



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Rob Holmlund, AICP, Director

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planning@ci.eureka.ca.gov • www.ci.eureka.ca.gov

CITY OF EUREKA
NOTICE OF AVAILABILITY OF DRAFT LOCAL COASTAL PROGRAM
AMENDMENT

And

NOTICE OF INTENT TO ADOPT A RESOLUTION OF APPLICATION TO THE
HUMBOLDT COUNTY LOCAL AGENCY FORMATION COMMISSION

And

NOTICE OF CITY COUNCIL PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the City is providing “Notice of Availability of draft Text and Local Coastal Program amendments.” The draft Text and Local Coastal Program (LCP) Amendments are available for review at the Development Services Department, City Hall, 531 K Street, Eureka, CA and will amend the Implementation Map (zoning map) of the Implementation Plan, which contains the coastal zoning regulations in the City’s Local Coastal Program.

FURTHER, NOTICE IS HEREBY GIVEN the Eureka City Council will hold a public hearing on Tuesday, October 3, 2017, at 6:00 p.m., or as soon thereafter as the matter can be heard, in the Council Chamber, Eureka City Hall, 531 “K” Street, Eureka, California, to consider the proposed Brainard Annexation and the Resolution of Application and the draft LCP amendment.

Project Title: Brainard Annexation and Local Coastal Program Rezoning Amendment

Project Applicant: California Redwood Company

Case Nos: ANX-16-0001/LCP-16-0007

Project Location: 5151 Highway 101 South; APNs 017-081-001, 404-141-004, 017-081-002 and portion of 404-141-003

Current Zoning and General Plan Designations (County of Humboldt): Industrial General with Flood Hazard Areas Combining Zone (MG/F), Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/WD), and Railroad/ Industrial-General (MG) and Railroad

Current General Plan Designation (City of Eureka): General Industrial (GI)

Proposed Zoning (City of Eureka): General Industrial (MG)

Project Description: California Redwood Company (CRC) is proposing to annex four Assessor’s parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) into the City, along with a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size. The parcels are directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City’s Sphere of Influence.

The City's Land Use Plan designates the Brainard Annexation area as General Industrial (GI) and although changes may be made during the General Plan update to designate the Railroad and Caltrans rights-of-way as Public/Quasi-Public (PQP), no changes are proposed to the land use at this time.

Pre-zoning is required to assign the appropriate City zoning district to the area proposed for annexation. In order to pre-zone the parcels, an amendment of the Implementation Plan (IP) map of the adopted and certified Local Coastal Program (LCP) is required. The proposed IP amendment will apply General Industrial (MG) to the zoning district map for the land included in the Brainard Annexation area.

The proposed project consists exclusively of changes to administrative boundaries and does not include any construction, development, or physical changes.

Environmental: The Annexation and Local Coastal Program Amendment are discretionary actions subject to environmental review in accordance with the California Environmental Quality Act (CEQA). A draft Initial Study and Negative Declaration was prepared and circulated for review as required by CEQA (SCH #2017062022). The IS/ND concludes that no substantial adverse environmental impacts will result from the proposed rezoning or annexation.

Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Coastal Commission can and does use any environmental information that the local government has developed.

All interested persons are invited to comment on the draft amendments and the proposed annexation either in person at the scheduled public hearing, or in writing. Written comments on the draft amendments may be submitted at the hearing or prior to the hearing by mailing or delivering them to the Community Development Division of the Development Services Department, 531 "K" Street, Eureka, CA 95501; or by emailing them to planning@ci.eureka.ca.gov.

Americans with Disabilities Act: Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting.

Notes: If you challenge the nature of the proposed action in court, you may be limited to raising only those issues that you or someone else raised at the public hearing described in this notice or written correspondence delivered to the public entity conducting the hearing at or prior to the public hearing. The draft amendments are available for review at the Development Services Department Community Development Division, Third Floor, City Hall. If you have questions regarding the proposed annexation or draft amendment to the Eureka Municipal Code or this notice, please contact Kristen M. Goetz, Senior Planner, phone: (707) 441-4160; fax: (707) 441-4202; e-mail: planning@ci.eureka.ca.gov



**AGENDA SUMMARY
EUREKA CITY COUNCIL**

TITLE: Brainard Annexation and Local Coastal Program Rezoning Amendment

DEPARTMENT: Development Services

PREPARED BY: Kristen M. Goetz, Senior Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

1. **Hold a Public Hearing**
2. **Adopt the Negative Declaration**
3. **Adopt a Resolution of the City Council approving an application to the LAFCo for the Brainard Annexation**
4. **Waive reading, read by title only and introduce Bill No. 940-C.S., an Ordinance of the City Council amending the Implementation Plan Map of the Local Coastal Program by pre-zoning the Brainard Annexation area.**

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

DISCUSSION

California Redwood Company (CRC) is proposing to annex four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) into the City, along with a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size. The parcels are directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City's Sphere of Influence.

The City's Land Use Plan designates the Brainard Annexation area as General Industrial (GI) and although changes may be made during the General Plan update to designate the Railroad and Caltrans rights-of-way as Public/Quasi-Public (PQP), no changes are proposed to the land use at this time.

Pre-zoning is required to assign the appropriate City zoning district to the area proposed for annexation. In order to pre-zone the parcels, an amendment of the Implementation Plan (IP) map of the adopted and certified Local Coastal Program (LCP) is required. The proposed IP amendment will apply General Industrial (MG) to the zoning district map for the land included in the Brainard Annexation area.

The proposed project consists exclusively of changes to administrative boundaries and does not include any construction, development, or physical changes. For context, the entire annexation process is outlined in Attachment A.

Background

California Redwood Company (CRC) seeks to annex into the City of Eureka four Assessor’s parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size. These parcels, identified as Assessor’s Parcel Numbers (APNs) 017-081-001, 404-141-004, 017-081-002, and 404-141-003, are located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City’s Sphere of Influence.

The four parcels and Caltrans ROW comprising the Brainard Annexation Area are located adjacent to Highway 101. Table 1, below, lists each parcel’s corresponding APN, owner, location, and approximate area. A location map is included as Attachment B.

Assessor’s Parcel Number (APN)	Owner	Address/Location	Approximate Area (Acres) ¹
017-081-001	California Redwood Company	5151 State Highway 101	60.5
404-141-004	California Redwood Company	5151 State Highway 101	14.2
017-081-002	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	3.7
Portion of 404-141-003	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	2.3
101 ROW	State of California	Portion State Highway 101	20.4
		Total	101.1

¹ Area from Humboldt County WebGIS System (February 2015)

The two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) are owned by CRC. The Brainard site has a history of use as a lumber mill and air dry yard, with administrative offices. CRC intends to either lease the property or to sell the property and is seeking to enhance the potential value and marketability of the site by doing the following:

- 1) Annexing the site into the City of Eureka; and
- 2) In cooperation with the City and neighboring property owners, exploring options for the extension of water and wastewater infrastructure to the site.

Under the City's current Land Use Plan, the parcels owned by CRC are designated as General Industrial (GI), and no changes are proposed to the land use designations for these parcels at this time.

The Highway 101 and railroad right-of-way within the Brainard Annexation area are also designated General Industrial (GI) in the City's Land Use Plan. The Highway 101 and railroad right-of-way located west of the site currently have a City land use designation of Natural Resources (NR). In the City's 2040 General Plan Update, the land use designation for the railroad and Caltrans rights-of way along this section of Highway 101, from the slough bridge to the east end of the Brainard property, is proposed to change to Public/Quasi-Public. Although the Initial Study for the Brainard Annexation discusses changing the land use designations for the rights-of-way during the annexation process, the changes to the rights-of-way, if any, will instead occur when the Land Use Plan is adopted during the General Plan Update. No changes to any land use designations within the Brainard Annexation area are proposed at this time.

Although the Brainard Annexation Area has a land use designation under the current Land Use Plan, because the parcels are not currently located within the City of Eureka's city boundary, the parcels are not currently designated under the City Implementation Plan (Zoning) and there is no current zoning applied to the site. The four parcels comprising the Brainard Annexation area must be pre-zoned in conformance with the current City of Eureka Implementation Plan, and the zoning will be effective upon completion of the annexation.

As discussed in the Initial Study, it was originally thought that the zoning for the railroad and Caltrans rights-of-way would be changed to Public (P) during the annexation process. However, it is recommended the entire Brainard Annexation area be pre-zoned as General Industrial (MG), and changes, if any, to the zoning for the rights-of-way occur when the Implementation Plan map is adopted during the General Plan Update.

Analysis for Annexation Plan for Services

A Plan for Services has been drafted as required by LAFCo (see Attachment C). The Plan identifies the City services that can be provided to the site once land is annexed to the City. The purpose of the Plan is to ensure the Brainard Annexation will not overtax the City's ability to provide necessary services, causing a negative impact on the City's residents and business owners, while providing an opportunity for the property owner to access needed services for future development.

The report states that the City has sufficient capacity to provide the following services:

- Water

- Sewer
- Police
- Fire Protection

General Plan Consistency

The City’s General Plan references the desirability for fiscally prudent, beneficial and orderly annexation, and includes eight questions that must be considered prior to annexation of lands into the City. Staff analysis for each of the questions is included to the right of Table 1-2.

Goal 1.A

To establish and maintain a land use pattern and mix of development in the Eureka area that protects residential neighborhoods, promotes economic choices and expansion, facilitates logical and cost-effective service extensions, and protects valuable natural and ecological resources.

