County of Humboldt

Samoa Peninsula Wastewater Project

Final Environmental Impact Report Response to Comments

SCH #2018042083

June 2020

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.

Final Environmental Impact Report
Response to Comments for

Samoa Peninsula Wastewater Project

SCH #2018042083

Prepared for:

County of Humboldt, Lead Agency
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June 2020

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ATTACHMENTS

1. Introduction

The Final EIR for the Samoa Peninsula Wastewater Project (Project) consists of the Draft EIR, comments on the Draft EIR, responses to those comments, and revisions to the Draft EIR. Comments, responses, and revisions to the Draft EIR are found in this volume.

Organization of the Final EIR

The Final EIR consists of four sections:

Chapter 1 – Introduction. This chapter provides an introduction to the CEQA and project approval process, describes public involvement, and lists comments received on the Draft EIR.

Chapter 2 – Comment Letters and Responses to Comments. Copies of the comment letters and the responses to comments are included in this chapter. All comments received through August 25, 2017 are responded to in this Chapter.

Chapter 3 – Lead Agency Revisions to Draft EIR. This chapter includes revisions and clarifications to the text of the Draft EIR that have been identified by the County of Humboldt and its consultants.

Chapter 4 – References. This chapter includes new reference materials that were used in preparation of the Final EIR.

EIR Certification and Project Approval Process

The Humboldt County Planning Commission is tentatively set to consider the Samoa Peninsula Wastewater Project EIR and provide a recommendation to the Board of Supervisors on whether to certify the EIR at a regularly scheduled meeting on October 6, 2020. The Board of Supervisors will consider certification of the EIR, and adoption of the Project soon after that. The Board of Supervisors meeting may be held at the Board Chambers located at the Humboldt County Courthouse at 825 5th Street, Eureka, CA 95501 or in accordance with Executive Order N-29-20 the meeting may be held virtually via telephone and using video software whereby members of the public can view or listen to the meeting and provide public comments. To certify the Final EIR, the Board must find that (per CEQA Guidelines Section 15090):

1. The Final EIR has been completed in compliance with CEQA; and
2. The Final EIR was presented to the decision-making body of the lead agency and that the decision-making body reviewed and considered the information contained in the Final EIR prior to approving the Project.
3. The Final EIR reflects the lead agency's independent judgment and analysis.

At the time of project approval, the Board of Supervisors, as the decision-making body, must consider the information presented in the Final EIR. All significant impacts identified in the Draft EIR have been substantially lessened with mitigation measures (CEQA Guidelines Section 15092).

Public Involvement during the Draft EIR and Final EIR Phase

On April 30, 2018, a Notice of Preparation (NOP) of an EIR was distributed. 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 May 30, 2018.

The public comment period for the Draft EIR began on January 31, 2019. A Notice of Availability of the Draft EIR was mailed to various interested groups and individuals, and posted with the County Clerk on January 31, 2019. The NOA was published in the Times-Standard on February 1 and February 8, 2019. The Draft EIR was sent to the State Clearinghouse for distribution to State agencies. In addition, the County posted the Draft EIR, and notification of its availability for review, on its website. The Draft EIR also was made available at the Samoa Peninsula Fire Department and County Planning and Building Department.

On February 26, 2019, a public meeting on the Draft EIR was held at the Samoa Fire Protection District Firehouse. There were 6 speakers who provided comments at the meeting.

The Final EIR was sent to those public agencies who commented on the Draft EIR and to the Planning Commission at least 10 days prior to certification of the EIR per CEQA Guidelines Section 15088. The Final EIR also is available on the County's website and at the County Planning and Building Department. There is no other notification for Final EIRs required by CEQA.

Comments Received

During the 45-day public comment period, the County received 10 comment letters. At the public meeting on February 26, 2019, 6 members of the public attended. Every comment was counted regardless of whether it duplicated a comment made in a previous comment letter. A list of the comment letters received is shown below in Table 1-1. Comment letters received are numbered starting with 1 and ending with 10. No verbal comments were made at the public meeting.

Table 1-1 Comments Received

Letter	Agency/ Organization	Last Name	First Name	Letter Date
1	State Clearinghouse	Morgan	Scott	March 19, 2019
2	California Coastal Commission	Kraemer	Melissa	March 18, 2019
3	California Department of Conservation	Wardlow	Charlene	February 8, 2019
4	Native American Heritage Commission	Totton	Gayle	February 14, 2019
5	State Water Resources Control Board	Oswalt	Caitlyn	March 14, 2019
6	Humboldt Bay Harbor, Recreation and Conservation District	Oetker	Larry	March 18, 2019
7	Humboldt County Department of Health and Human Services, Department of Environmental Health	Kalson	Mario	March 18, 2019
8	Blue Lake Rancheria	Eidsness	Janet	March 20, 2019
9	Public	Jenson	Jennifer	February 27, 2019
10	Public	Stoffers	Lia	March 1, 2019

2. Comment Letters, Public Hearing Comments, and Response to Comments

This chapter includes responses to specific comments received during the comment period. Included are copies of the written comments received by the County through March 18, 2019.

When changes to the Draft EIR are necessitated, the change is indicated by indented text. Text that has been added to the Draft EIR is indicated in underline font, while text that has been deleted is indicated with ~~strikethrough~~ font. Where a change to the Draft EIR revises text that appears in multiple chapters of the Draft EIR, it can be assumed that the revision is changed in all locations. For example, if a mitigation measure has been revised, and that mitigation measure is referenced in additional chapters other than the chapter in which it was modified herein, it can be assumed to be changed in all chapters including the Executive Summary which contains a summary table of all mitigation measures. Revisions herein, typically reference the primary location of the text.

Comment Letter 1

STATE OF CALIFORNIA

Governor's Office of Planning and Research

State Clearinghouse and Planning Unit

Gavin Newsom
Governor

Kate Gordon
Director

March 19, 2019

John Miller
Humboldt County
3015 H Street
Eureka, CA 95501

Subject: Samoa Peninsula Wastewater Project
SCH#: 2018042083

Dear John Miller:

The State Clearinghouse submitted the above named EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on 3/18/2019, and the comments from the responding agency (ies) is (are) available on the CEQA database for your retrieval and use. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

> "A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

1-1

Check the CEQA database for submitted comments for use in preparing your final environmental document: https://ceqanet.opr.ca.gov/2018042083/2 . Should you need more information or clarification of the comments, **we recommend that you contact the commenting agency directly**.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Resources Agency

Letter 1 Response to Comments

Response to Comment 1-1

This letter acknowledges the Project's compliance with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

At the time the State Clearinghouse sent their letter to the County, they had received responses from:

California Department of Conservation, Division of Oil, Gas, and Geothermal Resources, and

California State Water Resources Control Board

Comments from the above reviewing agencies are identified as Letter 3 and Letter 5, and responded to accordingly.

STATE OF CALIFORNIA—NATURAL RESOURCES AGENCY GAVIN NEWSOM, *GOVERNOR*

CALIFORNIA COASTAL COMMISSION
1385 8TH STREET, SUITE 130
ARCATA, CA 95521
VOICE (707) 826- 8950
FAX (707) 826- 8960

March 18, 2019

John Miller, Senior Planner
Humboldt County Planning & Building Dept.
3015 H Street
Eureka, Ca 95521

Re: Samoa Peninsula Wastewater Project Draft EIR Comments
(State Clearinghouse Number: 2018042083)

Dear Mr. Miller:

Thank you for considering the following input from the Coastal Commission staff on the January 2019 Draft Environmental Impact Report (DEIR) for the proposed Samoa Peninsula Wastewater Project. As noted in the DEIR, implementation of this proposed project will require Commission certification of County-adopted local coastal program (LCP) amendments as well as approval of coastal development permits (CDPs) by the Commission and/or the County. As such, the Commission will use information contained in the EIR in part in its evaluation of forthcoming applications for the project to determine the project's conformity with the resource protection and use policies of the Coastal Act.

As we understand it, the Project involves construction and operation of a consolidated wastewater collection, treatment, and disposal system with connections to residential, commercial, industrial, recreational, and institutional facilities located within the boundaries of the proposed Peninsula Community Services District (PCSD). The project would provide sewer service to structures within the communities of Fairhaven and Finntown but not to the town of Samoa (sewer service within the Samoa Town Master Plan [STMP] area is a separate project). Sewer service would be implemented in two phases: 2-1

- The "Short-Term phase" includes construction and operation of a collection system, upgrades to the previously approved STMP wastewater treatment facility (WWTF), and a disposal system to serve the 78 existing structures (66 of which are residential) in Fairhaven, Finntown, the County Boat Launch facility, and the Eureka Airport. Implementation of this phase would require (a) Commission certification of amendments to the Humboldt Bay Area Plan (HBAP) to specify the existing uses that may be connected to the wastewater system as exceptions to the other policies in the HBAP, and (b) CDPs issued by the County or Commission, depending on jurisdiction.

- The "Long-Term phase" (which would begin implementation by 2030) would allow possible future infill development in Fairhaven to connect to the project's collection

system and be served by the STMP WWTF. Future infill development would be allowed to occur on up to 62 currently vacant residential infill parcels in Fairhaven that are designated RX and zoned RS-X. In addition, construction of secondary units may be allowed, though accessory units would not require a second sewer connection. Future infill development is assumed to occur over a 30-year planning horizon (i.e., through 2060). Implementation of this phase also would require Commission certification of HBAP amendments as well as the issuance of CDPs by the County or Commission, depending on jurisdiction.

2-1 cont.

We offer the following comments and suggestions regarding the content of the EIR:

Project Description (Section 3)

1. *Background*. We recommend adding background discussion to Section 3.3 related to past and currently unresolved lot legality issues in the community of Fairhaven, since those issues directly relate to proposed demand for sewer services and sizing of infrastructure and other improvements to provide sufficient capacity. Clarifications should include discussion of the potential for the remaining lots in Fairhaven (outside of infill area) to be developed with implementation of the proposed Project. This background information should be factored into the DEIR analyses where applicable.

2-2

2. *LCP amendments*. Section 3.5.4 describes possible LCP amendments needed for the project, including amendments to HBAP policies 3.22-D and STMP (New Development) Policy 9. The standard of review for any proposed amendments to the HBAP will be whether the proposed amendments are consistent with the Chapter 3 policies of the Coastal Act. Commission staff would like to coordinate with County staff on the specific HBAP amendments proposed in the DEIR. We will provide feedback to the County on the proposed LCP amendments and their consistency with the Coastal Act under separate cover. We are unable to do so within the environmental review comment period for this Project.

2-3

Projects Considered for Cumulative Impacts (Section 4)

3. We recommend expanding the list of projects to consider for cumulative impacts within the DEIR to include the land-based fish farm project planned by Aqua Farms for the Redwood Marine Terminal (RMT) II property. As recently reported, the Harbor District issued a 30-year lease for a portion of its property for the new fish farm, which reportedly would use the existing ocean outfall and the STMP WWTF.

2-4

Biological Resources (Section 4.3)

4. *Regulatory Framework.* There are several LCP policies applicable to this section that are not listed in Section 4.3.2. These include the various STMP policies of the HBAP related to ESHA protection, including STMP (Wetlands/ESHA) policies 1, 2, 4, 10 and 11. We recommend reevaluating the applicable biological resources impacts in consideration of the ESHA-protection requirements of the STMP policies, in particular Impacts BIO-2, BIO-3 and BIO-5, which describe "potential disturbance and/or removal" of wetlands and ESHA within the STMP area inconsistent with restrictions in the STMP policies cited

2-5

above. In addition, please also note that for areas both inside and outside the STMP, section 3.30 of the HBAP also prohibits non-resource-dependent development (e.g., sewer line installation) within non-wetland ESHA (e.g., upland rare plant habitat areas). Mitigation BIO-2b and other mitigations should be revised to conform with LCP policy restrictions related to development within ESHA and requirements for appropriate ESHA buffers. 2-5 cont.

5. *Potential ESHA impacts in Fairhaven.* Section 4.3.3 identifies the evaluation criteria and significance thresholds for whether the project would have a significant impact on biological resources. Section 4.3.5 identifies likely project construction impacts to land-based special status biological resources. Section 3.3.6 identifies the possible presence of "ESHA and coastal resources" on infill lots in Fairhaven "potentially impacted by new infill development served by the WWTF" under the long-term phase of the project. 2-6

   It is unclear from the information included in this section, and from Appendices E.1 and E.2, whether the scope of special-status species surveys and wetland and habitat delineations included a field investigation of the identified infill lots and the other residential lots in Fairhaven (or if they were included in the assessment at all, or if at most infill lots were generally assessed from public roadways). We recommend clarifying this point to clarify understanding of type and extent of wetlands and ESHA that may be present in the project area (i.e., throughout the area to be served under the both phases of the project as well as other nearby lots in Fairhaven not currently proposed to be served by the County, but whose owners may request to be served during the LCPA and permit application reviews by the County and the Commission).

   It will be important in the Commission's review of the LCPA and any CDPs or permit appeals to have all areas that may be considered Environmentally Sensitive Habitat Areas within the project area identified. The Commission generally considers coastal dune habitat to meet the definition of ESHA, even where degraded due to the rarity of the physical habitat and its important ecosystem functions, including that of supporting sensitive species. Although the discussion in Section 4.3 indicates that the environmental assessments tried to identify certain kinds of ESHA, including wetlands, rare plant habitat, species of special concern habitat, and riparian areas, the discussion did not indicate whether surveys were performed to identify dune ESHA other than dune mat habitat or areas where rare dune plants may exist. As much of the Samoa Peninsula consisted of dune habitat prior to development of the peninsula, and many areas of continuous and remnant dunes exist on the peninsula today, the EIR should include information on the extent of dune habitat in the project area based on field investigations. 2-7

   Although the DEIR identifies several mitigation measures intended to reduce impacts to less than significant levels, the biological resources evaluation (a) only considers the short-term phase construction-related project impacts and does not assess the impacts associated with implementation (i.e., buildout) of the long-term phase of the project, and (b) does not accurately characterize the significance threshold for the project's short-term and long-term impacts that relates to conflicts with the requirements of local policies and 2-8

ordinances protecting biological resources (i.e., the resource protection policies and standards of the LCP).

Once the short-term phase of the project is complete (resulting in the establishment of community sewer service in Fairhaven), owners of the 62 vacant infill residential properties in Fairhaven will have reasonable development expectations for their properties within the long-term phase of the project. Currently, property owners of existing vacant infill lots and prospective buyers of vacant infill lots for sale should not have such expectations, because, as explained in the DEIR (e.g., sec. 3.3.1), there has been no new residential construction permitted in Fairhaven for over a decade due to the area's constraints in developing compliant onsite wastewater treatment systems that meet State/Regional/ County water quality regulatory standards.

The DEIR assumes that the long-term phase would only allow sewer service to "future infill development, consistent with existing HBAP and zoning…" (sec. 3.5.1; also figure 3-6, which shows some infill parcels labeled "unbuildable" due to wetland resources on the lots). To avoid unconstitutional regulatory takings of private property, the County and the Commission (depending on jurisdiction) may have limited ability to deny CDP applications for new residential development with unavoidable wetland and other ESHA impacts on infill lots, even though such proposed development would be inconsistent with HBAP (or Coastal Act, as applicable) policies that prohibit non-resource-dependent uses in ESHA and that require adequate development setbacks from adjacent ESHA sufficient to protect the resources/habitat values. Although the DEIR acknowledges that future LCP amendments will be necessary to implement the long-term phase of the project for future infill development in Fairhaven, it is unknown at this time whether the LCP could be amended in a manner that would adequately protect ESHA that may be located within or adjacent to infill areas. And, as mentioned above, once sewer service has been established in Fairhaven under the short-term phase, owners of the 62 infill residential properties in Fairhaven will have reasonable development expectations for their properties.

2-8 cont.

Impact BIO-5 affirms that the project may violate local policy requirements (<u>emphasis added</u>):

> *By adhering to the HBAP of the Humboldt County Local Coastal Program <u>to the degree possible</u> as it pertains to protection of biological resources (Section 3.30), and through implementation of Mitigation Measures BIO-2a, BIO-2b, BIO-3a, BIO-3b, and HWQ-1, the project's conflict with the HBAP would be reduced to less than significant.*

2-9

However, the mitigation measures identified in Impact BIO-5 are inadequate to reduce the significance threshold for these unavoidable ESHA impacts to a less than significant level due to inherent conflicts with the requirements of the LCP (and Coastal Act) that prohibit non-resource-dependent development within ESHA, even in cases where such impacts are mitigated by "creating replacement habitat or restoring a site that previously had the equivalent ESHA…"

The DEIR should further evaluate the conflicts of the project (both phases) with ESHA-protection policies of the LCP as well as the biological impacts associated with the future residential development on the 62 residential infill parcels in Fairhaven. 2-10

Hydrology and Water Quality (Section 4.8)

6. *Setting*. Section 4.8.1 provides background on, among other things, groundwater hydrology, stormwater drainage, and flooding – all of which may be directly affected by sea level rise (SLR) over the coming decades. As Humboldt Bay is documented to have the highest projected rate of local SLR statewide,[1] we recommend adding background information on SLR-related hydrological effects expected for the project area and factoring this information into the DEIR analyses where applicable. 2-11

7. *Regulatory Framework – Required analyses for project components on STMP lands*. There is an additional LCP policy applicable to this section that is not listed in Section 4.8.2, which is STMP (Hazards) Policy 2. This policy requires consideration of the effects of long-range SLR in the "preparation of findings and recommendations for all geologic, geo-technical, hydrologic, and engineering investigations prepared in support of coastal development applications for development of the lands subject to the STMP-LUP." The policy requires consideration of "potential coastal hazards from erosion, flooding, wave attack, scour and other conditions, for a range of potential sea level rise scenarios…" using "the best available scientific information." As applicable, we recommend reevaluating the hydrology and water quality impacts associated with project-related development within the STMP lands in consideration of these policy requirements. 2-12

8. *Increased flooding in areas where new infrastructure is proposed*. Section 4.8 evaluates impacts related to hydrology and water quality during the short-term construction phase of the project only. We recommend the impact analysis (section 4.8.5) be expanded to consider the functionality and adaptive capacity of proposed new sewer infrastructure to be constructed in low-lying areas of Fairhaven and other areas outside of the STMP lands under the short-term phase. Consideration should be given to the expected "life" (duration of functionality before needing major repairs/replacement) of the new infrastructure, taking into consideration projected SLR during that time period, and the potential future impaired functionality of infrastructure due to erosion, flooding, inundation, rising groundwater, and increased infiltration into sewer pipes, as exacerbated by SLR. The CCC's adopted SLR Guidance recommends factoring in to the SLR analysis projected water level changes from storm surge, wave uprush, flooding from extreme events, rising groundwater, etc. under a range of projected SLR scenarios. 2-13

9. *Increased flooding in served areas associated with sea-level rise*. We also recommend that the impact analysis be expanded to analyze whether the existing housing in Fairhaven whose expected "life" and economic value may be increased by the proposed 2-14

[1] Patton et al. (2014); Northern Hydrology & Engineering (2015); Trinity Associates (2015); Ocean Protection Council (2018); and California Coastal Commission (2015; 2018 science update).

sewer improvements will have added exposure to flood risk under the short-term phase of the project as compared to the No Project (status quo) alternative.

As described in section 3.5.1, the Project also includes new sewer service over a longer-term phase for possible infill development that would begin by 2030 (or earlier) and which is projected to be implemented over a 30-year planning horizon (i.e., through 2060). With the projected rise in local relative sea level through the full term of the long-term phase of the project (projected to be at least 3.1 feet higher by 2060[2]), we recommend that the impact analysis evaluate whether the infill development enabled by the Project will result in the placement of housing within a mapped flood area or increase the exposure of people or structures to flood risk.

The DEIR states that the proposed project does not include the construction of new housing or structures for human occupancy, and therefore the DEIR does not evaluate impacts associated with such development activities. However, the long term phase of the project is described as allowing for future infill development in Fairhaven to connect to the proposed wastewater system on up to 62 specific vacant residential infill parcels in Fairhaven. As these parcels cannot be developed now due to lack of a means to provide sewer service, the Project will have direct or indirect environmental impacts associated with the development on those parcels that would be facilitated by the long-term phase of the project. We recommend that the DEIR be supplemented to include an analysis of flooding that is projected over the entire Project term for the residential communities that the Project will serve. The DEIR should analyze flooding hazards projected over the entire Project term as well as beyond, since increases in flooding in the served areas will likely worsen with projected SLR rates beyond 2060 and throughout the expected "life" of new residential development that may be developed under the Project and which will be expected to remain in place for many decades beyond the Project term (this also applies to the possible increased "life" and economic value associated with serving the existing residential development under the short-term phase hookups). Increased flooding in Fairhaven of higher intensity and frequency than today's conditions, as exacerbated by the effects of projected SLR on groundwater levels, stormwater drainage, and rising tidal waters (compounded by wave uprush and storm surge), will have impacts to the residential community of Fairhaven (both existing housing to be served and future infill housing) from worsening conditions in the area as well as structural damage and loss.

2-14 cont.

10. *Tsunami inundation hazards impacts analysis*. The analysis approach as stated in section 4.8.4 is intended to evaluate tsunami impacts in the context of the potential impacts to the communities that the project will serve, because "a tsunami that inundates the Samoa Peninsula would result in catastrophic conditions over the entire project area, a high degree of structural loss, and significant loss of life." However, Impact HWQ-8 focuses

2-15

[2] Based on "Medium-High risk aversion" projections for the North Spit tide gauge published by the Ocean Protection Council (2018) and Coastal Commission (2015/2018 update). The Commission's SLR Guidance recommends that all communities evaluate the impacts from the "medium-high risk aversion" scenario as well as evaluation of the lower SLR projections (those with a higher probability) to gain an understanding of what is likely to be vulnerable regardless of modeling uncertainty and future greenhouse gas emissions.

only on Samoa and does not evaluate the construction-related development or phased development in Fairhaven. We recommend supplementing the evaluations discussed in Impacts HWQ-8 and HWQ-C-1 to address tsunami inundation hazards throughout the entire project area and giving consideration to the infill residential development in Fairhaven that the project will enable.

2-15 cont.

Land Use and Planning (Section 4.9)

11. *Land Use/Zoning Setting*. Section 4.9.1 (Land Use Designation and Zoning) describes the land use designations and zoning of the project area and states the following: "The Approved Samoa WWTF site is designated RM and NR. Both of these designations allow public infrastructure. The remainder of the project improvements would be within existing roadway right-of-ways." This statement is erroneous with respect to the NR designation and the allowance of public infrastructure within NR lands in the STMP area [see STMP (Wetlands/ESHA) policies 1 and 2].

2-16

This section (Urban Limit Line) also states: "Extension of wastewater services outside of the Urban Limit Line is prohibited by the HBAP, except sewer connections provided to industrial uses." This statement also is untrue due to STMP (New Development) Policy 9, which prohibits extension of service from the STMP WWTF to lands outside of the STMP area in all cases.

2-17

12. *Regulatory Framework.* We recommend including the following additional LCP policies that may be applicable to this section but not listed in Section 4.9.2. Section 30250(a) of the Coastal Act, codified as an LCP policy under HBAP sections 3.11 and 3.14-B-1, states:

> *New development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources.*

2-18

HBAP policy 3.20-B regarding non-conforming uses and structures may be applicable to the existing residential uses/structures in Finntown:

> *It is the intent of this plan that nonconforming uses and structures may be substituted or replaced with more conforming uses and structures. Such substitution, replacement or alteration will be consistent with the Plan only when the following findings are made:*
>
> *1. The nonconforming use and/or structure is not a public nuisance; and*
>
> *2. The nonconforming use and/or structure will not conflict with surrounding land uses.*

To the extent that changes to the Urban Limit Line may be considered as part of the project, HBAP policy 3.22-B-2 should also be included as a policy reference for this section. 2-18 cont.

Population and Housing (Section 4.11)

13. *Regulatory Framework.* Similar to comment 12 above, we recommend including Section 30250(a) of the Coastal Act (HBAP section 3.11) as a relevant local policy for this section (Section 4.11.2). 2-19

14. *Growth-inducing impacts on coastal resources*. Impact POP-1 (Section 4.11.5) concludes that the Project would not induce substantial population growth in Fairhaven, either directly or indirectly, in part because "the estimated population increase of 273 persons has been previously accounted for by the General Plan and fully analyzed within the certified General Plan EIR." We note that the rationale for reliance on the County's certified General Plan EIR for addressing impacts associated with population growth in the area is explained in Section 4 (Environmental Analysis), which states in part that physical constraints to new housing identified by the certified EIR include 100-year flood zones, wetlands, and streamside management areas, among other constraints. If our understanding is correct, Section 4 states that certified General Plan EIR concluded that there would be significant and unavoidable environmental impacts associated with new housing in the Eureka Plain Watershed (including Fairhaven), including to Agricultural and Timber Resources; Utilities and Service Systems; Transportation; Hazards and Hazardous Materials; Geology and Soils; Hydrology and Water Quality; Air Quality; Cultural Resources; Scenic Resources; and Energy Consumption and Conservation. The General Plan was never submitted to the Commission for certification, and it is not clear whether the General Plan EIR fully addressed the impacts of future residential development in the Fairhaven area on ESHA or fully addressed flooding impacts taking into account the best available science regarding sea level rise impacts. We recommend supplementing the impact analysis under Impact POP-1 to clarify how the previously identified impacts under the certified EIR are relevant to the Fairhaven area. The DEIR for the current Project should be supplemented with additional analysis to address impacts of future residential development in Fairhaven that were not addressed sufficiently in the General Plan EIR. 2-20

Section 6.3 of the DEIR states, in part, "The project would not allow any other new development to connect to the approved SWWTF other than the 62 infill lots identified under the Long Term Phase. Because the project would not allow any new development other than that previously evaluated in a Certified EIR, it is not considered growth inducing." How such limitations (to keep connections from being granted to lots other than the identified 62 lots) would be enforced is unclear. The DEIR assumes that inclusion of a policy in the LCP that limits connections to the 62 lots would be sufficient to keep other lots from connecting, including legal lots that are similarly located in an area currently planned and zoned for residential use. However, as discussed above, the DEIR acknowledges (in this section, and in Section 6.3) that the project would remove an existing restriction to residential development in Fairhaven. As further discussed above, 2-21

the County and the Commission on appeal may have limited ability in many cases to deny development with unavoidable EHSA impacts or at significant risk of flooding exacerbated by SLR on legal lots that are planned and zoned for residential use, even though such development would not be on one of the 62 lots identified in DEIR and would be inconsistent with HBAP or Coastal Act ESHA protection and flood hazard minimization policies. The DEIR should further evaluate the growth inducement potential for lots beyond the 62 planned to be served by the project and the effects of such development on ESHA and flood hazard risks. Mitigation measures should be identified that would avoid significant impacts.

2-21 cont.

Although the DEIR concludes that project impacts with respect to population and housing issues are less than significant to none, under the Coastal Act, the project must be consistent with section 30250 (cited above) and other policies that discourage population growth in rural areas to minimize the potential adverse effects of such growth on coastal resources. The DEIR acknowledges (in this section, and in Section 6.3) that the project would remove an existing restriction to residential development in Fairhaven. As noted above in this comment and under comment #5, additional development in Fairhaven could result in direct impacts to ESHA, and it's unclear whether there are feasible mitigation measures available to reduce the significance threshold for these unavoidable ESHA impacts to a less than significant level. Also, as noted above in this comment and in comment #9, the project would facilitate the construction of new housing in flood vulnerable areas. SLR projected over the coming decades (throughout the term of the Project) will increase the likelihood of property damage from flooding, inundation, or extreme waves and will increase the number of people living in areas that may be exposed to significant flooding (e.g., Fairhaven). This in turn will lead to the need for adaptation responses (i.e., hazard mitigation actions, such as construction of shoreline protection) to protect expanded residential communities in flood-prone areas from structural damage and loss. The potential impacts of future adaptation responses on coastal resources are currently unknown, but, in general, shoreline protection devices alter natural shorelines and have negative impacts on beaches (and, relatedly, on public access to beaches and the shoreline), near-shore marine habitat, and the scenic and visual qualities of coastal areas.

2-22

<u>Public Services and Recreation (Section 4.12)</u>

15. *Regulatory Framework.* Section 4.12.2 lists no LCP policies as applicable to the project. Consider whether any of the Coastal Act policies within HBAP sections 3.15/3.27 and 3.50 [the triple asterisked (***) policies that are enforceable policies of the HBAP] may be appropriate to add to the regulatory framework as potentially relevant to the impact analyses in this section. For example, Coastal Act section 30213 requires protection of lower-cost visitor and recreational facilities, such as public beach access points on the Samoa Peninsula and other low-cost facilities. Coastal Act section 30223 requires protection and reservation of upland areas that are necessary to support coastal recreational uses. It will be important for the Commission to understand whether the physical infrastructure components to be developed under this project would be consistent with these policies.

