board (SWRCB)	Barry Sutter, P.E., Klamath District Engineer	May 16, 2016	No Environmental Topics	N/A
California Department of Fish and Wildlife (CDFW)	Curt Babcock, Habitat Conservation Program Manager	May 18, 2018	Special-status species and sensitive habitats	Section 4.3, Biological Resources
California Coastal Commission (CCC)	Melissa B. Kraemer, Supervising Analyst	May 30, 2018	Scenic and Visual Resources Wetland, marine habitat, environmental sensitive habitat areas (ESHA), and other biological resources Hazards and hazardous materials Flooding and water quality Recreation/public access	Section 4.1, Aesthetics  Section 4.3, Biological Resources  Section 4.7, Hazards and Hazardous Materials Section 4.8, Hydrology and Water Quality  Section 4.12, Public Services and Recreation
<b>Regional and Local Agencies</b>				
Humboldt Bay Harbor, Recreation and Conservation District	Larry Oetker, Executive Director	May 30, 2018	No Environmental Topics	N/A
Humboldt Local Agency Formation Commission (LAFCO)	Colette Metz	May 30, 2018	No Environmental Topics	N/A
Humboldt County Department of Health & Human Services (DHHS)	Benjamin Dolf, R.E.H.S., Senior Environmental Health Specialist	May 31, 2018	Project Description	Section 3.0 Project Description
<b>Private Parties</b>				
	Jennifer Jensen	May 29, 2018	Hydrology and water quality	Section 4.8, Hydrology and Water Quality

### 2.6.3 Potentially Significant Environmental Issues

The NOP found that the following topical areas may contain potentially significant environmental issues that will require further analysis in the EIR. These sections are as follows:

Aesthetics	Hydrology and Water Quality
Air Quality	Land Use and Planning
Biological Resources	Noise
Cultural and Tribal Resources	Population and Housing
Geology, Soils, and Seismicity	Public Services and Recreation
Greenhouse Gas Emissions	Transportation and Traffic
Hazards and Hazardous Materials	Utilities and Service Systems

## 2.7 Organization of this EIR

This Draft EIR is organized into chapters, as identified and briefly described below. Chapters are further divided into sections (e.g., Section 4.1, Aesthetics).

- **Chapter 1, Executive Summary.** The executive summary summarizes the project, project impacts, and mitigation measures applied to the project.
- **Chapter 2, Introduction.** Describes the purpose and organization of the Draft EIR, context, and terminology used in the Draft EIR. This section also describes the public scoping process and comment period.
- **Chapter 3, Project Description.** Describes the project objectives, project location, background, project characteristics, and project components.
- **Chapter 4, Environmental Analysis.** For each environmental resource area, this section describes the existing environmental and regulatory setting, discusses the environmental impacts associated with the proposed project, identifies feasible mitigation measures to reduce or eliminate those impacts, and provides conclusions on significance.
- **Chapter 5, Alternatives.** This section describes the alternatives to the proposed project that are being considered to mitigate the project's environmental impacts while meeting most of the project's objectives.
- **Chapter 6, Other CEQA Related Impacts.** This section describes the unavoidable significant impacts, growth-inducing, and irreversible impacts.
- **Chapter 7, Effects Found Not To Be Significant.** This section contains analysis of the topical sections not addressed in Chapter 4.
- **Chapter 8, List of Preparers.** This section identifies the Draft EIR authors and consultants who assisted in the preparation of the Draft EIR, by name and affiliation.
- **Appendices.** The appendices contain various technical reports and publications that have been summarized or otherwise used for preparation of the Draft EIR.

## 2.8 Document Incorporated by Reference

As permitted by CEQA Guidelines Section 15150, this Draft EIR has referenced several technical studies, analyses, and previously certified environmental documentation. Information from the documents, which have been incorporated by reference, has been briefly summarized in the appropriate section(s). The relationship between the incorporated part of the referenced document and the Draft EIR has also been described. The documents and other sources that have been used in the preparation of this Draft EIR include but are not limited to:

- County of Humboldt General Plan and EIR
- Humboldt Bay Area Plan
- Samoa Townsite Master Plan and EIR

These documents are specifically identified at the end of each section for which the document was referenced. In accordance with CEQA Guidelines Section 15150(b), the referenced documents and other sources used in the preparation of the Draft EIR are available for review at the County of Humboldt office at the address shown in Section 2.10 below.

## 2.9 Documents Prepared for the Project

The following technical studies and analyses were prepared for the proposed project:

- CalEEMod Outputs (Appendix D)
- Archaeological Survey Report, prepared by Roscoe and Associates
- Natural Resources Assessment – RMT II Samoa Effluent Pipeline Project, prepared by SHN (Appendix E)
- Wetland and Other Waters Delineation Report – RMT II Samoa Effluent Pipeline Project, prepared by SHN (Appendix E)
- Natural Resources Assessment – Samoa Peninsula Wastewater Project, prepared by SHN (Appendix E)
- Wetland and Other Waters Delineation Report – Samoa Peninsula Wastewater Project, prepared by SHN (Appendix E)
- Geologic Hazard Evaluation and Soils Engineering Report, prepared by SHN (Appendix F)
- Hazardous Materials Corridor Study, prepared by SHN (Appendix H)

## 2.10 Review of the Draft EIR

The Draft EIR will be circulated for 45 days, from January 31, 2019 to March 18, 2019, to allow interested individuals and public agencies time to review and comment on the document. Written comments on the Draft EIR will be accepted by the County until 5:00 pm on March 18, 2019. Public agencies, interested organizations and individuals are encouraged to submit comments on the Draft EIR, with the title “Samoa Peninsula Wastewater Project Comments on Draft EIR,” to:

John Miller, Senior Planner  
Planning and Building Department  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

To facilitate understanding of the comments, please provide a separate sentence or paragraph for each comment, and note the page and section of the Draft EIR to which the comment is directed.

The Draft EIR is available for review at the County of Humboldt Planning and Building Department office located at 3015 H Street in Eureka, California. The Draft EIR is also available at the Samoa Peninsula Fire District Firehouse, located at 1982 Gass Street, Samoa, CA 95564. It is available in downloadable Adobe Acrobat format on the County’s website at <https://humboldt.gov/2364/Long-Range-Planning-Projects>.

At the end of the public review period, written responses will be prepared for comments received on the Draft EIR. The comments and responses will be included in the Final EIR and will be considered by the County prior to consideration of the adequacy of the EIR. Prior to approval of the project, the County must certify that the EIR has been completed in compliance with CEQA.