- 1.A.3 The City supports annexation as a positive means of city expansions but shall evaluate annexation proposals on a case-by-case basis. In reviewing these proposals, the City shall consider the questions listed in Table 1-2. The City shall support only those annexations that:
- a. Are broadly supported by affected residents and property owners
 - b. Are beneficial to the City
 - c. Promote orderly development and redevelopment of land within the City’s sphere of influence
 - d. Promote efficiency in service delivery

TABLE 1-2 ANNEXATION CONSIDERATIONS		BRAINARD ANNEXATION ANALYSIS
1. Resident Support	What is the likelihood of gaining political support from property owners in the annexation area?	CRC applied for annexation. No residential structures exist on the site and therefore no support from residents is necessary.
2. Development and/or Redevelopment Potential	Will the annexation add vacant developable land to the city or is there potential for significant redevelopment?	Yes. The CRC properties total approximately 74 acres. Approximately 25 acres are developed with existing structures. Possibilities for redevelopment of existing structures and development of the vacant portion are significant.
3. Strategic Importance	Will the annexation further city goals?	Yes. Annexation of the site will enhance the economic vitality of the City by providing new opportunities for economic development including industrial and manufacturing businesses, as

		well as the range of other business types currently permitted in the City's MG zone district.
4. Preemptive Action	Would the annexation help prevent unwanted or incompatible development on the city's periphery?	Yes. Although the site is in the City's Planning Area, uses that can be allowed on the site are determined by the County of Humboldt. In conjunction with the property owner, the City has the opportunity to create a vision for the site by determining the types of uses desired for the site.
5. Revenue Potential	What amount of revenue can be anticipated from property, sales, and other taxes; will the annexation resulting a net revenue gain or a net loss to the city?	Unknown, but high potential; dependent on the future development and types of uses that locate on the site. Increases in property and sales tax revenue could be realized. In addition, the site has great potential to create a significant number of jobs, which would have an indirect impact on the City's economy and revenue.
6. Cost of Providing Ongoing Municipal Services	What will it cost to provide police services, fire services, road maintenance, parks and recreation, sewer service, and water service; can the city bear the cost of providing these ongoing services in the annexed areas?	The proposal would not place a financial burden on the City. See the Plan for Services.
7. Need for Upgrading Existing Infrastructure	To what degree do existing drainage systems, water delivery systems, sewer collection systems, streets and roads, and other infrastructure need to be brought up to city standards; can the city bear this cost?	The proposal would not place a financial burden on the City. See the Plan for Services.
8. Potential for Improved	Is there potential for improved service delivery in the annexed	Services are not anticipated to be reduced as a result of the annexation.

<p>Service Delivery</p>	<p>area and/or the city as a whole or will some services be reduced?</p>	
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Goal 1.M

To ensure an adequate supply of industrial land for and promote the development of industrial uses to meet the present and future needs of Eureka and to maintain economic vitality.

One of the City’s goals has been to identify “turn-key industrial sites,” preferably that were not located in the coastal zone and/or not zoned “Coastal Dependent Industrial” (CDI). The Brainard Annexation area is larger than any undeveloped, industrially zoned area in the City and has the potential to be developed with any number of general industrial uses. While the site is located in the coastal zone, and while the site is within the State Coastal Commission’s retained jurisdiction, the site’s zoning would be General Industrial which allows a far greater range of development options than CDI zoning. Because the site is within the State Coastal Commission’s retained jurisdiction, future development will require approval of a Coastal Development Permit (CDP) from the California Coastal Commission. Staff believes a master CDP could be created and approved which would provide “turn-key” opportunities for certain industrial uses that would be identified in the master CDP.

The Brainard Annexation area is adjacent to Humboldt Bay on three sides, but the site is surrounded by a levee. More importantly, a deep water channel does not extend beyond the Samoa Bridge and does not come close to the site. Therefore, the site has no viable commercial/industrial access to the Bay and requiring strictly coastal-dependent or -related uses is infeasible.

Staff is recommending approval of the proposed Brainard Annexation because the site is immediately adjacent to the City, is supported by the current General Plan, and implements the City’s goal of improving economic development opportunities.

Applicable Regulations for Pre-Zoning:

The proposed zoning must be consistent with the objectives of Sec. 10-5.102 of the Eureka Municipal Code. (EMC Sec. 10-5.2707.1)

Analysis for Pre-Zoning

The Eureka Municipal Code, Section 10-5.102, specifies eleven (11) objectives of the zoning regulations that were adopted by the Eureka City Council, pursuant to the City Charter, for the purpose of protecting the public health, safety, peace, comfort, convenience, prosperity, and general welfare of the citizens of the City of Eureka. The following discussion is a comparison of the proposed pre-zoning in relation to the eleven adopted objectives:

- (1) *To provide a precise guide for the physical development of the city in such manner as to achieve progressively the arrangement of land uses depicted in the general plan adopted by the Council.*
- (2) *To foster a harmonious, convenient, workable relationship among land uses.*
- (3) *To promote the stability of existing land uses that conform with the general plan and to protect them from inharmonious influences and harmful intrusions.*
- (4) *To ensure that public and private lands ultimately are used for the purposes that are most appropriate and most beneficial from the standpoint of the city as a whole.*
- (5) *To prevent excessive population densities and overcrowding of the land with structures.*
- (6) *To promote a safe, effective traffic circulation system.*
- (7) *To foster the provision of adequate off-street parking and off-street truck loading facilities.*
- (8) *To facilitate the appropriate location of community facilities and institutions.*
- (9) *To promote commercial and industrial activities in order to strengthen the city's tax base.*
- (10) *To protect and enhance real property values.*
- (11) *To safeguard and enhance the appearance of the city.*

The current Land Use Plan designation for the Brainard Annexation area is General Industrial (GI) and is not proposed to change. Pre-zoning the area as General Industrial (MG), which allows for both light and heavy industrial uses, including the existing uses on the site, ensures that the zoning and land use designations correspond. Pre-zoning will not directly alter the existing use of the site or substantially alter the types of uses allowed on the site since the site is zoned industrial under Humboldt County's zoning ordinance. Residential uses would not be allowed under the proposed zone, and traffic would not be impacted or changed as a result of the pre-zoning itself.

Changes to land use and zoning for the railroad and Caltrans rights-of-way as envisioned in the Initial Study, to Public/Quasi-Public (PQP)/Public (P), may occur when the Implementation Plan and Land Use maps are adopted during the 2040 General Plan and subsequent zoning code update.

Staff is recommending approval of the pre-zoning for the Brainard Annexation area because the proposed zoning will correspond with the existing land use, can be changed in the future, allows the existing uses on the site to continue, and allows for light and heavy industrial uses as well.

Planning Commission Recommendation

On September 11, 2017, the Planning Commission held a public hearing to receive testimony regarding the proposed Annexation and Pre-zoning, and ____ written comments were provided either before or during the meeting. The Planning Commission then took action to adopt a Planning Commission Resolution 2017-____ (Attachment ____)

transmitting to the City Council the Commission's recommendation to adopt the Negative Declaration, approve the Local Coastal Program Amendment to pre-zone the properties, and submit an application to LAFCo for the Brainard Annexation area.

Environmental:

Adoption of the Negative Declaration

SCH# 2017062022 The Annexation and Local Coastal Program Amendment are discretionary actions subject to environmental review in accordance with the California Environmental Quality Act (CEQA). A draft Initial Study and Negative Declaration was prepared and circulated for review as required by CEQA (SCH #2017062022). The IS/ND concludes that no substantial adverse environmental impacts will result from the proposed rezoning or annexation.

The City submitted the draft IS/ND to the State Clearinghouse for a 30-day comment period which ended July 11, 2017. A notice of the 30-day local comment period, and a Notice of Intent to Adopt a Negative Declaration were published in the Times-Standard; the local comment period ended July 13, 2017. The City received four comments on the IS/ND and are discussed in detail in the response to comments included at the end of the initial study (beginning on page ___ in Attachment ___). No modifications were required as a result of comments received.

The IS/ND explains the basis upon which the significance of the environmental effects of the project were determined. The determination that there is no substantial evidence that the project would have a significant effect on the environment was based on the whole of the record which includes but is not limited to City planning documents, information prepared as part of the environmental analysis for the project, information contained in project file, and public comment.

Prior to approving a project, CEQA requires that the City Council consider the proposed ND, together with any comments received during the public review process, and then adopt the ND if the Council finds, on the basis of the whole record before it, including the Initial Study and any comments received, that there is no substantial evidence that the project will have a significant effect on the environment and that the ND reflects the City's independent judgment and analysis. Based on the Initial Study and the comments received during the public comment period, Staff has determined that this finding can be made.

Prezoning Local Coastal Program Amendment

Pursuant to Section 21080.9 and 21080.5 and Division 20, Chapter 6 of the Public Resources Code, the Coastal Commission's review and development process for LCPs and LCP amendments has been certified by the Secretary of Resources as being the functional equivalent of the environmental review required by CEQA. Therefore, local governments are not required to undertake environmental analysis of proposed LCP amendments, although the Coastal Commission can and does use any environmental information that the local government has developed.

Based on the discussion contained herein and the Public Resources Code Sections cited above, the City of Eureka exempts from CEQA the **Brainard Annexation LCP Amendment** under Section 21080.9 and 21080.5 and Division 20, Chapter 6 of CEQA.