2-23

16. *Impacts to Parks and Recreation Facilities*. Impact PSR-2 (Section 4.12.5) addresses whether the project would 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. The impact analysis does not identify any specific impacts with respect to this issue but concludes that such unidentified impacts would be less than significant, because that is the conclusion that was reached under the certified General Plan EIR with respect to this issue. We recommend expanding on the Impact PSR-2 analysis to identify potential impacts to the area parks and recreation facilities identified in Section 4.12.1, provide usage and capacity information for the parks and facilities, and discuss this information in the context of growth projections for the area to support the conclusions of the certified EIR that impacts to Samoa Peninsula parks and recreation facilities will be less than significant. 2-24

Transportation and Traffic (Section 4.13)

17. *Regulatory Framework.* Section 4.13.2 lists a County general plan policy as applicable to the Project (as do several other DEIR sections). Note that the County's updated general plan was not adopted for and has not been certified for the coastal zone. We also recommend citing relevant policies related to this issue from the applicable County plans in effect for the project area such as HBAP policy 3.22-B-3 and STMP (Coastal Access) policies 2-A and 4. 2-25

Alternatives (Section 5)

18. *Additional alternatives*. We suggest expanding the consideration of overall project alternatives (Section 5.3) that may be capable of avoiding or substantially lessening the significant effects of the project to include an evaluation of an alternative that focuses on priority uses only. The "Priority Use Lands Alternative" we are suggesting is a modified version of the short-term phase alternative that would involve construction and operation of a collection system, upgrades to the previously approved STMP WWTF, and a disposal system to serve only the existing "priority use" (under the Coastal Act) lands within the bounds of the proposed PCSD that are outside of the STMP area. "Priority use" lands generally include those lands designated and zoned for coastal-dependent uses (Coastal Act sec. 30222.5, 30233-30235, 30254, 30255, 30260), for "essential public services and basic industries vital to the economic health of the region, state, or nation" (sec. 30254), for public recreation/ commercial recreation/visitor-serving uses (sec. 30213, 30220-30224, 30233-30234), and agricultural and timberlands (sec. 30241-30243). We recommend this alternative only evaluate community sewer service to some or all of the priority use lands within the PCSD that are outside of the STMP area and not to lands planned or zoned for other uses (e.g., residential) within this area. 2-26

19. *RMT-II Site Alternative* (Section 5.3.2). We recommend that the hydrology and water quality impact analysis consider whether, under this alternative, the proposed new sewer headworks and treatment infrastructure to be constructed on the site would be subject to flooding and inundation risks when factoring in the "extreme risk aversion" ("H++") sea-level rise scenario for the area over the anticipated life of the proposed new critical 2-27

infrastructure development. Both the OPC (2018) and CCC (2018) SLR guidance documents recommend considering the "extreme risk aversion" scenario to evaluate the vulnerability of planned assets that have little to no adaptive capacity, that would be irreversibly destroyed or significantly costly to repair, and/or would have considerable public health, public safety, or environmental impacts should that level of sea level rise occur. The extreme risk aversion scenario for the North Spit tide gauge is 12.7 feet by 2110. The CCC's adopted SLR Guidance also recommends factoring in to the SLR analysis water level changes from storm surge, wave uprush, flooding from extreme events, etc.

2-27 cont.

20. *Relationship to HBAP update*. As the County is in the process of developing updates to the HBAP (in part under grant funding from the Commission and Ocean Protection Council), with a specific focus on SLR adaptation policies for Fairhaven (and other areas), we encourage the County to consider if and how the proposed project may prejudice this update. Would the range of alternatives to be considered for SLR adaptation of the area change depending on whether or not the area is sewered?

2-28

Thank you again for the opportunity to comment on this draft environmental document. We would be happy to meet to discuss these comments and the Project.

Sincerely,

Melissa Kraemer
Supervising Analyst

Citations:

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Trinity Associates. February 2015. *Humboldt Bay Sea Level Rise Adaptation Planning Project: Phase II Report*. Arcata, CA. Accessible from the Humboldt Bay Harbor, Recreation & Conservation District website: http://humboldtbay.org/sites/humboldtbay2.org/files/Humboldt%20Bay%20Sea%20Level%20Rise%20Adaptation%20Planning%20Project%20Phase%20II%20Report%20-%20Compressed.pdf.

Ocean Protection Council. 2018. *State of California Sea-Level Rise Guidance: 2018 Update*. Sacramento, CA. Accessible from the OPC website: http://www.opc.ca.gov/webmaster/ftp/pdf/agenda_items/20180314/Item3_ExhibitA_OPC_SLR_Guidance-rd3.pdf.

Northern Hydrology & Engineering. April 2015. Humboldt Bay: *Sea Level Rise, Hydrodynamic Modeling, and Inundation Vulnerability Mapping*. Final Report. Prepared for the State Coastal Conservancy and Coastal Ecosystems Institute of Northern California. McKinleyville, CA. Accessible from the Humboldt Bay Harbor,

Recreation & Conservation District website: http://humboldtbay.org/sites/humboldtbay2.org/files/Final_HBSLR_Modeling_InundationMapping_Report_150406.pdf.

Patton, J. R., T. B. Williams, J. K. Anderson, R. Burgette, & T. Leroy. 2014. *Tectonic land level changes and their contribution to sea-level rise, Humboldt Bay region, Northern California: 2014 status update*. Prepared for U.S. Fish and Wildlife Service Coastal Program. Cascadia GeoSciences, McKinleyville, CA.

Letter 2 Response to Comments

Response to Comment 2-1

The comment provides an overview of the California Coastal Commission's (Coastal Commission) understanding of the proposed project's "Short-Term phase" and "Long-Term phase."

The project understanding overview accurately represents the project's proposed construction and operational activity for the Short-Term phase; however, the Coastal Commission's summary of the project's Long-Term phase requires clarification. The Coastal Commission's summary states that, "(f)uture infill development would be allowed to occur on up to 62 currently vacant residential infill parcels in Fairhaven that are designated RX and zoned RS-X. In addition, construction of secondary units may be allowed, although accessory units would not require a second sewer connection." This comment infers that infill development on these vacant residential parcels is currently not "allowed", and that the project will change that. However, there is nothing in the HBAP that disallows development of these parcels. There are certainly constraints to the development of vacant lots, one of the most significant being Regional Water Quality Control Board requirements for the development of onsite septic systems, but these constraints are not identified as outright development prohibitions in the Humboldt Bay Area Plan (HBAP).

Regarding the proposed project and infill development, it does not propose or include residential development, nor is the project intended to encourage or facilitate development. The Short-Term phase of the project could remove one of many barriers to potential future infill development in Fairhaven by providing a wastewater collection system that could be utilized by infill development. However, infill connections would only be allowed after the potential new development prepared detailed analyses to address sea level rise, tsunami safety hazards, and ESHA impacts, as will be required by the HBAP amendments under both the Short-Term and Long-Term phases. The HBAP amendment allowing the exception under Section 3.22, would only apply to existing residential development, and is included as a component of the Short-Term phase. Any infill development that may occur after the Long-Term phase has been implemented, would use the infrastructure constructed in the Short-Term phase. The infrastructure would accommodate existing and future industrial, coastal-dependent, and interim uses (in the MC zone), existing residential development, and future residential infill development.

The project is comprised of the construction and operation of a collection system, upgrades to the previously approved Samoa WWTF, and a disposal system using the existing outfall to discharge effluent into the ocean, and does not include the development of vacant lots that are planned and zoned for residential use or for any other use. The Draft EIR contains a good-faith estimate of residential parcels that could reasonably be developed within Fairhaven that might in the future connect to the project's collection system. It is standard practice that when designing infrastructure, adopted land use controls are used to reasonably estimate future need within the design-life of the facility. The estimate of residential parcels that could reasonably be developed was used only to inform the design flow and capacity of the project facilities in the Preliminary Engineering Report (Appendix C Figure 2.2) and is not intended to imply that an adequate delineation of wetlands or ESHA will not be required for the approval of development on undeveloped infill residential lots in Fairhaven.

The circulated Draft EIR Project Description states (page 3-10):

> "… future infill development, consistent with the amended HBAP and zoning, within the PCSD would be allowed to connect to the project improvements upon approval of the amended HBAP."

And,

> "It is estimated that up to 62 new residential units could be constructed on the available infill lots in Fairhaven. In addition, construction of secondary units is allowed under the current zoning, which may include smaller accessory (guest) dwellings. Note that accessory dwellings are not additional single family homes and do not require a second sewer connection."

The HBAP amendments included as part of the project as described in the Draft EIR would provide an exception to existing HBAP policies in order to allow only *existing* development in Fairhaven, which is located outside an Urban Limit Line, to connect to the new wastewater collection system. Since the publication of the Draft EIR, the County has learned that land use authorities cannot prohibit connections to public sewer lines located within 300 feet of a parcel. This is a requirement of the Humboldt County Code. A similar requirement is in the California Building Code, which also specifies that land use authorities cannot adopt less restrictive building regulations. In order to serve existing development, the wastewater collection system also would, in many cases, be located in the street frontage of vacant residential lots as the existing residential units and the vacant lots are intermixed along the street.

The intent of the exception was to prevent new infill development during the Short-Term phase, until coastal hazard and resource planning, under the Long-Term phase, could be completed to ensure new infill development is sited and designed to the greatest extent feasible to protect life and property from sea level rise and tsunami inundation hazards on the Samoa Peninsula and to protect ESHA. In response to the new information that the County may not prohibit sewer connections to a sewer main within 300 feet of a development, the description of the Long-Term phase is amended to clarify the inclusion of amendments to the HBAP related to coastal resources and coastal hazards planning, as indicated on page 3-2 of the Draft EIR Project Description, and in the Long-Term phase project objectives also on page 3-2. The project description has been amended to clarify that existing development can connect immediately as originally provided for in the Short-Term phase, while infill development would need to meet interim performance standards in the Short-Term phase, in order to be permitted to develop. Development permitted in accordance with the interim performance standards and other coastal development requirements, would be required by the Building Code to connect to the wastewater system.

The Draft EIR project description has been amended in numerous locations (see Attachment A Clarifications to Chapter 3 Project Description) to clarify that new residential development in Fairhaven will be required to address sea level rise and tsunami impacts, as well as other coastal resource impacts such as impacts to ESHA, as a condition of approval in one of two ways. Under the Short-Term phase, interim performance standards would be adopted by ordinance that would ensure such development would be (1) protective of public health, safety and welfare relative to sea level rise, and tsunami inundation on the Samoa Peninsula, and (2) protective of ESHA based on site-specific investigations and analyses prepared by qualified professionals with expertise in coastal hazards, as well as wetland and other ESHA.

Under the Long-Term phase, comprehensive coastal hazard and resource planning, consistent with the Coastal Act, would occur to ensure new infill development is sited and designed to the greatest extent feasible to protect life, property and coastal resources from sea level rise and tsunami inundation hazards and to protect ESHA. The interim performance standard adopted under the Short-Term phase, where infill development would be required to prepare site-specific investigations resolving issues related to coastal hazards and coastal resources, is expected to result in similar outcomes for that project as the Long-Term phase comprehensive coastal hazard and resource planning.

Refer to Response to Comment 2-8 regarding the environmental impacts associated with potential future residential development on infill parcels in Fairhaven, the development of which is not part of the project and

which must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits.

Clarifying edits have been made to Section 3.5.4, Humboldt Bay Area Plan/Local Coastal Plan Amendment, of the Project Description. These edits can be seen in Attachment A (Clarifications to Chapter 3 Project Description).

Response to Comment 2-2

The comment recommends the Draft EIR add further background discussion to Section 3.3 related to past and currently unresolved lot legality issues in the community of Fairhaven, and that this background information be included into the Draft EIR analyses where applicable.

The lot legality issue is relevant to development potential, and is discussed in detail in the project's Preliminary Engineering Report (PER). As described in Section 1.1.1 of the PER, p. 7, a Legal Parcel Study conducted by the County in 2017 identified 90 parcels with "a high probability of being determined to be legal parcels", but was "based on incomplete information and may not be used for official determination purposes." Since the study was completed, the County issued Certificates of Subdivision Compliance for only twenty of those parcels, held by a single property owner. Only four of those parcels are within the area identified in the PER as potential infill development (Appendix C, Figure 2.2, included in the Draft EIR as Figure 3-6, Potential Parcels Served – Long-Term Phase). The Certificates of Compliance explicitly state that "development of the parcel[s] may require issuance of a permit or permits, or other grants of approval," and that, "the real property for which the certificate has been issued is suitable for development in accordance with existing or future regulations." The existing or future development of any of the parcels identified as potential infill development is contingent upon, at a minimum, (1) issuance of Certificates of Subdivision Compliance, (2) amendments to the HBAP included in this project, which include the development being sited and designed based on site-specific studies related to coastal hazards and resources, and issuance of coastal development permits. The probability of these contingencies occurring cannot be determined at this time. It is therefore a conservative statement in the PER to characterize potential legal parcels as having a high probability for being developed. The identified infill area was mapped based on aerial imagery and ground level reconnaissance from rights-of-way to exclude areas preliminarily identified as possible wetlands or Environmentally Sensitive Habitat Areas (ESHA) which were considered to be areas less likely to be developed than areas not containing wetlands or ESHA. The infill area was mapped without benefit of formal ground-level studies required for an accurate delineation in accordance with applicable standards, but which reduced the estimated potential future infill development to 62 lots. Ground level field reconnaissance surveys of wetlands and plant communities by qualified biologists were conducted in the Fairhaven area along sewer main routes only (road rights of way) (Draft EIR Section 4.3.4, p. 4.3-28; Figures 4.3-1c and 4.3-2c). As noted in Response to Comment 2-1, the estimate of residential parcels that could reasonably be developed was used only to inform the design flow and capacity of the project facilities.

Response to Comment 2-3

The California Coastal Commission requests coordination with County staff on LCP amendments, specifically HBAP amendments proposed in the Draft EIR, in order to determine consistency with policies of the Coastal Act.

The County understands that amendments to the HBAP need to be coordinated with the Coastal Commission and must be consistent with the Coastal Act. Humboldt County recently completed work relating to Coastal

Commission Grant LCP-14-01, the focus of which was to engage the public and coordinate closely with the Coastal Commission and partner agencies in an update to the HBAP consistent with the Coastal Act relating to sea level rise planning, coastal-dependent industrial uses, and tsunami safety planning. The proposed HBAP amendments that would allow wastewater service to Fairhaven to be implemented were initiated as part of this grant process, are ongoing, and have been and continue to be closely coordinated with the Coastal Commission. Humboldt County also coordinated closely with the Coastal Commission to complete work relating to Coastal Commission Grant LCP-17-02, which was focused on identifying adaptation strategies to address sea level rise for the County's communities on Humboldt Bay most vulnerable to sea level rise, including Fairhaven/Finntown within the project area. This work will inform future HBAP amendments and as such, coordination with the Commission on the work completed for this grant is ongoing. Finally, the County was recently awarded Coastal Commission grant LCP-19-01 to explore the potential for a regional approach to sea level rise planning on Humboldt Bay, which would result in future amendments to the HBAP and thus provides yet another opportunity for the County and Coastal Commission to coordinate on HBAP amendments.

As indicated above, the County is closely coordinating with Coastal Commission staff regarding planning for amendments to the HBAP Long-Term and will continue to this coordination in regards to any amendments relating to the Samoa Peninsula Wastewater project as well as future HBAP amendments to ensure consistency with the Coastal Act.

Response to Comment 2-4

The comment recommends an expansion of the projects to consider for cumulative impacts within the Draft EIR, specifically to include the land-based fish farm project planned by Nordic Aquafarms.

This suggestion provides a good addition to the cumulative projects list.

Nordic Aquafarms signed a lease with the Humboldt Bay Harbor, Recreation and Conservation District in early February 2019, after publication of the Samoa Peninsula Wastewater Project Draft EIR. The potential wastewater flow from the Nordic Aquafarm employees was included in the Samoa Peninsula Wastewater project's base sanitary wastewater users and flow rates (see Draft EIR Appendix C, Table 5-1).

The following change is made to the text under Approach to Cumulative Impact Analysis Table 4-1 (Projects Considered for Cumulative Impacts), in Section 4 starting on page 4-3.

Table 4-1 Projects Considered for Cumulative Impacts

Project Name	Project Description	Estimated Construction Schedule	Project Location
Samoa Townsite Master Plan (STMP)	Master Plan for the Samoa Townsite covers approximately 173 acres on the north end of the Samoa Peninsula. The STMP includes development of the Samoa Wastewater Treatment Facility (WWTF) that would serve development within the STMP boundary	Begin construction for the WWTF in 2020.	In Humboldt County, in the Samoa area, on the west side of New Navy Base Road, just north of the New Navy Base Road Water Pump Station.

Project Name	Project Description	Estimated Construction Schedule	Project Location
Manila CSD Modernization	Coastal Development Permit (CDP) for the Manila Community Services District (CSD) to modernize the CSD water system infrastructure. The approximately sixteen-hundred (1,600) acre CSD service area is located in the California Coastal Commission's Appeal Zone	Unknown	In Humboldt County, north of the Samoa Area, generally west of Samoa Boulevard, north of the intersection of New Navy Base Road and the Samoa Bridge, south of the Humboldt Bay National Wildlife Refuge.
Samoa Airfield Onsite Wastewater Treatment System (OWTS)	Upgrade the existing on-site wastewater treatment system for an existing bed & breakfast and restaurant to allow the facility to operate at full capacity.	Unknown	In Humboldt County, in the Samoa Area, at the Samoa Field Airport, west of New Navy Base Road
Coast Seafoods Project	Construct and operate an onshore shellfish hatchery at the RMT II facility	Unknown	In Humboldt County, in the Samoa Area, at the RMT II facility
Nordic Aquafarms Land-based Fish Farm	Construct and operate a land-based fish farm at the RMT II facility.	Unknown	In Humboldt County, in the Samoa Area, at the RTM II facility
Renewable Wind Energy Port	Construct a 100-150 megawatt floating offshore wind farm	Unknown	In the Pacific Ocean, more than 20 miles off the coast of Eureka

The following change is made to the text under Impact AES-C-1 (Cumulative Impacts) in Section 4.1 (Aesthetics) on page 4.1-10.

> The Coast Seafoods and Nordic Aquafarms projects ~~is~~ would be located near the project site at the RMT II site; which contains existing industrial development. This Draft EIR assumes that the Coast Seafoods and Nordic Aquafarms ~~project~~ facilities would be aesthetically consistent with the existing industrial facilities at the RMT II site.

The following change is made to the text under Impact BIO-C-1 (Cumulative Impacts) in Section 4.3 (Biological Resources) on page 4.3-39.

> The Coast Seafoods proposed project (Coastal Development Plan [CDP] 9-16-0033) would construct and operate an onshore shellfish hatchery at the RMT II facility. The Nordic Aquafarms project would construct and operate a land-based fish farm at the RMT II facility. If ~~this~~these projects ~~was~~are developed at a future date, ~~its~~their development would be on a site that has been historically developed for commercial and industrial uses, and implementation of the projects ~~is~~are not expected to have significant impact on biological resources. Discharge of any wastewater from the facility~~y~~ies would only be allowed through other regulatory permits developed specifically for ~~that~~those projects. Details of ~~this~~the projects are not known at this time, and future Biological Resources analysis of ~~this~~these projects would be required through other CEQA documents and associated regulatory permits.

The following change is made to the text under Impact PSR-C-1 (Cumulative Impacts) in Section 4.12 (Public Services and Recreation) on page 4.12-6.

> Implementation of the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, or negatively affect service ratios or response times. The known cumulative projects include small scale uses (such as the Samoa Airfield OWTS) and land use entitlements with negligible cumulative effects (such as the Coast Seafoods Project and Nordic Aquafarms Project). The STMP would increase population and associated need for public service in the project's service area. However, the STMP's certified EIR found all impacts to public services would be less than significant or less than significant after mitigation. Mitigation implemented by STMP's certified EIR includes measures to reduce the STMP's increased demand for fire protection and emergency services. The project's contribution to the cumulative impact to public services would not be considerable.

The following change is made to the text under Impact TRA-C-1 (Cumulative Impacts) in Section 4.13 (Transportation and Traffic) on page 4.13-9.

> The geographic scope for the analysis of cumulative impacts on transportation and traffic consists of the areas that use the same roadways as the project. Construction of the project may overlap with the STMP projects that would be under construction or would be reasonably foreseeable in the project area. Operation of the project may overlap with operation of the STMP, Manila Community Service District Modernization, ~~and~~ Coast Seafoods Project, and Nordic Aquafarms Project. The Samoa Airfield Onsite Wastewater Treatment System would not contribute to operational impacts.

The following change is made to the text under Impact UTI-C-1 (Cumulative Impacts) in Section 4.14 (Utilities and Service Systems) on page 4.14-9.

> Under Impact UTI-1, the project would have a less-than-significant impact with regard to exceeding wastewater treatment requirements. Of the cumulative projects listed in Table 4-1, the STMP, ~~and~~ Coast Seafoods, and Nordic Aquafarms projects also could discharge via the same ocean outfall as the project. However, ~~both~~ these projects would be subject to waste discharge requirements imposed by the NCRWQCB through the NPDES permit process, as well as on-going monitoring and permit renewal requirements. Because ~~both~~ these projects would be required to abide by the same regulations, there would not be a significant cumulative impact to which the project would contribute.
>
> With regard to Impact UTI-4, there would be little to no change in water use with implementation of the project improvements. Although the project would allow, under the Long-Term phase, development to proceed on 62 infill lots, water supply for this growth was evaluated in the Humboldt County General Plan EIR which found impacts on water supply to be less than significant. The project would not substantially contribute to a cumulative impact with regard to water supply.
>
> With regard to Impact UTI-5, the project is being designed, and would be constructed, to adequately handle the flow from both the Short-Term and Long-Term phases, and does not include development beyond the capacity of the wastewater treatment facility. The Approved Samoa WWTF has been designed to accommodate buildout of the STMP. The remaining projects listed in Table 4- 1 are upgrades or expansions of existing facilities and would not contribute substantial flow ~~not tie in~~ to the Approved Samoa WWTF. The process water for Coast Seafoods and Nordic Aquafarms would be discharged through the ocean outfall; only the wastewater from employees would be sent to the

Approved Samoa WWTF. The project would not substantially contribute to a cumulative impact with regard to wastewater capacity.

Response to Comment 2-5

The comment identifies wetland/ESHA policies applicable to the STMP area for inclusion in the "Regulatory Framework" of Section 4.3, Biological Resources, of the Draft EIR. The comment states that section 3.30 of the HBAP prohibits non-resource-dependent development, such as sewer line installation, within non-wetlands ESHA, and calls for revision of mitigation measures within the chapter to conform with LCP wetlands/ESHA policy restrictions related to development within ESHA and requirements for appropriate ESHA buffers within the STMP area.

As described in Section 3 (Project Description) of the Draft EIR, the project consists of primarily underground, in-road facilities (collection and effluent disposal pipelines), underground pump stations, and improvements to the Approved Samoa WWTF. Those improvements within the STMP include the improvements to the Approved Samoa WWTF and a portion of the collection and effluent disposal pipelines. Because portions of the project would be included within the STMP, the EIR authors agree that those policies that apply to the project should be added to the setting. In addition, the mitigation measures related to ESHA, Sensitive Natural Communities, and wetlands have been modified to avoid permanent impacts, in compliance with the HBAP.

The following text is added to Regional and Local Regulatory Framework, Humboldt Bay Area Plan of the Local Coastal Program, starting on page. 4.3-26:

Relevant STMP Land Use Designation Overlay policies and provisions from the HBAP are described below. Section 4.10.B (Rural Plan Designations/Samoa Town Master Plan Land Use Designation Overlay) states in part:

STMP (Wetlands/ESHA) Policy 1:

Development within the STMP-LUP shall provide maximum protection, restoration and enhancement of existing environmentally sensitive habitat areas such as wetlands, dunes, forests, coastal scrub, and rare plant habitat, including the habitat of plants that are locally rare. The STMP shall be implemented in a manner that provides: (1) a substantial undisturbed natural resource corridor along the east side of New Navy Base Road and the northern portion of the subject site as shown in Exhibit 4 that connects sensitive resource areas and facilitates wildlife movement; (2) an ESHA buffer area that shall generally be a minimum of at least one hundred (100) feet from nearby development (included in "NR" area shown in Exhibit 4); (3) preservation of opportunities for dispersal of species through the preservation of individual plants and seed banks of rare populations; and (4) conservation of water filtering functions in vegetated areas.

STMP (Wetlands/ESHA) Policy 2:

The areas of the STMP-LUP lands designated Environmentally Sensitive Habitat Areas in the maps attached to the Memorandum contained in Exhibit 3, including the areas identified as buffers, shall be designated and zoned Natural Resources. Development within the area designated Natural Resources is prohibited except for the removal of invasive non-native plant species and the following activities if authorized by a coastal development permit: (1) restoration and enhancement of previously disturbed areas of wetlands and other sensitive habitat; (2) repair and maintenance of existing underground utilities within the existing

footprint, provided that restoration of the disturbed areas is implemented in accordance with an approved coastal development permit; (3) installation of public trails in accordance with the provisions of STMP (Wetlands/ESHA) Policy 6; and or tsunami refuge areas within buffer portions of the area designated Natural Resources but outside of identified ESHA areas.

STMP (Wetlands/ESHA) Policy 4:

A. All wetlands and non-wetland ESHAs identified outside of the areas designated Natural Resources identified in Exhibit 4 (and where no raptor nesting habitat has been identified) shall require a 100-foot setback/buffer, unless it can be demonstrated that a reduced buffer is sufficient to prevent disruption of the habitat. Wetland and non-wetland ESHA buffers shall not be reduced to less than fifty (50) feet. The determination that a reduced buffer is adequate shall be based on the following criteria:

1. Biological significance of adjacent lands and the functional relationships among nearby habitat types and areas. Functional relationships may exist if species associated with such areas spend a significant portion of their life cycle on adjacent lands. The degree of significance depends upon the habitat requirements of the species in the habitat area (e.g., nesting, feeding, breeding, or resting). Where a significant functional relationship exists, the land supporting this relationship shall also be considered to be part of the ESHA, and the buffer zone shall be measured from the edge of these lands and be sufficiently wide to protect these functional relationships. Where no significant functional relationships exist, the buffer shall be measured from the edge of the ESHA that is adjacent to the proposed development; and

2. Sensitivity of species to disturbance. The width of the buffer zone shall be based, in part, on the distance necessary to ensure that the most sensitive species of plants and animals will not be disturbed significantly by the permitted development. Such a determination shall take into account subsections (3) and (4) below and consultations with biologists of the Department of Fish and Game, the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Coastal Commission or others with similar expertise; and

3. Nesting, feeding, breeding, resting, or other habitat requirements of both resident and migratory fish and wildlife species, which may include reliance on non-native species, including trees that provide roosting, feeding, or nesting habitat; and

4. An assessment of the Short-Term and Long-term adaptability of various species to human disturbance; and

5. An assessment of the impact and activity levels of the proposed development on the resource; and

6. Erosion susceptibility. The width of the buffer shall be based, in part, on an assessment of the slope, soils, impervious surface coverage, runoff characteristics, erosion potential, and vegetative cover of the parcel proposed for development and adjacent lands. A sufficient buffer to allow for the interception of any additional material eroded as a result of the proposed development shall be provided; and

7. Use of natural topography. Where feasible, use hills and bluffs adjacent to Environmentally Sensitive Habitat Areas, to buffer these habitat areas. Where otherwise permitted, locate development on the sides of hills away from Environmentally Sensitive Habitat Areas. Include bluff faces in the buffer area; and

8. Required buffer areas shall be measured from the following points, and shall include historic locations of the subject habitat/species that are pertinent to the habitats associated with the STMP-LUP area, as applicable:

- The perimeter of the sand dune/permanently established terrestrial vegetation interface for dune-related ESHA.
- The upland edge of a wetland.
- The outer edge of the canopy of coastal sage scrub or forests plus such additional area as may be necessary to account for underground root zone areas.
- The outer edge of the plants that comprise the rare plant community for rare plant community ESHA, including any areas of rare annual plants that have been identified in previous surveys and the likely area containing the dormant seed banks of rare plant species.
- The outer edge of any habitat associated with use by mobile or difficult to survey sensitive species (such as ground nesting habitat or rare insects, seasonal upland refuges of certain amphibians, etc.) based on the best available data.

Where established "protocols" exist for the survey of a particular species or habitat, the preparing biologist shall undertake the survey and subsequent analysis in accordance with the requirements of the protocol and shall be trained and credentialed by the pertinent agency to undertake the subject protocol survey.

B. A determination to utilize a buffer area of less than the minimum width shall be made by a qualified biologist contracting directly with the County, in consultation with biologists of the California Department of Fish and Game, U.S. Fish and Wildlife Service, and the Coastal Commission. The County's determination shall be based upon specific findings as to the adequacy of the proposed reduced buffer to protect the identified resource.

STMP (Wetlands/ESHA) Policy 10:

Wetlands shall be identified and delineated as follows:

A. Delineation of wetlands shall rely on the wetland definition in Section 13577 of the Coastal Commission regulations set forth in pertinent part below. The field methods used in the wetland delineation shall be those contained in the Army Corps of Engineers Wetland Delineation Manual as modified by the Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region dated April 2008. Section 13577 states in pertinent part:

Wetland shall be defined as land where the water table is at, near, or above the land surface long enough to promote the formation of hydric soils or to support the growth of hydrophytes, and shall also include those types of wetlands where vegetation is

lacking and soil is poorly developed or absent as a result of frequent and drastic fluctuations of surface water levels, wave action, water flow, turbidity or high concentrations of salts or other substances in the substrate. Such wetlands can be recognized by the presence of surface water or saturated substrate at some time during each year and their location within, or adjacent to, vegetated wetlands or deep-water habitats. For purposes of this section, the upland limit of a wetland shall be defined as:

(a) the boundary between land with predominantly hydrophytic cover and land with predominantly mesophytic or xerophytic cover; or

(b) the boundary between soil that is predominantly hydric and soil that is predominantly nonhydric; or

(c) in the case of wetlands without vegetation or soils, the boundary between land that is flooded or saturated at some time during years of normal precipitation, and land that is not.

B. Wetland delineations shall be conducted according to the California Code of Regulations, Section 13577(b) definitions of wetland boundaries. A preponderance of hydric soils or a preponderance of wetland indicator species shall be considered presumptive evidence of wetland conditions. The delineation report shall include at a minimum: (1) a map at a scale of 1:2,400 or larger with polygons delineating all wetland areas, polygons delineating all areas of vegetation with a preponderance of wetland indicator species, and the location of sampling points; and (2) a description of the surface indicators used for delineating the wetland polygons. Paired sample points will be placed inside and outside of vegetation polygons and wetland polygons identified by the biologist doing the delineation.

C. Wetland delineations shall be prepared by a qualified biologist approved by the County.

D. Wetland delineations should not be greater than five (5) years old at the time of development approval in reliance on the information provided by the delineation(s). If substantial time passes between application submittal for a coastal development permit and approval, such that a delineation becomes outdated, a supplemental delineation prepared in accordance with the same standards set forth herein, shall be prepared and submitted for consideration.

STMP (Wetlands/ESHA) Policy 11:

Environmentally Sensitive Habitat Areas (ESHA) shall be defined as any area in which plant or animal life or their habitats are either rare, including locally rare, or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments. The determination of whether ESHA is present shall be required before a coastal development permit application for any land division or other development on lands subject to the STMP/LUP is considered complete. The determination shall include a detailed, complete biological resources report prepared by a qualified biologist approved by the County. The data concerning surveys of ESHA shall not be greater than five (5) years old at the time of pertinent development authorization.

