

1.0 INTRODUCTION

1.1 OVERVIEW OF THE CEQA PROCESS

This Draft Environmental Impact Report (EIR) is prepared in accordance with the California Environmental Quality Act (CEQA) to evaluate the potential environmental impacts associated with the implementation of the North McKay Ranch Subdivision Project (proposed project). This document is prepared in conformance with CEQA (California PRC Section 21000, et seq.) and the CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000, et seq.). This Draft EIR is intended to serve as an informational document for the public agency decision makers and the public regarding the proposed project.

1.1.1 Overview

The proposed project consists of the development of 320 dwelling units, 22,000 square feet of commercial uses, and a water storage tank. Housing units would include 174 multi-family apartments, and 146 single-family residences. The project would also provide access points to future trails planned for the proposed project. The project site would be annexed into Humboldt Community Services District (HCSD) for provision of utilities. The water storage tank would be owned and operated by HCSD. Section 2, Project Description, provides a complete description of the project.

1.1.2 Purpose and Authority

This Draft EIR has been prepared pursuant to the State CEQA Guidelines (14 CCR 15000 et seq.). CEQA requires that State and local government agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (California PRC Section 21000, et seq.).

According to CCR Section 15064(f)(1), preparation of an EIR is required whenever a project may result in a significant adverse environmental impact. The purpose of this Draft EIR is to analyze the environmental impacts of the proposed project, to indicate ways to reduce or avoid potential environmental impacts, and to identify alternatives. CEQA requires that each public agency mitigate or avoid the significant environmental effects of projects it approves or implements whenever feasible.

An EIR is an informational document used in state, regional, and local planning, and in decision-making processes to meet the requirements of CEQA. The purpose of the EIR is not to recommend approval or denial of a project. However, the public agency's decision whether to approve or to deny the project must take into consideration the information provided by the EIR. A public agency may approve a project even if it would result in significant and unavoidable environmental impacts.

The Draft EIR must disclose the proposed project's environmental effects, including those that cannot be avoided; growth inducing effects; effects found not to be significant; and cumulative impacts.



1.1.3 Type of Environmental Impact Report

In accordance with CCR Section 15161, this document is a project-level EIR that examines the environmental impacts of a specific project. This type of EIR focuses on the changes in the environment that would result from a specific project. In accordance with CCR Section 15161, a project EIR must examine the environmental effects of all phases of the project, including construction and operation. Additional resource-specific studies such as air quality, biological resources, cultural resources, historic resources, noise, traffic, as well as others, have been prepared for this Draft EIR to provide detailed information about the proposed project's potential impacts on the environment. The mitigation measures identified in this Draft EIR are sufficiently detailed to ensure that they would be effectively carried out to reduce the proposed project's impacts.

CEQA requires that an EIR contain, at a minimum, certain specific elements. These elements are contained in this Draft EIR and include:

- Table of Contents
- Introduction
- Executive Summary
- Project Description
- Environmental Setting, Significant Environmental Impacts, and Mitigation Measures
- Cumulative Impacts
- Significant Unavoidable Adverse Impacts
- Alternatives to the Proposed Project
- Effects Found Not To Be Significant
- Growth-Inducing Impacts

1.1.4 Lead Agency Determination

Humboldt County (County) 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.

This Draft EIR was prepared by the County with technical assistance provided by Stantec Consulting Services Inc. (Stantec), an environmental consultant. Prior to public review, this Draft EIR was extensively reviewed and evaluated by the County staff and, as such, the Draft EIR reflects the independent judgment and analysis of the County as required by CEQA. Lists of organizations and persons consulted, and the report preparation personnel, are provided in Section 8 of this Draft EIR.



1.1.5 Project of Statewide, Regional, or Areawide Environmental Significance

CEQA Guidelines Section 15206 identifies the types of projects considered to be of Statewide, Regional, or Areawide Significance. When a project is classified, its Draft EIR shall be submitted to the State Clearinghouse of the Governor’s Office of Planning and Research (OPR), as well as the appropriate metropolitan area council of government.

The proposed project meets the following criteria defining projects of Statewide, Regional, or Areawide Significance:

- The proposed project would require a general plan amendment and an EIR is being prepared.

1.2 SCOPE OF THE EIR

This Draft EIR addresses the potential environmental effects of the proposed project. The County originally issued a NOP for the proposed project on April 19, 2019. However, a revised NOP was circulated on May 21, 2019 to include environmental issues determined to have a less than significant impact. The revised NOP was circulated between May 21, 2019 and June 20, 2019 for the statutory 30-day public review period. The scope of this Draft EIR addresses the potential environmental impacts identified in the NOP and environmental concerns raised by agencies and the public in response to the NOP. Seven comment letters were received in response to the NOP from public agencies. The NOP is contained in Appendix A of this Draft EIR.