REVIEWED AND APPROVED BY:

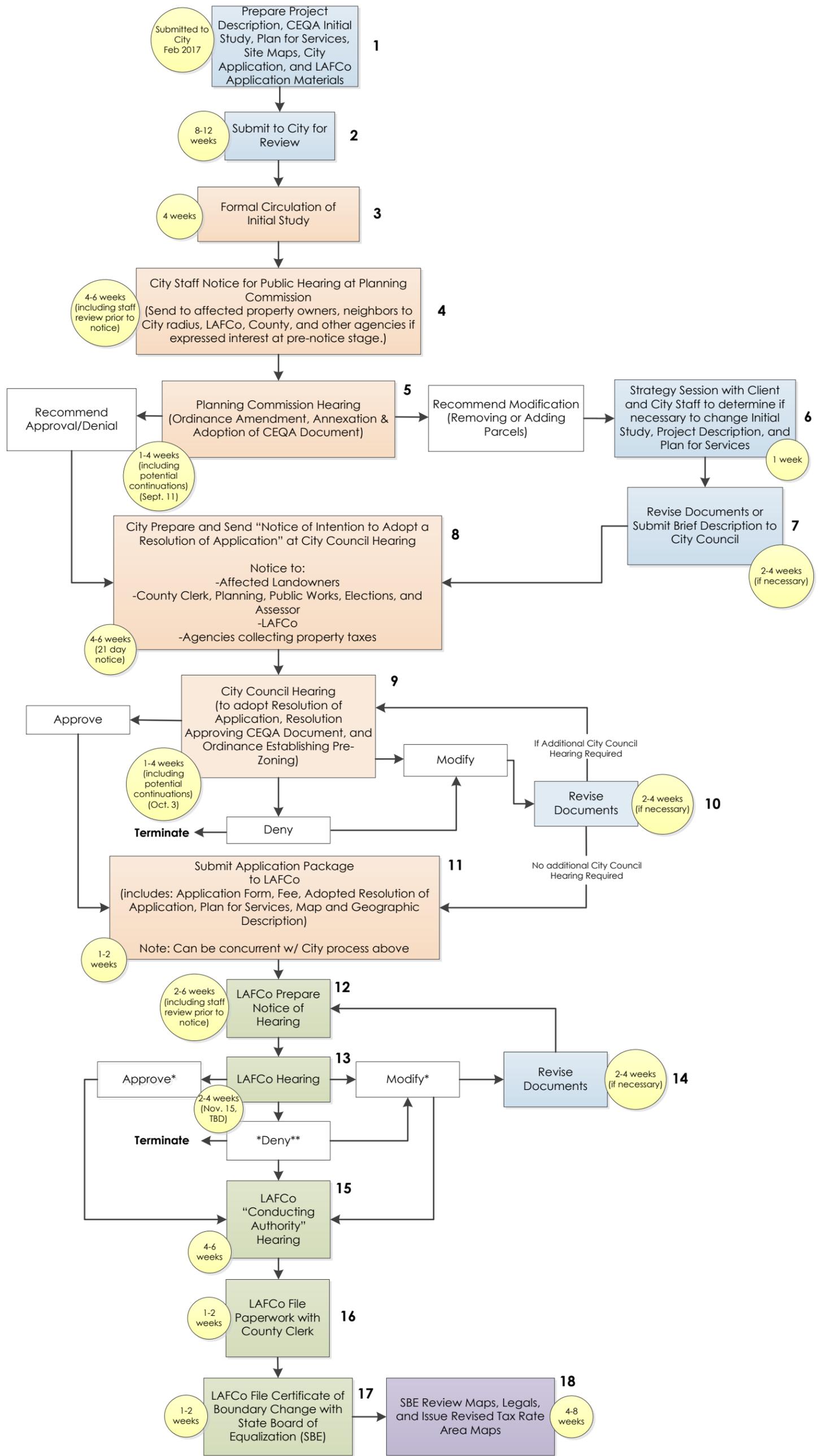
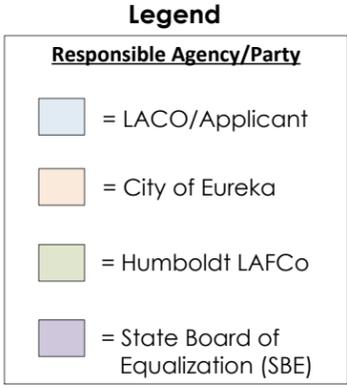
- City Attorney
- City Clerk/Information Services
- Development Services
- Finance
- Fire
- Parks and Recreation
- Personnel
- Police
- Public Works

ATTACHMENTS:

Attachment A

Brainard Annexation Process Flowchart

LACO Project No. 7291.26

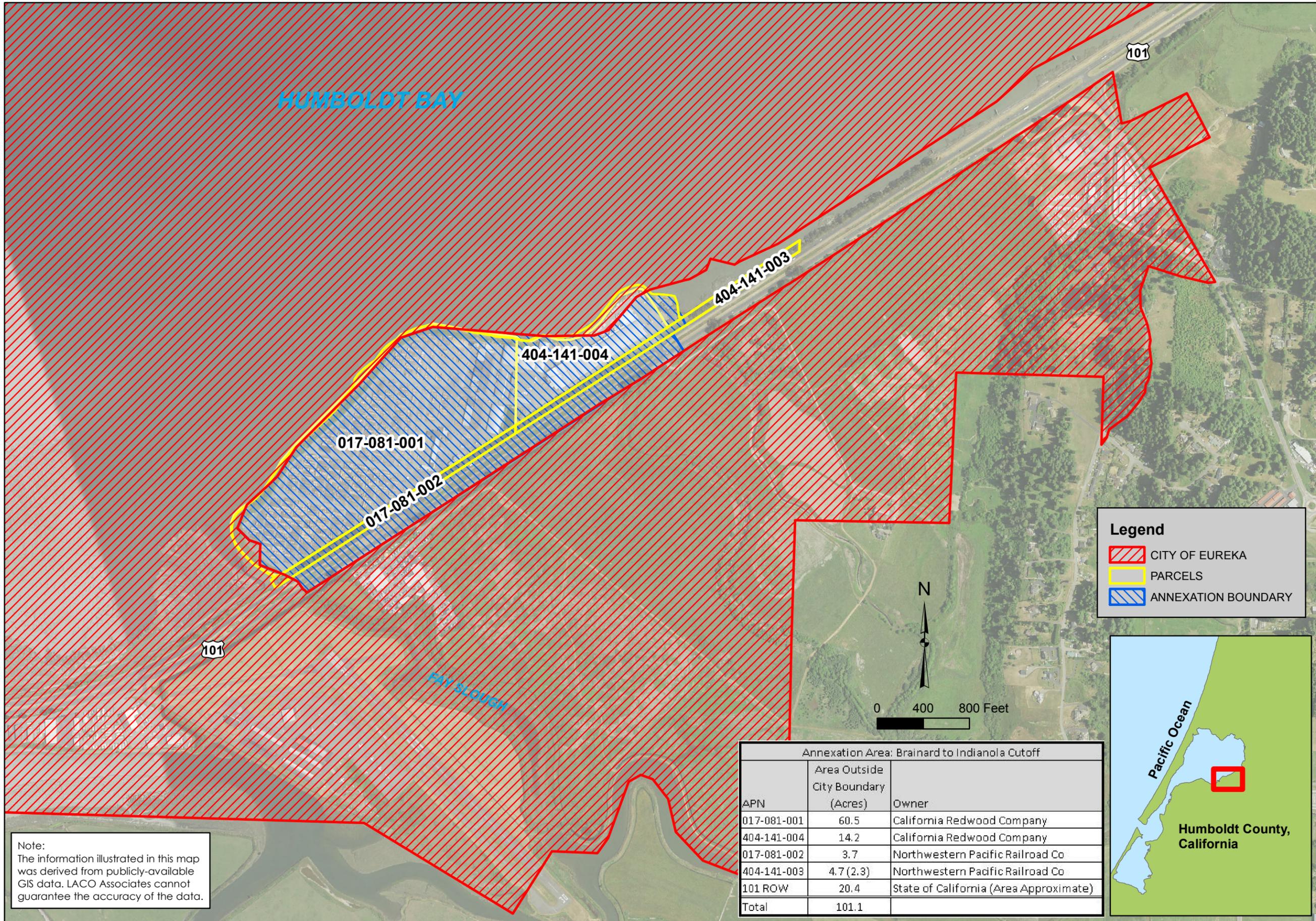


* Anyone who objects to the LAFCo decision may request reconsideration. The whole project would go back to the same commission for another discussion.

** If denied, no similar proposal may be made within one year.

Attachment B

Date: 2/8/2017 Time: 2:42:32 PM
 Path: P:\7200\7291 Green Diamond Co General\7291.26 Brainard Annexation and General Plan\12 Figures_Maps\GIS\Project Description\7291.26 PLAN INITIAL STUDY FIG 1.mxd



Note:
 The information illustrated in this map was derived from publicly-available GIS data. LACO Associates cannot guarantee the accuracy of the data.

Annexation Area: Brainard to Indianola Cutoff		
APN	Area Outside City Boundary (Acres)	Owner
017-081-001	60.5	California Redwood Company
404-141-004	14.2	California Redwood Company
017-081-002	3.7	Northwestern Pacific Railroad Co
404-141-003	4.7 (2.3)	Northwestern Pacific Railroad Co
101 ROW	20.4	State of California (Area Approximate)
Total	101.1	

Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY

LOCATION MAP

Humboldt County, California

LACO
 EUREKA • UKIAH • SANTA ROSA
 1-800-515-5054
 www.lacoassociates.com

NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501

LOCATION MAP

CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

DRAWN	SMS/JB/KLC
CHECK	MMM
APPROVED	RSR
DATE	02-08-2017
JOB NO.	7291.26
FIGURE	B-1

Attachment C

PLAN FOR SERVICES

LAFCO Boundary Change Application Brainard Annexation to the City of Eureka

1.0 INTRODUCTION AND PURPOSE

The purpose of this document is to outline a Plan for Services to support an application submitted to the Humboldt County Local Agency Formation Commission (LAFCo) for annexation of the Brainard Annexation Area (Annexation Area), totaling approximately 101.1 acres and located adjacent to State Highway 101 (Highway 101), to the City of Eureka. This Plan for Services describes the need for, and anticipated benefits of, annexation, and the implementation strategy to facilitate the connection of the annexed properties to the existing City of Eureka infrastructure.

The project consists of the annexation of four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along Highway 101, totaling approximately 101.1 acres in size, into the City of Eureka (City) city boundary. These parcels, identified as Assessor's Parcel Numbers (APNs) 017-081-001, 404-141-004, 017-081-002, and 404-141-003, are located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka city boundary on three sides, and within the City's Sphere of Influence (SOI). Table 1, below, lists each parcel's corresponding APN, owner, location, and approximate area. A location map is included as Figure 1.