The following changes are made to the text of Mitigation Measure (MM) BIO-2a (Protect ESHAs and Sensitive Natural Communities), and MM BIO-2b (Replace or Restore ESHAs or Other Sensitive Natural Communities Removed during Construction).

BIO-2a: Avoid Permanent Impacts and Protect ESHAs and Sensitive Natural Communities during Construction

The PCSD shall PCSD shall site the improvements to the Approved WWTF to avoid all permanent impacts to ESHA and Sensitive Natural Communities, and shall implement the following measures to protect ESHA and sensitive natural communities during construction:

- Prior to the start of construction, a qualified biologist will develop educational materials identifying sensitive natural resources within the project area and distribute ~~educational materials~~ them to construction crews at a "tail-gate" meeting ~~identifying sensitive natural resources within the project area~~. ~~This~~ Materials will include (but ~~is~~ will not be limited to) hard copy information about sensitive plant community identification and defining protective buffer flagging or fencing ~~to~~ and explain where the demarcated buffers are placed and what they are intended to protect.
- ~~Except where direct impact (removal) is proposed at the WWTF site~~, establish and maintain A~~a~~ppropriate buffers~~,~~ and BMPs shall be established and maintained in accordance with Mitigation Measure HWQ-1 Manage Stormwater during Construction, for the duration of construction. Vegetation communities with a Species Heritage rarity ranking of S3 (vulnerable), S2 (imperiled), or S1 (critically imperiled), as assigned by CDFW, shall be demarcated with high visibility fencing to avoid ground disturbance. Within the STMP, a qualified biologist shall identify and establish ESHA buffer areas consistent with STMP (Wetlands/ESHA) Policy 1, 2, 4, 10, and 11. Additionally, a qualified biologist shall identify and establish ESHA buffer areas consistent with HBAP Section 3.30. A biologist or biological monitor shall inspect the sensitive areas and the protective buffers once a week for the duration of construction to ensure the buffers and BMPs are adequately protecting ~~the~~ ESHA and/or Sensitive Natural Communities. Modifications to the buffers and BMPs, recommended by the Qualified Biologist~~,~~ shall be implemented as soon as feasible.

BIO-2b: ~~Replace or~~ Restore ESHAs or Other Sensitive Natural Communities ~~Removed~~ Temporarily Impacted during Construction

The PCSD shall prepare and implement a plan to identify and ~~compensate for~~ restore pre-project conditions for those areas where there are temporary impacts ~~removal of~~ to ESHAs or other sensitive natural communities that cannot be avoided during construction. The Plan ~~will~~ shall include the following components, and must adequately ~~replace~~ restore pre-project conditions ~~habitat~~, be consistent with HBAP, and be approved by the California Coastal Commission and California Department of Fish & Wildlife:

- Identify, map, and quantify the temporarily impacted ESHA and/or Sensitive Natural Community.
- ~~Determine the appropriate replacement or restoration ratio to impact~~.
- ~~Identify suitable location for creating replacement habitat or restoring a site that previously had the equivalent ESHA and/or Sensitive Natural Community.~~

- Determine success criteria against which the ~~replacement/~~restoration ~~site~~ would be judged to successfully have ~~replaced or~~ restored the ESHA and/or Sensitive Natural Community, which at a minimum shall be defined by no net loss of habitat.
- Determine appropriate ongoing monitoring frequency for the respective ESHA and/or Sensitive Natural Community, which at a minimum shall be yearly for 2 years or more if warranted by the habitat impacted. If additional restoration activities are determined to be required during monitoring, the monitoring period shall start again from the time of the additional restoration activity. The monitoring plan shall include the timing and frequency of inspections, and documentation of inspections, until it is determined the success criteria have~~s~~ been mea~~n~~t.
- If during monitoring it is found that the ~~replacement and/or~~ restoration is not succeeding, the PCSD shall consult with California Coastal Commission and California Department of Fish & Wildlife to determine appropriate corrective actions.

The following changes are made to the text of MM BIO-3a (Protect Wetlands during Construction), and MM BIO-3b (Create Compensatory Mitigation Wetlands).

BIO-3a: Protect Wetlands during Construction

~~Excluding wetlands that will be filled by project construction~~ The PCSD shall protect jurisdictional wetlands during construction, consistent with the HBAP STMP (Wetland/ESHA) Policies 1, 2, 4, 10, and 11. Prior to the start of construction, where construction activities occur within close proximity (100 feet) to delineated wetlands, high visibility construction fencing shall be erected to establish a no-disturbance buffer that would be adequate for the protection of the wetlands, determined by a qualified biologist. The fencing shall be checked weekly by a biological monitor to ensure its continued correct placement and stability.

BIO-3b: Restore Wetlands Impacted during Construction ~~Create Compensatory Mitigation Wetlands~~

The PCSD shall restore all ~~avoid fill of~~ seasonal wetland habitat temporarily impacted by project construction, to pre-project condition~~s and waters, to the extent feasible~~. Restoration shall result in ~~If fill cannot be avoided, the PCSD shall compensate for the loss of seasonal wetland habitat through the creation of on-site seasonal wetlands at a ratio of 3:1, so that there is~~ no net loss of ~~in~~ wetland~~s~~. The PCSD shall prepare and implement a plan to identify and compensate restore to pre-project conditions for those wetland areas for where there are temporary impacts that cannot be avoided during construction. The Plan shall include the following components, and must adequately restore impacted wetlands to pre-project conditions, be consistent with HBAP, and be approved by the California Coastal Commission and California Department of Fish & Wildlife:

- Identify, map, and quantify the temporarily impacted wetlands.
- Determine success criteria against which the restoration would be judged to successfully have restored the wetlands, which at a minimum shall be defined by no net loss of wetland.
- Determine appropriate ongoing monitoring frequency, which at a minimum shall be yearly for 2 years, or more if warranted by the habitat impacted. If additional restoration activities are determined to be required during monitoring, the monitoring period shall start again from the

time of the additional restoration activity. The monitoring plan shall include the timing and frequency of inspections, and documentation of inspections, until it is determined the success criteria have been met.

- If during monitoring it is found that the restoration is not succeeding, the PCSD shall consult with California Coastal Commission and California Department of Fish & Wildlife to determine appropriate corrective actions.
- Required permits and approvals from the U.S. Army Corp of Engineers, the North Coast Regional Water Quality Control Board, the California Department of Fish and Wildlife, and the California Coastal Commission shall be received prior to the start of any on-site construction activity. The County shall ensure any additional measures outlined in the permits are implemented.

Response to Comment 2-6

The comment lists the places within the Draft EIR that discuss evaluation criteria, significance thresholds, construction impacts, and potential ESHA impacts in Fairhaven.

This comment accurately lists some components of the Draft EIR, but does not comment on the adequacy of the Draft EIR. No further response is necessary.

However, the EIR Authors would like to note that Section 3.3.6 does not identify "the possible presence" of ESHA and coastal resources on infill lots in Fairhaven, as described by the comment. Section 3.3.6 provides existing background and setting information to inform the reader of the complex nature of the project site and surrounding area, and the varying regulations that apply. Section 3.3.6, which identifies components and requirements of the HBAP/LCP, states that site-specific evaluations of those lots would be required to ensure consistency with the policies of the HBAP and Coastal Act. The text referenced by the comment states, in full:

> "In addition, site-specific evaluation of ESHA and coastal resources potentially impacted by new infill development served by the WWTF will be needed to ensure consistency with the policies of the HBAP and Coastal Act."

As described in Response to Comment 2-1, the project's Long-Term phase involves comprehensive amendments to the HBAP policies relating to coastal resources and coastal hazards to ensure the consistency of potential future infill development with the Coastal Act. The Short-Term phase includes interim performance standards adopted by ordinance, and findings based on substantial evidence described in Response to Comment 2-1 above, and issuance of coastal development permits consistent with existing HBAP and zoning within the PCSD boundary, for infill development to connect to the project's collection system and be served by the Approved Samoa WWTF. The reference to site-specific evaluations in Section 3.3.6 should not be interpreted as part of the analysis of the project and compared to the evaluation criteria, significance thresholds, and construction impacts identified in Section 4.3 (Biological Resources). The project does not include construction of any infill development, and the reference to site-specific analysis is for context of the greater planning process that infill development would have to comply with before allowed to connect to the project's wastewater collections system. Refer to Response to Comment 2-8 regarding the environmental impacts associated with potential future residential development on infill parcels in Fairhaven, the development of which is not part of the project and was which must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits.

Response to Comment 2-7

The comment states that it is unclear if the scope of special-status species surveys and wetland and habitat delineations included a field investigation of the identified infill lots and other residential lots in Fairhaven or whether surveys were performed for dune ESHA.

The study area for the biological surveys was the project boundary identified in Draft EIR Figure 3-3 (Project Boundary). The project boundary did not include the infill lots within Fairhaven as no improvements would be made to these lots as part of the project. The survey boundary, as it relates to Fairhaven, can also be seen on Figures 4.3-1c (Vegetation Communities). On this map the project boundary is referred to as the "project area." Where vegetation communities are mapped outside of the project area, this information was available from previous studies conducted by the consultant, or from visual observation from the public right of way and was provided for information only. It should not be inferred that infill lots not showing a vegetation community were left out of the survey boundary. All areas within the project boundary/project area were included in the biological survey boundary.

Surveys for ESHA and sensitive vegetation communities were performed within the study area for the Short-Term phase as noted on Figure series 4.3-1a through -1d (Vegetation Communities) and Figure series 4.3-2a through -2d (Wetland Delineation). Areas mapped as the dune mat vegetation community within the study area included coastal dune ESHA, even where the coastal dune ESHA was degraded due to high cover by invasive species. This was done out of an abundance of caution and because dune mat vegetation regularly occurs within dune ESHA, even when it is dominated primarily by non-native grasses. Areas mapped as non-native were dominated by non-native species on disturbed soils that do not meet the criteria of dune ESHA. This included road prisms, former and active industrial areas, ground graded for residential or historical development, and areas of fill.

Response to Comment 2-8

The comment implies that impacts from implementation of the Long-Term phase of the project were not evaluated and that the significance threshold related to potential conflicts with local policies and ordinances was not accurately characterized.

As noted Response to Comment 2-1, the Short-Term phase of the project could potentially remove a constraint to possible future infill development in Fairhaven by constructing a wastewater collection system and could be served by the wastewater treatment plant. As noted on page 3-11 of the Draft EIR, the Long-Term phase does not include any improvements to the collection system, WWTF, or disposal system; those improvements would be constructed under the Short-Term phase. However, development of the 62 residential infill lots is not a component of the Short-Term or Long-Term phase of the project. The potential development of residential lots was discussed to inform the design flow and capacity of the project facilities, not because development of these lots was included as part of the project. There would be no improvements constructed under the Long-Term phase, therefore the construction-related impacts discussion under each impact section generally refers to the Short-Term phase, while operation of both the Short-Term and Long-Term phases of the project is discussed collectively as "the project" under the operational impact analysis of each impact question.

Land use planning for the Fairhaven community was conducted as part of the existing HBAP. The HBAP indicates that this area is divided into urban sized parcels with access to municipal water, and that only on-site wastewater treatment is available which is severely constrained due to high groundwater conditions. The HBAP prohibits the creation of new parcels due to on-site wastewater related constraints. The Coastal Resource

Protection maps included in the HBAP show the presence of ESHA in and near the Fairhaven community. These conditions have existed for decades and the Fairhaven parcels cannot be claimed to have been acquired based on a reasonable expectation that they could be easily and cost-effectively developed. Even if sewer lines are available in close proximity to the parcels, many other constraints, both regulatory and environmental (flooding, tsunamis, sea level rise, wetlands, and ESHA, among others), make the potential development of the parcels uncertain at best. Construction of a wastewater collection system for existing structures does not in itself "enable" or "allow" infill development, and the project description has been revised to clarify the perceived imprecise and ambiguous language in the Draft EIR that might be so construed (refer to Attachment A Clarifications to Chapter 3 Project Description). Put another way, sewer service in proximity to the undeveloped parcels is a necessary, but not sufficient, condition for development. Proposals for individual development of these infill parcels would trigger multiple planning, permit, and environmental assessment requirements including, but not limited to: completion of a hazards analysis to address sea level rise and tsunami inundation, compliance with HBAP zoning and development policies, and securing a Coastal Development Permit which would include site-specific CEQA review and documentation consistent with existing County polices and regulations. For potential future residential development on infill parcels in Fairhaven, the development of which is not part of the Samoa Peninsula Wastewater project, each proposal must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits to ensure there are no policy conflicts within the HBAP or between the HBAP and the Coastal Act in regard to implementation of the Long-term Phase.

As to the significance threshold portion of the comment, on page 4.3-26 of the Draft EIR the threshold for the evaluation criteria related to conflicts with local policies and ordinances is described as "conflict with requirements of the HBAP." As described on page 4.3-38 of the Draft EIR, because construction of the project could impact wetlands and other ESHA, the project was found to be in conflict with HBAP Section 3.30(B)(6), and the impact determined to be significant. With implementation of Mitigation Measures BIO-2a, BIO-2b, BIO-3a, BIO-3b, and HWQ-1, the project's conflict with the HBAP would be reduced to less than significant. These measures require the establishment of buffers, monitoring during construction, avoidance of impacts, and where impacts cannot be avoided, replacement or restoration of wetlands and other sensitive natural communities. Also, see Response to Comment 2-5 for revisions to Mitigation Measures BIO-2a, BIO-2b, BIO-3a and BIO-3b which require compliance with the HBAP.

Response to Comment 2-9

The comment states that the project creates an unavoidable ESHA impact by conflicting with requirements of the HBAP that prohibit non-resource-dependent development within ESHA.

Refer to Response to Comment 2-5 for revisions to Mitigation Measures BIO-2a, BIO-2b, BIO-3a and BIO-3b which require the WWTF improvements to be sited to avoid ESHA, restore pre-project conditions for those areas where there are temporary impacts to ESHA or other sensitive natural communities that cannot be avoided during construction, and require protection measures to avoid indirect impacts during construction consistent with the HBAP. The proposed project does not create an unavoidable ESHA impact through conflict with the HBAP.

Refer to Response to Comment 2-8 regarding the environmental impacts associated with potential future residential development on infill parcels in Fairhaven, the development of which is not part of the project and must be evaluated under a separate CEQA process.

Response to Comment 2-10

The comment requests that the Draft EIR further evaluate the conflicts of the project (both phases) with ESHA-protection policies of the LCP as well as impacts to biological resources from potential future residential development on infill parcels in Fairhaven.

See Response to Comment 2-5 and 2-8. Improvements to the Approved Samoa WWTF would be required to avoid all ESHA, and collection system and effluent disposal pipelines would be located within existing roadways and the approved Vance Avenue realignment. Additionally, reference to the ESHA-protection buffers required by LCP STMP (Wetlands/ESHA) policies is added to Mitigation Measures BIO-2a and BIO-3a, as identified in Response to Comment 2-5. Therefore, the proposed project does not conflict with ESHA-protection policies of the HBAP.

Refer to Response to Comment 2-8 regarding environmental impacts associated with potential future residential development on infill parcels in Fairhaven, development of which is not part of the project. Potential future residential development on infill parcels in Fairhaven must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits.

Response to Comment 2-11

The comment recommends the addition of background information on sea level rise-related hydrological effects expected for the project area as well as consideration of sea level rise in applicable Draft EIR analyses.

Draft EIR Appendix F (Geologic Hazard Evaluation and Soils Engineering Report) provides information regarding the background and inundation assumptions for sea level rise on the Samoa Peninsula. Additional background information is added to the Draft EIR, but it would not change the analysis or impact conclusions. CEQA does not require analysis of impact to the project from the environment except for that increment (if any) that a project would exacerbate or contribute to that impact (*California Building Industry Association v. Bay Area Air Quality Management District* 62 Cal.4th 369). Per CEQA Guidelines Section 15126.2 (Consideration and Discussion of Significant Environmental Impacts):

> (a) The Significant Environmental Effects of the Proposed Project. **An EIR shall identify and focus on the significant effects of the proposed project on the environment**. In assessing the impact of a proposed project on the environment, the lead agency should normally limit its examination to changes in the existing physical conditions in the affected area as they exist at the time the notice of preparation is published, or where no notice of preparation is published, at the time environmental analysis is commenced. Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussion should include relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems, and changes induced in population distribution, population concentration, the human use of the land (including commercial and residential development), health and safety problems caused by the physical changes, and other aspects of the resource base such as water, historical resources, scenic quality, and public services. **The EIR shall also analyze any significant environmental effects the project might cause or risk exacerbating by bringing development and people into the area affected**. For example, the EIR should evaluate any potentially significant direct, indirect, or cumulative environmental impacts of locating development in areas susceptible to hazardous conditions (e.g., floodplains, coastlines, wildfire risk areas), including both short-term and long-term conditions, as

identified in authoritative hazard maps, risk assessments or in land use plans addressing such hazards areas. (Emphasis Added)

As described in detail in Section 3 (Project Description) of the Draft EIR, the project consists of primarily underground, in-road facilities (collection and effluent disposal pipelines), underground pump stations, and improvements to the Approved Samoa WWTF.

The project's facilities would not cause or risk exacerbating an environmental effect from sea level rise by construction or operation of project facilities. Draft EIR Impact HWQ-3 on page 4.8-15 contains an analysis and determination of the project's potential to substantially alter the drainage pattern of the site or area in a manner which would result in substantial flooding on- or off-site.

According to Appendix F of the Draft EIR, recent State-funded studies have identified areas in Humboldt Bay that are subject to inundation due to interpreted levels of future sea level rise (Trinity Associates, 2015, 2018; NHE, 2015). These studies have identified sea level rise scenarios for different periods, up to the year 2100, and areas subject to inundation under these various scenarios. Based on the data provided in the "vulnerability assessment" report by Trinity Associates (2018), projected sea level rise by the year 2070 (the expected lifespan of the project) may be as much as 3.2 feet above mean sea level (AMSL). The modern limit of high tide, the "Highest Astronomical Tide," at the Samoa tide gauge is 9.32 feet. If sea level rise is projected onto the modern limit of high tide, areas subject to flooding due to sea level rise would be those areas below an elevation of 12.52 feet (9.32 feet + 3.2 feet). Figure 4 of Appendix F shows the project areas susceptible to inundation due to an estimated sea level rise of 3.2 feet.

Response to Comment 2-12

The comment recommends adding STMP (Hazards) Policy 2 to Section 4.8.2 of the Draft EIR and reevaluating the hydrology and water quality impacts associated with project-related development within the STMP lands.

The LCP Policy can be added to Regulatory framework. However, there is a difference between consistency with policy requirements and hydrological impacts analysis under CEQA. Consistency or inconsistency with a Sea Level Rise policy would not necessarily constitute a hydrology impact under CEQA. Refer to Response to Comment 2-11 concerning assessment of sea level rise under CEQA.

The following text is added to Section 4.8.2 (Regulatory Framework), following the subsection Humboldt Bay Area Plan of the Local Coastal Program on page 4.8-9 of the Draft EIR:

STMP (Hazard) Policy 2:

The best available and most recent scientific information with respect to the effects of long-range sea level rise shall be considered in the preparation of findings and recommendations for all geologic, geo-technical, hydrologic, and engineering investigations prepared in support of coastal development applications for development of the lands subject to the STMP-LUP. Development at nearshore sites shall analyze potential coastal hazards from erosion, flooding, wave attack, scour and other conditions, for a range of potential sea level rise scenarios, from three to six feet per century. The analysis shall also consider localized uplift or subsidence, local topography, bathymetry, and geologic conditions. A similar sensitivity analysis shall be performed for all critical facilities, energy production and distribution infrastructure, and other development projects of major community significance using a minimum rise rate of 4.5 feet per century. These hazard analyses shall be used to identify current and future site hazards, to help guide site design, development location, and hazard mitigation requirements, and to identify sea level rise thresholds after which limitations in the development's design and siting would

cause the improvements to become significantly less stable. For design purposes, development projects shall assume a minimum sea level rise of three (3) feet per century and significant or critical infrastructure development of community-wide significance, such as sewage waste treatment facilities or emergency response facilities, shall assume a minimum of 4.5 feet per century; greater sea level rise rates shall be used if development is expected to have an exceptionally long economic life, if the proposed development has few options for adaptation to sea level higher than the design minimum, or if the best available scientific information at the time of review supports a higher design level.

For reference, the Approved Samoa WWTF (where the project's proposed above-ground improvements would be constructed) is located approximately 30 feet AMSL and outside of the estimated 12.52-foot contour for sea level rise by year 2070 (the predicted life of the project).

Response to Comment 2-13

The comment recommends expansion of the impact analysis in Section 4.8.5 of the Draft EIR to consider the functionality and adaptive capacity of the proposed project's sewer infrastructure, taking into account projected sea level rise during the expected life of the project, and references the Coastal Commission's adopted Sea Level Rise Guidance.

The functionality and adaptive capacity of the system is not an environmental issue under CEQA. However, it is important for the design. The following is provided for information purposes only.

As identified in the Draft EIR (Sections 3.3.1, 3.5.3, and 4.14.1) and PER, the project area has a high groundwater table. The project pipelines would be designed to account for infiltration and liquefaction from this condition. New "tight" C900 PVC piping with rubber gasketed push-on joints would be utilized to prevent the infiltration of groundwater as much as possible. Pipes would be bedded and buried at appropriate depths to prevent flotation and minimize the impact of fluidization of the sand during an earthquake on the slope of the pipes. As noted in Response to Comment 2-14, the Approved Samoa WWTF is located well above estimated sea level rise for year 2070. Furthermore, "future impaired functionality" due to erosion, etc., as exacerbated by sea level rise would be speculative.

Response to Comment 2-14

The comment recommends an expansion of the hydrology impact analysis on whether existing homes in Fairhaven will have added exposure to flood risk under the Short-Term phase of the project in comparison to the No Project alternative, and the impacts of sea level rise on infill development.

CEQA does not evaluate the impact on existing conditions, only the change in existing conditions that would occur with implementation of the project. That said, as described in Section 4.8 (Hydrology and Water Quality), under Impact HWQ-6, of the Draft EIR, the project would not cause or exacerbate the risk of flooding from the 100-year flood, and therefore, the project would not result in an impact to flooding risks for existing residential structures.

Refer to Response to Comment 2-8 regarding environmental impacts associated with potential future residential development on infill parcels in Fairhaven, development of which is not part of the project. Potential future residential development on infill parcels in Fairhaven must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits. See to Response to Comment 2-11 regarding the assessment of sea level rise under CEQA. As noted in Response to Comment 2-12, improvements to the

Approved Samoa WWTF would be above predicted sea level rise for the predicted life of the project (year 2070).

Response to Comment 2-15

The comment recommends supplementing the HWQ-8 and HWQ-C-1 of the Draft EIR impact analyses to address tsunami inundation hazards throughout the entire project area with consideration to the possible future infill residential development in Fairhaven.

HWQ-8 states that "The project involves installation and operation of wastewater pipelines, associated pipeline infrastructure, and improvements to the Approved Samoa WWTF. *The majority of the project facilities would be underground and would not be affected by inundation by tsunami*" [Emphasis added]. Refer to Response to Comment 2-8 regarding environmental impacts associated with potential future residential development on infill parcels in Fairhaven, development of which is not part of the project. Potential future residential development on infill parcels in Fairhaven must be evaluated under a separate CEQA process associated with applications for Coastal Development Permits. .

Response to Comment 2-16

The comment identifies an error in Section 4.9 (Land Use and Planning) of the Draft EIR.

The Draft EIR text cited by the comment erroneously states that the Approved Samoa WWTF site is designated RM and NR. Upon further review, it appears that the Approved Samoa WWTF site is designated solely PF (Public Facilities).

The following change is made to Section 4.9.1 (Setting), under subsection Land Use Designation, on page 4.9-2.

> The Approved Samoa WWTF site is designated ~~RM and NR~~PF. ~~Both of these~~ This designation~~s~~ allows public infrastructure. The remainder of the project improvements would be within existing and approved roadway right-of-ways.

The following text is added to Section 4.9.1 (Setting) under subsection Zoning on page 4.9-3.

> PF; Public Facility: Areas zoned for use by a governmental agency or public agency, which has the purpose of serving the public health, safety, convenience or welfare. Principal permitted uses include essential services and minor utilities. Conditionally permitted uses include solid waste disposal, oil and gas pipelines, and any uses similar to and compatible with uses permitted in the zone.

Response to Comment 2-17

The comment identifies an error within Section 4.9.1 of the Draft EIR with respect to the Urban Limit Line, citing STMP Policy 9, which prohibits extension of service from the STMP WWTF to lands outside of the STMP area in all cases.

The following change is made to Section 4.9.1 (Setting) under subsection Urban Limit Line on page 4.9-3.

> **Urban Limit Line**
>
> The HBAP identifies an Urban Limit Line on the Samoa Peninsula as consisting of the town of Samoa, with the Urban Limit Line coterminous with the STMP boundary. Extension of wastewater services

outside of the Urban Limit Line is prohibited by STMP (New Development) Policy 9 of the HBAP~~, except sewer connections provided to industrial uses~~.

Response to Comment 2-18

The comment recommends including additional LCP policies, drawn from Section 30250(a) of the Coastal Act, into the regulatory framework of Section 4.9.2 of the Draft EIR.

The policies identified in the comment pertain to new development (HBAP Policies 3.11 and 3.14-B-1), possible nonconforming existing uses and structures (HBAP Policy 3.20-B), and extension of the Urban Limit Line (HBAP Policy 3.22-B-2). Polices 3.11 and 3.14-B-1 do not apply to the project as the project does not include new land use development. Policy 3.20-B does not apply as the project does not involve anything with regard to nonconforming uses. Refer to Response to Comment 2-8 concerning potential future infill development within Fairhaven, which is not part of the project.

Inclusion of the policy 3.22 in the regulatory section does not modify or affect the impact analysis or significance determinations of the Draft EIR.

The following text is added to Section 4.9.2 (Regulatory Framework), under subsection Humboldt Bay Area Plan, on page 4.9-5.

3.22 PUBLIC SERVICES-RURAL, B. DEVELOPMENT POLICIES, 2. Extension of Urban Limit Line

Where an area not zoned for agricultural or forestry uses is contiguous to an Urban Limit Line; and where 50% of the existing parcels in the subject area have been developed; and where the Urban Service Area is served by a special district or private utility, and water services have been extended to the Urban Limit Line adjacent to the subject area; then the County shall set a public hearing before the Planning Commission, based on which the Commission shall recommend to the Board of Supervisors whether the Urban Limit Line be amended to include the subject area. The Commissions shall recommend amending the Urban Limit (as provided in Section 30514 of the Coastal Act), if the following findings are made:

a. Service systems within the Urban Limit are adequate to serve the proposed addition under Urban Development standards;

b. Development allowable in the addition under Urban Development Standards would not adversely impact agricultural or timberlands bordering the addition.

c. Expansion of the Urban Limit and the development permitted under such expansion shall be consistent with the Resource Protection Policies and Standards in section 3.30.

Response to Comment 2-19

The comment recommends including additional LCP policies, drawn from Section 30250(a) of the Coastal Act, into Section 4.11.2 of the Draft EIR.

Section 3.11 Urban Limit applies to new land use development. The project includes infrastructure improvements, not land use development. Inclusion of the recommended policy in the regulatory section does not modify or affect the impact analysis or significance determinations of the Draft EIR.

Response to Comment 2-20

The comment requests that a supplementary impact analysis be included under Impact POP-1 of the Draft EIR to clarify how the previously identified impacts under the General Plan EIR are relevant to the Fairhaven area. The comment states that General Plan was not submitted to the Coastal Commission for certification, and it is not clear whether the General Plan EIR fully addressed the impacts of future residential development in the Fairhaven area on ESHA or fully addressed flooding impacts taking into account the best available science regarding sea level rise impacts.

Refer to Response to Comments 2-1 and 2-8 concerning potential future infill development within Fairhaven. The General Plan EIR does not address or evaluate the potential impacts of project-specific proposals, such as potential future infill development within Fairhaven. Potential future infill development is not a component of the proposed project, nor is the proposed project considered to be growth inducing.

Section 6.3, Growth-Inducing Impacts of the Project, discusses the ways in which the proposed project could indirectly foster economic or population growth, or the construction of additional housing. The project description describes how the project would remove one of many barriers to possible potential future infill development in Fairhaven by allowing development that is consistent with HBAP policies and land use designations and consistent with zone classifications, to connect to the project's collection system and be served by the wastewater treatment plant. No further analysis is required of the potential impacts the additional planned development could cause.

Clover Valley Foundation v. City of Rocklin (2011) 197 Cal.App.4th 200, which represents a very similar situation, identifies three reasons no further analysis of growth inducing impacts are required for the Fairhaven wastewater project. First, the purpose for constructing the sewer pipeline is not to provide a catalyst for future development, but rather to meet the needs of the current project, which is to correct public health and water quality problems resulting from failed on-site sewage disposal systems in the Samoa/Fairhaven area outside the Town of Samoa. These needs would be met by the Short-Term phase of the project, by adding a HBAP policy exception to allow the extension of sewer services outside the Urban Limit Line and the immediate connection of existing structures, while potential infill development would require coastal hazard and coastal resource impacts be addressed prior to approval. The extension of sewer services by this exception is not intended to encourage or facilitate development.

Second, the contemplated impact on growth is indirect. The potential future residential development on infill parcels in Fairhaven is not a part of this project. The achievement of the project purpose and the success of the project is not associated with or dependent on future infill development. The project simply removes one of several development constraints. Thus the contemplated impact on growth is therefore indirect.

Third, any future effects of that additional development will undergo project-level CEQA associated with issuance of a Coastal Development Permit. Although the sewer line will provide essential capacity for the additional housing, it removes only one of potentially numerous obstacles and approval requirements for development if and when an application to develop is submitted. The LCP designates legal lots in Fairhaven for residential development and contains no prescribed prohibitions on development of these lots. Impacts related to their development were considered when assigning land use and zoning in the LCP, and the project has no effect that would "allow" infill development where it is not already allowed.

Therefore, Section 6.3, Growth-Inducing Impacts of the Project, as revised adequately addresses growth inducing impacts relating to this project.