Pursuant to CEQA Guidelines Section 15082(c)(1), the County held a scoping meeting for the proposed project on June 13, 2019 at Cutten Elementary School, located at 4182 Walnut Drive, Eureka, California 95503. Both written and oral comments were received from private parties during and post scoping meeting. All written commenters are listed in Table 1-1 and provided in Appendix A of this Draft EIR. Oral comments were also made during the scoping meeting and raised similar concerns as noted in the written comments.

Table 1-1: NOP Comment Letters

Affiliation	Signatory	Date	EIR Section Where Comment Addressed
Public Agencies			
California Department of Forestry and Fire Protection (CALFIRE)	Planning Battalion CALFIRE Humboldt – Del Norte Unit	March 29, 2019	<ul style="list-style-type: none"> • Section 3.2, Agriculture and Forestry Resources • Section 3.9, Hazards and Hazardous Materials • Section 3.19, Wildfire
California Department of Fish and Wildlife (CDFW)	Curt Babcock, Habitat Conservation Program Manager	April 23, 2019	<ul style="list-style-type: none"> • Section 3.4, Biological Resources



Affiliation	Signatory	Date	EIR Section Where Comment Addressed
Humboldt Local Agency Formation Commission (LAFCo)	George Williamson, LAFCo Senior Advisor	May 8, 2019	<ul style="list-style-type: none"> Section 3.11, Land Use and Planning Section 3.14, Public Services Section 3.15, Recreation Section 3.18, Utilities and Service Systems
Native American Heritage Commission	Gayle Totton, Associate Governmental Program Analyst	April 16, 2019	<ul style="list-style-type: none"> Section 3.5, Cultural Resources Section 3.17, Tribal Cultural Resources
North Coast Regional Water Quality Control Board (RWQCB)	Brendan Thompson, Environmental Scientist	May 17, 2019	<ul style="list-style-type: none"> Section 3.4, Biological Resources Section 3.9, Hydrology and Water Quality
US Army Corps of Engineers (USACE)	L. Kasey Sirkin, USACE – San Francisco District Lead Biologist- Eureka Field Office	May 29, 2019	<ul style="list-style-type: none"> Section 3.4, Biological Resources
City of Eureka	Kristen M. Goetz, Senior Planner, Community Development Division Development Services Department	May 31, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation
Private Parties¹			
Neighbor	Solomon Everta	June 13, 2019	<ul style="list-style-type: none"> Section 3.4, Biological Resources Section 3.14, Public Services Section 3.15, Recreation Section 3.16, Transportation Section 3.18, Utilities and Service Systems
Neighbor	Bill Hole	June 13, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation
Neighbor	Katherine Bettis	June 13, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation Chapter 5.0, Alternatives to the Proposed Project
Neighbor	Mary Hurley	June 15, 2019	<ul style="list-style-type: none"> Section 3.4, Biological Resources
Neighbor	Melinda Walsh	June 14, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation
Neighbor	Rebecca Eldredge	June 19, 2019	<ul style="list-style-type: none"> Section 3.11, Land Use and Planning Section 3.14, Public Services Section 3.15, Recreation Section 3.16, Transportation
Neighbor	Teddee Boylan	June 14, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation
Neighbor	Wayne A Palmrose	June 14, 2019	<ul style="list-style-type: none"> Section 3.16, Transportation



Affiliation	Signatory	Date	EIR Section Where Comment Addressed
Neighbor	Rebecca Avila	June 17, 2019	<ul style="list-style-type: none"> Section 3.2, Agricultural and Forestry Resources Section 3.16, Transportation
Law Firm	Earthjustice	June 19, 2019	<ul style="list-style-type: none"> Section 3.3, Air Quality Section 3.6, Energy Section 3.8, Greenhouse Gas Emissions and Climate Change Section 3.19, Wildfire
Neighbor	Alicia Sidebottom	June 26, 2019	<ul style="list-style-type: none"> Section 3.1, Aesthetics Section 3.14, Public Services Section 3.16, Transportation Section 3.18, Utilities and Service Systems

Notes:

1. Written comments taken at the Scoping Meeting held on June 13, 2019.
2. Oral comments taken at the Scoping Meeting held on June 13, 2019.

1.2.1 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. The one topical area determined not to be significant was:

- Mineral Resources

In addition, certain subjects with various topical areas were determined not to be significant. Other potentially significant issues are analyzed in these topical areas; however, the following issues are not analyzed:

- Loss of important farmlands (Section 3.2, Agricultural and Forestry Resources)
- Conflicts with Williamson Act (Section 3.2, Agricultural and Forestry Resources)
- Conversion of neighboring farmland (Section 3.2, Agricultural and Forestry Resources)
- Septic and Alternative Wastewater Disposal Systems (Section 3.7, Geology and Soils)
- Aviation hazards (Section 3.9, Hazards and Hazardous Materials)
- 100-Year Flood (Section 3.10, Hydrology and Water Quality)
- Levee or dam failure (Section 3.10, Hydrology and Water Quality)
- Seiche tsunami or mud flows (Section 3.10, Hydrology and Water Quality)
- Aviation noise (Section 3.12, Noise)
- Displacement of people/housing (Section 3.13, Population and Housing)
- Air traffic patterns (Section 3.16, Transportation)



An explanation of why each issue is determined not to be significant is provided in Section 7, Effects Found Not To Be Significant.