Table 1. Assessor's Parcel Numbers (APNs), Address/Location, and Area of Parcels Proposed for Annexation

Assessor's Parcel Number (APN)	Owner	Address/Location	Approximate Area (Acres) ¹
017-081-001	California Redwood Company	5151 State Highway 101	60.5
404-141-004	California Redwood Company	5151 State Highway 101	14.2
017-081-002	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	3.7
portion of 404-141-003	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	2.3
101 ROW	State of California	Portion of State Highway 101	20.4
Total			101.1

¹ Area from Humboldt County WebGIS System (February 2015)

Existing land uses for the four parcels and Caltrans ROW include the two properties comprising the Brainard site (APNs 017-081-001 and 404-141-004), railroad tracks, and Highway 101, including the center median. The Brainard site is an approximately 75-acre developed site previously utilized as a lumber mill and air dry yard, with administrative offices. The unincorporated land is located directly adjacent to the City limits on three sides, and within the City's SOI, which is set by the Humboldt County LAFCo (see Figure 1). The existing SOI boundary was reaffirmed by LAFCO with the adoption of a Municipal Services Review (MSR) developed by the City in 2014. The Annexation Area is located within the Coastal Zone. The annexation will incorporate parcels that are within the logical boundaries of the City and facilitate City services to those areas. The following is a plan for facilitating services pursuant to Government Code Section 56653.

2.0 EXISTING INFRASTRUCTURE

2.1 Water Infrastructure

The Annexation Area is not located within the service boundary of any community service district. Drinking water at the Brainard site is obtained from two on-site wells located on the eastern parcel (APN 404-141-004). One of the wells is located directly to the southeast of the administrative offices, which are located on the easternmost portion of the Brainard site; the other well is located directly east of the existing 500,000-gallon fire reservoir located on the southwestern portion of the eastern parcels and southeastern portion of the western parcel (APN 017-081-001). A Declaration has been filed with the State Water Resources Control Board (SWRCB) verifying that the Brainard site's existing water system is not operated as a Public Water System, as defined by the SWRCB.

The nearest domestic water connection is located at the end of Jacobs Avenue, along Highway 101. While there are no immediate plans for City water service at this site, City water service will be extended from the connection at the end of Jacobs Avenue in the future as required to serve new development.

2.2 Wastewater Infrastructure

The Annexation Area is not currently served by existing wastewater service. Currently, an existing On-Site Wastewater Treatment System is utilized at the Brainard site and is sufficient to meet the facility's needs. While there are no immediate plans for City wastewater service at this site, City wastewater service will be extended from the connection at the end of Jacobs Avenue in the future as required to serve new development.

2.3 Storm Drainage Infrastructure

Limited storm drainage infrastructure in the Annexation Area is currently available. Stormwater and drainage at the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) is managed with an existing levee and inboard drainage system, which is located at the southeast corner of the Brainard site and runs under Highway 101 from west to east. Impervious surfaces in the Annexation Area generally flow to drainage ditches leading to Cutoff Slough on the east side of Highway 101, and, from there to Humboldt Bay. As the site is nearly entirely paved, additional development is not likely to increase storm drainage volumes, however, the existing system may need to be upgraded to meet current water quality standards and/or to facilitate on-site percolation.

A Stormwater Pollution Prevention Plan (SWPPP) was prepared for the Brainard site (Waste Discharge Identification (WDID) Number 1 12I020569) by SHN Consulting Engineers & Geologists, Inc., in June 2015. The

SWPPP was designed to comply with California’s General Permit for Stormwater Discharges Associated with Industrial Activities (General Permit or IGP); and Order No. 2014-0057-DWQ (NPDES No. CAS000001), issued by the State Water Resources Control Board (State Water Board).

2.4 Roads

As shown on Figure 1, all parcels within the Annexation Area are located adjacent to Highway 101. The two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) have ingress/egress points that connect directly with Highway 101. The northerly access is near the southeastern corner of the eastern parcel (APN 404-141-004). The southerly access is located approximately 2,600 feet southwest of the northerly driveway along the southern boundary of the western parcel (APN 017-081-001). Traffic exiting the northern driveway is controlled by a stop sign. The driveways contain an uncontrolled railroad crossing, although the railroad is not currently operational. The driveways cross a manmade inboard ditch that runs along the southeastern edge of the railroad grade. Additionally, the Brainard site also contains considerable paved areas and an internal private road network.

Maintenance of Highway 101 will remain the responsibility of Caltrans; the two ingress/egress points and internal road network at the Brainard site will continue to be maintained by the property owner.

2.5 Police Service

The Annexation Area is currently served by the Humboldt County Sheriff’s Office and the California Highway Patrol (CHP), which has specific jurisdiction over all California state routes and freeways in the state. Following annexation, police services from the City of Eureka Police Department (EPD) will extend to include these parcels for primary response, while the CHP will continue to have jurisdiction over State Highway 101. As noted in the City of Eureka Municipal Service Review adopted January 15, 2014 (2014 MSR), upon request, CHP will also respond to any traffic matter within the rest of the City, and also assists EPD with specialized investigations, technical assistance, and officer backup.

2.6 Fire Protection

Fire protection services for the Annexation Area are currently provided by the Arcata Fire Protection District (AFPD) in cooperation with the Humboldt Bay Fire Department. An Agreement for Emergency Response Services for California Redwood Company – Brainard Complex was made and entered into on January 1, 2016, between AFPD and the California Redwood Company (CRC) for fire protection, emergency medical, and hazardous materials services for the Brainard site. The Agreement shall expire on December 31, 2016, unless terminated or extended in accordance with the Agreement terms. The Agreement will be automatically extended on January 1 of each subsequent calendar year for up to four additional one-year terms. AFPD contracts with the Humboldt Bay Fire Department to provide first response emergency service to the Brainard site.

3.0 ANTICIPATED SERVICE DEMANDS OF PROPOSED ANNEXATION

The proposed annexation is not anticipated to result in significant impacts to City services. The Annexation Area consists of four parcels (three parcels in their entirety and a portion of an additional parcel) and a portion of the Caltrans ROW along Highway 101. The Annexation Area contains the two parcels comprising the Brainard site, Northwestern Pacific Railroad Company-owned railroad tracks, and Highway 101. The

Brainard site is currently not in operation and there are no immediate plans for connecting the Brainard site to City water and wastewater services.

3.1 Water Infrastructure

While the majority of the parcels within the Annexation Area are currently developed, they are not connected to the City's water system. The Annexation Area includes two parcels developed with railroad tracks (APNs 017-081-002 and portion of 404-141-003), two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), and a portion of the Caltrans ROW along Highway 101. Therefore, it is assumed that City water service will only be extended to the Brainard site, which utilizes two on-site wells on the eastern parcel (APN 404-141-004) for the site's drinking water. While there are no immediate plans for City water service at this site, City water service will be extended from the existing connection located at the east end of Jacobs Avenue in the future as required to serve new development.

As noted in the 2014 MSR, the City's water distribution system has normal deficiencies for a system of its age, including an aging piping system and low-pressure and fire-flow issues; as such, water distribution system improvements within the City are planned to address these issues. The Humboldt Bay Municipal Water District (HBMWD), which provides potable water to the City, has indicated that there is sufficient supply for the level of development forecasted in the General Plan; however, the City may require project specific analysis of the water system for any future substantial development. Such analysis may indicate that improvements should be made to water lines, pumping stations, or storage facilities.

3.2 Wastewater Infrastructure

While the majority of the parcels within the Annexation Area are currently developed, they are not connected to the City's sewer system. The Annexation Area includes two parcels developed with railroad tracks (APNs 017-081-002 and portion of 404-141-003), two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), and a portion of the Caltrans ROW along Highway 101. Therefore, it is assumed that City sewer service will only be extended to the Brainard site, which has an existing septic system on-site. While there are no immediate plans for City sewer service at this site, City sewer service will be extended from the existing connection located at the east end of Jacobs Avenue in the future as required to serve new development.

As noted in the 2014 MSR, the City operates the Elk River Wastewater Treatment Plant (WWTP), which serves customers within the City limits and also treats wastewater from the surrounding unincorporated areas served by the Humboldt Community Services District (HCSD). The WWTP was designed such that its treatment capacity could be increased in the future as needed to accommodate both the City's planned growth within its SOI and the projected HCSD. The City's wastewater collection system is experiencing deficiencies that are typical of a collection system of its age, including: Inflow and Infiltration (I/I), pipe condition deterioration (with a majority being clay pipe), aging pumping systems, and some capacity limitations occurring at a few locations in the collection system during significant rain events. The City has several WWTP and collection system upgrades to address these deficiencies. Based on population growth projections for the entire area served by the WWTP, the City estimates adequate capacity at the WWTP to serve the projected development; however, the City may require project specific analysis of the wastewater system for any future substantial development. Such analysis may indicate that improvements should be made to collection lines, lift stations, or treatment capacity.

3.3 Storm Drainage Infrastructure

As previously discussed, limited storm drainage infrastructure exists in the Annexation Area. Stormwater and drainage at the Brainard site is managed with an existing levee and inboard drainage system. Site drainage exists at the southeast corner of the Brainard site, which runs under Highway 101 from west to east. Impervious surfaces in the Annexation Area generally flow to drainage ditches leading to Cutoff Slough on the east side of Highway 101, and, from there to Humboldt Bay.

As noted in the 2014 MSR, much of the City's existing storm drainage network is old and undersized, depending upon inadequate gutter flow and undersized pipes and drop inlets, and street flooding occurs during the rainy season. Some of the City's sloughs and gulches, serving as natural drainage networks, have been filled, restricted, and/or altered. Most of the natural networks are unimproved, relatively deep, and have adequate capacity for a 100-year storm event; however, due to erosion and siltation, resulting in reduced capacity at some drain inlets and outlets, a few of the gulches experience flooding. No actual drainage easements exist for many of the City's natural drainage networks. As such, due to lack of access, maintenance and replacement within these gulches can be difficult.