The following change is made to Section 6.3 (Growth-Inducing Impacts of the Project) beginning with the second paragraph on page 6-2:

Growth inducement itself is not an environmental effect but may lead to an environmental effect(s). Environmental effects may include increased demand on other public services and infrastructure, increased noise and traffic, degradation or loss of plant or animal habitats, degradation of air and water quality, or conversion of open space land to urban development. The project would provide sewer service to the communities of Fairhaven and Finntown. The project would not provide sewer service to facilities within the STMP. The project's Short-Term Phase would allow existing facilities served by onsite wastewater treatment systems within the service area to immediately connect to the project facilities. The project's Short-Term phase would not induce substantial population growth, as it would only serve existing structures served by onsite wastewater treatment systems ~~commercial and industrial facilities~~ within the project's service area.

The project does not propose or include residential development, nor is the project intended to encourage or facilitate development. The project's Long-Term phase could remove one of many barriers to possible potential future infill development in Fairhaven by allowing future infill development consistent with the adopted HBAP and existing zoning to connect to the project facilities. The assumed number of potential connections and population served by the project's Long-Term Phase is provided in Section 3.5.1. As detailed within that section, the Long-Term Phase may allow up to 62 new sewer connections to residential units and serve associated secondary dwelling units, supporting an estimated population of 273 persons on available infill lots in Fairhaven, development of which was considered when assigning land use and zoning in the certified LCP and the impacts of population growth countywide has already been evaluated in the Certified Humboldt County General Plan EIR.

Fairhaven is located in the Humboldt Local Agency Management Program Variance Prohibition Areas, as detailed in Section 3.3.1 (Existing Unsewered Condition in Fairhaven and Finntown). Variances cannot be granted for new onsite wastewater treatment system construction. Therefore, development of new residences is ~~restricted~~ constrained within the community of Fairhaven due to the area's current unsewered condition.

Because the ~~Long~~ Short-Term Phase would result in a public sewer main located within 300 feet of vacant parcels planned and zoned for residential development ~~allow~~ and future infill development ~~structures, consistent with HBAP and zoning, to~~ could connect to the project's collection system and be served by the wastewater treatment plant, the project would remove ~~an existing restriction~~ one of potentially numerous obstacles and approval requirements for ~~to~~ residential development. However, impacts associated with the development of these parcels was considered when assigning land use and zoning in the certified LCP and the Humboldt General Plan previously identified that within the Eureka Plain Watershed, within which the project is located, approximately 896 new housing units would be constructed by 2028 with a corresponding population increase of approximately 2,070 persons (Humboldt County 2017b). The population that may be supported by future infill development was estimated using the known average residential occupancy in Samoa, consistent with the Humboldt County certified General Plan Update EIR. Therefore, the estimated population increase of 273 persons has been previously accounted for in the certified LCP and by the General Plan and analyzed within the certified Humboldt County General Plan EIR (Humboldt County 2017b). In addition, the project's Long-Term phase involves completion of HBAP amendments to address the exposure of new development to coastal hazards, while the project's Short-Term phase would adopt performance

standards that would require project-specific development assessments, which would have the same practical effect of the HBAP amendments under the Long-Term phase. The potential future residential development on infill parcels in Fairhaven is not a part of this project. The achievement of the project purpose and the success of the project is not associated with or dependent on future infill development. The project simply removes one of several development constraints. Thus, the contemplated impact on growth is therefore indirect. Any future effects of that additional development would undergo project-level CEQA associated with issuance of a Coastal Development Permit. ~~The project would not allow any other new development to connect to the Approved Samoa WWTF other than the 62 infill lots identified under the Long-Term Phase. Because the project would not allow any new development other than that previously evaluated in a Certified EIR,~~

The LCP designates legal lots in Fairhaven for residential development and contains no prescribed prohibitions on development of these lots. Impacts related to that their development were considered when assigning land use and zoning in the LCP, and the project has no effect that would "allow" infill development where it is not already allowed and the future effects of that additional development will be analyzed during future HBAP amendments, and will undergo project-level CEQA associated with issuance of a Coastal Development Permit The project is therefore~~, it is~~ not considered growth inducing.

Response to Comment 2-21

The comment discusses Section 6.3 (Growth-Inducing Impacts of the Project) of the Draft EIR to state that it is unclear how potential new infill development will be limited to the identified 62 lots in the identified infill area of Fairhaven. The comment asserts that the project may allow development of land uses within the Fairhaven area that are inconsistent with the HBAP or Coastal Act ESHA Protection and Flood Hazard minimization Policies, and requests further evaluation of growth inducement potential for lots beyond the assumed 62 new residential sewer connections.

Refer to Response to Comment 2-1 regarding was is included in this project, and Response to Comment 2-8 concerning potential future infill development within Fairhaven, which is not part of this project. Refer to Response to Comment 2-20 concerning potential growth inducement.

Response to Comment 2-22

The comment states that the Draft EIR should evaluate the impacts of population and housing growth on ESHAs, and that there is a lack of clarity concerning feasible mitigation measures that would reduce the ESHA impacts of potential future residential infill development to a less-than-significant level. The comment further discusses a potential need for adaptation responses to protect residential communities in flood-prone areas and the potential future environmental impacts of those potential adaptation responses.

Refer to Response to Comment 2-1 regarding clarification as to what is included in the project. Refer to Response to Comment 2-5 with regard to edits to mitigation measures protecting ESHA. Refer to Response to Comment 2-8 with regard to potential future infill development within Fairhaven, which is not included as part of the project. Refer to Response to Comment 2-20 concerning potential growth inducement.

Response to Comment 2-23

The comment suggests adding appropriate Coastal Act policies within HBAP sections 3.15, 3.27, and 3.50 to the regulatory framework of Section 4.12.2 of the Draft EIR. The comment reiterates the importance of the

Commission's understanding of whether the physical infrastructure components developed under this project would be consistent with these policies.

HBAP Section 3.15 is specific to recreational and visitor servicing areas, HBAP Section 3.27 is applicable to recreational uses, and HBAP Section 3.50 pertains to coastal access. A review of these HBAP sections indicates that none of the sections are applicable to the proposed project, or informative to the impact analysis. Therefore, no edits to the Draft EIR are proposed.

Response to Comment 2-24

The comment discusses Impact PSR-2 within Section 4.12.5 of the Draft EIR, which pertains to parks and recreational facilities. The comment recommends expansion of the Impact PSR-2 analysis to provide further information on area parks and recreation facilities, including usage and capacity information, and discuss the information in the context of growth predictions.

Refer to Response to Comment 2-1 regarding clarification as to what is included in the project. Refer to Response to Comment 2-8 with regard to potential future infill development within Fairhaven, which is not included as part of the project. Refer to Response to Comment 2-8 concerning potential growth inducement.

Response to Comment 2-25

The comment references Section 4.13.2 (Transportation and Traffic) and notes that the County's updated general plan was not adopted for and has not been certified for the coastal zone. The comment recommends inclusion of relevant polices from the HBAP.

In review of the HBAP no policies related to transportation were found to be relevant to the project.

Response to Comment 2-26

The comment suggests that Section 5 (Alternatives to the Proposed Project) of the Draft EIR include a project alternative that consists of the construction and operation of a collection system, improvements to the Approved Samoa WWTF, and disposal that serves only the exiting Coastal Act "priority use" land uses within the PCSD that are outside of the STMP area. Priority Use land uses generally include those lands designated and zoned for coastal-dependent uses, "essential public services and basic industries vital to the economic health of the region, state or nation", public recreation/commercial recreation/visitor-serving uses, and agriculture and timberlands. The comment's proposed alternative would not include sewer service to existing residential uses within the PCSD and outside of the STMP.

The project objectives include (but are not limited to):

- Collect, convey, and treat domestic wastewater from existing structures in Fairhaven, Finntown, the County Boat Launch facility, and the Eureka Airport that currently use on-site wastewater treatment systems;
- Reduce and avoid degradation of groundwater quality;

As stated in Section 3.3 (Background and Context) of the Draft EIR, the project is proposed to improve and protect water quality in the project area through development of a public wastewater system that minimizes project costs and impacts on the environment. The Humboldt County Division of Environmental Health considers establishment of a community sewer system on the Samoa peninsula a high priority. Existing systems in Fairhaven and surrounding areas 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, 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 addition, the North Coast Regional Water Quality Control Board (NCRWQCB) staff has raised concerns prior to and during the preparation of the Samoa Peninsula Wastewater Project, Planning and Design Study (GHD/SHN 2018), about the impacts to groundwater quality from continued use and potential future failure of existing private septic systems within Samoa Peninsula.

By excluding existing residential land uses, which pose a substantial concern for continued and increased degradation of local water quality, the comment's proposed 'Priority Use" project alternative would not accomplish the most basic objectives of the project. In addition, the suggested alternative would result in continued (therefore more) impacts to water quality than the project. Therefore, inclusion of a Priority Use project alternative is eliminated and no further inclusion or analysis is required, consistent with CEQA Guidelines Section 15126.6(c) and 15126.6(f).

Response to Comment 2-27

The comment suggests the project alternatives analysis consider sea level rise within the hydrology and water quality impact analysis for the RMT-II Site Alternative in Section 5.3.2.

Refer to Response to Comment 2-11 regarding assessment of sea level rise under CEQA.

As detailed within Response to Comment 2-11, Draft EIR Appendix F (Geologic Hazard Evaluation and Soils Engineering Report) provides information regarding the background and inundation assumptions for sea level rise on the Samoa Peninsula. Additional background information may be added to the Draft EIR. However, CEQA does not require analysis of impact to the project from the environment except for that increment (if any) that a project would exacerbate or contribute to that impact (California Building Industry Association v. Bay Area Air Quality Management District (2015) 62 Cal.4th 369). Figure 4 of Appendix F shows the project areas susceptible to inundation due to an estimated sea level rise of 3.2 feet; the Alternative 2 site would be located outside of the estimated inundation area.

Response to Comment 2-28

The comment points out that the County is currently developing updates to the HBAP and asks if alternatives considered for sea level rise would change depending on whether or not the area is sewered.

This is not a comment on the adequacy of the Draft EIR. It asks about a different planning process underway by the County.

The proposed project requires that the LCP be amended to extend the wastewater collection system outside of the Urban Limit Line, and to allow wastewater flows from outside the STMP be treated at the WWTF. The Coastal Commission Sea Level Rise Policy Guidance provides guidance for addressing sea level rise and adaptation planning in new and updated Local Coastal Programs. The County is in the process of updating the HBAP to address sea level rise, with particular focus on the Fairhaven and Finntown area, as well as other issues, which will require an amendment to the HBAP, and be certified by the Coastal Commission consistent with the Coastal Act. Humboldt County is coordinating closely with the Coastal Commission in regarding to these proposed amendments.

Comment Letter 3

California
Department of Conservation
Division of Oil, Gas, and Geothermal Resources

Gavin Newsom, Governor
David Bunn, Director

February 8, 2019

State Clearinghouse
State.Clearinghouse@opr.ca.gov
PO Box 3044
Sacramento, CA 95812-3044

CEQA Project: **SCH #2018042083**
Lead Agency: Humboldt County
Project Title: Samoa Peninsula Wastewater Project

The Division of Oil, Gas, and Geothermal Resources (Division) oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. Our regulatory program emphasizes the wise development of oil, natural gas, and geothermal resources in the state through sound engineering practices that protect the environment, prevent pollution, and ensure public safety. Northern California is known for its rich gas fields. Division staff have reviewed the documents depicting the proposed project. 3-1

The proposed Samoa Peninsula Wastewater Project (project) is located on the Samoa Peninsula in Humboldt County less than 1 mile west of Eureka, California. The Samoa Peninsula includes the communities of Fairhaven, Finntown, and town of Samoa. The project's proposed wastewater improvements would serve the unincorporated communities of Fairhaven and Finntown, but would not include the Samoa Town Master Plan area. Project improvements would primarily be located in-road in Vance Avenue, Bendixsen Street, Lincoln Avenue, New Navy Base Road, and portions of adjoining streets. Improvements also would be made at the approved, but not yet constructed, Samoa Wastewater Treatment Facility in the Samoa Town Master Plan area. The Site location is shown on the attached Well Location Map. **No known well is located within the project area.** The Well Location Map shows the closest abandoned well, located more than 1,200 feet west of the nearest proposed project activity. The well is a dry hole drilled to 2,918 feet and abandoned in 1975. 3-2

For future reference, you can review wells located on private and public land at the Division's website: **https://secure.conservation.ca.gov/WellSearch**. Based on our review of available data, no impact to known oil or gas wells is likely.

The local permitting agencies and property owner should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments and are provided by the Division for consideration by the local permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis. As stated above, the Division provides the 3-3

above well review information solely to facilitate decisions made by the local permitting agency regarding potential development near an oil or gas well.

1. It is recommended that access to a well located on the property be maintained in the event re-abandonment of the well becomes necessary in the future. Impeding access to a well could result in the need to remove any structure or obstacle that prevents or impedes access. This includes, but is not limited to, buildings, housing, fencing, landscaping, trees, pools, patios, sidewalks, and decking.

2. Nothing guarantees that a well abandoned to current standards will not start leaking oil, gas, and/or water in the future. It always remains a possibility that any well may start to leak oil, gas, and/or water after abandonment, no matter how thoroughly the well was plugged and abandoned. The Division acknowledges that wells abandoned to current standards have a lower probability of leaking oil, gas, and/or water in the future, but makes no guarantees as to the adequacy of this well's abandonment or the potential need for future re-abandonment.

3. Based on comments **1** and **2** above, the Division makes the following general recommendations:

   a. Maintain physical access to any oil or gas well encountered.

   b. Ensure that the abandonment of oil or gas wells is to current standards.

   If the local permitting agency, property owner, and/or developer chooses not to follow recommendation "**b**" for a well located on the development site property, the Division believes that the importance of following recommendation "**a**" for the well located on the subject property increases. If recommendation "**a**" cannot be followed for the well located on the subject property, then the Division advises the local permitting agency, property owner, and/or developer to consider any and all alternatives to proposed construction or development on the site (see comment **4** below).

4. Sections 3208 and 3255(a)(3) of the Public Resources Code give the Division the authority to order the re-abandonment of any well that is hazardous, or that poses a danger to life, health, or natural resources. Responsibility for re-abandonment costs for any well may be affected by the choices made by the local permitting agency, property owner, and/or developer in considering the general recommendations set forth in this letter. (Cal. Public Res. Code, § 3208.1.)

5. Maintaining sufficient access to a gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and

3-3 cont.

associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.

6. If, during the course of development of this proposed project, **any unknown well(s) is/are discovered**, the Division should be notified immediately so that the newly-discovered well(s) can be incorporated into the records and investigated. The Division recommends that any wells found in the course of this project, and any pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells.

3-3 cont.

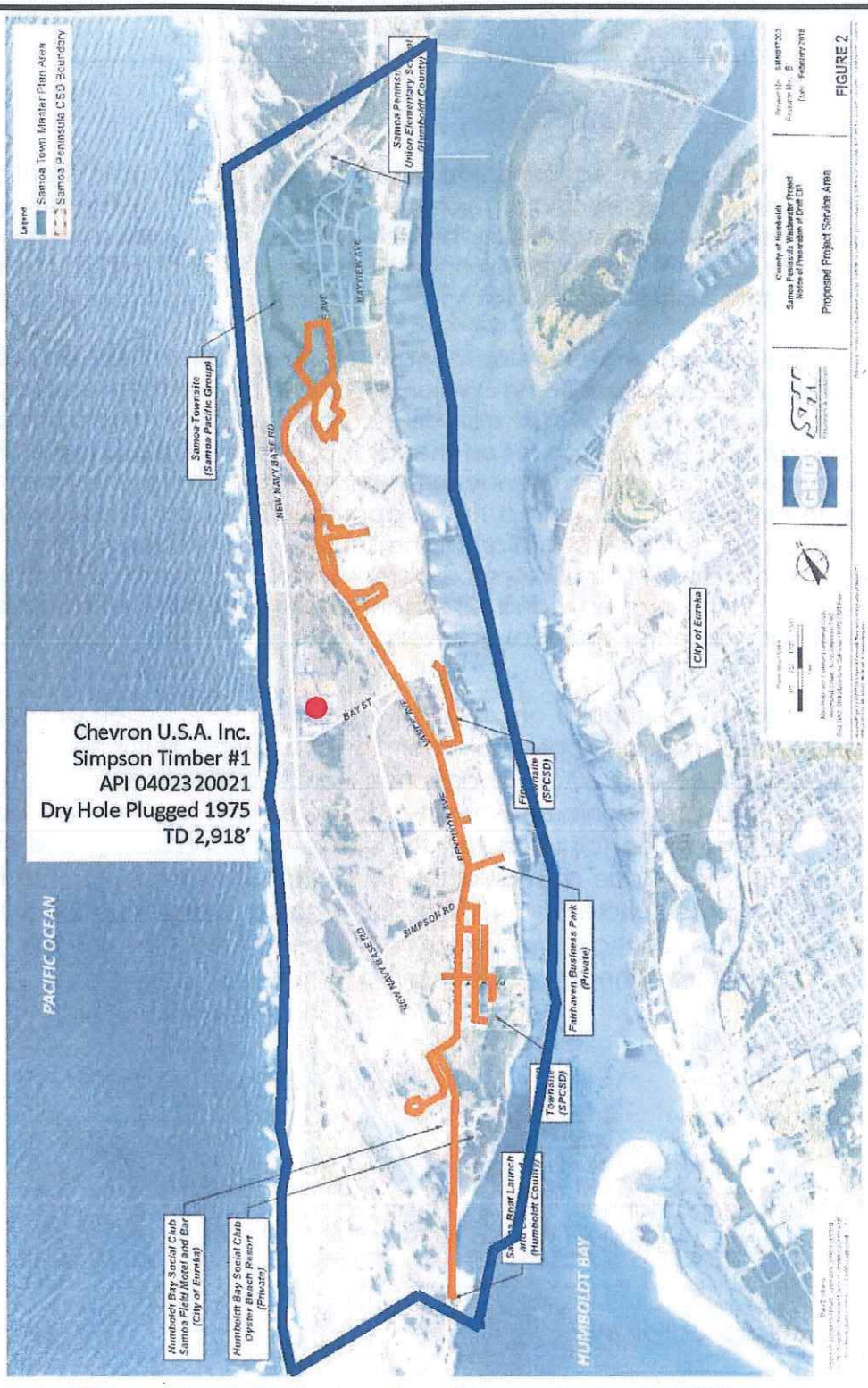
No well work may be performed on any oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings, and/or any other re-abandonment work. (NOTE: The Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

DocuSigned by:
Charlene L Wardlow
1067E7BD5EA114AF...
Charlene L Wardlow
Northern District Deputy

cc: John Miller, Senior Planner
jpmiller@co.humboldt.ca.us

Attachment: Well Location Map

Attachment



Approximate Location of Samoa Peninsula CSD Boundary

Approximate Location Project Activities

Approximate Location of Dry Well

2,000 ft

NORTH

WELL LOCATION MAP
Samoa Peninsula Wastewater Project
SCH 2018042083
Samoa Peninsula, Humboldt County, California

Letter 3 Response to Comments

Response to Comment 3-1

This comment provides an introduction as to what the Division of Oil, Gas, and Geothermal Resources oversees.

This is not a comment on the adequacy of the Draft EIR. No further response is necessary.

Response to Comment 3-2

This comment identifies broader elements of the project.

The project is characterized correctly in the comment.

Response to Comment 3-3

This comment provides general information on recommendations and requirements applicable for development activity near oil or gas wells.

As identified in the comment, no impact to known oil or gas wells is likely as there are no known wells located within the project area.

Comment Letter 4

From: Totton, Gayle@NAHC <Gayle.Totton@nahc.ca.gov>
Sent: Thursday, February 14, 2019 10:08 AM
To: Miller, John <jpmiller@co.humboldt.ca.us>
Subject: SCH# 2018042083 Samoa Peninsula Wastewater Project

Good morning Mr. Miller,

I have finished reviewing the Draft EIR for the above referenced project. First let me say that I was very happy with the comprehensive approach the County took towards composing the Cultural and Tribal Cultural Resource section. Documenting the consultation with tribes was excellent as are the proposed mitigation measures utilizing tribal input.

Because the document is substantially in compliance, I did not want to send a formal comments letter, however I found one small error in Mitigation Measure CTR-4 that needs to be corrected prior to certification of the document. The timeline for MLD recommendations should state that the tribe has 48 hours after being given access to the site. The time does not begin with notification by the NAHC. For your reference, the 48-hour timeline is stated in Public Resources Code section 5097.98 (amended). Thank you again for the good work with tribes that are culturally affiliated to the area for this project.

4-1

Sincerely,

Gayle Totton, M.A., Ph.D.
Associate Governmental Program Analyst
Native American Heritage Commission
(916) 373-3714

Letter 4 Response to Comments

Response to Comment 4-1

The comment identifies a minor correction to Mitigation Measure CTR-4 to state that the tribe has 48 hours after being given access to the site, and not from notification by the NAHC, to provide recommendations.

The following change is made to Mitigation Measure CTR-4 within Table 1-1 (Executive Summary Matrix) on page 1-16 and Section 4.4.5 (Cultural and Tribal Cultural Resources), subsection Impact CTR-4 on page 4.4-23.

CTR-4: Protect Human Remains if Encountered during Construction

Should human remains be inadvertently discovered during ground-disturbing activities, work at the discovery locale shall be halted immediately, the PCSD and County Coroner contacted, and the Harbor District's Standard Operating Procedures shall be followed, consistent with Public Resources Code § 5097.9 and Health and Safety Code § 7050.5. The Standard Operating Procedures include, but are not limited to, the following:

- If human remains are encountered, they shall be treated with dignity and respect. Discovery of Native American remains is a very sensitive issue and serious concern of affiliated Native Americans. Information about such a discovery shall be held in confidence by all project personnel on a need-to-know basis. The rights of Native Americans to practice ceremonial observances on sites, in labs and around artifacts shall be upheld.
- Violators of Section 7050.5 of the California Health and Safety Code may be subject to prosecution to the full extent of applicable law (felony offense).
- The Coroner has two working days to examine the remains after being notified of the discovery. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission (NAHC) in Sacramento at (916) 653-4082.
- The NAHC is responsible for identifying and immediately notifying the Most Likely Descendant (MLD) of the deceased Native American. (Note: NAHC policy holds that the Native American Monitor will not be designated the MLD.)
- Within 48 hours of their notification by the NAHC, the MLD will be granted permission by the property owner of the discovery locale to inspect the discovery site if they so choose.
- Within 48 hours of t~~heir notification by the NAHC~~ <u>being given access to the site</u>, the MLD may recommend to the owner of the property (discovery site) the means for treating or disposing, with appropriate dignity, the human remains and any associated grave goods. The recommendation may include the scientific removal and non-destructive or destructive analysis of human remains and items associated with Native American burials. Only those osteological analyses (if any) recommended by the MLD may be considered and carried out.
- Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the property owner rejects the recommendation of the MLD and mediation between the parties by NAHC fails to provide measures acceptable to the property owner, he/she shall cause the re-burial of the human remains and associated grave offerings with appropriate dignity on the property in a location not subject to further subsurface disturbance.

Comment Letter 5

CALIFORNIA Water Boards

GAVIN NEWSOM GOVERNOR

JARED BLUMENFELD SECRETARY FOR ENVIRONMENTAL PROTECTION

State Water Resources Control Board

Governor's Office of Planning & Research

MAR 14 2019

STATE CLEARINGHOUSE

John Miller
County of Humboldt
3015 H Street
Eureka, CA 95501

Dear Mr. John Miller,

DRAFT ENVIRONMENTAL IMPACT REPORT (EIR) FOR COUNTY OF HUMBOLDT (COUNTY); SAMOA PENINSULA WASTEWATER PROJECT (PROJECT); STATE CLEARINGHOUSE NO. 2018042083

We understand that the County is pursuing Clean Water State Revolving Fund (CWSRF) financing for this Project (CWSRF No. C-06-8312-110). As a funding agency and a state agency with jurisdiction by law to preserve, enhance, and restore the quality of California's water resources, the State Water Resources Control Board (State Water Board) is providing the following information on the draft EIR to be prepared for the Project.

The State Water Board, Division of Financial Assistance, is responsible for administering the CWSRF Program. The primary purpose for the CWSRF Program is to implement the Clean Water Act and various state laws by providing financial assistance for wastewater treatment facilities necessary to prevent water pollution, recycle water, correct nonpoint source and storm drainage pollution problems, provide for estuary enhancement, and thereby protect and promote health, safety and welfare of the inhabitants of the state. 5-1

The CWSRF Program is partially funded by the United States Environmental Protection Agency (USEPA) and requires additional "California Environmental Quality Act (CEQA)-Plus" environmental documentation and review. Three enclosures are included that further explain the CWSRF Program environmental review process and the additional federal requirements. For the complete environmental application package please visit: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/srf_forms.shtml. The State Water Board is required to consult directly with agencies responsible for implementing federal environmental laws and regulations. Any environmental issues raised by federal agencies or their representatives will need to be resolved prior to The State Water Board approval of a CWSRF financing commitment for the proposed Project. For further information on the CWSRF Program, please contact Mr. Brian Cary, at (916) 449-5624.

It is important to note that prior to a CWSRF financing commitment, projects that are subject to provisions of the Federal Endangered Species Act (ESA), must obtain Section 7 clearance from the United States Department of the Interior, Fish and Wildlife Service (USFWS), and/or the United States Department of Commerce National Oceanic and Atmospheric Administration, National Marine Fisheries Service (NMFS) for any potential effects to special-status species. 5-2

Please be advised that the State Water Board will coordinate with the USEPA to consult with the USFWS, and/or the NMFS regarding all federal special-status species that the Project has the potential to impact if the Project is to be financed by the CWSRF Program. The County will need to identify whether the Project will involve any direct effects from construction activities, or indirect effects such as growth inducement, that may affect federally listed threatened, endangered, or candidate species that are known, or have a potential to occur in the Project site, in the surrounding areas, or in the service area, and to identify applicable conservation measures to reduce such effects.

5-2 cont.

In addition, CWSRF projects must comply with federal laws pertaining to cultural resources, specifically Section 106 of the National Historic Preservation Act (Section 106). The State Water Board has responsibility for ensuring compliance with Section 106 and must consult directly with the California State Historic Preservation Officer (SHPO). The SHPO consultation is initiated when sufficient information is provided by the CWSRF applicant. If the County decides to pursue CWSRF financing, please retain a consultant that meets the Secretary of the Interior's Professional Qualifications Standards (http://www.nps.gov/history/local-law/arch_stnds_9.htm) to prepare a Section 106 compliance report.

Note that the County will need to identify the Area of Potential Effects (APE), including construction and staging areas, and the depth of any excavation. The APE is three-dimensional and includes all areas that may be affected by the Project. The APE includes the surface area and extends below ground to the depth of any Project excavations. The records search request should extend to a ½-mile beyond project APE. The appropriate area varies for different projects but should be drawn large enough to provide information on what types of sites may exist in the vicinity.

5-3

Other federal environmental requirements pertinent to the Project under the CWSRF Program include the following (for a complete list of all federal requirements please visit: http://www.waterboards.ca.gov/water_issues/programs/grants_loans/srf/docs/forms/application_environmental_package.pdf):

A. An alternative analysis discussing environmental impacts of the Project in either the CEQA document (Environmental Impact Report) or in a separate report.

B. A public hearing or meeting for adoption of CEQA documents except for those with little or no environmental impacts.

C. Compliance with the Federal Clean Air Act: (a) Provide air quality studies that may have been done for the Project; and (b) if the Project is in a nonattainment area or attainment area subject to a maintenance plan; (i) provide a summary of the estimated emissions (in tons per year) that are expected from both the construction and operation of the Project for each federal criteria pollutant in a nonattainment or maintenance area, and indicate if the nonattainment designation is moderate, serious, or severe (if applicable); (ii) if emissions are above the federal de minimis levels, but the Project is sized to meet only the needs of current population projections that are used in the approved State Implementation Plan for air quality, quantitatively indicate how the proposed capacity increase was calculated using population projections.

5-4

D. Compliance with the Coastal Zone Management Act: Identify whether the Project is within a coastal zone and the status of any coordination with the California Coastal Commission.

E. Protection of Wetlands: Identify any portion of the proposed Project area that should be evaluated for wetlands or United States waters delineation by the United States Army Corps of Engineers (USACE), or requires a permit from the USACE, and identify the status of coordination with the USACE.

F. Compliance with the Farmland Protection Policy Act: Identify whether the Project will result in the conversion of farmland. State the status of farmland (Prime, Unique, or Local and Statewide Importance) in the Project area and determine if this area is under a Williamson Act Contract.

G. Compliance with the Migratory Bird Treaty Act: List any birds protected under this act that may be impacted by the Project and identify conservation measures to minimize impacts.

H. Compliance with the Flood Plain Management Act: Identify whether or not the Project is in a Flood Management Zone and include a copy of the Federal Emergency Management Agency flood zone maps for the area.

I. Compliance with the Wild and Scenic Rivers Act: Identify whether or not any Wild and Scenic Rivers would be potentially impacted by the Project and include conservation measures to minimize such impacts.

5-4 cont.

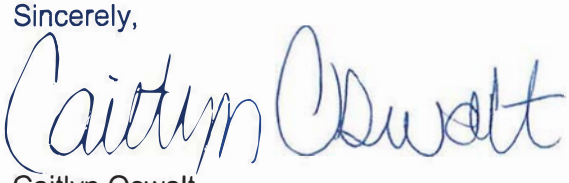
Following are specific comments on the County's draft EIR:

1. On page 3-16, it states "...construction of project improvements is anticipated to begin in 2020 and be complete within 12 months." But on page 4.2-8 it states "...assumed to begin in early 2020 with construction complete in less than one year." Approximately how many months will it take to complete construction? 5-5
2. On page 4.8-14, "Groundwater withdrawn from the construction areas would be subsequently discharged to land." Please provide all discharge locations. 5-6
3. The County needs to develop a de-watering test program as referenced in Appendix F: *Geologic Hazard Evaluation and Soils Engineering Report* to determine feasibility of open trenching in the project area due to the high groundwater table. 5-7

Please provide us with the following documents applicable to the proposed Project following the County's CEQA process: (1) one copy of the draft and final EIR, (2) the resolution adopting the EIR and making CEQA findings, (3) all comments received during the review period and the County's response to those comments, (4) the adopted Mitigation Monitoring and Reporting Program and (5) the Notice of Determination filed with the Humboldt County Clerk and the Governor's Office of Planning and Research, State Clearinghouse. In addition, we would appreciate notices of any hearings or meetings held regarding environmental review of any projects to be funded by the State Water Board. 5-8

Thank you for the opportunity to review the County's draft EIR. If you have any questions or concerns, please feel free to contact me at (916) 319-8574, or by email at Caitlyn.Oswalt@waterboards.ca.gov, or contact Brian Cary at (916) 449-5624, or by email at Brian.Cary@waterboards.ca.gov.