1.2.2 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
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions and Climate Change
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

1.3 ORGANIZATION OF THE EIR

This Draft EIR is organized into the following main sections:

- **Section ES: Executive Summary.** This section includes a summary of the proposed project and alternatives to be addressed in the Draft EIR. A brief description of the areas of controversy and issues to be resolved, in addition to a table that summarizes the impacts, mitigation measures, and level of significance after mitigation, are also included in this section.
- **Section 1: Introduction.** This section provides an introduction and overview describing the purpose of this Draft EIR, its scope and components, and its review and certification process.
- **Section 2: Project Description.** This section includes a detailed description of the proposed project, including its location, site, and project characteristics. A discussion of the project objectives, intended uses of the Draft EIR, responsible agencies, and approvals that are needed for the proposed project are also provided.
- **Section 3: Environmental Impact Analysis.** This section analyzes the environmental impacts of the proposed project. Impacts are organized into major topic areas. Each topic area includes a description of the environmental and regulatory setting, methodology, significance criteria, impacts, mitigation measures, and level of significance after mitigation. The specific environmental topics that are addressed within Section 3 are as follows:
 - o **Section 3.1 – Aesthetics:** Addresses the potential visual impacts of development intensification and the overall increase in illumination produced by the project.
 - o **Section 3.2 – Agricultural and Forestry Resources:** Addresses the potential conversion of Important Farmland to non-agricultural use, as well as conflicts with Williamson Act contracts and agricultural zoning.



- o **Section 3.3 – Air Quality:** Addresses the potential air quality impacts associated with project implementation, as well as consistency with adopted air quality plans.
- o **Section 3.4 – Biological Resources:** Addresses the potential impacts on habitat, vegetation, and wildlife; the potential degradation or elimination of important habitat; and impacts on listed, proposed, and candidate threatened and endangered species.
- o **Section 3.5 – Cultural Resources:** Addresses the potential impacts on known historical resources and potential archaeological and paleontological resources.
- o **Section 3.6 – Energy:** Addresses the potential impacts due to wasteful, inefficient, or unnecessary consumption of energy resources; and if the proposed project conflicts with a state or local plan for renewable energy.
- o **Section 3.7 – Geology and Soils:** Addresses the potential impacts on soils and assesses the effects of project development in relation to geologic and seismic conditions.
- o **Section 3.8 – Greenhouse Gas Emissions:** Addresses the potential impacts of greenhouse gas emissions generated by construction and operation of the proposed project.
- o **Section 3.9 – Hazards and Hazardous Materials:** Addresses the potential for the presence of hazardous materials or conditions on the project site and in the project area that may have the potential to impact human health and the environment.
- o **Section 3.10 – Hydrology and Water Quality:** Addresses the potential impacts on local hydrological conditions, including drainage areas, and changes in the flow rates.
- o **Section 3.11 – Land Use and Planning:** Addresses whether the proposed project would conflict with a land use plan, policy, or regulation.
- o **Section 3.12 – Noise:** Addresses the potential noise impacts during construction and at project buildout from mobile and stationary sources. The section also addresses the impact of noise generation on neighboring uses.
- o **Section 3.13 – Population and Housing:** Addresses the potential to induce substantial population growth, displace substantial numbers of existing housing, and to displace substantial numbers of people that would require the construction of housing in another location.
- o **Section 3.14 – Public Services:** Addresses the potential impacts on public service providers, including fire, police, schools, parks, and other public facilities.
- o **Section 3.15 – Recreation:** Addresses the potential impacts on recreational facilities.
- o **Section 3.16 – Transportation:** Addresses the potential impacts on the local and regional roadway system, public transportation, bicycle, and pedestrian access.
- o **Section 3.17 – Tribal Cultural Resources:** Addresses the potential impacts of project development on tribal cultural resources (TCRs).
- o **Section 3.18 – Utilities and Service Systems:** Addresses the potential impacts on water supply, wastewater, stormwater drainage, and solid waste.
- o **Section 3.19 – Wildfire:** Addresses the potential impacts of project development if located in or near a state responsibility area (SRA) or on lands classified as very high fire hazard severity zones.