As the Brainard site is nearly entirely paved, additional development is not likely to increase storm drainage volumes, however, the existing system may need to be upgraded to meet current water quality standards and/or to facilitate on-site percolation.

3.4 Roads

No additional requirements for road capacity are anticipated as a result of the annexation. The Annexation Area is adjacent to Highway 101, which appears to be in good repair and adequate for current and past uses. While not currently in operation, prior use of the Brainard site included a lumber mill and air dry yard, with administrative offices. The Brainard site contains two ingress/egress points that connect directly with Highway 101 and considerable paved areas, in addition to an internal private road network. Both driveways contain an uncontrolled railroad crossing, although the railroad is not currently operational, and cross a manmade inboard ditch that runs along the southeastern edge of the railroad grade. Traffic exiting the northern driveway is controlled by a stop sign.

Frontage improvements may be required concurrently with any future development of each affected parcel. These improvements will be the responsibility of each parcel's property owner when development occurs.

Maintenance of Highway 101 will remain the responsibility of Caltrans; the two ingress/egress points and internal road network at the Brainard site will continue to be maintained by the property owner.

3.5 Police Service

The Annexation Area is currently served by the Humboldt County Sheriff's Office and the CHP. Following annexation, police services from the EPD will extend to include these parcels for primary response, while the CHP will continue to have jurisdiction over Highway 101. A significant increase in demand for police services resulting from the annexation is not anticipated. The impacts of any future development on police services will be evaluated when future development is proposed.

3.6 Fire Protection

The Annexation Area is currently served by the AFPD in cooperation with the Humboldt Bay Fire Department. Following annexation, fire protection services will be provided by Humboldt Bay Fire. The nearest station to the Brainard Site is Fire Station No. 4 at Myrtle Avenue and Cousins Street. The annexation is not expected to impact demand for fire protection services in excess of current levels. The impacts of any future development on fire protection services will be fully evaluated when future development is proposed.

4.0 PROPOSED SERVICE INFRASTRUCTURE

4.1 Water Infrastructure

While the majority of the parcels within the Annexation Area are currently developed, they are not connected to the City's water system. While there are no immediate plans to extend City water service to the Annexation Area at this time, it is assumed that City water service will only be extended to the Brainard site in the future as new development occurs. Adequate water service can be provided through connection to and extension of the existing 12-inch line, located at the eastern terminus of Jacobs Avenue. The existing dead-end 12-inch system would be extended approximately one mile parallel to the Caltrans ROW along Highway 101 to the north to reach the northerly entrance to the Brainard site. However, assuming the site is located at the terminus of an approximately two mile long dead-end water system, service to the Brainard site may be somewhat limited and is unlikely to yield adequate fire flow. As such, continued and possibly increased on-site emergency water storage is like to be required indefinitely.

4.2 Wastewater Infrastructure

While the majority of the parcels within the Annexation Area are currently developed, they are not connected to the City's sewer system. While there are no immediate plans to extend City sewer service to the annexation area at this time, it is assumed that City sewer service will only be extended to the Brainard site in the future. Adequate sewer service can be provided through the installation of a new sewer line parallel to the Caltrans ROW, and will be extended from the existing connection located at the east end of Jacobs Avenue. The nearest lift station is located in the intersection of Jacobs Avenue and Cole Avenue, which is located approximately 0.8 miles southwest of the Brainard site. Future development at the Brainard site may merit upgrades to the existing lift station.

4.3 Storm Drainage Infrastructure

No storm drainage infrastructure is proposed under the project; however, new development on the Brainard site would require conformance with the City's Low Impact Development (LID) requirements, which may require converting a portion of the impervious surface to drainage swales and rain gardens to allow percolation on-site and to provide for natural filtration. Any necessary improvements will be the responsibility of each parcel's property owner when development occurs.

4.4 Roads

No roadway improvements are included as part of the annexation; however, future improvements may be required if future development occurs. Under the proposed project, maintenance of Highway 101 will remain the responsibility of Caltrans and the two ingress/egress points and internal private road network at the Brainard site will continue to be maintained by the property owner.

4.5 Police Service

Upon annexation, policing jurisdiction will be transferred from the Humboldt County Sheriff's Office to the Eureka Department, and the CHP will continue to have jurisdiction over Highway 101. If and when future development is proposed, the impacts of these developments on police services will be evaluated to ensure police services are adequate to support any proposed development.

4.6 Fire Protection

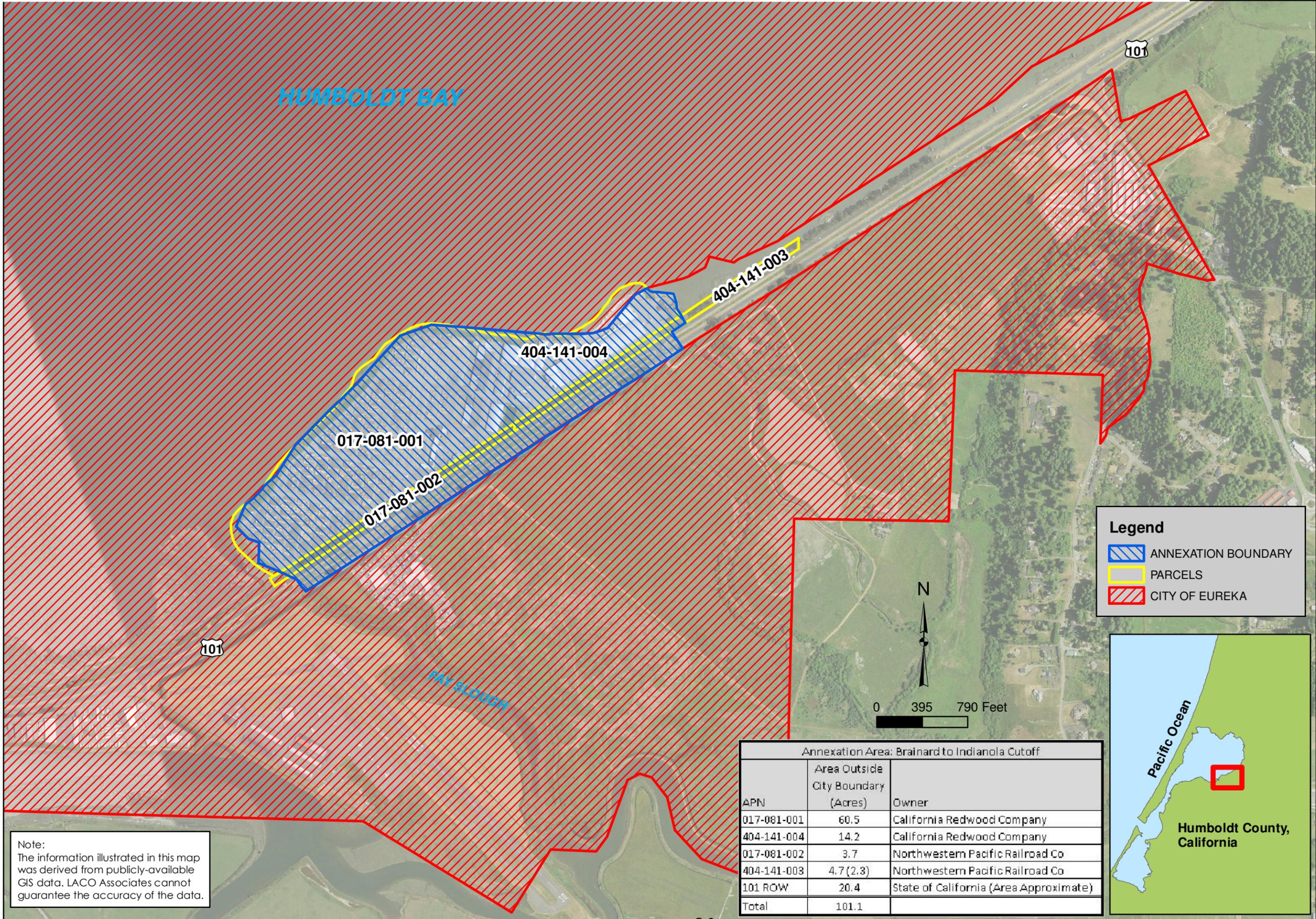
First response for emergency services is currently provided by Humboldt Bay Fire under contract with AFPD. Following annexation, fire protection services will be provided directly Humboldt Bay Fire. The annexation is not expected to impact demand for fire protection services in excess of current levels. If and when future development is proposed, the impacts of these developments on fire protection services will be evaluated to ensure fire protection services are adequate to support any proposed development.

5.0 RESPONSIBILITIES / CONDITIONS OF SERVICE

While there are no immediate plans for City water and sewer service in the Annexation Area, City water and sewer service will be extended from the existing connection located at the east end of Jacobs Avenue in the future. Upon completion, the improvements will become part of the City's infrastructure and will be maintained and operated by the City. Property owners within the Annexation Area would be responsible for any fees and construction costs associated with connections to the City water and sewer infrastructure.

All parcels included in the Annexation Area have access to Highway 101. Maintenance of Highway 101 will remain the responsibility of Caltrans; the two ingress/egress points and internal private road network at the Brainard site will continue to be maintained by the property owner.

Date: 11/1/2016 Time: 10:00:09 AM
 Path: P:\7200\7291 Green Diamond Co General\7291.26 Brainard Annexation and General Plan\12 Figures_Maps\GIS\7291.26 11x17 FIGURE 1.mxd



Note:
 The information illustrated in this map was derived from publicly-available GIS data. LACO Associates cannot guarantee the accuracy of the data.