Sincerely,



Caitlyn Oswalt
Environmental Scientist

Enclosures (3):

1. Clean Water State Revolving Fund Environmental Review Requirements
2. Quick Reference Guide to CEQA Requirements for State Revolving Fund Loans
3. Guidelines for Applicants and their Consultants on Preparing Historic Property Identification Reports for the Clean and Drinking Water State Revolving Fund (SRF) Programs

cc: State Clearinghouse
(Re: SCH# 2018042083)
P.O. Box 3044
Sacramento, CA 95812-3044

Letters 5 Response to Comments

Response to Comment 5-1

The comment is introductory in nature and provides general information on the Clean Water State Revolving Fund.

This is not a comment on the adequacy of the Draft EIR. No further response is necessary.

Response to Comment 5-2

The comment identifies requirements to secure State Water Board prior to a Clean Water State Revolving Fund financing, including coordination with USEPA, USFWS, NMFS, and/or NOAA regarding impacts to federally listed species under the Federal Endangered Species Act.

The County appreciates the reminder for the requirements of the State Revolving Fund Program and looks forward to working with the State on this important project.

Response to Comment 5-3

The comment further discusses compliance under the Clean Water State Revolving Fund Program, specifically related to identification of an Area of Potential Effect (APE) for cultural resources.

The County appreciates the reminder for the requirements of the State Revolving Fund Program and looks forward to working with the State on this important project.

Response to Comment 5-4

The comment provides a list of other federal environmental requirements pertinent to the project under the Clean Water State Revolving Fund Program.

The County appreciates the reminder of the environmental requirements. Some can be found in the Draft EIR, while others can be provided at such time that funding is approved.

An alternatives analysis is provided in Section 5 (Alternatives to the Proposed Project) of the Draft EIR. A public hearing will be held when the County considers Certification of the EIR.

Air pollutant emissions were estimated for the project's construction and operation, and provided in Draft EIR Table 4.2-3 (Construction Regional Pollutant Emissions) and Table 4.2-4 (Operational Regional Pollutant Emissions). However, the project is located in an attainment or unclassified area for all federal criteria pollutants. The General Conformity analysis under the Federal Clean Air Act applies only to projects in a nonattainment area or an attainment area subject to a maintenance plan and is required for each criteria pollutant for which an area has been designated nonattainment or maintenance. Therefore, no additional General Conformity analysis is required to demonstrate compliance with the Federal Clean Air Act.

Potential wetlands impacts and migratory birds are discussed in Section 4.3 (Biological Resources) of the Draft EIR. As noted in Appendix A (Notice of Preparation) there is no Prime, Unique, or Local and Statewide farmland of importance, nor land with Williamson Act Contract, within the project site.

Flooding information is provided in Draft EIR Section 4.8.1 (Setting) starting on page 4.8-3, and assessed in Impacts HYD-5 and HYD-6. The FEMA FIRM map is provided as Draft EIR Figure 4.8-1 (100-Year FEMA Flood Zones Map).

The nearest designated Wild and Scenic River is the Eel River, located more than 10 miles south of the project boundary (National Wild and Scenic Rivers System 2019).

The following change is made to Section 4.2.2 (Regulatory Framework) on page 4.2-6.

> The General Conformity Rule of the Federal Clean Air Act (42 USC 7401) implements § 176(c) of the Clean Air Act. The purpose of the General Conformity Rule is to:
>
> - Ensure that federal activities do not cause or contribute to new violations of the national ambient air quality standards;
> - Ensure that actions do not cause additional or worsen existing violation of, or contribute to new violations of, the national ambient air quality standards; and
> - Ensure that attainment of the national ambient air quality standards is not delayed.
>
> The regulations apply to a proposed federal action that would cause emissions of criteria air pollutants or ozone precursors in locations designated as nonattainment or maintenance areas for the emitted pollutants. A federal agency must make a determination that a federal action conforms to the applicable implementation plan before the action is taken. The Project may be subject to the General Conformity Rule because the State Revolving Fund (SRF) Program, which may be used to finance the Project, is partially funded by the U.S. Environmental Protection Agency (EPA).
>
> The General Conformity analysis applies only to projects in a nonattainment area or an attainment area subject to a maintenance plan and is required for each criteria pollutant for which an area has been designated nonattainment or maintenance. If a project's emissions are below the "de minimis" level and are less than 10 percent of the area's inventory specified for each criteria pollutant in a nonattainment or maintenance area, further general conformity analysis is not required. A conformity determination must be made if emissions from project facilities are above "de minimis" thresholds established for the area. A conformity determination can still be made if facilities are sized to meet only the needs of current population projections that are used in the approved SIP for air quality. The conformity determination must include detailed descriptions of the proposed capacity increase calculations. If it is determined that project emissions are below "de minimis" levels and result in less than 10 percent of the nonattainment or maintenance area emissions inventory, a general conformity analysis is not needed.

The following change is made to Section 4.3.2 (Regulatory Framework) on page 4.2-6.

> **Wild and Scenic Rivers Act**
>
> The National Wild and Scenic Rivers System was created by Congress in 1968 (Public Law 90-542; 16 U.S.C. 1271 et seq.) to preserve certain rivers with outstanding natural, cultural, and recreational values in a free-flowing condition for the enjoyment of present and future generations.
>
> The nearest designated Wild and Scenic River is the Eel River, located more than 10 miles south of the project boundary.

Response to Comment 5-5

The comment requests the approximate amount of time, in months, it will take to complete construction.

This is not a comment on the adequacy of the Draft EIR. The exact number of months is unknown, but is expected to be completed within 12 months, which is under 1 year.

Response to Comment 5-6

The comment requests a list of all the groundwater discharge locations as discussed on page 4.8-14 of the Draft EIR.

This is not a comment on the adequacy of the Draft EIR. Discharge locations are currently unknown; however, the County will work with the State Water Resources Control Board to identify the most appropriate discharge locations.

Response to Comment 5-7

In order to determine the feasibility of open trenching in the project area due to the high groundwater table, the comment states that the County needs to develop a dewatering test program as referenced in Appendix F: Geologic Hazard Evaluation and Soils Engineering Report.

This is correct, a dewatering test program will be prepared to inform the design process.

Response to Comment 5-8

The comment requests specific CEQA documents be provided to the State Water Resources Control Board, including: a copy of the draft and final EIR, the resolution adopting the EIR and making CEQA findings, all comments received during the review period and the County's response to those comments, the adopted Mitigation Monitoring and Reporting Program, the Notice of Determination, as well as notices of hearings or meetings regarding environmental review of any projects to be funded by the State Water Board.

The County will provide these documents to the State Water Resources Control Board as they become available.

Comment Letter 6

Humboldt Bay
Harbor, Recreation and Conservation District
(707) 443-0801
P.O. Box 1030
Eureka, California 95502-1030

March 18, 2019

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

Subject: Samoa Peninsula Wastewater Project Draft EIR SCH #2018042083

The Humboldt Bay Harbor, Recreation and Conservation District reviewed the Samoa Peninsula Wastewater Project Draft EIR. The Harbor District is in general support of the project which would provide consolidated wastewater collection, treatment, and disposal for Samoa Peninsula uses within the approved Peninsula Community Service District (PCSD) boundaries as shown on DEIR Figure 1-2.

As stated in our May 30, 2018 letter submitted in response to the project NOP, we support use of the Harbor District's ocean outfall pipe and discharge point at Redwood Marine Terminal (RMT) II for the proposed project. We believe it is necessary to connect the Coastal Dependent Industrial properties to the wastewater treatment system in order to attract and retain Coastal Dependent Industries. We request the EIR consider the need to connect currently zoned and formerly utilized industrial properties to the wastewater system. We offer the following additional comments for consideration. 6-1

Project Description

The project description includes two phases: Sewer Service for Existing Structures (Short-Term); and Sewer Service for Possible Future Infill Development (Long-Term). The short term lists services to uses south of RMT II and does not list any of the Coastal Dependent and Industrially zoned properties within the project area. These must be added for a complete accounting of all uses potentially served by a regional wastewater facility within PCSD boundaries. Specifically , existing uses need to be added to the first Sewer Service and Phasing bullet on DEIR Page 1-2 and future planned facilities such as Nordic Aquaculture at RMT II and the proposed renewable wind energy port at RMT I need to be added to the second bullet. 6-2

In addition, serving existing and planned Coastal Industrial Uses should be added to the Project Objectives on Page 1-4.

All of the Harbor District's Samoa properties included in the PCSD project area should be able to connect to the WWTF. The Harbor District's RMT II property is part of the overall proposed wastewater system; existing and planned discharges should be included and evaluated in the EIR. There should be a wastewater line from the existing RMT II leach field to the Samoa wastewater treatment plant, independent of the Fairhaven line if that system does not get constructed. 6-3

Additionally, RMT I and other Harbor District properties east of the Town of Samoa should be considered in the EIR. RMT I is in the project area, connection to the proposed wastewater treatment facility and discharge associated with existing facilities on this site should be included and evaluated in the EIR. 6-4

Vance Avenue is a corridor for current and planned infrastructure. It should be identified as a full service utility corridor in the DEIR. This includes location of the lateral WW conveyance lines that will serve all Harbor District properties. It is also important to acknowledge that the corridor could also be used for other utilities, including, but not limited to water lines, fire hydrants, electrical, fiber optic, and communication infrastructure, etc. It would be very shortsighted to not include these common public utilities within the project description. 6-5

Ocean Outfall

The EIR should include existing and planned outfall uses and analyze potential impacts to outfall capacity. All existing Fairhaven Power Plant and foreseeable discharges out the ocean outfall should be analyzed including the Nordic Aquafarms project which has an executed lease, which would discharge approximately six million gallons per day and other aquaculture projects planned from RMT II and the surrounding area. 6-6

Please ensure the ocean outfall location is accurately identified on all maps; on Figure 3-5 the outfall is north of what is shown, and the easement begins east of New Navy Base Road. 6-7

Thank you for the opportunity to comment on the Draft EIR. If you have any questions or comments, please contact me at (707) 443-0801 or loetker@humboldtbay.org.

Larry Oetker, Executive Director

Letter 6 Response to Comments

Response to Comment 6-1

The comment provides general support for the Project.

This is not a comment on the adequacy of the Draft EIR. No further response is necessary.

Response to Comment 6-2

The comment requests Coastal Dependent and Industrially zoned properties be added to the Short-Term phase lists services of uses south of RMT-II (in the Project Description) in order to account completely for all potential uses served by a regional wastewater facility within PCSD boundaries. The comment also requests service to existing and planned Coastal Industrial Uses be added to the Project Objectives on p. 1-4 of the Draft EIR.

The project's Long-Term phase objectives include facilitating connection of existing Industrial and Coastal-Dependent zoned land uses. Once the wastewater collection system and improvements at the Approved Samoa WWTF are complete, existing structures with on-site septic systems would be allowed to connect immediately. Therefore, reference to the industrial uses is added to the Short-Term objectives as well.

The following change is made to the text in Section 1 (Executive Summary), under subsection Sewer Service and Phasing on page 1-2 and Section 3.5.1 (Sanitary Sewer Service) on page 3-9, to identify Coastal-Dependent/Industrial land uses that may be served by the project's Short-Term and Long-Term phases.

> The project's sewer service would be implemented in the following two phases:
>
> - ~~Sewer Service for Existing Structures (~~Short-Term Phase~~)~~. The Short-Term phase includes construction and operation of a collection system, upgrades to the previously Approved Samoa WWTF, and a disposal system to serve the existing structures in Fairhaven, Finntown, Coastal Dependent and Industrial facilities, the County Boat Launch facility, and the Eureka Airport that currently use on-site wastewater treatment systems.

The following change is made to the Project Objectives listed in the Section 1 (Executive Summary) on page 1-4 and Section 3.2 (Project Objectives) on page 3-1.

> **Project Objectives**
>
> The following are the project objectives for the Short-Term phase:
>
> - Collect, convey, and treat domestic wastewater from existing structures in Fairhaven, Finntown, the County Boat Launch facility, Coastal-Dependent and Industrial facilities, and the Eureka Airport that currently use on-site wastewater treatment systems;

Response to Comment 6-3

The comment discusses the need for existing and planned discharges from industrial uses be included and evaluated in the Draft EIR.

Refer to Response to Comment 6-2 regarding design flow and the project's inclusion of potential connection from existing and planned industrial uses.

Response to Comment 6-4

The comment requests RMT I facilities and other Harbor District properties east of the Town of Samoa be included and considered in the Draft EIR.

Refer to Response to Comment 6-2 regarding design flow and the project's inclusion of potential connection from RMT I industrial uses.

Response to Comment 6-5

The comment requests that Vance Avenue be identified as a full service utility corridor in the Draft EIR, as well as acknowledgement that the corridor could be used for other utilities, and include common public utilities such as (but not limited to) water lines, fire hydrants, electrical, fiber optic, and communication infrastructure) in the project description.

Although common public utilities may be installed within Vance Avenue, the project consists solely of a wastewater conveyance, treatment, and disposal facility, and the associated regulatory changes to allow connection of existing and planned infill uses to the project facilities. The project does not include water lines or the other common public utilities identified by the comment.

Response to Comment 6-6

The comment requests the Draft EIR include existing and planned outfall uses and analyze impacts to outfall capacity.

Refer to Response to Comment 6-2 regarding design flow and the project's inclusion of potential connection from existing and planned industrial uses.

Section 5.2 (Industrial Flows) of the PER, included as Appendix C of the Draft EIR, states:

> "The ocean outfall at RMT-II was recently classified as having a discharge capacity of up to 40 million gallons per day (MGD), leaving a significant amount of hydraulic capacity for additional wastewater discharges (SHN 2016)."

Section 1.1.2 (Industrial Infrastructure Assessment Reports) of the PER also states:

> The feasibility study also evaluated use of the ocean outfall for disposal of on-site and off-site wastewater. On-site wastewater sources may include dredge supernatant and aquaculture wastewater. Off-site wastewater sources may include industrial wastewater from other sites on the peninsula, and municipal wastewater from nearby communities including the City of Eureka. A waste load estimation was completed for potential industrial aquaculture activities based on the hydraulic capacity of the ocean outfall.

Section 3.2 (Town of Samoa Wastewater Facilities) of the PER states:

> "The ocean outfall at RMT-II is currently in use by the DG Fairhaven biomass power plant that discharges approximately 170,000 gpd when in operation, under NPDES permit R1-2012- 0027; however, the outfall is operating far below its rated capacity of 40 MGD."

DG Fairhaven Power flow represents less than 1 percent of the flow capacity of the outfall. Total project and STMP average daily flow is estimated as 185,134 gallons per day that, when added to the DG Fairhaven Power flow, would still be less than 1 percent of the flow capacity of the outfall.

The volume of process water for various planned Coastal-Dependent/Industrial land uses is unknown. However, the outfall is currently operating far below its rated capacity and would continue to operate below capacity with implementation of the project and the approved STMP.

Response to Comment 6-7

The comment requests the ocean outfall location be accurately identified on all maps. On Figure 3-5 specifically, the outfall is north of what is currently shown.

The Manhole 5 and ocean outfall location are depicted on Figure 1-2 (Project Service Area), Figure 3-2 (Project Service Area), Figures 3-5 (SPG-Proposed Samoa WWTF Improvements), Figure 3-7 (Collection System Overview), and Figure 4.3-2a (Wetland Delineation – Approved Samoa WWTF site to Manhole 5). The location of Manhole 5 and the ocean outfall are correctly shown on all figures except Figure 3-5. The incorrect location of Manhole 5 and the ocean outfall on Figure 3-5 does not affect the Draft EIR's impact analysis or significance determinations.

Comment Letter 7

Humboldt County Department of Health & Human Services

Environmental Health
Melissa Martel, Director
100 H Street, Eureka, CA 95501
phone: (707) 445-6215 | fax: (707) 441-5699

March 18, 2019

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

RE: Samoa Peninsula Wastewater Project Comments on Draft EIR

Dear Mr. Miller,

Staff at the Department of Health and Human Services, Division of Environmental Health (DEH) have reviewed the Samoa Wastewater Project Draft EIR dated January 21, 2019.

Please consider the following observations made by staff about the draft document:

The Executive Summary primarily focuses on the inclusion of the existing developments on the Peninsula, beyond the Samoa Town Master Plan, into a collection network to discharge via the Redwood Marine Terminal II (RMT II) outfall after treatment at a campus shared with the Samoa Waste Water Treatment Facility (WWTF). Discerning the proposal from the already approved Samoa WWTF was challenging and complicated by omission of "Peninsula" from the title and figure 3-4, the site plan of the Samoa WWTF showing leach lines. 7-1

Land Use

As is described in section 3.3, the geologic conditions found in the project area require a very high level of wastewater treatment to prevent degradation of existing aquifers. DEH encourages the discharge of adequately treated waste via the ocean outfall strategy over any land disposal approach. 7-2

Pursuant to Humboldt County Code section 612-2, when public sewer connections are made available for residential and commercial use, Septic Tank Destruction permits will be required for all septic tanks no longer in use. If an existing septic tank is still a necessary component of the connection (e.g. step system), DEH recommends the tank be tested for water tightness and replaced if necessary. 7-3

Section 3.3.1 (pg. 3-3) describes the regulatory oversight of Onsite Wastewater Treatment System (OWTS) within the County:

"Due to area-specific constrains, Humboldt County elected to develop its own Local Agency Management Program (LAMP), the Humboldt County OWTS Regulations and Technical Manual." 7-4

To clarify, the *Humboldt County OWTS Regulations and Technical Manual* provides the technical requirements of the design, permitting and installation of an OWTS within the County. It is an appendix to LAMP. 7-4 cont.

Solid Waste

Section 3.8.4 states:
"Dried solids would be hauled to either a landfill or composting operation for disposal. Currently, the landfill in Anderson, California, is the nearest landfill that would accept these solids. The Anderson Landfill is located approximately 162 miles from the Approved Samoa WWTF. There are also composting facilities in the Humboldt Bay area that could potentially accept these solids . . . Solids hauling would generate approximately four 5 CY-truckloads of solids per year" 7-5

There are no composting facilities in Humboldt County that could accept this waste (biosolids). Biosolids may be composted on-site at a Publically Owned Treatment Works (POTW) if stated in Waste Discharge Requirements from the Regional Water Quality Control Board and pursuant to a Notification under the regulation of the Division of Environmental Health's Solid Waste Local Enforcement Agency (LEA). If not composted onsite at a POTW, biosolids may be hauled for composting to a Compostable Materials Handling Facility operated under a Full Permit issued by the LEA. No such facility exists nor is planned in Humboldt County. Landfilling is the only acceptable method of handling the biosolids generated under the proposed project unless the applicant pursued onsite composting through the appropriate regulatory agencies.

The Solid Waste discussion in section 4.14-2 of the EIR contains this information:

"The County, through Humboldt Waste Management Authority (HWMA), has been trucking its solid waste approximately 175 miles to two out-of-county landfills. One third of this waste is shipped to Dry Creek Landfill near Medford, Oregon under a long term contract. The remaining two thirds of solid waste is hauled to the Anderson landfill located near Redding, California". 7-6

This information is no longer accurate. HWMA currently transports all its solid waste to Dry Creek Landfill only.

Thank for circulating the draft for public review and comment. Please consider our observations and comments.

Sincerely,

Mario Kalson REHS
Supervising EHS
Land Use and LEA Programs

MK:dm

CC (via e-file) LU Projects, Samoa proposed CSD

Letter 7 Response to Comments

Response to Comment 7-1

The comment discusses difficulties in discerning the proposed project from the Approved Samoa WWTF, complicated by omission of "Peninsula" in the title and Figure 3-4, the site plan of the Approved Samoa WWTF showing leach lines.

The Draft EIR identifies the project as the Samoa Peninsula Wastewater Project, and consistently refers to the title as such, including "Peninsula." Additionally, the Draft EIR differentiates the project from the STMP and Approved Samoa WWTF in Section 3 (Project Description). Section 3.3.2 provides background information on the STMP and Approved Samoa WWTF. Concerning the inclusion of leach lines in Figure 3-4 (Approved Samoa WWTF), Section 3.3.2 on page 3-4, of the Draft EIR, identifies that the Approved Samoa WWTF would include infiltration fields:

> "As identified in the STMP and associated environmental documents, the Approved Project Description Samoa WWTF will be constructed in phases and will be enlarged incrementally as new development progresses in Samoa. The Approved Samoa WWTF would be constructed in Phase 1 of the STMP and would include construction of primary treatment facility and a secondary wastewater treatment area (Advantex System) on approximately 0.5 acre, and an effluent disposal system (infiltration field or leachfield) on approximately 8.5 acres."

Draft EIR Section 3.5.3 (Project Improvements) on page 3-3 states:

> "The wastewater in the project's collection system would be conveyed to the Approved Samoa WWTF. Construction of the Approved Samoa WWTF is not a component of this project. The WWTF was analyzed in the certified Samoa Townsite Master Plan EIR, State Clearinghouse Number 2003052054. Location of the Approved Samoa WWTF is shown in Figure 3-4. The project would result in the construction of improvements to the Approved Samoa WWTF. The improvements would occur on approximately 0.25 acres of the WWTF site."

The exact location of the project's improvements within the Approved Samoa WWTF's footprint is currently unknown. Figure 3-4 does not attempt to identify the project's location within the Approved Samoa WWTF site.

Response to Comment 7-2

The comment expresses support of an ocean outfall disposal for discharging treated wastewater.

The County acknowledges the support for use of the ocean outfall, which is included as part of the project.

Response to Comment 7-3

The comment provides background information on Septic tank Destruction permits and the testing of tanks for water tightness and need of replacement.

This comment does not discuss the adequacy of the Draft EIR. The County appreciates the information regarding the County Code.

Response to Comment 7-4

The comment identifies a clarification for the statement made in Section 3.3.1 on p. 3-3 concerning the Humboldt County Onsite Wastewater Treatment System (OWTS) Regulations and Technical Manual's relationship to the Local Agency Management Plan.

The County appreciates the clarification. The following change is made to Section 3.3.1 (Existing Unsewered Condition in Fairhaven and Finntown) on page 3-3 of the Draft EIR to clarify the document's relationship to the Local Agency Management Plan.

> In this policy, counties are required either to accept a generic management plan for OWTS or to create their own area-specific Local Agency Management Program (LAMP) by 2018. Due to area-specific constrains, Humboldt County elected to develop its own LAMP in November 2017.~~,~~ ~~t~~The Humboldt County OWTS Regulations and Technical Manual is an appendix to the Humboldt County Onsite Wastewater LAMP.

Response to Comment 7-5

The comment discusses the absence of composting facilities within Humboldt County.

The following change is made to Section 3.8.4 (Solids Handling and Hauling) on page 3-21 of the Draft EIR to clarify the types of facilities in Humboldt County that may accept the project's biosolids.

> Dried solids would be hauled to either a landfill ~~or composting operation~~ for disposal. Currently, the landfill in Anderson, California, is the nearest landfill that would accept these solids. The Anderson Landfill is located approximately 162 miles from the Approved Samoa WWTF. ~~There are also composting facilities in the Humboldt Bay area that could potentially accept these solids.~~ Solids hauling would generate approximately four 5 CY-truckloads of solids per year.

Response to Comment 7-6

The comment identifies an edit to the Solid Waste discussion in Section 4.14-2 of the Draft EIR. The comment notes that HWMA currently transports all of its solid waste to Dry Creek Landfill only.

The following change is made to Section 4.14.1 (existing Setting), subsection Solid Waste, on page 4.14-2 of the Draft EIR to update where the County hauls their waste.

> The County, through Humboldt Waste Management Authority (HWMA), has been trucking its solid waste approximately 175 miles to ~~two~~ an out-of-county landfill~~s~~. ~~One third of this~~ The HWMA currently transports all its solid waste ~~is shipped~~ to Dry Creek Landfill near Medford, Oregon under a Long-Term contract. ~~The remaining two thirds of solid waste is hauled to the Anderson landfill located near Redding, California.~~

From: Janet Eidsness <JEidsness@bluelakerancheria-nsn.gov>
Sent: Wednesday, March 20, 2019 11:52 AM
To: Miller, John <jpmiller@co.humboldt.ca.us>; Planning Clerk <planningclerk@co.humboldt.ca.us>
Cc: erikacooper@brb-nsn.gov; 'Ted Hernandez' <ted@wiyot.us>
Subject: Samoa Peninsula Wastewater Project - Final COMMENTS from Blue Lake THPO

Comment Letter 8

I don't consider the following statement to contain confidential information.

RECOMMENDATION

Based on my review of project and archaeological data with Jamie Roscoe on 2/22/19, I recommend that that a Tribal Monitor be present to observe trenching for proposed Gravity Main and Pressure Main sewerlines in Fairhaven for those areas mapped east of Lincoln Avenue (i.e., Lindstrom, Broadway, etc.) as depicted in GHD 2018 project detail; and for the proposed Gravity Main in Finntown along all of Fay Street per GHD detail map Figure 6.4, March 2018. Should the monitor identify potential buried shell midden deposits or burials, or concentrations of historic refuse in backfilled pits (such as privies or wells), they need to have AUTHORITY TO HALT CONSTRUCTION AT THESE LOCATIONS, CONTACT THE COUNTY AND CONTRACTOR Point of Contacts (POC), AND THPOS, AND A PROFESSIONAL ARCHAEOLOGIST MAY BE ASKED TO EVALUATE THE FINDS AND RECOMMEND FURTHER ACTION (E.G., DATA RECOVERY). Revise CTR-5 accordingly to require Tribal Monitoring at these specific locations that are sensitive for prehistoric archaeological deposits associated with CA-HUM-17, -18 and -19, and for historic archaeological deposits associated with the Bendixson and Rolph shipyards, and immigrant communities at Finntown and Fairhaven. 8-1

COMMENTS ON DEIR AND ROSCOE 2018 REPORT:

I understand that GHD Sacramento staff wrote the cultural section of DEIR, drawing from Roscoe's 2018 survey report. Comments: 1) recommend not say PROJECT SITE, but rather AREA OF POTENTIAL EFFECTS (APE), as this confuses archaeological site with project site; 2) suggest standard use of trinomials rather than P#s for 12-00075 (CA-HUM-17), 12-00076 (CA-HUM-18), 12-00078 (CA-HUM-20) and 12-00079 (CA-HUM-21) (page 4.4-8, 2nd paragraph; page 4.4-19, 4th para), "...not confirmed as being outside the project site... exact locations... unknown". 8-2

The Roscoe 2018 report would benefit from an addendum that maps the locations of the two areas where bay dredgings that contain shell were located during the survey. These deposits continue to confuse the question if they are anthropomorphic (as in Native American shell midden, which is significant) as opposed to dredging spoils (not significant). Descriptions of these dredge spoils deposits and maps, plus any info on when they were deposited, would be a benefit to future researchers in the field. 8-3

Janet P. Eidsness, M.A.
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Letter 8 Response to Comments

Response to Comment 8-1

The comment recommends that a Tribal Monitor be present to observe trenching for sewer lines in Fairhaven for the areas mapped east of Lincoln Avenue, as well as the proposed Gravity Main in Finntown along all of Fay Street. The comment requests Mitigation Measure CTR-5 be modified accordingly to require Tribal Monitoring at a number of specific locations.

Mitigation Measure CTR-5 currently requires all three Wiyot groups to be contacted prior to construction and provided the opportunity to monitor ground-disturbing activities. However, the following change is made to Mitigation Measure CTR-5 (Minimize Impacts to Unknown Tribal Cultural Resources) on page 4.4-25 of the Draft EIR to address the comment's request to require monitors at the identified locations.

> **Communities CTR-5: Minimize Impacts to Unknown Tribal Cultural Resources**
>
> Prior to construction, all three Wiyot groups, Bear River Band of the Rohnerville Rancheria, Blue Lake Rancheria, and the Wiyot Tribe, shall be contacted and provided the opportunity to monitor ground-disturbing activities. PCSD shall require tribal monitoring during earth-disturbing construction activities at the following locations: CA-HUM-17, CA-HUM-18, and CA-HUM-19. PCSD shall require tribal monitoring during earth-disturbing construction activities at the following locations: Bendixon and Rolph shipyards, and communities at Finntown and Fairhaven.
>
> If potential tribal cultural resources are uncovered during construction, the PCSD and/or Tribal Monitor shall halt work, and workers shall avoid altering the materials and their context. Project personnel shall not collect cultural materials. The PCSD shall immediately notify the Tribal Historic Preservation Officers (THPO) appointed by the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria and Wiyot Tribe shall be immediately notified and a qualified archaeologist with local experience retained to consult with the PCSD, the three THPOs, other applicable regulatory agencies to employ best practices for assessing the significance of the find, developing and implementing a mitigation plan if avoidance is not feasible, and data recovery and reporting in accordance with the Protocols for Inadvertent Archaeological Discoveries for Ground Disturbing Project Permits, Leases and Franchises Issued by The Humboldt Bay Harbor, Recreation, and Conservation District, Humboldt Bay, California, with the substitution of PCSD staff for Harbor District Staff.

Response to Comment 8-2

The comment recommends adjusting language within the Draft EIR and Roscoe 2018 Report to be more explicit so as to distinguish the project site from the archaeological site. There is also a suggestion to use standard of trinomials rather than P#s for a number of archaeological sites.

The following change is made to text in Section 4.4.1 (Existing Setting) on page 4.4-8.

> Roscoe and Associate's field investigation failed to identify any evidence of Native American habitation in the areas immediately adjacent to the paved road. Survey of the direct excavation areas was impossible however, because they are covered by pavement and archaeological deposits could be present. The locations for four previously documented Native American Archaeological sites (~~P-12-000075, 12-000076, 12-000078 and 12-000079~~CA-HUM-17, CA-HUM-18, CA-HUM-20 and CA-HUM-21) have not been confirmed by modern researchers and they have not been identified since 1918. The exact locations of these sites are unknown.