- **Section 4: Cumulative Effects:** This section analyzes the proposed project's environmental impacts in combination with the impact of other past, present, and probable future projects.
- **Section 5: Alternatives to the Proposed Project:** This section compares the impacts of the proposed project with three project alternatives: the No Project Alternative, the Site Plan Redesign Alternative, and the Reduced Density Alternative. An environmentally superior alternative is identified. In addition, alternatives initially considered but rejected from further consideration are discussed.
- **Section 6: Other CEQA Considerations:** This section provides a summary of significant environmental impacts, including unavoidable and growth-inducing impacts. In addition, the proposed project's energy demand is discussed.
- **Section 7: Effects Found Not To Be Significant:** This section contains analysis of the topical sections not addressed in Section 3.
- **Section 8: List of Preparers and Organizations Consulted:** This section contains a full list of persons and organizations that were consulted during the preparation of this Draft EIR, as well as the authors who assisted in the preparation of the Draft EIR, by name and affiliation.
- **Section 9: References:** This section contains a full list of references that were used in the preparation of this Draft EIR.
- **Appendices:** This section includes all notices and other procedural documents pertinent to the Draft EIR, as well as all technical material prepared to support the analysis.

1.4 DOCUMENTS 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:

- Humboldt County General Plan
- Humboldt County Code
- City of Eureka Community Plan
- Humboldt County General Plan Draft EIR
- Draft McKay Community Forest Trail Plan
- Municipal Service Review for the HCSD Sphere of Influence (SOI) Report

1.5 DOCUMENTS PREPARED FOR THE PROJECT

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

- NOP with Comments Received (Appendix A)
- Air Assumptions/Modeling, prepared by Stantec (Appendix B)



- Biological Report, prepared by SHN Consulting Engineers & Geologists Inc. (Appendix C1)
- Wetland Delineation, prepared by SHN Engineers & Geologists Inc. (Appendix C1)
- Mitigation, Monitoring, and Reporting Plan prepared by SHN Consulting Engineers & Geologists Inc. (Appendix C1)
- Aquatic Resources Delineation prepared by Stantec Consulting Services Inc. (Appendix C1)
- Survey Results Memorandum for the Water Tank Site prepared by Stantec Consulting Services Inc. (Appendix C1)
- California Department of Fish and Wildlife California Natural Diversity Database Selected Elements by Scientific Name. (Appendix C2)
- Cultural Resources Investigation, prepared by Roscoe and Associates (Appendix D1, Confidential)
- A Cultural Resources Investigation Addendum - Water Storage Tank, prepared by Archaeological Research and Supply Company (Appendix D2, Confidential)
- Geologic and Geotechnical Investigation, prepared by SHN Engineers & Geologists Inc. (Appendix E)
- Preliminary Hydrologic/Drainage Study, prepared by Ontiveros and Associates Inc. (Appendix F)
- Noise Analysis, prepared by Stantec (The analysis is wholly contained in Section 3.12, Noise; modeling data is provided in Appendix G)
- Focused Traffic Study, prepared by TJKM Transportation Consultants (Appendix H)

1.6 REVIEW OF THE DRAFT EIR

Upon completion of the Draft EIR, the County filed a Notice of Completion with the OPR to begin the public review period (PRC Section 21161). Concurrent with the Notice of Completion, this Draft EIR has been distributed to responsible and trustee agencies, other affected agencies, surrounding cities, and interested parties, as well as all parties requesting a copy of the Draft EIR in accordance with PRC 21092(b)(3).

Due to the state of emergency declared in response to the COVID-19 pandemic, hard copies of the Draft EIR will not be available for public review, except by request. Pursuant to California Governor Gavin Newsom's Executive Order N-54-20, during the public review period, the Draft EIR, including the technical appendices, is available electronically at: <https://humboldt.gov/2755/North-McKay-Ranch>. A copy will not be available for public review at a certain location because public buildings, such as county buildings, including the Humboldt County Library, are currently closed due to the state of emergency and to minimize the risk of spreading COVID-19 that could result from multiple people reviewing a single document. If you wish to request a hard copy of the Draft EIR, please contact the Humboldt County Planning & Building Department at (707) 445-7541 to make arrangements.



Introduction

Agencies, organizations, and interested parties have the opportunity to comment on the Draft EIR during the 45-day public review period that starts May 15, 2020 and ends June 29, 2020. Written comments on this Draft EIR should be addressed to:

Trevor Estlow
County of Humboldt
Planning and Building Department
3015 "H" Street
Eureka, CA 95501
Phone: (707) 445-7541
Email: CEQAResponses@co.humboldt.ca.us

Submittal of electronic comments in Microsoft Word or Adobe PDF format is encouraged. Upon completion of the public review period, written responses to all significant environmental issues raised will be prepared and made available for review by the commenting agencies at least 10 days prior to the public hearing, at which the certification of the Final EIR will be considered. Comments received and the responses to comments will be included as part of the record for consideration by decision makers for the proposed project.