Legend

- ANNEXATION BOUNDARY
- PARCELS
- CITY OF EUREKA

Annexation Area: Brainard to Indianola Cutoff		
APN	Area Outside City Boundary (Acres)	Owner
017-081-001	60.5	California Redwood Company
404-141-004	14.2	California Redwood Company
017-081-002	3.7	Northwestern Pacific Railroad Co
404-141-003	4.7 (2.3)	Northwestern Pacific Railroad Co
101 ROW	20.4	State of California (Area Approximate)
Total	101.1	



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 1-800-515-5054
 www.lacoassociates.com

NO.	HISTORY/REVISION	BY	CHK	DATE

LOCATION MAP
 BRAINARD ENTITLEMENTS
 5151 HIGHWAY 101, EUREKA, CA 95501
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

DRAWN	SMS/JB
CHECK	MMM
APPROVED	RSR
DATE	11-01-2016
JOB NO.	7291.26
FIGURE	1

Attachment D

RESOLUTION NO. 2017-14

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF EUREKA RECOMMENDING THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION, APPROVE THE LOCAL COASTAL PROGRAM AMENDMENT TO PRE-ZONE THE PROPERTIES, AND SUBMIT AN APPLICATION TO LAFCO FOR THE BRAINARD ANNEXATION

WHEREAS, in November, 2016, California Redwood Company (CRC) submitted an application to annex into the City of Eureka four parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size, known as the Brainard Annexation; and

WHEREAS, CRC owns two of the parcels proposed for annexation which were historically used as a lumber mill and air dry yard with administrative offices, and Northwestern Pacific Railroad owns the other two parcels which contain the railroad bed; and

WHEREAS, under the City's current Land Use Plan, the parcels owned by CRC and Northwestern Pacific Railroad, as well as the Caltrans ROW are designated as General Industrial (GI), and no changes are proposed to the land use designations for these areas; and

WHEREAS, because the parcels are not currently located within the City of Eureka's city boundary, the parcels are not currently designated under the City Implementation Plan (Zoning) and there is no current zoning applied to the site; and

WHEREAS, the four parcels comprising the Brainard Annexation area must be pre-zoned in conformance with the current City of Eureka Implementation Plan, and the zoning will be effective upon completion of the annexation; and

WHEREAS, the Local Agency Formation Commission (LAFCo) is granted authority by the State to approve local boundary changes, such as annexation; and

WHEREAS, a Plan for Services has been drafted for the Brainard Annexation as required by LAFCo to ensure the property owner can access needed services for future development, and the annexation will not cause a negative impact on the City's residents and business owners by overtaking the City's ability to provide necessary services; and

WHEREAS, the Plan for Services states the City has sufficient capacity to provide water, sewer, Police, and Fire Protection services; and

WHEREAS, the proposed annexation must be found consistent with the General Plan, and the proposed pre-zoning must be found consistent with the objectives of the Zoning Ordinance (EMC § 10-5.2707.1); and

WHEREAS, the Annexation and Local Coastal Program Amendment are discretionary actions subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, an Initial Study was completed and circulated to the State Clearinghouse (SCH# 2017062022) and a Notice of Intent to Adopt a Negative Declaration was published in the newspaper.

NOW THEREFORE BE IT RESOLVED by the Planning Commission of the City of Eureka that:

1. The annexation and Local Coastal Program (Implementation Plan Map) Amendment as proposed would conform with and be adequate to carry out the policies, objectives, principles, standards and plan proposals set forth in the General Plan; and
2. The Implementation Plan Map Amendment as proposed would be consistent with the objectives of the zoning regulations to protect the public health, safety, peace, comfort, convenience, prosperity, and general welfare; and
3. The Planning Commission recommends the City Council adopt a Negative Declaration, approve the Local Coastal Program Amendment to pre-zone the properties, and submit an application to LAFCo for the Brainard Annexation.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Eureka in the County of Humboldt, State of California, on the 11th day of September, 2017 by the following vote:

AYES: COMMISSIONER RAGAN, AMES, BONINO, FULLERTON
NOES: NONE
ABSENT: COMMISSIONER MCBETH
ABSTAIN: NONE

 9/8/17

Jeff Ragan, Chair, Planning Commission

Attest:

Pamela J. Powell, City Clerk

Attachment E

INITIAL STUDY and ENVIRONMENTAL CHECKLIST

FOR

BRAINARD ANNEXATION

June 2017

Lead
Agency:
City of
Eureka



Lead Agency Contact:
Kristen M. Goetz, Senior
Planner City of Eureka
Development Services Department, Community
Development Division 531 K Street
Eureka, California 95501
(707) 441-4160

Prepared by:
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Associates 21
W. 4th Street
Eureka, California 95501
(707) 443-5054

LACO Project No. 7291.26

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I. PROJECT SUMMARY

Date: June 2017

Project Title: Brainard Annexation

Lead Agency: City of Eureka

Contact: Kristen M. Goetz
City of Eureka
531 K Street, Eureka, California 95501
(707) 441-4160

Location: The project area comprises four parcels (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101, totaling approximately 101.1 acres in size. The project area is located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka city boundary, and within the City's Sphere of Influence (see Figures 1 and 2).

Coastal Zone: Yes

Affected Parcel(s): Assessor Parcel Number(s) 017-081-001, 404-141-004, 017-081-002, portion of 404-141-003, and portion of Caltrans ROW along State Highway 101

Current County of Humboldt General Plan Land Use Designations: Industrial-General (MG) and Railroad (see Figure 3)

Current County of Humboldt Zoning Designations: Industrial General with Flood Hazard Areas Combining Zone (MG/F), Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D), and Railroad (see Figure 4)

Current City of Eureka General Plan Land Use Designation: General Industrial (GI) (see Figure 5)

Current City of Eureka Zoning Designation: General Industrial (MG) (see Figure 6)

Anticipated Permits and Approvals:

- 1) Humboldt County Local Agency Formation Commission (LAFCo) Approval of Annexation

CEQA Requirement:

The proposed project is subject to the requirements of the California Environmental Quality Act (CEQA). The Lead Agency is the City of Eureka. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR) or a Negative Declaration. This IS is intended to satisfy the requirements of the CEQA (Public Resources Code, Div 13, Sec 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387).

CEQA encourages lead agencies and applicants to modify their projects to avoid significant adverse impacts (CEQA Section 20180(c) (2) and State CEQA Guidelines Section 15070(b) (2)).

Section 15063(d) of the State CEQA Guidelines states that an IS shall contain the following information in brief form:

- 1) A description of the project including the project location
- 2) Identification of the environmental setting
- 3) Identification of environmental effects by use of a checklist, matrix, or other method, provided that entries on a checklist or other form are briefly explained to provide evidence to support the entries
- 4) Discussion of means to mitigate significant effects identified, if any
- 5) Examination of whether the project would be consistent with existing zoning, plans, and other applicable land use controls
- 6) The name of the person or persons who prepared and/or participated in the Initial Study

II. PROJECT DESCRIPTION

California Redwood Company (CRC) seeks to annex into the City of Eureka four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size. These parcels, identified as Assessor's Parcel Numbers (APNs) 017-081-001, 404-141-004, 017-081-002, and 404-141-003, are located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City's Sphere of Influence.

The four parcels and Caltrans ROW comprising the Brainard Annexation Area (Annexation Area) are located adjacent to Highway 101. Table 1, below, lists each parcel's corresponding APN, owner, location, and approximate area. A location map and site plan are included as Figures 1 and 2, respectively.

Table 1. Assessor's Parcel Numbers (APNs), Owner, Address/Location, and Area of Parcels Proposed for Annexation

Assessor's Parcel Number (APN)	Owner	Address/Location	Approximate Area (Acres) ¹
017-081-001	California Redwood Company	5151 State Highway 101	60.5
404-141-004	California Redwood Company	5151 State Highway 101	14.2
017-081-002	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	3.7
portion of 404-141-003	Northwestern Pacific Railroad Company	Adjacent to North side of State Highway 101	2.3
101 ROW	State of California	Portion of State Highway 101	20.4
Total			101.1

¹ Area from Humboldt County WebGIS System (February 2015)

The two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) are owned by California Redwood Company (CRC). The Brainard site has a history of use as a lumber mill. CRC intends to sell the property and is seeking to enhance the potential value and marketability of the site by doing the following:

- 1) Annexing the site into the City of Eureka.
- 2) In cooperation with the City and neighboring property owners, exploring options for the extension of water and wastewater infrastructure to the site.

Existing land uses for the four parcels and Caltrans ROW include the two properties comprising the Brainard site (APNs 017-081-001 and 404-141-004), Northwestern Pacific Railroad Company (NWPRR)-owned railroad tracks, and Highway 101. The Brainard site is developed with approximately 431,000 square feet of building space and is almost entirely paved. The Brainard site was previously utilized as a lumber mill and air dry yard, with administrative offices. A narrow strip of railroad grade owned by NWPRR (APN 017-081-002 and a portion of APN 404-141-003) borders the Brainard site to the south and east.

The City of Eureka city boundary abuts the parcels proposed for annexation to the north, south and west. Humboldt Bay is directly adjacent to the north. Largely undeveloped land is located to the south of the project parcels. East of the parcels comprising the Annexation Area are additional railroad tracks and Highway 101, both of which run along Humboldt Bay.

Existing and Proposed General Plan Land Use Designations

The subject properties are located within an unincorporated area of the County of Humboldt (County) with the City of Eureka city boundary just north, west, and south of the Annexation Area, and within the boundaries of the Humboldt Bay Area Local Coastal Plan (HBAP). As such, the current land use designations of the subject parcels are set by the HBAP, which comprises Volume II of the County of Humboldt General Plan (County General Plan). The County is continuing to review the 2012 Draft General Plan and has identified likely land use designations for the affected properties in the event annexation does not take place and the General Plan is amended as currently proposed.

The parcels proposed for annexation are currently within the City of Eureka sphere of influence, and the City of Eureka General Plan (City General Plan) also applies land use designations to each of the parcels. While the City has begun its 2040 General Plan Update (GPU) process, a Draft General Plan has not yet been prepared; as such, only the current City General Plan will be discussed.

County of Humboldt General Plan

Under the County General Plan, the eastern and western parcels of the Brainard site (APN 017-081-001 and 404-141-004) are currently designated as Industrial-General (MG). (Note that there appears to be a minor error in the County WebGIS system which identifies a portion of APN 404-141-004 as Natural Resources in conflict with the mapping). The two adjacent parcels owned by NWPRR (APNs 017-081-002 and portion of 404-141-003) are designated as Railroad. The adjacent Caltrans ROW does not have a land use designation.