The following change is made to text in Section 4.4.5 (Impact Analysis) on page 4.4-19.

> Although no known archeological sites exist within the project site, the four previously documented Native American Archaeological sites mentioned above (~~P-12-000075, 12-000076, 12-000078 and 12-000079~~CA-HUM-17, CA-HUM-18, CA-HUM-20 and CA-HUM-21) were not confirmed as being outside of the project site.

Response to Comment 8-3

The comment suggests the inclusion of an addendum to the Roscoe report that maps locations of the two areas where bay dredgings containing shell were located during the survey.

The Roscoe report is confidential and is not included as an appendix to the Draft EIR. However, the County will coordinate with Roscoe and the Tribes to provide a figure identifying the areas where bay dredge spoils containing shell were located during the survey.

Comment Letter 9

RE: The Samoa, CA. Waste water treatment project draft EIR

2-27-2019

John Miller,

I am one of many Fairhaven residents in favor of this project on the Samoa, CA peninsula, to construct a community waste disposal system to be partially or fully funded by government grants that are available now.

Current Samoa, CA peninsula waste disposal systems, whether septic tank with leech lines or mound, all end up polluting the ground water which then pollutes Humboldt Bay and Pacific Ocean waters during the High and low tides that flow through the Samoa, CA peninsula twice daily. 9-1

The high and low tides flowing beneath Samoa, CA peninsula, also causes current waste disposal practices to fail by filling them with sand making them useless! In fact, the waste then rises to the ground surface also leaving dangerous, smelly conditions in contact with Samoa, CA peninsula residents.

Our environment, including Humboldt Bay and the Pacific Ocean, cries out for a Samoa, CA wastewater treatment system to be constructed from Samoa down to Fairhaven and further if possible, to stop the pollution. 9-2

Sincerely, Jennifer D. Jensen

Jennifer D. Jensen

Letter 9 Response to Comments

Response to Comment 9-1

The comment indicates support for the project and provides general information about current Samoa peninsula waste disposal conditions.

The County acknowledges comment and the support for the project.

The County acknowledges comment and the support for the project. Response to Comment 9-2

This comment expresses support for a wastewater treatment system to be constructed.

The County acknowledges comment and the support for the project.

Comment Letter 10

From: LiaStoffers <liastoffers@gmail.com>
Sent: Friday, March 1, 2019 12:07 PM
To: Miller, John <jpmiller@co.humboldt.ca.us>
Cc: mfoget@shn-engr.com; Pat Kaspari <Pat.Kaspari@ghd.com>
Subject: PEIR Samoa Wastewater Project public comment

1. What are the projected costs associated with:

- septic destruction (Fairhaven residents septic and pump chambers) permit fees
- construction costs to install individual sewer laterals to the sewer main and who will pay for those connections

10-1

2. Will Nordic aquaculture preclude the development of WWTF or prevent use of outfall pipe for other industry uses? 10-2

3. Who will provide maintenance on the outfall pipe? 10-3

4. Are there any opportunities for the WWTF solids waste to be used for aquaculture or other biomass industry that would reduce disposal operating costs? 10-4

5. Please clarify Page 32 in the PEIR: "residential users will eventually be required to connect to the sewer system." 10-5

6. Possible Capital equipment for CSD:

- Backhoe
- Truck with dump trailer and flatbed for hauling tractor/backhoe
- Hydro jet
- Inspection camera
- Street sweeper? (Will there be sand blowing on to CSD maintained roads and/or trails?)

10-6

7. What are the special engineering considerations for seismic events and high groundwater for sewer collection lines? 10-7

8. How long does it take effluent to become septic? 10-8

9. If a pressurized system is used how long does the effluent trip take from Fairhaven to the Samoa WWTF? 10-9

10. What is Pig or pigging? 10-10

11. What will the electrical requirements for SBR, UV sanitation and pressurized pump and is there an opportunity to use renewable energy? 10-11

12. Is there any evidence that Fairhaven or Samoa septic systems (mound or gravity) are contaminating the groundwater? 10-12

13. Are there any federal funds that can be used to connect the BLM property and Coast Guard to sewer? 10-13

14. Who will be responsible for obtaining and maintaining the NPDES permit? The Harbor District owns the outfall pipe but the PCSD is producing the treated effluent. 10-14

Lia Stoffers,
Fairhaven resident and SPFD board member
831-402-2661

Letter 10 Response to Comments

Response to Comment 10-1

The commenter requests an answer to the following question: What are the projected costs associated with septic destruction (Fairhaven residents septic and pump chambers) permit fees as well as construction costs to install individual sewer laterals to the sewer main and who will pay for those connections?

This is not a comment on the adequacy of the Draft EIR. No further response is required. The Division of Environmental Health, Land Use Program Septic Tank Destruction Permit would be required. In addition, Planning and Building fees relating to the sewer connection would likely include a Coastal Development Permit and a Miscellaneous Plumbing Permit, and an encroachment permit from Public Works Department, Land Use Division would also be required. Current Humboldt County fees are available on line at https://humboldtgov.org/DocumentCenter/View/70086/2018-19-Master-Fee-Schedule.

Refer to Response to Comment 10-5 for a discussion of connection costs and responsibilities.

Response to Comment 10-2

The commenter requests an answer to the following question: Will Nordic aquaculture preclude the development of WWTF or prevent use of outfall pipe for other industry uses?

This is not a comment on the adequacy of the Draft EIR. However, as a point of clarification, the process water for Coast Seafoods and Nordic Aquafarms would be discharged directly through the ocean outfall; only the wastewater from employees would be sent through the project facilities to the proposed Improvements to the Approved Samoa WWTF. The Nordic Aquafarms project was taken into account in the estimated flow and design of the project, and in review of the capacity of the outfall pipe. It is the County's estimation that the proposed project and ocean outfall each have adequate capacity to handle sewage and process flow, respectively, from existing and proposed industrial uses at the RMT II site. Also refer to Response to Comment 6-6 with regard to the capacity of the outfall.

Response to Comment 10-3

The commenter requests an answer to the following question: Who will provide maintenance on the outfall pipe?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. However, the outfall is owned and operated by the Humboldt Bay Harbor, Recreation, and Conservation District (HBHRCD). Therefore, the HBHRCD would provide maintenance of the outfall pipe. The HBHRCD may link ocean outfall maintenance or repair to specific facilities that utilize the outfall.

Response to Comment 10-4

The commenter requests an answer to the following question: Are there any opportunities for the WWTF solids waste to be used for aquaculture or other biomass industry that would reduce disposal operating costs?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. However, for informational purposes, the County understands that treated biosolids from the WWTF would not be suitable or appropriate for use in aquaculture. There are no known biomass industry uses within the County that may accept the treated biosolids.

Response to Comment 10-5

The commenter requests clarification of a phrase on p. 32 of the Draft EIR*: "residential users will eventually be required to connect to the sewer system."*

Draft EIR Section 3.5 (Project Components) page 3-9 states:

> "It is assumed that existing individual septic systems and leachfields in Fairhaven and Finntown would remain in-use until residences opt to connect to the project improvements. At that time, individual septic tanks would be decommissioned under permit through the HCDEH."

It is the intent of Humboldt County to obtain grant funding to assist and encourage home owners to connect to the proposed sewer system by paying for the connection and abandonment of their existing systems. Residents that connect to the proposed sewer system when it is installed will not have to pay sewer connection fees, which likely will be charged to residents or businesses that connect later. For those residents that chose not to connect immediately, and in the event of septic system failure at their residence or if the septic system is found to be a nuisance, the Humboldt County Environmental Health Department would likely require the land owner to abate and connect to the proposed project system.

Response to Comment 10-6

The comment lists possible capital equipment for CSD and asks the following question: will there be sand blowing on to CSD maintained roads and/or trails?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA.

Response to Comment 10-7

The commenter requests an answer to the following question: What are the special engineering considerations for seismic events and high groundwater for sewer collection lines?

During a seismic event, there is a potential for liquefaction of soils. During liquefaction events, pipelines tend to become buoyant due to the loss of confining pressure and "float" toward the ground surface. A gravity pipe is not typically full of water, thus creating more buoyancy than in a pressure pipe, and increasing the risk of the pipe floating or moving. Gravity mains and laterals will be constructed to prevent floatation during seismic events or due to high groundwater. Refer to Response to Comment 2-13 concerning design components that reduce risks to the project facilities posed by liquefaction. Design components identified in Response to Comment 2-13 prevent flotation during seismic events or from high groundwater.

Response to Comment 10-8

The commenter requests an answer to the following question: How long does it take effluent to become septic?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. However, for information purposes, as described in the Draft EIR Chapter 3 (Project Description), the project would include odor abatement components including air scrubbers at air relief valves along pressure mains. Potential odor impacts have been evaluated in the Draft EIR Impact AQ-4 on page 4.2-14.

Response to Comment 10-9

The commenter requests an answer to the following question: If a pressurized system is used, how long does the effluent trip take from Fairhaven to the Samoa WWTF?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. However, for informational purposes, the pump and piping would be design to provide a minimum scour velocity of approximately 5 feet per second (ft/sec) in the pipes. At 5 ft/sec it would take the effluent 2,500 seconds or 42 minutes to travel the 12,500 feet from the south end of Fairhaven to the Approved Samoa WWTF site.

Response to Comment 10-10

The commenter requests an answer to the following question: What is Pig or pigging?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA. However, for informational purposes, as noted in Section 3 (Project Description), PIG refers to a pipeline inspection gauge, which is used to clean or inspect a pipeline when necessary. In order to launch a PIG, the pressure main running from the boat ramp and campground at the southern end of the PCSD service area to Fairhaven and Finntown as well as the pressure main to the Approved Samoa WWTF would include cleanout stations at each change in horizontal or vertical alignment, intersection of main lines, and at the end of every pipe run.

Response to Comment 10-11

The commenter requests an answer to the following question: What will the electrical requirements for SBR, UV sanitation and pressurized pump and is there an opportunity to use renewable energy?

Estimated energy usage of the project, including for the treatment system, is detailed in Draft EIR Section 3.7 (Energy Usage) starting on page 3-18. Draft EIR Table 3-6 (Estimated Treatment System Energy Use) details the annual energy consumption for the SBR, UV, and solids dewatering. The project would receive energy from the Redwood Coast Energy Authority, which provides a Community Choice Energy Program, allowing residents and business to opt up in to several renewable energy choices. A detailed energy efficiency design would be part of the overall design to make the system as energy efficient and inexpensive to operate as possible. The most efficient pumps would selected for the system and would likely be outfitted with variable frequency drives to allow them to operate efficiently over a wide range of flows. Energy efficient lighting and heating will be utilized whenever possible, and options for the use of solar panels to power systems will also be pursued in the design phase.

Response to Comment 10-12

The commenter requests an answer to the following question: Is there any evidence that Fairhaven or Samoa septic systems (mound or gravity) are contaminating the groundwater?

Background on groundwater quality on the Samoa Peninsula, including Fairhaven, is provided in Draft EIR Section 4.8 (Hydrology and Water Quality). This section describes the deteriorating quality of existing septic systems and the concern of the North Coast Regional Water Quality Control Board (NCRWQCB), the impacts of partially treated effluent discharged into leachfields, groundwater, and Humboldt Bay due to the Peninsula's high water table and sandy soils. There have been recorded incidents of surface seepage, which have been reported to the Humboldt County Division of Environmental Health.

Response to Comment 10-13

The commenter requests an answer to the following question: Are there any federal funds that can be used to connect the BLM property and Coast Guard to sewer?

This is not a comment on the adequacy of the Draft EIR. No further response is required under CEQA.

Response to Comment 10-14

The commenter requests an answer to the following question: Who will be responsible for obtaining and maintaining the NPDES permit? The Harbor District owns the outfall pipe but the PCSD is producing the treated effluent.

The PCSD would be responsible for obtaining and maintaining the NPDES Report of Waste Discharge, 401 Water Quality Certification.

3. Lead Agency Revisions to Draft EIR

Introduction

The following edits were made to the Executive Summary, Section 4.2 (Air Quality), Section 4.9 (Land Use) and Section 4.11 (Population and Housing) of the Draft EIR by the Lead Agency to correct minor errors and to provide additional detail and clarity to the respective chapters regarding what is included as part of the project. Text from the Draft EIR is indicated by indented text. Text that has been added to the Draft EIR is indicated in underline font, while text that has been deleted is indicated with ~~strikethrough~~ font. In addition to the following revisions, clarifications have been made throughout Chapter 3 Project Description. For ease of reading, this chapter is presented in its entirety as Attachment A.

1. Executive Summary

The following edits are made to correct errors in Table 1-1, Executive Summary Matrix, relating to the conclusions for Impact AQ-3, Impact AQ-4, and Impact AQ-C1. The analysis of Impact AQ-3 is contained on DEIR pages 4.2-13 and 4.2-14, where the summary states that "(n)either project construction nor project operation would expose sensitive receptors to substantial pollutant concentrations. This impact is less than significant." For AQ-4, the analysis concluded that "(p)roject impact to odors from construction would be less than significant. Project impact to odors from normal operation would be less than significant, but significant during wind events" and incorporated Mitigation Measure AQ-4, Curtail Operational Odor-Generating Maintenance Activities during Wind Events, which reduces potential odor impacts by requiring the PCSD to avoid maintenance when weather conditions would result in the impacts to adjacent residential uses such as when winds are forecast in a direction that would carry odors toward the nearest residences. The correction to the conclusion statement for Impact AQ-C-1 is described in further detail under the heading "Section 4.2 Air Quality" below.

The following corrections are made to the Table 1-1, Executive Summary Matrix:

Table 1-1 Executive Summary Matrix

Environmental Impact	Impact Significance	Mitigation Measure	Impact After Mitigation
Section 4.2 Air Quality			
Impact AQ-3: Would the project expose sensitive receptors to substantial pollutant concentrations?	Less than Significant	None Required	N/A

Environmental Impact	Impact Significance	Mitigation Measure	Impact After Mitigation
Impact AQ-4: Would the project create objectionable odors affecting a substantial number of people?	~~Less than~~ Significant	**AQ-4: Curtail Operational Odor-Generating Maintenance Activities during Wind Events** The PCSD shall avoid and limit odor-generating maintenance activity at Approved Samoa WWTF during wind events, defined as winds southern winds 15 miles per hour or greater. Additionally, a publicly visible sign shall be posted with the telephone number and person to contact at the PCSD regarding odor complaints. This person shall respond and take corrective action within 48 hours. The North Coast Unified Air Quality Management District phone number shall also be visible to ensure compliance with applicable regulations.	Less than Significant with Mitigation
Impact AQ-C-1: Would the project result in a cumulatively considerable contribution to cumulative impacts related to air quality?	~~Less than~~ Cumulatively Considerable ~~(Less than Significant)~~	**Implement MM AQ-1**	(Less than Significant with Mitigation)

Section 4.2 Air Quality

The following correction is made to the conclusion statement for Impact AQ-C-1, in Section 4.2 (Air Quality). This change matches the conclusion on page 4.2-16: "If a project exceeds the identified regional significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. Finally, consistency with an attainment plan is a cumulative analysis, as it analyzes a project in regards to an adopted plan that is based on growth projections for the region. Therefore, the project-level analysis above also would constitute the cumulative impact analysis, and no additional cumulative impacts analysis is required." The analysis in the DEIR incorporates mitigation (AQ-1: Implement Air Quality Construction Control Measures) and concludes that "with mitigation the project would not conflict with the applicable air quality plan and the project's generation of construction-period dust is reduced to less-than-significant levels." Therefore, the conclusion of the cumulative impact analysis on page on page 4.2-16 is corrected as follows, no other changes, other than those identified above in Section 3, Lead Agency Revisions to Draft EIR, are required:

Significance ~~*Less than*~~ Cumulatively Considerable (~~Less than Significant~~)

Section 4.9 Land Use

The following change is made to the first paragraph of analysis text under the Short-Term Phase heading for Impact LU-2 in Section 4.9 (Land Use and Planning) starting on page 4.9-7:

Short-Term Phase

The project's Short-Term phase includes construction and operation of a wastewater collection system, improvements at the Approved Samoa Wastewater Treatment Facility (WWTF), and disposal system to serve the existing structures in Fairhaven, Finntown, the County Boat Launch facility, and the Eureka Airport that currently use onsite wastewater treatment systems. Additionally, the HBAP would be amended to allow the extension of sewer service outside the Urban Limit Line established by the STMP, and to allow the immediate establishment of service to existing structures that are served by onsite septic systems to address the project Short-Term phase objectives, and to provide service to industrial and conditionally permitted coastal-dependent industrial uses ~~specify the existing uses that may be connected to the wastewater system as exceptions to the other policies in the HBAP~~. HBAP amendments would also specify that development on lots located within 300 feet of the sewer service extension, may only be approved after Long-Term phase coastal hazard and resource planning is completed and the HBAP is amended consistent with the Coastal Act to ensure new infill development in the is sited and designed to the greatest extent feasible to protect life and property from sea level rise and tsunami inundation hazards and to protect ESHA, or upon the approval of Coastal Development Permits for new residential development that precede those HBAP amendments subject to performance standards, adopted by ordinance, which ensure that such development will be protective of public health, safety and welfare relative to sea level rise and tsunami inundation, and will be protective of ESHA, based on site-specific investigations prepared by a qualified professional that would have the same practical effect as the HBAP planning effort and subsequent HBAP amendment.

The following change is made to the second paragraph of analysis text under the Humboldt Bay Area Plan heading, for Impact LU-2 in Section 4.9 (Land Use and Planning) on page 4.9-7:

The HBAP does not allow for the extension of public services, to areas outside of the designated Urban Limit Line. The communities of Fairhaven and Finntown, as well as areas south of the Urban Limit Line of the town of Samoa, are subject to this prohibition. However, the project includes amending the HBAP to allow the extension of sewer service outside the Urban Limit Line established by the STMP, and to allow the immediate establishment of service to existing structures that are served by onsite septic systems to address the project Short-Term phase objectives ~~specify the existing uses outside of the Urban Limit Line may be connected to the wastewater system as exceptions to the other policies in the HBAP~~. Therefore, development of the proposed project would be consistent with the HBAP by removing the existing prohibitions for development of short term aspects of the proposed project. The project would not be a conflict with the HBAP and there would be **no impact**.

The following change is made to the first paragraph of analysis text under the Long-Term Phase heading, for Impact LU-2 in Section 4.9 (Land Use and Planning) on page 4.9-7:

Long-Term Phase

~~The Long-Term phase of the proposed project would allow future infill development in the communityies of Fairhaven, consistent with the HBAP and zoning, to be served by the project~~ The Long-Term phase involves the comprehensive planning to address the exposure of new development to coastal hazards, including sea level rise and tsunami inundation, and to protect coastal resources, and the implementation of programs to support coastal hazard adaptation and resilience for planned uses around Humboldt Bay and does not include any construction or operation activities and does not include the development of vacant residential parcels or any other type of infill development. As noted in the project's Long-Term phase description (Section 3.5, Project Components), implementation of the Long-Term phase, consisting of amending the HBAP, is assumed to occur by 2030. The EIR assumes that future infill development, which is not a part of the project, would be developed within a 30 year-year planning horizon, and that approximately 62 new connections may be served by the project improvements. As stated above, the project includes revision of the HBAP and STMP Policy 9 to allow connections to the Samoa WWTF by users outside of the STMP. Therefore, the project would result in **no impact**.

Section 4.11 Population and Housing

The following change is made to the analysis text starting with the first paragraph under the Operation heading, for Impact POP-1 in Section 4.11 (Population and Housing) starting on page 4.11-2:

Operation

The project would provide sewer service to the communities of Fairhaven and Finntown. The project would not provide sewer service to facilities within the STMP. The proposed project does not propose or include residential development, nor is the project intended to encourage or facilitate development. The project's Short-Term Phase would add an exception to the HBAP policy to allow the extension of sewer service outside the Urban Limit Line established by the STMP, and to allow the immediate establishment of service to existing structures that are served by onsite septic systems ~~allow existing facilities within the service area to connect to the project facilities~~. This phase also includes amendments to the HBAP and Coastal Zoning Regulations to ensure that new residential development located within 300 feet of a sewer main and thus legally required to connect to the system, would be

required to complete planning to address sea level rise inundation, tsunami safety, and ESHA impacts either through completion of the comprehensive planning process that constitutes the Long-Term phase, or by compliance with performance standards that would have the same practical effect as the comprehensive planning for the Long-Term phase and that will be adopted by ordinance. The project's Short-Term phase would not induce substantial population growth, as it would only serve existing facilities within the project's service area, which is the Peninsula Community Services District boundary (excluding the STMP). Therefore, the project's Short- Term Phase would result in **no impact**.

The project's Long-Term phase would include planning to address the exposure of new development to coastal hazards, including sea level rise and tsunami inundation, and to protect coastal resources, and the implementation of programs to support coastal hazard adaptation and resilience for planned uses around Humboldt Bay ~~would allow future infill development consistent with existing HBAP plan and zoning to connect to the project facilities~~. The ~~assumed~~ number of new infill lots that are estimated to be developed in the future ~~potential connections~~ and population served ~~by the project's Long-Term Phase~~ is provided in Section 3.5.1. As detailed within that section, future infill development consistent with the ~~HBAP plan and~~ current land use designations and zone classifications would include an estimated 62 new residential units on ~~available~~ infill lots in Fairhaven and 64 new ADUs ~~as allowed under existing zoning. The Long-Term Phase would allow sewer service for those infill lots for an~~ The estimated new residential units would result in 273 new residents, the development of which was considered when assigning land use and zoning in the certified LCP and the impacts of population growth countywide was ~~has already been~~ evaluated in the certified Humboldt County General Plan Update EIR. ~~The population was estimated using an average residential occupancy in Samoa of 2.84 people per household, and an assumed 1.5 people per ADU (GHD/SHN 2018).~~

Fairhaven is located in the Humboldt Local Agency Management Program Variance Prohibition Areas which is administered by Humboldt County Environmental Health, as detailed in Section 3.3.1 (Existing Unsewered Condition in Fairhaven and Finntown). Variances cannot be granted for new onsite wastewater treatment system construction. Therefore, due to the area's current unsewered condition, development of new residences is ~~restricted~~ constrained due the cost an onsite wastewater treatment system that would meet the requirements of the County regulations ~~within the community of Fairhaven due to the area's current unsewered condition~~.

Because the Short ~~Long~~ Term Phase would result in sewer service extension within 300 feet of vacant parcels planned and zoned for residential uses ~~allow future infill structures, consistent with HBAP and zoning, to connect to the project's collection system and be served by the wastewater treatment plant~~, the project would remove one of potentially numerous obstacles and approval requirements for ~~an existing restriction to~~ residential development in Fairhaven in compliance with requirements of the Long-Term phase. However, impacts associated with the development of these parcels was considered when assigning land use and zoning in the certified LCP and the Humboldt General Plan previously identified that within the Eureka Plain Watershed, within which the project is located, the population would be increased by approximately 3,448 persons by 2030 (Humboldt 2017). Therefore, the estimated population increase of 273 persons has been previously accounted for in the certified LCP and by the General Plan and fully analyzed within the certified General Plan EIR. In addition, the project's Long-Term phase involves completion of HBAP amendments, and adoption of performance standards that would require project-specific development assessments, which would have the same practical effect of the HBAP amendments. The project's Long-Term Phase impact on population growth would be **less than significant**.

Summary

Project construction and the Short-Term phase would ~~not include an population-inducing components~~ result in sewer service extensions within 300 feet of vacant parcels planned and zoned for residential uses and would remove one of potentially numerous obstacles and approval requirements for residential development in Fairhaven. ~~These phases~~ The project does not include the development of vacant residential parcels or any other type of infill development and would ~~are not anticipated to~~ result in any impacts related to population or housing. ~~The Long-Term phase would allow for future growth to occur due to the provision of necessary wastewater infrastructure~~. The project would remove one of many barriers to possible potential future infill development in Fairhaven by allowing development that is consistent with HBAP policies and land use designations and consistent with zone classifications, to connect to the project's collection system and be served by the wastewater treatment plant. However, the estimated population growth that may occur ~~under the project's Long-Term Phase~~ is accounted for in the certified LCP and the County's General Plan and certified General Plan EIR. Furthermore, this growth would not be considered substantial and development would comply with the General Plan, Zoning Code, and HBAP. Therefore, the Long-Term phase of the project related to population growth would be **less than significant**.

The following change is made to the analysis text starting at the third paragraph for Impact POP-C-1 in Section 4.11 (Population and Housing) starting on page 4.11-5:

Implementation ~~for the Long-Term phase~~ of the project would not induce substantial population growth, displace substantial numbers of people, or necessitate the construction of replacement housing. The project would remove one of many barriers to possible potential future infill development in Fairhaven by allowing development that is consistent with HBAP policies and land use designations and consistent with zone classifications, to connect to the project's collection system and be served by the wastewater treatment plant. The Long-Term phase includes comprehensive planning to address the exposure of new development to coastal hazards, including sea level rise and tsunami inundation, and to protect coastal resources, and the implementation of programs to support coastal hazard adaptation and resilience for planned uses around Humboldt Bay ~~This phase of the project would allow future infill development, consistent with HBAP plan and zoning, to connect to the proposed project facilities via an amendment to the existing HBAP~~. The Long-Term Phase would not increase the development potential within the designated infill areas, or allow development beyond that which is currently allowed under the General Plan, Zoning Code, and HBAP. Furthermore, the housing and population growth associated with development of infill properties has been included and appropriately addressed in the certified General Plan EIR. Therefore, implementation of the Long-Term phase of the project would not substantially contribute to a cumulative population and housing impact; the project's contribution to the cumulative impact would be less than significant.

Summary

Implementation of the Short-Term phase would result in no impact to population and housing. Therefore, no cumulative impact would occur.

The Long-Term Phase would not increase the development potential within the designated infill areas, or allow development beyond that which is currently allowed under the General Plan, Zoning Code, and HBAP. ~~The Long-Term phase would allow future infill development consistent with HBAP plan and zoning to connect to the project facilities. However~~, Ppopulation and housing from future infill

development has been is accounted for in the certified LCP and addressed in the certified General Plan EIR. Therefore, implementation of the Long-Term phase of the project would not substantially contribute to a cumulative population and housing impact; the impact would be less than significant.

4. References

GHD/SHN. 2018. Samoa Peninsula Wastewater Project, Planning and Design Study. May.

National Wild and Scenic River Systems. 2019. California. Website: https://www.rivers.gov/california.php. Accessed: May 24, 2019.

SHN. 2016. Infrastructure Needs and Reuse on the Samoa Peninsula: Redwood Marine Terminal II

Attachment A – Clarifications to Chapter 3 – Project Description

3. Project Description

The proposed project involves ~~amendments to the Humboldt Bay Area Plan (HBAP) of the Humboldt County Local Coastal Program to allow~~ the construction and operation of a consolidated wastewater collection, treatment, and disposal system to correct public health and water quality problems resulting from failed on-site sewage disposal systems in the Samoa/Fairhaven area outside the Town of Samoa ~~with connections to residential, commercial/industrial, recreational, and institutional facilities located~~ within the boundaries of the ~~proposed~~ Peninsula Community Services District (PCSD), and amendments to the Humboldt Bay Area Plan (HBAP) and Coastal Zoning Regulations (CZRs), components of the Humboldt County Local Coastal Program (LCP), to allow construction and operation of the system. ~~It is anticipated that the PCSD will be fully formed by early 2019~~.

The project would provide sewer service ~~to structures within~~ on the Samoa Peninsula, including to the communities of Fairhaven and Finntown. The project would not provide service to parcels within the approved Samoa Town Master Plan. The proposed project ~~Sewer service to the area~~ would be implemented in two phases:

~~Sewer Service for Existing Structures (~~Short-Term Phase~~)~~ – The construction and operation of a wastewater collection system extending outside the Urban Limit Line to existing residential and commercial uses, currently served by onsite wastewater treatment systems, for immediate connection to address public health and water quality problems and to provide service to industrial and conditionally permitted coastal-dependent industrial uses, and amendments to the LCP to allow system construction and operation.

~~The Short-Term phase includes construction and operation of a collection system, upgrades to a previously approved wastewater treatment facility, and a disposal system using the existing outfall to discharge effluent into the ocean to serve the existing structures that are served by onsite septic systems within the boundaries of the PCSD. The Long-Term phase would allow future infill structures, consistent with HBAP and zoning, to connect to the project's collection system and be served by the wastewater treatment plant.~~ The amendments to the HBAP and Coastal Zoning Regulations in the Short-Term Phase are necessary to allow the extension of sewer service outside the Urban Limit Line to existing uses, allow wastewater flows to be sent to the Approved Samoa WWTF, and to establish interim performance standards that new residential development would be required to meet in order to address sea level rise inundation, tsunami safety, and ESHA impacts

~~and Sewer Service for Possible Future Infill (~~Long-Term Phase~~)~~ – Comprehensive planning, and amendments to the Local Coastal Program to address the exposure of new development to coastal hazards, including sea level rise and tsunami inundation, and to protect coastal resources, including ESHA, and the implementation of programs to support coastal hazard adaptation and resilience for planned uses around Humboldt Bay.

The Long-Term phase involves the comprehensive planning process and implementation programs described above and does not include any construction or operation activities.

The interim performance standards under the Short-Term phase are anticipated to be adopted by ordinance in 2021 and would have the same practical effect as the comprehensive planning HBAP amendments proposed under the Long-Term phase. Neither project phase includes the development of vacant residential parcels or any other type of infill development.

3.1 Project Location

The proposed Samoa Peninsula Wastewater Project (project) is located on the Samoa Peninsula in Humboldt County approximately 225 miles north of San Francisco and less than 1 mile west of Eureka, California (Figure 3-1 Project Location). The project is within the proposed PCSD boundary, which once fully formed, will provide municipal services to the Samoa Peninsula (Figure 3-2 Service Area). The Samoa Peninsula includes the communities of Fairhaven, Finntown, and town of Samoa. The project's proposed wastewater improvements would serve the unincorporated communities of Fairhaven and Finntown and area surrounding the town of Samoa, but would not include the Samoa Town Master Plan area, which was addressed in the previously prepared *Samoa Town Master Plan, Final Master Environmental Impact Report,* Humboldt County, April 14, 2006, certified October 27, 2009 (see Section 3.3.2).

Project improvements would primarily be located in-road in Vance Avenue, Bendixsen Street, Lincoln Avenue, New Navy Base Road, and portions of adjoining streets. Improvements also would be made at the approved, but not yet constructed, Samoa Wastewater Treatment Facility in the Samoa Town Master Plan area. Figure 3-3 Project Boundary shows the project site, including construction staging areas.

3.2 Project Objectives

The following are the project objectives for the Short-Term phase:

- Collect, convey, and treat domestic wastewater from existing structures in Fairhaven, Finntown, the County Boat Launch facility, Coastal-Dependent Industrial facilities, and the Eureka Airport that currently use on-site wastewater treatment systems;
- Reduce and avoid degradation of groundwater quality;
- Consolidate wastewater collection and treatment services within the PCSD service area;
- Minimize the impacts to coastal resources by ~~limiting~~ allowing immediate connections to the project ~~to only serve~~ for only existing structures that are served by onsite septic systems and by locating the wastewater collection system within the existing developed road system wherever feasible; and
- Minimize project cost by improving the approved Samoa Wastewater Treatment Facility (WWTF) system and utilizing the existing outfall to discharge effluent into the ocean.

The following are the project objectives for the Long-Term phase:

- ~~Allow for the~~ Ensure that future ~~development of~~ infill development ~~properties~~ in Fairhaven that will be required to connect to the project will be sited and designed in a manner~~,~~ consistent with future HBAP ~~land designations /zone classifications and policies;~~ amendments resulting from planning efforts that will address sea level rise, tsunami safety, and ESHA protection in a manner that will ensure protection of coastal resources and provide coastal hazards resilience; and
- ~~Protect coastal resources and provide coastal hazards resilience;~~
- Facilitate ~~Industrial~~ Coastal-Dependent~~,~~ Industrial and Port of Humboldt development consistent with HBAP land use designations~~/~~ and policies, and with zone classifications ~~and policies~~.

3.3 Background and Context

The project is proposed to improve and protect water quality in the project area through development of a public wastewater system that minimizes project costs and impacts on the environment. The Humboldt County Division of Environmental Health considers establishment of a community sewer system on the Samoa peninsula a high priority. Existing systems in Fairhaven and surrounding areas 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, 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 addition, the North Coast Regional Water Quality Control Board (NCRWQCB) staff has raised concerns prior to and during the preparation of the *Samoa Peninsula Wastewater Project, Planning and Design Study* (GHD/SHN 2018), about the impacts to groundwater quality from continued use and potential future failure of existing private septic systems within Samoa Peninsula. The Short-Term phase would be initiated as soon as funding is available and amendments to the HBAP required for this phase are certified, and would implement improvements to collect, treat, and dispose of wastewater from existing structures, thus addressing this issue, as detailed in Section 3.5.3 below. ~~The Long-Term phase would occur after planning relating to coastal resources and coastal hazards is complete and additional amendments to the HBAP are certified, utilizing the infrastructure constructed in Short-Term phase and would accommodate Industrial, Coastal-Dependent, Port and infill development that would occur over time.~~

The project is proposed within a complex planning environment that includes application of planning and policy documents at the County level, and regulation and oversight by multiple state and regional resource management agencies. The following paragraphs describe the various components of the planning landscape for the project.

3.3.1 Existing Unsewered Condition in Fairhaven and Finntown

The <u>following areas may be periodically referred to collectively as the Fairhaven and Finntown and do not have a wastewater collection and treatment system, and instead use individual septic systems that discharge to individual leachfields and make up the project area: the</u> communities of Fairhaven and Finntown; surrounding industrial properties; Samoa Peninsula Union School; the Samoa boat ramp and RV park; and smaller commercial operations located on or near the City of Eureka Samoa Field Airport~~.~~. The DG Fairhaven Power Facility discharges to an existing ocean outfall. Most of the existing septic systems are aging and are poorly suited for the soil and groundwater conditions that exist on the peninsula. Preventative maintenance is uncommon and failing systems are rarely identified until surface seepage is reported to the Humboldt County Division of Environmental Health (HCDEH).

In 1991, the first Wisconsin mound on-site wastewater disposal system was approved by the HCDEH. At the time, Wisconsin mounds were the best available technology for leachate disposal in areas of high groundwater; however, the HCDEH and the NCRWQCB found that due to high groundwater levels and coarse sand, mound systems, while providing better treatment than standard leachfields, did not comply with the Water Quality Control Plan (Basin Plan) requirements for the Fairhaven area. The Basin Plan sets specific vertical separation requirements between disposal

lines and groundwater to ensure protection of beneficial uses of the groundwater in the Samoa Peninsula.

On June 8, 1993, the NCRWQCB advised the HCDEH that no more than six mounds should be installed in the Fairhaven area until sufficient monitoring data supports permitting additional mounds. To date, groundwater monitoring for septic leachate contamination has not been completed in the Fairhaven area. Six permits were issued for new residential construction using Wisconsin mounds, the most recent being in 2006; however, an additional 14 Wisconsin mounds were permitted as emergency repairs for failed standard septic systems. In total, 20 Wisconsin mounds have been constructed with an average of one per year since 2010 as emergency replacements.

The NCRWQCB is concerned about the impacts of partially-treated wastewater discharged to leachfields, groundwater, and Humboldt Bay due to the Peninsula's high water table and sandy soils. The NCRWQCB has raised concerns about harmful impacts to groundwater and potential impacts to the waters of Humboldt Bay if the existing systems are left in place.

The NCRWQCB maintains the Water Quality Control Policy for Siting, Design, Operation, and Maintenance of Onsite Wastewater Treatment Systems (OWTS Policy). In this policy, counties are required either to accept a generic management plan for OWTS or to create their own area-specific Local Agency Management Program (LAMP) by 2018. Due to area-specific constrains, Humboldt County elected to develop its own LAMP in November 2017. The *Humboldt County OWTS Regulations and Technical Manual* is an appendix to the Humboldt County Onsite Wastewater LAMP. The Humboldt LAMP regulates the installation of new or replacement OWTS under Tier 2 of the OWTS Policy.

In the Humboldt LAMP, the Fairhaven area is identified as having multiple challenging conditions for OWTSs. Due to these issues, Fairhaven is within a Variance Prohibition Area. Variance Prohibition Areas (VPA) have conditions which require special consideration for OWTSs to protect public health and water quality, including high groundwater elevations, extremely coarse or restrictive soils, and high septic or water well density. Replacement of failing systems in VPAs will likely require above-grade pressurized dispersal systems, and new OWTS design proposals within these areas must strictly adhere to the regulations to ensure adequate treatment prior to dispersal. Variances cannot be granted for new OWTS construction. It is unlikely that site conditions found in Fairhaven would support the design of economically viable new ~~septic system~~ OWTSs that meet the requirements of the County regulations. Any discharge to land outside the jurisdiction of the local county regulations would require review and approval by the NCRWQCB. Additionally, proposals for future infill development specifically in Fairhaven are subject to submittal of a cumulative impact report that assesses groundwater mounding and organic and nitrogen impacts that are likely to result from the development. The HCDEH cites Humboldt County Code section 612-2(b)(3)(j) for authority to require the report. Multiple developers have sought OWTS permits since 2006; however, no cumulative impact report has been submitted, thus no permit has been issued.

3.3.2 Samoa Townsite Master Plan

The Samoa Townsite Master Plan (STMP), prepared by the Samoa Pacific Group (SPG), was approved in 2009 with the STMP Master Environmental Impact Report (EIR) (State Clearinghouse Number: 2003052054) certified on October 27, 2009 by the Humboldt County Board of Supervisors.

The STMP covers approximately 173 acres on the north end of the Samoa Peninsula (See Figure 3-2 Service Area). After certification of the STMP Master EIR, amendment of the Humboldt County General Plan (Humboldt Bay Area Plan [HBAP]) was approved by the County of Humboldt on December 6, 2011. The HBAP amendment incorporates the adopted findings of the California Coastal Commission (LCP Amendment HUM-MAJ-01-08, March 10, 2011). The amendment ~~conditionally~~ approved the land uses and associated zone reclassifications for the STMP site and was ultimately certified by the Coastal Commission in August 2012.

The STMP and Master EIR include a wastewater treatment facility (Samoa WWTF). The Samoa WWTF, as described and contained in the approved STMP and certified Master EIR, is referred to as the "Approved Samoa WWTF" within this DEIR.

2015 HBAP Amendment

After approval of the STMP, Humboldt County adopted an amendment to the HBAP to establish development requirements for each phase of the STMP. The amendment also establishes submittal requirements for each development phase and provides specific improvement requirements for each phase. This amendment was subsequently certified by the California Coastal Commission.

2017 STMP Amendment and IS/MND

The STMP was amended in 2017. The 2017 amendment was analyzed in the *Samoa Town Master Plan Phase 1 Multi-family Housing, Wastewater Treatment Facilities, and Vance Avenue Reconstruction* Initial Study/Mitigated Negative Declaration (IS/MND), adopted by the County of Humboldt Planning Commission on May 4, 2017. The overall scope of the STMP project was reduced from that which was analyzed in the Master EIR in terms of total acres of proposed development, number of proposed new residential units, and acres of business park development.

The STMP will be implemented in four phases and includes development of the Approved Samoa WWTF that would serve development within the STMP boundary. The town of Samoa has two separate wastewater treatment facilities that will be replaced by the Approved Samoa WWTF. The western system consists of a septic tank and leachfield. The eastern system consists of a septic tank, two unused bark filters, an oxidation treatment pond, and a percolation basin.

The Approved Samoa WWTF will be located north and west of Vance Avenue (Figure 3-4 Approved Samoa WWTF). As identified in the STMP and associated environmental documents, the Approved Samoa WWTF will be constructed in phases and will be enlarged incrementally as new development progresses in Samoa. The Approved Samoa WWTF would be constructed in Phase 1 of the STMP and would include construction of primary treatment facility and a secondary wastewater treatment area (Advantex System) on approximately 0.5 acre, and an effluent disposal system (infiltration field or leachfield) on approximately 8.5 acres.

The Approved Samoa WWTF has not yet been permitted by the NCRWQCB. The RWQCB published a draft Waste Discharge Requirements order (Order No. R1-2014-0031) proposing new discharge limits for the Approved Samoa WWTF to serve the development under the STMP.

~~2018~~2019 STMP Amendment and Supplemental EIR

As described above, the Approved Samoa WWTF includes land-based (infiltration) disposal of treated effluent. The 2019 STMP Supplemental EIR, certified on February 20, 2020, however, ~~SPG~~

~~is proposing to amend the STMP with~~ included an alternative to allow treated effluent disposal via the existing ocean outfall pipe at the Redwood Marine Terminal II (RMT II). As stated in the ~~NOP for~~ the 2019 STMP Supplemental ~~Samoa Town Master Plan Supplement to the Master~~ EIR, SPG ~~is pursuing~~ considered two possible scenarios for wastewater management:

1. Treatment at the Approved Samoa WWTF and land disposal consistent with the certified Master EIR, or

2. Treatment at the Approved Samoa WWTF and ocean disposal

Ocean disposal includes construction and operation of a dedicated pressure main to connect the Approved Samoa WWTF to Manhole 5, and use of the existing RMT II ocean outfall. The dedicated pressure main and associated pump station would be constructed by SPG as a component of the SPG-proposed Samoa WWTF improvements and would, therefore, be transferred to the PCSD after construction.

The SPG-proposed Samoa WWTF improvements for ocean disposal, including the construction of a dedicated pressure main and use of the ocean outfall, are referred to as the "SPG-proposed Samoa WWTF improvements" within this DEIR. The RWQCB approved Waste Discharge Requirements for Peninsula CSD that includes the replacement of the existing collection systems, abandonment of the existing treatment system, extension and connection to an existing ocean outfall, and construction of a new wastewater treatment facility (Order No. R1-2020-0005 NPDES No. CA1000001 WDID No. 1B85017RHUM Waste Discharge Requirements for the Peninsula Community Services District and Samoa Pacific Group Town of Samoa Wastewater Treatment Facility Humboldt County).

3.3.3 RMT II Ocean Outfall

The existing RMT II ocean outfall is an approximately 1.5 mile long, 48-inch diameter pipe with 144 2.4-inch diameter diffuser ports distributed over approximately one-quarter mile at the distant end of the pipe off-shore, putting it in the jurisdiction of the California Ocean Plan. Currently, DG Fairhaven Power, located between Fairhaven and Samoa, discharges approximately 170,000 gallons per day (gpd) of processed water, following treatment, through the RMT II ocean outfall. Discharges from DG Fairhaven Power are regulated by a National Pollutant Discharge Elimination System (NPDES) permit under North Coast Regional Water Quality Control Board (NCRWQCB) Order No. R1-2014-0031).

3.3.4 Peninsula Community Services District

The Samoa Peninsula Fire Protection District (SPFPD) submitted an application to the Humboldt County Local Agency Formation Commission (LAFCo) for what is known as a "reorganization" consisting of dissolution of the SPFPD and formation of a new community services district. The PCSD was approved by LAFCo in 2017, and approved by voters within the service area in the November 7, 2017 election. ~~It is anticipated that the PCSD will be fully formed by the end of 2018.~~ The PCSD was officially formed on April 13, 2020.

As requested and approved, the SPFPD was reorganized to a community services district for purposes of providing expanded municipal services to the Samoa Peninsula, including the new water and wastewater facilities to be constructed as part of the approved STMP. Control and ownership of the Approved Samoa WWTF will be transferred to PCSD once a plan is agreed upon for transfer of

ownership. The PCSD continues the role of providing fire protection services previously provided by the SPFPD.

3.3.5 Samoa Peninsula Wastewater Project Planning and Design Study

The Samoa Peninsula Wastewater Project Planning and Design Study (Preliminary Engineering Report) was prepared to evaluate the potential wastewater collection systems, treatment systems, and disposal options for the town of Samoa, Fairhaven, and Finntown. The main focus of the Samoa Peninsula Wastewater Project Planning and Design ~~Preliminary Environmental~~ Study, May 2018, was to evaluate the opportunities, identify approaches to address the constraints, and ultimately determine the path of future wastewater development on the Samoa Peninsula.

3.3.6 Humboldt Bay Area Plan/Local Coastal Plan

The HBAP is the County's Local Coastal Plan applicable to the project area. The HBAP identifies land uses and standards by which development will be evaluated within the Coastal Zone. The HBAP may be amended, in conformance with the policies of the California Coastal Act, only with the approval of the California Coastal Commission.

There are two areas in the HBAP that serve to directly limit connection to public wastewater systems contemplated in both the Short-Term and Long-Term phases of the proposed project.

> **HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies)** prohibits the extension of wastewater services outside of the Urban Limit Line (the STMP area is the only area of the PCSD that is within the Urban Limit Line), except sewer connections may be provided to industrial uses.
>
> **HBAP STMP Land Use Designation Overlay New Development (Policy 9)** only allows wastewater flows to the Samoa WWTF by uses within the STMP boundary.

These HBAP policies would prevent the Approved Samoa WWTF from serving areas outside the STMP (Fairhaven and Finntown), and would prevent ~~existing structures from connecting to the Approved Samoa WWTF~~ the construction and operation of the proposed wastewater collection system outside the Urban Limit Line.

To allow the project's Short-Term phase to proceed, HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies) would be amended to allow ~~add an exception to allow sewer connections to be provided to Interim Conditionally Permitted uses in the Industrial/Coastal-Dependent Zone, and~~ service outside the Urban Limit Line established by the STMP; to allow the immediate establishment of service to existing structures that are served by onsite septic systems; and to establish interim performance standards that new residential development would be required to address sea level rise inundation and tsunami safety, and ESHA impacts. Industrial uses outside the Urban Limit Line are currently allowed to connect to the Approved Samoa WWTF and would continue to be allowed to do so with no amendment required ~~to existing structures that are served by onsite septic systems on the Samoa Peninsula outside the town of Samoa~~. STMP Land Use Designation Overlay New Development – Policy 9 would be ~~deleted~~ amended to only allow pipeline connections to collect and transfer wastewater from outside the STMP to the Approved Samoa WWTF to serve areas consistent with amendments to HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies) (see Section 3.5.4 for the details of this required amendment). ~~In addition,~~

~~amendments may be required to allow the discharge of treated wastewater through the RMT II ocean outfall.~~

Although the project would remove one of several constraints to residential development of vacant infill lots in Fairhaven, the Short-Term phase HBAP amendments would also ensure that should entitlements for future residential infill development located within 300 feet of a sewer main (and is therefore legally required to connect) be sought prior to completion of the Long-Term phase, such development would be required to be designed and planned in consideration of sea level rise, tsunami safety, and ESHA protection in accordance with interim performance standards, until such time as the comprehensive planning performed under the Long-Term phase, and addressing similar issues, is complete.

The project's Long-Term phase ~~involves~~ is comprised of the portion of the above described comprehensive planning amendments to the HBAP ~~allowing future infill development~~ policies that address hazards associated with projected sea level rise and tsunami inundation as well as planning related to the protection of coastal resources, consistent with existing HBAP and zoning within the PCSD boundary~~, to connect to the project's collection system and be served by the Approved Samoa WWTF~~. Approved development will be required to connect to the wastewater system. The increase in effluent resulting from new infill lateral connections ~~allowed under the Long-Term phase~~ would be conveyed, treated, and disposed of using the facilities constructed under the Short-Term phase. No additional improvements to the collection system or at the WWTF would be required.

Section 3.5.4 below describes proposed amendments to the HBAP. Humboldt County is in the process of updating the HBAP Section 3.17 Hazards to address sea level rise and tsunami inundation. The Long-Term phase would need to be consistent with amended HBAP hazard related policies. In addition, site-specific evaluation of ESHA and coastal resources potentially impacted by new infill development served by the WWTF will be needed to ensure consistency with the policies of the HBAP and Coastal Act.

3.3.7 California Ocean Plan

The State Water Resources Control Board (SWRCB) adopted the 2015 California Ocean Plan (Ocean Plan) to protect the quality of ocean waters for beneficial uses. The Ocean Plan requires control of discharge of waste to ocean waters to protect against degradation of marine species and impacts to public health. The objectives and measures of the plan are applicable to point source and nonpoint source discharges to the ocean.

All publicly owned treatment works are required to meet secondary treatment standards using technology based effluent limitations (40CFR part 133). In addition, the Ocean Plan provides the following *General Requirements for Management of Waste Discharge* to the ocean:

a. Waste management systems that discharge to the ocean must be designed and operated in a manner that will maintain the indigenous marine life and a healthy and diverse marine community.

b. Waste discharged to the ocean must be essentially free of:

    1. Material that is floatable or will become floatable upon discharge.

    2. Settleable material or substances that may form sediments which will degrade benthic communities or other aquatic life.

3. Substances which will accumulate to toxic levels in marine waters, sediments or biota.

4. Substances that significantly decrease the natural light to benthic communities and other marine life.

5. Materials that result in aesthetically undesirable discoloration of the ocean surface.

c. Waste effluents shall be discharged in a manner which provides sufficient initial dilution to minimize the concentrations of substances not removed in the treatment.

d. Location of waste discharges must be determined after a detailed assessment of the oceanographic characteristics and current patterns to assure that:

1. Pathogenic organisms and viruses are not present in areas where shellfish are harvested for human consumption or in areas used for swimming or other body-contact sports.

2. Natural water quality conditions are not altered in areas designated as being of special biological significance or areas that existing marine laboratories use as a source of seawater.

3. Maximum protection is provided to the marine environment.

e. Waste that contains pathogenic organisms or viruses should be discharged a sufficient distance from shellfishing and water-contact sports areas to maintain applicable bacterial standards without disinfection. Where conditions are such that an adequate distance cannot be attained, reliable disinfection in conjunction with a reasonable separation of the discharge point from the area of use must be provided. Disinfection procedures that do not increase effluent toxicity and that constitute the least environmental and human hazard should be used.

Finally, the Ocean Plan states:

The beneficial uses of the ocean waters of the State that shall be protected include industrial water supply; water contact and non-contact recreation, including aesthetic enjoyment; navigation; commercial and sport fishing; mariculture; preservation and enhancement of designated Areas of Special Biological Significance (ASBS); rare and endangered species; marine habitat; fish migration; fish spawning and shellfish harvesting.

3.3.8 Humboldt County Code 611-4 Sewer Connection Required

County Code 611-4 requires that all existing and proposed development located within 300 feet of an approved public sewer must be connected to the public sewer in accordance with the requirements set by the public sewer authority. This section of the Humboldt County code establishes more restrictive requirements than those contained in California Plumbing Code Section 713, Sewer Required, which require connections within 200 feet of a public sewer, and was adopted pursuant to California Building Code Section 1.1.8 City, County, or City and County Amendments, Additions or Deletions.

3.4 Project Relationship to Samoa Townsite Master Plan

Although the proposed Samoa Peninsula Wastewater Project (project) would not provide wastewater collection service to parcels within the STMP, the project would modify the Approved Samoa WWTF which is within the STMP.

The 2019 STMP Supplemental EIR~~Samoa Town Master Plan Supplement to the Master EIR~~, which includes ocean disposal as an alternative~~, is currently under preparation~~ (see Section 3.3.2). ~~The release date of the Samoa Town Master Plan Supplement to the Master EIR is not known at this time.~~ If the ocean disposal is chosen as the disposal method for Approved Samoa WWTF, the Samoa Peninsula Wastewater Project would use the SPG-constructed dedicated pressure main and contribute to the ocean disposal flow. If land disposal remains the disposal method for the Approved Samoa WWTF, the Samoa Peninsula Wastewater Project would assume the responsibility for implementing the treated effluent disposal system pipeline for ocean outfall disposal, as described in Section 3.5.3.

Normally a project such the Samoa Peninsula Wastewater Project, which proposes improvements to an approved facility, would only analyze project's net increase over the approved facility. However, because, at the time of circulation of this EIR, ~~the Samoa Peninsula Wastewater Project EIR may be considered for certification prior to~~ the 2019 STMP Supplemental EIR was not yet certified ~~Samoa Town Master Plan Supplement to the Master EIR~~, the construction and operation of the dedicated pressure main and use of the ocean outfall for treated effluent disposal is included in this project description. A brief synopsis of the approved and proposed Samoa WWTF improvements is provided below:

Approved Samoa WWTF

The Approved Samoa WWTF includes construction of the WWTF in three phases. In Phase 1, the Approved Samoa WWTF will be constructed with primary treatment of screening and grit removal, followed by treatment facility and a secondary wastewater treatment area (Advantex System), a UV disinfection system, and an effluent disposal system (infiltration field or leachfield). Phase 2 and Phase 3 include expansion of the WWTF to include advanced treatment and additional land-based effluent disposal (leachfields). The leachfields will be located between 14 and 25 feet above mean sea level.

The full build-out of the Approved Samoa WWTF will be on approximately 0.5 acre, and the effluent disposal system (infiltration field or leachfield) on approximately 8.5 acres.

SPG-Proposed Samoa WWTF Improvements

The SPG-proposed WWTF improvements, ~~if~~ approved by the North Coast Regional Water Quality Control Board on April 16, 2020 (Order No. R1-2020-0005), ~~would~~ allows the WWTF to use ocean disposal for treated effluent. The approved STMP includes the realignment of Vance Avenue to the north of the existing recycling center. The SPG-proposed Samoa WWTF improvements ~~would~~ include construction of an approximately 4,000-foot-long pressurized 6-inch PVC treated effluent pipeline in the realigned Vance Avenue to connect the Approved Samoa WWTF to Manhole 5 at RMT II.

In addition, one pump station (treated effluent pump station) would be installed at the Approved Samoa WWTF to pressurize the system. The SPG-proposed treated effluent pipeline alignment is shown in Figure 3-5 SPG-Proposed Samoa WWTF Improvements (Humboldt County 2018a).

3.5 Project Components

Subject to the proposed amendments of the HBAP described above and in Section 3.5.4, the project would provide sanitary sewer service for residential, recreation, commercial, industrial, and

institutional facilities located within the boundaries of the PCSD. The project would not provide service to parcels within the approved STMP.

The project improvements include; wastewater collection and conveyance pipelines, laterals to existing development currently served by septic systems, expansion of the Approved Samoa WWTF, and connection to the existing ocean outfall, as described in Section 3.5.3, below. In addition, the project would require amendment of the HBAP to allow extension of sewer service outside the Urban Limit Line, to allow connection of existing and potential future development to the sewer extension, and to allow uses outside the STMP area to ~~connect~~ convey wastewater to the Approved Samoa WWTF. ~~HBAP amendments may be required to allow the discharge of treated wastewater through the RMT II ocean outfall.~~

It is assumed that existing individual septic systems and leachfields in Fairhaven and Finntown would remain in-use until residences connect to the project improvements. At that time, individual septic tanks would be decommissioned under permit through the HCDEH.

3.5.1 Sanitary Sewer Service

The project would provide sewer service to structures within the communities of Fairhaven and Finntown. The project would not provide service to parcels within the STMP. The project's sewer service would be implemented in the following two phases:

- ~~**Sewer Service for Existing Structures**~~ **Short-Term Phase.** The Short-Term phase includes construction and operation of a collection system, upgrades to the previously Approved Samoa WWTF, and a disposal system to serve the existing structures in Fairhaven, Finntown, Coastal Dependent and Industrial facilities, the County Boat Launch facility, and the Eureka Airport that currently use on-site wastewater treatment systems. In addition, should entitlements for future residential infill development located within 300 feet of the sewer main be sought, and approved subject to performance standards relating to coastal hazards and resource described in 3.5.4 below, such development could connect.
- ~~**Sewer Service for Possible Future Infill Development**~~ **Long-Term Phase.** The Long-Term phase ~~would allow possible future infill development in Fairhaven, consistent with HBAP and zoning, to connect to the project's collection system and be served by the wastewater treatment plant~~ does not involve the construction of any wastewater facilities and is not intended to encourage or facilitate development. Rather, it is a comprehensive planning process that will culminate in future amendments to the HBAP, in a manner consistent with the Coastal Act and certified by the Coastal Commission, to address projected inundation due to sea level rise, exposure to tsunami hazards, and ESHA protection. As described in more detail under 3.5.7, future development in Fairhaven would be served by the project's collection system and the Approved Samoa WWTF, consistent with the HBAP amendments under the comprehensive planning process of the Long-Term phase.

Upon completion of the improvements under the Short-Term phase, the project would allow connections for existing structures, as summarized in Table 3-1, consistent with and upon issuance of a Coastal Development Permit by the County or California Coastal Commission, as applicable.

~~The Long-Term phase would be implemented at an unknown future date. For the purpose of this DEIR, it is assumed that the Long-Term phase would be implemented by 2030. Under the Long-Term~~

~~phase, future infill development, consistent with the amended HBAP and zoning, within the PCSD would be allowed to connect to the project improvements upon approval of the amended HBAP.~~

The potential infill development that may occur after implementation of the Short-Term and Long-Term phase, including certification of the HBAP amendments, would be implemented at an unknown future date, and until further studies to address ESHA, sea level rise, and tsunami hazards, the development potential of the infill development area cannot be reasonably be determined. For the purpose of this DEIR, an estimate of future infill development is identified only for purposes of determining the design flow and capacity of project facilities in the Preliminary Engineering Report (Appendix C). Future infill development within the PCSD would be subject to project specific assessments as described in Section 3.5.4. Future infill development may occur on parcels in Fairhaven that are designated RX, Rural X-Urban, and zoned RS-X, Residential Suburban with no further subdivision allowed. It is estimated that up to 62 new residential units could reasonably be constructed on the available infill lots in Fairhaven. In addition, construction of secondary units is allowed under the current zoning, which may include ~~smaller~~ accessory ~~(guest)~~ dwelling~~s~~ units. Note that accessory dwellings are not additional single family homes and do not require a second sewer connection. The parcels with reasonable potential for infill residential development (i.e. fewer apparent ESHA constraints) are identified in Figure 3-6 Potential Parcels Served – Long-Term phase. Future infill development is assumed to occur over a 30-year planning horizon.

Finntown is zoned MC-A, industrial/coastal dependent with an archaeological resources overlay zone. This type of zoning does not allow residential ~~construction~~ uses, but does allow a caretaker's quarters. The number of potential sanitary connections for new development that could occur in the Long-Term phase is identified in Table 3-1.

Table 3-1 Potential Sanitary Sewer Service Connections

Land Use	Potential Sanitary Sewer Connections		
	Short-Term Phase[1]	Long-Term Phase[2]	Total
Residential	66	62[3]	128
Commercial[4]	10	0	10
Recreational[5]	1	0	1
Institutional	1	0	1
Total	78	62	150

Source: Preliminary Engineering Report, Tables 6-2 and 6-3.

Notes:

1. The Short-Term phase includes physical improvements and would allow connections for existing structures.
2. Estimated future potential infill development (Preliminary Engineering Report, Appendix C, Section 2.4.2, pp. 20 – 21, Fig. 2.2). ~~Future infill development consistent with existing HBAP plan and zoning designations.~~ For the purpose of evaluating reasonably foreseeable cumulative impacts of project, this DEIR assumes that the Long-Term phase would be implemented by 2030. Future infill development is assumed to occur within a 30-year planning horizon.
3. Connections for future infill assumes one connection per parcel.
4. Commercial users include both commercial and industrial uses.
5. Existing recreational connections may include the boat ramp and campground; it is assumed that the drag strip will connect at the same location as the Humboldt Bay Social Club.

This document does not include growth assumptions for industrial uses within the PCSD. The majority of the proposed PCSD service area is zoned industrial, including Coastal-Dependent Industrial (CDI) and Industrial General (Humboldt County 2017). The *Humboldt Bay Maritime*

Industrial Use Market Study identifies prior, current, and proposed land uses on CDI land within the Samoa Peninsula (Humboldt County 2018b). Future uses of CDI properties may include commercial fishing, recreational boating, mariculture, marine research, and offshore energy. These CDI uses would not generate substantial quantities of wastewater that would be conveyed or treated by the project.

The estimated residential population served by the Short-Term and Long-Term phases is summarized in Table 3-2. The assumptions and data used to estimate residential population are provided in Appendix B, Preliminary Engineering Report.

Table 3-2 Estimated Residential Population Served

Location	Estimated Population Served		
	Short-Term Phase	Long-Term Phase[1]	Total
Fairhaven	187	273	460
Finntown	28	0	28
Total	215	273	488

Source: Preliminary Engineering Report.