The County is currently in the process of updating its General Plan and the Board of Supervisors is currently reviewing the 2012 Draft General Plan. The anticipated land use designations for the Annexation Area under the County GPU are not anticipated to change. Table 2 summarizes the current County General Plan land use designation and proposed land use designations under the County GPU.

Table 2. Existing and Anticipated Land Use Designations Under the County of Humboldt General Plan

Assessor's Parcel Number (APN)	Approximate Area (Acres) ¹	Current Humboldt County General Plan (HBAP) Land Use Designation	Humboldt County General Plan Update Anticipated Land Use Designation
017-081-001	60.5	Industrial-General (MG) (HBAP)	no change
404-141-004	14.2	Industrial-General(MG) (HBAP)	no change
017-081-002	3.7	Railroad	no change
portion of 404-141-003	2.3	Railroad	no change
101 ROW	20.4	N/A	no change

¹ Area from Humboldt County WebGIS System (February 2016)

City of Eureka General Plan

Per the City's 2040 GPU website (<http://www.eureka2040gpu.com/>), the City initiated its 2040 GPU process in November 2013. The process was anticipated to take approximately two and a half years, with adoption of the updated General Plan targeted for June 2016. Since a Draft General Plan has not yet been prepared, only the current City General Plan will be discussed.

Under the current City General Plan, the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), in addition to the two NWPRR parcels (017-081-002 and portion of 404-141-003), are designated as General Industrial (GI). All parcels included within the Annexation Area are proposed to be annexed under the current City General Plan design, with pre-zoning consistent with the City of Eureka Zoning Code.

The current County and City General Plan land use designations for the Annexation Area are illustrated as Figures 3 and 5, respectively.

Existing and Proposed Zoning

County of Humboldt Zoning Code

Existing zoning designations under the County of Humboldt Zoning Code (County Zoning Code) for the Annexation Area include the following: the western parcel of the Brainard site (APN 017-081-001) is currently zoned as Industrial General (MG) with a combining zone of Flood Hazard Areas (F), while the eastern parcel of the Brainard site (APN 404-141-004) has a split zoning designation of Industrial General (MG) with a combining zone of Flood Hazard Areas (F), in addition to Natural Resources (NR) with Coastal Wetlands (W) and Design Review (D) combining zones. The two parcels owned by NWPRR (APNs 017-081-002 and portion of 404-141-003) are designated as Railroad. The adjacent Caltrans ROW does not have a zoning designation.

City of Eureka Zoning Code

The four parcels comprising the Annexation Area would be pre-zoned in conformance with the current City of Eureka Zoning Code (City Zoning Code). Zoning would be effective upon completion of the annexation. Since the parcels are not currently located within the City of Eureka's city boundary, the parcels are not currently designated under the City Zoning Code. However, because the parcels are included under the City General Plan with a land use designation of General Industrial (GI), it is anticipated, if annexed, that the corresponding zoning of the parcels would be General Industrial (MG).

Table 4 summarizes the current zoning designations under the County Zoning Code and anticipated zoning designations, if annexed, for each parcel included in the Annexation Area under the City Zoning Code.

The current County and City zoning designations are illustrated as Figures 4 and 6, respectively.

Table 4. Current County of Humboldt Zoning Code Designations and Anticipated City of Eureka Zoning Code Designations if Annexed

Assessor's Parcel Number (APN)	Approx. Area (Acres) ¹	Current County of Humboldt Zoning Code Designations	Anticipated City of Eureka Zoning Code Designations if Annexed
017-081-001	60.5	Industrial General with Flood Hazard Areas Combining Zone (MG/F)	General Industrial (MG)
404-141-004	14.2	Industrial General with Flood Hazard Areas Combining Zone (MG/F); Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D)	General Industrial (MG)
017-081-002	3.7	Railroad	General Industrial (MG)
portion of 404-141-003	2.3	Railroad	General Industrial (MG)
101 ROW	20.4	N/A	N/A

¹ Area from Humboldt County WebGIS System (February 2016)

III. PROJECT SETTING AND LOCATION

The Annexation Area is located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City's Sphere of Influence (see Figures 1 and 2).

All parcels within the Annexation Area are located adjacent to Highway 101. The two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) have ingress/egress points that connect directly with Highway 101. The eastern access is near the southeastern corner of the eastern parcel (APN 404-141-004). The western access is located approximately 2,600 feet southwest of the eastern driveway along the southern boundary of the western parcel (APN 017-081-001). Traffic exiting the eastern driveway is controlled by a stop sign. The driveways contain an uncontrolled railroad crossing, although the railroad is not currently operational. The driveways cross a manmade inboard ditch that runs along the southeastern edge of the railroad grade. Additionally, the Brainard site also contains considerable paved areas and an internal private road network.

The Annexation Area is located within the Coastal Zone and is within Federal Emergency Management Agency (FEMA) Flood Zone A (the 100-year flood). Humboldt Bay abuts the northern boundary of the Annexation Area, with Fay and Eureka Sloughs located approximately 200 feet southeast and 1,600 feet southwest of the Annexation Area, respectively. The Annexation Area is predominately flat in nature, and is mostly developed. The Annexation Area includes a portion of Highway 101 and Caltrans ROW, the Brainard site, which includes approximately 431,000 square feet of building space and is almost entirely paved, and a narrow strip of railroad grade owned by NWPRR. A grassy area runs along the center divider of Highway 101, with two paved crossings corresponding to the eastern and western access points of the Brainard site. Two groves of eucalyptus trees, in addition to smaller trees and shrubs, run along the north end of Highway 101. Grass, shrubs, and trees run along the south end of Highway 101.

The margins of the property nearest Humboldt Bay, as well as the roadside ditches and median grassy areas are presumed to include some coastal wetland areas, meeting at least one of the three designated wetland parameters. Review of available information on the Humboldt County Web GIS and the United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory indicate wetland areas on the northern and northeastern-most edge of the Annexation Area, in addition to immediately adjacent to the east of the annexation area. Additionally, starting approximately 40 feet south of the southernmost boundary of the Annexation Area, the majority of the land south of the Annexation Area is considered as wetland (see Figure 7). No change to wetland areas is proposed or anticipated as a result of the annexation to the City of Eureka.

The Annexation Area is not located within the service boundary of any community service district. Drinking water at the Brainard site is available from two on-site wells located on the eastern parcel (APN 404-141-004) (see Figure 2), and were sufficient to meet the facility's needs when the site was utilized as a lumber mill and air dry yard, with administrative offices. One of the wells is located directly to the southeast of the administrative offices, which are located on the easternmost portion of the Brainard site; the other well is located directly south of the existing 500,000-gallon fire reservoir located on the southwestern portion of the eastern parcel and southeastern portion of the western parcel (APN 017-081-001). A Declaration has been filed with the State Water Resources Control Board (SWRCB) verifying that the Brainard site's existing water system is not operated as a Public Water System, as defined by the SWRCB.

The nearest domestic water connection is located at the end of Jacobs Avenue, along Highway 101. While there are no immediate plans for City water service at this site, City water service would be extended from the existing 12-inch line at the end of Jacobs Avenue in the future as required to serve new development. The existing dead-end 12-inch system would be extended approximately one mile parallel to the Caltrans

ROW along Highway 101 to the north to reach the eastern entrance to the Brainard site. However, assuming the site is located at the terminus of an approximately two mile long dead-end water system, service to the Brainard site may be somewhat limited and is unlikely to yield adequate fire flow. As such, continued and possibly increased on-site emergency water storage is like to be required indefinitely.

Currently, an existing septic system comprising four existing septic tanks is located at the Brainard site (see Figure 2), and was sufficient to meet the facility's needs when it was previously utilized as a lumber mill and air dry yard, with administrative offices. Two of the existing septic tanks are located on the western parcel (APN 017-081-001), with one septic tank located near the center of the parcel and the other septic tank located near the eastern property boundary. The two remaining septic tanks are located on the eastern parcel (APN 404-141-004), with one septic tank located just north of an existing structure and the other septic tank located northeast of the administrative offices. While there are no immediate plans for City wastewater service at this site, City wastewater service would be extended from the connection at the end of Jacobs Avenue in the future as required to serve new development. The nearest lift station is located in the intersection of Jacobs Avenue and Cole Avenue, which is located approximately 0.8 miles southwest of the Brainard site. Future development at the Brainard site may merit upgrades to the existing lift station.

IV. ENVIRONMENTAL EFFECTS

An environmental checklist follows this section, and addresses all potential adverse effects resulting from the proposed project. No significant adverse effects are expected from any of the proposed activities.

V. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or "Potentially Significant Unless Mitigation Incorporated" as indicated by the checklists on the following pages.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. Aesthetics				X
II. Agricultural & Forestry Resources				X
III. Air Quality				X
IV. Biological Resources				X
V. Cultural Resources				X
VI. Geology & Soils				X
VII. Greenhouse Gas Emissions				X
VIII. Hazards & Hazardous Materials				X
IX. Hydrology and Water Quality				X
X. Land Use and Planning				X
XI. Mineral Resources				X
XII. Noise				X
XIII. Population & Housing				X
XIV. Public Services			X	

XV.	Recreation				X
XVI.	Transportation & Traffic				X
XVII.	Tribal Cultural Resources				X
XVIII.	Utilities & Service Systems			X	
XIX.	Mandatory Findings of Significance			X	

An explanation for all checklist responses is included, and all answers take into account the whole action involved and the following types of impacts: off-site and on-site; cumulative and project-level; indirect and direct; and construction and operational. The explanation of each issue identifies (a) the threshold of significance, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

In the checklist the following definitions are used:

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant.

"Potentially Significant Unless Mitigation Incorporated" means the incorporation of one or more mitigation measures can reduce the effect from potentially significant to a less than significant level.