Notes:
1. Future infill development would be consistent with existing HBAP plan and zoning. Development is assumed to occur within a 30-year planning horizon.

3.5.2 Design Flow and Treated Effluent Standards

The average daily flow for the project would be approximately 67,000 gallons per day (gpd) under full implementation. The project's design flow estimates are provided in Table 3-3. As shown in the table, the full project buildout plus STMP buildout is estimated to generate over 185,000 gpd average daily flow, and a design peak hour flow of over 740,000 gpd.

Table 3-3 Design Flow

Scenario	Estimated Flow Rate (gpd)	
	Average Daily Flow	Peak Hour Flow
Short-Term Phase	22,648	90,592
Long-Term Phase	44,276	177,103
Total Project	**66,924**	**267,695**
Approved STMP	*118,210*	*472,658*
Total Project and Approved STMP	*185,134*	*740,353*

Source: Preliminary Engineering Report.

Although not applicable to the proposed project, the project is designed to attain the following Ocean Plan standard:

Shellfish Harvesting Standards

(a) At all areas where shellfish may be harvested for human consumption, as determined by the Regional Board, the following bacterial objectives shall be maintained throughout the water column:

1. The median total coliform density shall not exceed 70 per 100 mL, and not more than 10 percent of the samples shall exceed 230 per 100 mL.

3.5.3 Project Improvements

Project improvements would be constructed during the Short-Term phase. The Long-Term phase would not require any improvements to the collection system, WWTF, or disposal system. Project improvements would include:

- **Collection System**: wastewater pipelines installed in-road and three pump stations.
- **Project Improvements to the Approved Samoa WWTF**: install a sequencing batch reactor (SBR) system and ultraviolet (UV) disinfection system. Install solids treatment system for onsite dewatering of settled solids consisting of a polymer injection system, a roll-off style dewatering container, and solids drying beds.
- **Treated Effluent Disposal System**: Pipeline installed in road connecting the Approved Samoa WWTF to the ocean outfall pipe at the Redwood Marine Terminal II (RMT II) Manhole 5, and an associated pump station (construction by the SPG).

Wastewater would enter the collection system and be conveyed to the Approved Samoa WWTF. At the Approved Samoa WWTF, wastewater will have primary treatment of screening and grit removal followed by secondary treatment with an SBR system, then will be disinfected by a UV system. Solids accumulated during the treatment process will be dewatered onsite and hauled to either an appropriately permitted landfill or composting operation via an approximately five cubic yard truck.

The project would use the Approved Samoa WWTF headworks for primary treatment of screening and grit removal. No improvements are proposed to the primary facilities. Improvements would need to be made to the secondary treatment, UV disinfection system, and solids handling. Solids disposal would be handled in the same manner as the Approved Samoa WWTF.

Treated wastewater would be transported to the existing RMT II Manhole 5 for ocean disposal through the existing outfall. Each component of the project improvements is described in greater detail below.

Collection System

The proposed collection system consists of gravity flow pipes in Fairhaven and Finntown, connected by a single pressure pipe running north along Vance Avenue to the Approved Samoa WWTF. Gravity pipes would be a minimum diameter of 8 inches to allow for easy access of cleaning and inspection equipment. Manholes would be placed a maximum of every 500 feet, at each change in vertical or horizontal alignment, within existing right of ways and streets, and at the end of every pipe run. Gravity mains would be constructed to prevent floatation during seismic events or due to high groundwater. The proposed pipeline alignments are shown in Figure 3-7 Collection System Overview, Figure 3-8 Collection System Fairhaven, and Figure 3-9 Collection System Finntown.

A pressure main would run from the boat ramp and campground at the southern end of the PCSD service area to Fairhaven and Finntown and to the Approved Samoa WWTF (See Figure 3-3 Project Boundary). The pressure mains would include air relief valves at each rise in the pipe with air scrubbers to remove noxious gasses and odors. The pressure main also would include cleanout stations at each change in horizontal or vertical alignment, intersection of main lines, and at the end of every pipe run, for launching of a pipeline inspection gauge (PIG) to clean or inspect the pipe when necessary.

Table 3-4 Collection System Pipeline Length Estimates

Location	Pipe Length (feet)	Pipe Diameter
Collection System		
Fairhaven[1] Gravity Main	6,100	8-inch
Finntown[1] Gravity Main	1,400	8-inch
Pressure Main	15,600	4-inch
Total	23,100	

Notes:
[1] See Figures 3-8 and 3-9 for proposed sewer layouts in Fairhaven and Finntown.

Collection System Pump Stations

Each community would have at least one centralized pump station to pump wastewater to the Samoa WWTF through the central pressure main. A third pump station would be located at the Samoa boat ramp and campground. Each pump station would have an emergency backup diesel generator.

A single large pump station would be constructed at the east end of Park Street to serve the Fairhaven collection system. A pump station would be constructed on Comet Street south of Bendixsen for the Finntown collection system. Both the Fairhaven and Finntown pump stations are expected to be up to 5 feet deeper than the minimum trenching depth for the gravity pipe due to the need for storage volume. All the pump stations would be constructed below ground surface, with an access hatch directly above each station. A small, approximately 8-foot by 12-foot building would also be constructed near the pump stations to house an emergency generator, the power service, and control panel. The subsurface pump station at the Samoa boat ramp would be approximately 3-feet in diameter and 6-feet deep. The subsurface pump stations at Park Street and Comet Street would be approximately 6-feet in diameter and 16-feet deep.

Construction of Laterals to Existing Facilities

Laterals, from the gravity main within the road to existing facilities, would be constructed as existing structures are connected to the project improvements that would be constructed under the Short-Term phase.

Project Improvements to the Approved Samoa WWTF

The wastewater in the project's collection system would be conveyed to the Approved Samoa WWTF. Construction of the Approved Samoa WWTF is not a component of this project. The WWTF was analyzed in the certified Samoa Townsite Master Plan EIR, State Clearinghouse Number 2003052054. Location of the Approved Samoa WWTF is shown in Figure 3-4. The project would result in the construction of improvements to the Approved Samoa WWTF. The improvements would occur on approximately 0.25 acres of the WWTF site.

The Samoa WWTF improvements would include upgrades to the existing secondary treatment system with the addition of a Sequencing Batch Reactor, a new disinfection system, and a dewatering system for the solids using a batch process onsite. No changes would be made to the headworks or solids disposal.

Sequencing Batch Reactor

A SBR would be installed, modifying the Advantex process of the Approved Samoa WWTF. The SBR improvements would be installed immediately adjacent to the Advantex system within the Approved Samoa WWTF overall area. The Advantex system will be used until the SBR is brought online. The proposed SBR system would take the flow from the Approved Samoa WWTF headworks after the initial screening and grit removal and direct it to the SBR units instead of sending it to the Advantex system. The SBR system would consist of two concrete basins, each 36-feet long by 18-feet wide by 20-feet deep. The basins would be located partially below and partially aboveground. The basins would be outfitted with required flow control manifolds, diffusers, and decanters. Two positive displacement blowers with 15-horsepower (hp) electric motors would also be utilized to provide the required air for the treatment process. Two submersible sludge pumps with 5-hp electric motors would be installed in the basin to remove solids as required. Associated piping, valves, and necessary process control and electrical power wiring and panels would also be installed. The total required footprint area for the SBR would be approximately 6,000 square feet.

No physical improvements to the SBR would be required to accommodate the Long Term phase; Long Term effluent would be accommodated through operational changes to the SBR.

Ultraviolet Disinfection

Secondary treated effluent would leave the SBR and would flow through a new disinfection system consisting of a pipe outfitted with a UV lamp bank prior to being pumped from the plant for disposal. The UV chamber would consist of a reaction chamber such as a Trojan UVFit or similar system. These consist of compact reaction chambers, with the treated secondary effluent flowing in one end and out the other end of the chamber, with 18 UV lamps installed around the outside of the flow. As a physical process, the UV light "touching" the pathogens is what accomplishes the disinfection. Two chambers would be installed to provide a redundant system, so one system can be used while the other is being maintained, and to handle peak flows. Each chamber is approximately 7-feet long by 16-inches in diameter and two feet high. The chambers would be located in a small building to protect the system, power supply, and controls, and to allow for working on the system to be sheltered from the weather. The overall building would be concrete block construction and would have a footprint of approximately 8-feet by 12-feet. The building would be located within the footprint of the Approved Samoa WWTF near the final pump station that transfers flows to Manhole 5.

Solids Dewatering

The growth of the bacteria that consume the contaminants in the wastewater results in a sludge or solids that occasionally need to be disposed of. The solids consist of a large fraction of water when they are removed from the SBR. It is more energy efficient and cost effective to transport and dispose of the solids if they are first dewatered prior to them being transported off site. To accomplish this, a solids dewatering system would be added to the Samoa WWTF within the footprint of the existing facility. The solids dewatering process would consist of dewatering the solids using a batch process onsite and then hauling the dried solids, or "cake," to either a landfill or composting operation holding the appropriate licensure. The following infrastructure would be required to integrate a dewatering system:

- Polymer injection system and mixing tank. These would consist of a small positive displacement pump connected to an approximately 100-gallon storage tank that would be used to mix and inject the polymer into the dewatering tank.
- Sludge dewatering container would consist of a concrete basin approximately 18-feet long by 8-feet wide, by 6-feet high. The sludge would be pumped from the SBR to the dewatering container and polymer would be added. The polymer aids the solids in clumping together to form a cake. The cake then settles and the liquid is removed from the basin and recycled back to the front of the SBR. The solids are then removed from the basin and transferred to the concrete holding area.
- Covered concrete holding area for dried solids would consist of two concrete pads surrounded by a low concrete wall. The pads would be approximately 6-feet wide by 18-feet long and the wall would be approximately 3-feet high. The pads would be covered with a light metal frame roofing structure supporting a lightweight roof approximately 8-feet above the pads, which would keep rain off the solids, and allow them to dry more completely. The solids would be stored on the pads until such time as sufficient solids are collected for disposal.

This DEIR assumes that the only solids that would be handled by this system are those that are generated by the connections and service population identified in Section 3.5.1. The solids dewatering improvements would occupy approximately 600 square feet.

Treated Effluent Disposal System

The SPG-proposed Samoa WWTF improvements include two possible scenarios for treated effluent disposal: (1) land disposal consistent with the certified Master EIR; and (2) a pressure main to transfer treated wastewater from the Approved Samoa WWTF to Manhole 5 at RMT II for ocean disposal, shown in Figure 3-5 SPG-Proposed Samoa WWTF Improvements. The RMT II ocean outfall releases treated effluent approximately 1.5 miles offshore. As stated in Section 3.4, the Samoa Peninsula Wastewater Project would assume responsibility for constructing the treated effluent disposal pipeline if land disposal remains the disposal method for the Approved Samoa WWTF. See Section 3.3.2 and Section 3.4, for the CEQA history and status of the Approved Samoa WWTF and SPG-proposed Samoa WWTF improvements, and the Samoa Peninsula Wastewater Project's relationship to the STMP. To connect the Approved Samoa WWTF to the RMT II, a pressurized pipeline with one pump station would be constructed along Vance Avenue from the WWTF to RMT II Manhole 5. An approximately 4,000 foot long pressurized 6-inch PVC treated effluent pipeline would be installed beneath the approved Vance Avenue realignment. The pump station would be located within the Approved Samoa WWTF. The pressurized pipeline and pump station would be constructed as part of the SPG-Proposed Samoa WWTF improvements prior to construction of the project.

The flows that would be contributed to the ocean outfall from the Samoa Peninsula Wastewater Project and approved STMP are presented in Table 3-3. If the SPG-proposed Samoa WWTF improvements are approved with the ocean outfall scenario at RMT II, the Approved Samoa WWTF would discharge to the ocean outfall with a peak hour flow of approximately 472,658 gallons (STMP flow only). The total peak hourly flow of the project and buildout of the STMP is estimated at 740,353 gallons.

For average daily flows, the project's Short-Term phase would add 22,648 gallons and the Long-Term phase would add 44,276 gallons per day at average daily flow. Total project and STMP daily flow is estimated as 185,134 gallons per day.

SPG-Proposed Treated Effluent Pump Station

Assuming that the ocean outfall scenario is selected as part of the SPG-proposed Samoa WWTF improvements, a pump station would be located at the Approved Samoa WWTF to pressurize the treated effluent disposal pipeline. The pump station would be constructed below ground surface, with an access hatch directly above the station. A small, approximately 8-foot by 12-foot building would also be constructed near the pump station to house an emergency generator, the power service, and control panel. It is estimated that the subsurface pump station would be approximately 6-feet in diameter and 10-feet deep.

3.5.4 Humboldt Bay Area Plan/Local Coastal Plan Amendment

~~Amendment to the HBAP is necessary to implement the Short-Term phase to allow existing structures in Fairhaven and Finntown to connect to the wastewater system and to allow that wastewater to be accepted and processed by the Approved Samoa WWTF. The HBAP would be amended to specify the existing uses that may be connected to the wastewater system as exceptions to the other policies in the HBAP. This approach would prevent connections for new development from being approved. Implementation of the project's Short-Term phase, outside of the HBAP Urban Limit Urban Limit Line the town of Samoa shall not be allowed until the HBAP has been amended and approved by the California Coastal Commission. The following actions are necessary to allow development of the project's Short-Term phase:~~

~~1. Amend HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies) to add exceptions to allow sewer connections to Interim Conditionally Permitted uses in the Industrial/Coastal-Dependent Zone, and existing structures that are served by onsite septic systems on the Samoa Peninsula outside the town of Samoa. The amendment may read:~~

> ~~In addition, sewer connections may be provided to industrial uses, to Interim Conditionally Permitted uses in the Industrial/Coastal-Dependent zone, and to existing structures that are served by onsite septic systems on the Samoa Peninsula outside the Town of Samoa~~

~~2. Amend the HBAP to allow the discharge of treated wastewater through the existing permitted Redwood Marine Terminal II (RMT II) ocean outfall.~~

~~Additionally, implementation of the proposed project, within the boundary of the STMP area that is within the existing HBAP Urban Limit Line will not be allowed until the STMP has been amended to delete the STMP Land Use Designation Overlay New Development - Policy 9; which only allows connections to the Samoa WWTF by users within the STMP.~~

~~Amendment to the HBAP for the Long-Term phase of the project may involve expanding the Urban Limit Line in the Plan to include the areas proposed to be served, which would enable new infill development consistent with the HBAP and zoning to connect to the system. Implementation of the project's Long-Term phase shall not be allowed until the HBAP has been amended and approved by the California Coastal Commission. The following actions are necessary to allow development of the project's Long-Term phase:~~

~~1. Amend the HBAP to allow future infill development, consistent with the HBAP, within the PCSD boundary to connect to the proposed projects wastewater collection system and be served by the Samoa WWTF.~~

Amendments to the HBAP are necessary to implement the Short-Term phase to allow the extension of sewer service outside the Urban Limit Line to existing uses in Fairhaven and Finntown that currently use onsite septic systems, to allow wastewater from outside the STMP to be accepted and processed by the Approved Samoa WWTF, and to establish interim performance standards that ensure future infill development that precedes the Long-Term phase address coastal hazard and ESHA constraints in a manner consistent with the Coastal Act. The amendments would allow existing structures currently served by onsite septic systems, to be immediately connected to the wastewater system after construction. The amendment adding interim performance standards would require new development to prepare detailed analyses, to address sea level rise, tsunami safety hazards, and ESHA impacts, that would have the same practical effect as the HBAP planning effort and subsequent HBAP amendment implemented under the Long-Term phase.

Under the Short-Term phase the following amendments are necessary to allow construction and operation of the wastewater collection system and ensure that future residential infill development is consistent with the HBAP and Coastal Act:

1. Amend HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies) to add an exception to allow the extension of sewer service outside the Urban Limit Line established by the STMP, and to allow the immediate establishment of service to existing structures that are served by onsite septic systems to address the project Short-Term phase objectives.

2. Amend STMP Land Use Designation Overlay New Development - Policy 9, to only allow wastewater flows from outside the STMP in a manner consistent with HBAP Section 3.22, Public Services-Rural, subsection B (Development Policies).

3. Adopt interim performance standards for new residential development located within 300 feet of the sewer service extension, and not already included in the exception. Infill development would only be approved after potential future developments addressed sea level rise inundation, tsunami safety, and ESHA impacts consistent with the Coastal Act.

Under the Long-Term phase, the following amendment is necessary to support coastal hazard adaptation and resilience for planned uses around Humboldt Bay:

1. Amend the HBAP consistent with the Coastal Act following comprehensive planning that is currently underway to address sea level rise, tsunami hazards, and EHSA protection.

Comprehensive coastal hazard and resource planning, consistent with the Coastal Act as prescribed in the Long-Term phase, is to ensure new infill development is sited and designed to the greatest extent feasible to protect life, property and coastal resources from sea level rise and tsunami inundation hazards and to protect ESHA. Coastal Development Permits for new residential development that precede this HBAP amendment would be approved subject to performance standards adopted by ordinance as a component of the Short-Term phase. These amendments ensure that new development would be protective of public health, safety and welfare, and coastal resources, relative to sea level rise and tsunami inundation, and will be protective of ESHA, based on site-specific investigations prepared by a qualified professional.

3.6 Construction Activities

Project improvements described in Section 3.5 would be constructed in the Short-Term phase. The Long-Term phase requires no new construction as it only involves amending the HBAP ~~except for connection of individual properties to the project improvements constructed under the Short-Term phase~~. Laterals to existing facilities (Short-Term phase) would be constructed as existing structures ~~opt to~~ are connected to the project improvements. Laterals to future infill facilities ~~(Long-Term phase)~~ would be constructed as infill development occurs consistent with the amendments to the HBAP described in 3.5.4. ~~However, construction of laterals is not a part of the proposed project.~~

Overall construction of project improvements is anticipated to begin in ~~2020~~2022, and be complete within 12 months. Within the 12-month period, construction of the improvements to the Approved Samoa WWTF would last for approximately 6 months. Anticipated daytime work hours are 7:00 a.m. to 7:00 p.m., Monday through Friday.

3.6.1 Site Access and Staging

Access to the project area is primarily from Highway 255 from the north and east. The staging areas would be located within the paved area of the Samoa Drag Strip/Eureka Municipal Airport, a paved portion of the former Samoa Pulp Mill site, and a compacted gravel near the Approved Samoa WWTF, as shown in Figure 3-3. All staging and construction parking would occur within these areas. Construction parking (approximately one to two vehicles) could also occur for short periods along the streets where pipelines would be installed.

3.6.2 Collection System

The construction of the collection system would generally consist of trenching within existing roadways, laying pipe in the trench, backfilling, compacting, and repaving over the trench.

Trenches would typically be between 5 feet and 12 feet deep and 3 feet wide. Trenches 5 feet deep or more will be shored to prevent collapse. Digging would be done with an excavator. The excavated asphalt and soil (that is unsuitable for backfill) would be hauled offsite in 10-yard dump trucks. A skid-steer would likely be used for backfilling purposes. A backhoe would be used for potholing utilities, other various digging activities, and hauling/moving backfill material. A front loader may also be used for transporting backfill material. A jumping jack, plate compactor, or similar equipment would be used for compacting backfill.

If needed, temporary groundwater dewatering would be conducted to provide a dry work area. Dewatering would involve pumping water out of the trench. Groundwater would typically be pumped to Baker tanks (or other similar type of settling tank). Following the settling process provided by a tank, the groundwater would typically be pumped to a bag and cartridge filter system (or similar system) before being discharged to a permitted location. NCRWQCB Order No. R1-2009-0045, Waste Discharge Requirements for Low Threat Discharges to Surface Waters in the North Coast Region, applies to discharges of construction dewatering. This order requires development of a best management practices/pollution prevention plan to characterize the discharge and to identify specific measures to control the discharge, such as sediment controls to ensure that excessive sediment is not discharged and flow controls to prevent erosion and flooding downstream of the discharge.

The project is required to comply with the NPDES General Permit for Stormwater Discharges Associated with Construction (Construction General Permit), which includes best management

practices to prevent soil erosion. The Construction General Permit requires the development of a Stormwater Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. The SWPPP has two major objectives: (1) to help identify the sources of sediment and other pollutants that affect the quality of stormwater discharges; and (2) to describe and ensure the implementation of BMPs to reduce or eliminate sediment and other pollutants in stormwater and non-stormwater discharges. SWPPPs must include BMPs that address source control, BMPs that address pollutant control, and BMPs that address treatment control.

After the collection system piping is installed and trenches are backfilled, paving would occur over the areas of paving that have been removed from excavation. A grinder would be used to grind out the section to be paved, and the spoils from this activity would be hauled offsite. A paver would be used to pave the trench section, and rollers would be used to compact the pavement that is placed. It is estimated that approximately 3 acres of pavement surface restoration would be required.

3.6.3 Improvements to Approved Samoa WWTF

Construction of the additions to the Approved Samoa WWTF would generally consist of construction of the two SBR basins and related piping and controls, construction of the UV disinfection reaction chambers and a building to house them, and construction of the dewatering basin and sludge drying beds as detailed in Section 3.5.3. These structures would be situated within the overall footprint of the Approved Samoa WWTF and would occupy approximately 7,000 SF of the site. Approximately 480 cubic yards (CY) of material would be excavated and hauled off for the construction of the SBRs. The SBR basins, the solids dewatering basin, and the solids drying beds would all be constructed of concrete. An estimated 100 CY of concrete would be required to construct the SBR tanks, floor of the disinfection building, solids dewatering tank, and solids drying beds.

3.6.4 Treated Effluent Disposal System

The pressurized pipeline to Manhole 5 and associated pump station would be constructed at the same time as the Approved Samoa WWTF by SPG. The construction activities to install the pressurized pipeline and restore pavement would be identical to construction activities for the collection system described in 3.6.2.

3.7 Energy Usage

The Short-Term and Long-Term phases of the project would use energy for the collection, treatment, and disposal of water. A summary of the project's energy use is provided in Table 3-5. Details for the estimated energy demand for each of the project components are in the following subsections.

Table 3-5 Summary of Energy Use

Component	Annual Energy Consumption (kWh)		
	Short-Term Phase	Long-Term Phase	Sub Total
Project Components			
Collection System	21,412	17,069	38,481
Treatment System	19,617	18,510	38,127
Treated Effluent Pump Station	11,566	10,916	22,482
Project Totals	**52,595**	**46,495**	**99,090**
STMP Treated Effluent Pump Station	N/A	N/A	54,443
Total Project and STMP	52,595	46,495	153,533

Notes: N/A = not applicable

3.7.1 Collection System

Pump stations used to convey effluent through the collection system would use electricity during project operations. The energy consumption estimates assume the collection system pumps would run 24 hours per day. The total annual energy usage of the pumps for the collection system is estimated to be approximately 21,412 kilowatt-hours (kWh) and 17,069 kWh of energy annually for the Short-Term and Long-Term phases, respectively. Full project implementation would use approximately 38,481 kWh/year.

3.7.2 Treatment System

Energy consumption related to operation of the WWTF treatment system would be from the SBR, UV disinfection system, and solids dewatering. The energy intensity of each treatment system component, and estimated annual energy consumption of treatment system is provided in Table 3-6.

Table 3-6 Estimated Treatment System Energy Use

Treatment Component	Annual kWh/ kgpd	Estimated Flow Rate (kgpd)			Annual Energy Consumption (kWh/gpd)		
		Short-Term	Long-Term	Total Project	Short-Term	Long-Term	Total Project
SBR	554.85	30.07	28.38	58.45	16,686	15,744	32,430
UV	54.27				1,632	1,540	3,172
Solids Dewatering	43.21				1,299	1,226	2,525
				Total	**19,617**	**18,510**	**38,127**

3.7.3 Treated Effluent Disposal System

The treated effluent pump station would use approximately 76,925 kWh of energy annually at full buildout of the project and the STMP. The estimated energy usage of the pump is provided in Table 3-7 (GHD/SHN 2018).

Table 3-7 Estimated Treated Effluent Pump Station Energy Use

Scenario	Annual Energy Consumption (kWh)
Short-Term Phase	11,566
Long-Term Phase	10,916
Total Project	**22,482**
STMP Full Buildout	*54,442*
Total Project and STMP	*76,924*

3.8 Operation and Maintenance

3.8.1 Collection System

Operations and maintenance include annual cleaning of the three proposed pump stations in Fairhaven and Finntown and at the Boat Launch facility, regular camera inspection of gravity pipes, and regular jet cleaning of gravity pipes.

Camera inspection and jet cleaning are assumed to take place simultaneously because jetting is often required prior to camera inspection. Initially, cleaning and inspection of the new sewer system may not be necessary, but over the lifetime of the system it is assumed that 10 percent of the piping would be cleaned and inspected annually (760 feet per year).

Maintenance of the collection system would include periodic line inspection and repairs, cleaning out blockages, and repair of areas where substantial infiltration is occurring. Maintenance would also include routine inspection of the pump stations. Pump station maintenance consists of routine inspections, cleaning of the wet well, and replacement of worn out parts. The type and frequency of inspections and maintenance would not change from the Short-Term to the Long-Term phases of the project. The cost for maintenance for the Long-Term phase would increase very slightly as more time would likely be required to clean the collection system. The cost for maintenance of the pumps in the collection system would increase between Short-Term and Long-Term phases, roughly proportionally to the increase in flows as the pumps operate longer to handle the increased flows.

3.8.2 Improvements to Approved Samoa WWTF

Annual maintenance for the components of the treatment system would include regular inspections and maintenance of the air blowers and pumps associated with the SBRs including replacement of worn parts and complete replacement likely every 10-15 years. The SBR influent and effluent manifolds and weir would also have to be cleaned regularly and components replaced as they wear out.

UV lamps would be regularly wiped to keep the lamps clear in order to effectively transmit their light. UV systems would be fitted with automated wipers to keep lamps clean. The UV lamps would need to be replaced every one to two years.

The polymer pumps for the solids dewatering system would also have to be maintained regularly and likely replaced every 5 to 10 years. The dewatering tank and the drying beds would not require significant maintenance other than an occasional cleaning.

The type and frequency of inspections and maintenance would not change from the Short-Term to the Long-Term phases of the project for the treatment system.

3.8.3 Treated Effluent Disposal System

A wastewater discharge permit (WDP) from the NCRWQCB would be required for the disposal of treated wastewater through the outfall. The Samoa Townsite will need to obtain a WDP for their discharge and a permit application has been submitted for their operation. This WDP would then be amended to handle the additional flows associated with the treated wastewater from Fairhaven and Finntown, etc. Under the WDP, there would be several required monitoring operations in place to protect the quality of the ocean water in the vicinity of the outfall. Requirements would be in place for both influent and effluent monitoring. Influent parameters to be monitored would include flowrate, biochemical oxygen demand (BOD), and total suspended solids (TSS). Effluent parameters anticipated to be monitored include the following: flowrate, BOD, TSS, pH, settleable solids, total coliforms, copper, cyanide, dichlorobromomethane, methyl tertiary butyl ether (MtBE), acute toxicity, chronic toxicity, and priority pollutants identified as Compound Nos. 1 – 126 by the California Toxics Rule at 40 CFR 131.38 (b) (1).

The type and frequency of inspections and maintenance would not change from the Short-Term to the Long-Term phases of the project for the disposal system.

3.8.4 Solids Handling and Hauling

Solids would accumulate in the SBR tanks, which would periodically need to be removed and put through the dewatering system. Sludge would be injected with polymer and mixed in a tank, and then placed into a sludge dewatering container. The treated solids would be stored on the new concrete pad with a cover that would allow additional drying to occur. Dried solids would be stored in a concrete holding area until there is enough to haul. A front end loader or backhoe would be used to load the cake into a truck to be hauled.

Dried solids would be hauled to either a landfill or composting operation for disposal. Currently, the landfill in Anderson, California, is the nearest landfill that would accept these solids. The Anderson Landfill is located approximately 162 miles from the Approved Samoa WWTF. There are also composting facilities in the Humboldt Bay area that could potentially accept these solids. Solids hauling would generate approximately four 5 CY-truckloads of solids per year.

3.9 Permits and Approvals

The PCSD would approve the project and be responsible for the implementation (construction and operation) of the project.

Short-Term phase construction and operation would be subject to the following permits and/or approvals from various regulatory agencies:

- Coastal Commission – Certify amendments to the HBAP to allow wastewater facilities to immediately serve existing structures outside the Urban Limit Line that are currently served by onsite septic systems and serve future infill development subject to future HBAP amendments or functional equivalent analysis to address coastal hazard and ESHA impacts associated with such development; Certify HBAP to allow Samoa Townsite to accept wastewater from outside the STMP boundary; and issue Coastal Development Permit for project construction and discharge using existing ocean outfall.
- County of Humboldt – Coastal Development Permit for project construction and service to existing residential users in Fairhaven and Finntown, Building Permit; Encroachment Permits; and, Grading

Permit for project construction and service to existing residential users in Fairhaven and Finntown. In addition, decommissioning of individual septic tanks would require a permit from Department of Health and Human Services - Public Health.

- State Water Resources Control Board – Construction General Permit
- North Coast Regional Water Quality Control Board – National Pollutant Discharge Elimination System, Report of Waste Discharge, 401 Water Quality Certification
- U.S. Army Corps of Engineers – Section 404 of the Clean Water Act Permit
- California State Lands Commission – Lease for use of the existing ocean outfall

The Long-Term phase would be subject to the following approval(s):

- County of Humboldt and Coastal Commission – Amendments to and certification of the HBAP, consistent with the Coastal Act, that address coastal hazards and ESHA resources. ~~to allow wastewater service to existing structures and to future infill development, consistent with plan and zone, within the boundaries of the PCSD~~

3.10 References

GHD/SHN. 2018. Samoa Peninsula Wastewater Project, Planning and Design Study. May.

Humboldt County. 2008. Samoa Town Master Plan Final Master Environmental Impact Report. January.

Humboldt County. 2018a. Notice of Preparation: Samoa Town Master Plan Supplement to the Master Environmental Impact Report. July 2.

Humboldt County. 2018b. Humboldt Bay Maritime Industrial Use Market Study. May 31.

Humboldt County. 2020. Samoa Town Master Plan Supplemental Environmental Impact Report. February.

Humboldt County. 2017. Humboldt County Code Section 611-4. November 7.