"Less Than Significant Impact" means that the effect is less than significant and no mitigation is necessary to reduce the impact to a lesser level.

"No Impact" means that the effect does not apply to the proposed project, or clearly will not impact nor be impacted by the proposed project.

DETERMINATION: (To be completed by the Lead Agency on the basis of this initial evaluation)

<input checked="" type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Kristen M. Goetz
 Kristen M. Goetz
 Senior Planner

June 8, 2017
 Date

I. AESTHETICS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on aesthetic resources if it will have a substantial adverse effect on a scenic vista; substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway; substantially degrade the existing visual character or quality of the site and its surroundings; create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area.

DISCUSSION

The proposed project involves the annexation of four Assessor’s parcels (three parcels in their entirety and a portion of one additional parcel) and a portion of the Caltrans ROW along Highway 101, totaling approximately 101.1 acres in size, into the City of Eureka. Existing land uses for the four parcels and Caltrans ROW include the two properties comprising the Brainard site (APNs 017-081-001 and 404-141-004), NWPRR-owned railroad tracks, and Highway 101. The Brainard site is developed with approximately 431,000 square feet of building space and is almost entirely paved. The Brainard site is currently not in operation, but was previously utilized as a lumber mill and air dry yard, with administrative offices. A narrow strip of railroad grade owned by NWPRR (APN 017-081-002 and a portion of APN 404-141-003) borders the Brainard site to the south and east. No development is proposed under the project.

I.a-d) The proposed project would not substantially degrade the existing visual character or quality of the Annexation Area or its surroundings, or create a new source of substantial light or glare. Though the parcels proposed for annexation are located adjacent to Humboldt Bay, the proposed project would not have a substantial adverse effect on a scenic vista because the Annexation Area is not located within a city- or county-mapped or designated scenic vista, within a scenic resources area, or along a state scenic highway (California Department of Transportation, 2013). While Highway 101 has been determined to be an eligible state scenic highway, it has not been officially designated. Since no new development is proposed under the project, the proposed project would not introduce any new physical elements that would block or impact views or produce glare. As such, the proposed project would not significantly degrade the visual character of the Annexation Area or quality of the Annexation Area and its surroundings, nor would the proposed project have any impact on day or nighttime views due to light and glare. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for aesthetic resources. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Aesthetic Resources.

II. AGRICULTURE AND FORESTRY RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: Agriculture and Forestry Resources would be significantly affected by the proposed project if the project were to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (hereafter “farmland”), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural uses. Significant impacts to Agricultural and Forestry Resources would also occur if the project conflicted with existing zoning for agricultural use or a Williamson Act contract; conflicts with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); Result in the loss of forest land or conversion of forest land to non-forest use; or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use.

DISCUSSION

The proposed Annexation Area is not considered farmland, agricultural land, or timber land. The Annexation Area includes the Brainard site, which was previously utilized as a lumber mill and air dry yard, a narrow strip of railroad grade owned by NWPRR, and a portion of the Caltrans ROW along Highway 101. The area comprising the proposed project has a County General Plan land use designation of Industrial-General (MG) and Railroad (see Figure 3); and a zoning designation of Industrial General with Flood Hazard Areas Combining Zone (MG/F), Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D), and Railroad under the County Zoning Code (see Figure 4). Under the current City of Eureka General Plan, the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), in addition to the two NWPRR parcels (APNs 017-081-002 and portion of 404-141-003), are designated as General Industrial (GI) (see Figure 5). All parcels included within the Annexation Area are proposed to be annexed under the current City General Plan design (General Industrial (GI)), with pre-zoning consistent with the current City Zoning Code (General Industrial [MG]).

II.a) According to Humboldt County Web GIS, none of the parcels comprising the Annexation Area are designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance; as such, the

proposed project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use. No impact would occur.

II.b) The proposed project would not conflict with existing zoning for agricultural uses or a Williamson Act contract. None of the parcels comprising the Annexation Area are zoned for agricultural use or are under a Williamson Act contract. The area directly to the south of the Annexation Area across Highway 101 is predominately zoned as Coastal Agriculture (AC) under the City Zoning Code, with one area zoned as Service Commercial (CS) (see Figure 6). Review of the Humboldt County Web GIS indicated Williamson Act contract areas are located approximately 3,000 feet to the southeast of the Annexation Area. However, the proposed annexation would have no effect on the use of any of the surrounding parcels for agricultural activities. No impact would occur.

II.c) The proposed project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production because the parcels comprising the proposed Annexation Area are not currently zoned as such. No impact would occur.

II.d) Since the Annexation Area does not include forest land, the proposed project would not result in the loss of forest land or the conversion of forest land to non-forest use. No impact would occur.

II.e) The proposed project does not involve changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forestland to non-forest use. No impact would occur.

MITIGATION MEASURES: No mitigation required.

FINDINGS: The proposed project would have **No Impact** on Agricultural and Forestry Resources.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on Air Quality if it conflicts with or obstructs implementation of applicable air quality plans; violates any air quality standard or contribute substantially to an existing or projected air quality violation; results in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors); exposes sensitive receptors to substantial pollutant concentrations; or creates objectionable odors affecting a substantial number of people.

DISCUSSION

The proposed project is located within the North Coast Air Basin (NCAB) and is subject to North Coast Unified Air Quality Management District (NCUAQMD) requirements. NCUAQMD is responsible for monitoring and enforcing local, state, and federal air quality standards in the County of Humboldt. Air quality standards are set for emissions that may include, but are not limited to, visible emission, particulate matter, and fugitive dust. The entire NCAB is currently designated as “non-attainment,” or in excess of allowable limits, for the State 24-hour PM₁₀ standard for breathable particulate matter of 10 microns or less (PM₁₀), and as “attainment,” or within allowable limits, with respect to the balance of the criteria pollutants (North Coast Unified Air Quality Management District, 2013). NCUAQMD is listed as “attainment” or “unclassified” for all the federal and state ambient air quality standards, except for the state 24-hour particulate (PM₁₀) standard in Humboldt County only.

Because the NCAB is in “non-attainment” for PM₁₀, NCUAQMD prepared a draft PM₁₀ Attainment Plan in 1995, which identified cost effective control measures that can be implemented to reduce ambient PM₁₀ levels to within California standards. The draft PM₁₀ Attainment Plan should be used cautiously as it is not a document that is required for the NCUAQMD to come into attainment for the state standard. More information on California standards and the draft PM₁₀ Attainment Plan can be found on NCUAQMD’s website (<http://www.ncuaqmd.org/index.php>).

The proposed project, which includes the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, does not involve any activities that would increase pollutant

concentrations or cause the concentrations to vary substantially from current levels. No new development is proposed under the project.

III.a-c) As noted in the discussion above, the County is in “non-attainment” for PM₁₀, and as such, any use or activity that generates unnecessary airborne particulate matter may be of concern to NCUAQMD and has the potential to create significant project-specific and cumulative effects to air quality. The proposed project does not involve any activities that would increase pollutant concentrations or cause the concentration to vary substantially from current levels. Since the proposed project would not involve any development or change in use, the project would not generate any temporary construction impacts, nor would the project include any source of visible emissions. As such, the proposed project would not obstruct implementation of California standards or the draft PM₁₀ Attainment Plan. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include measures to protect air quality.

NCUAQMD has advised that generally an activity that individually complies with the state and local standards for air quality emissions would not result in a cumulatively considerable net increase in the countywide PM₁₀ air quality violation. Since the proposed project involves the proposed annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka and does not include any new development, the proposed project would not result in adverse air quality impacts or result in a cumulatively considerable net increase in the PM₁₀ non-attainment levels in Humboldt County. As such, air quality conditions within the Annexation Area would not change under the project and no impact would occur.

III.d) No sensitive receptors are located in close proximity to the Annexation Area. Adjacent and nearby uses include Highway 101 directly adjacent to the Annexation Area; Humboldt Bay to the north, west, and east; commercial uses along Jacobs Avenue, approximately 1,600 feet southwest of the Annexation Area; and Murray Field Airport, an automobile dealership, Fay Slough and Fay Slough Wildlife Area, and largely undeveloped land to the south. The nearest residential uses are located approximately 2,000 feet south and 2,700 feet southeast of the Annexation Area.

The proposed project would not expose sensitive receptors to substantial pollutant concentrations, since the proposed project would not result in any change in current air quality conditions, as no new development is proposed under the project. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include measures to protect air quality. As such, no impact would occur.

III.e) The proposed project would not create objectionable odors affecting a substantial number of people, since no development is proposed under the project, and no change in current air quality conditions would result under the project. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include measures to protect air quality. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Air Quality.

IV. BIOLOGICAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact to Biological Resources if it were to have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

DISCUSSION

The Annexation Area is located within the Coastal Zone and is within Federal Emergency Management Agency (FEMA) Flood Zone A (the 100-year flood). Humboldt Bay abuts the northern and western boundaries of the Annexation Area, with Fay and Eureka Sloughs located approximately 200 feet southeast and 1,600 feet southwest of the Annexation Area, respectively. The Annexation Area is predominately flat in nature,

and is mostly developed. The Annexation Area includes a portion of Highway 101 and Caltrans ROW, the Brainard site, which includes approximately 431,000 square feet of building space and is almost entirely paved, and a narrow strip of railroad grade owned by NWPRR. A grassy area runs along the center divider of Highway 101, with two paved crossings corresponding to the eastern and western access points of the Brainard site. Two groves of eucalyptus trees, in addition to smaller trees and shrubs, run along the north end of Highway 101. Grass, shrubs, and trees run along the south end of Highway 101. Roadside ditches run along either side of Highway 101.

The margins of the property nearest Humboldt Bay, as well as the roadside ditches and median grassy areas, are presumed to include some coastal wetland areas, meeting at least one of the three designated wetland parameters. Review of available information on the Humboldt County Web GIS and the United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory indicate wetland areas on the northern and most northeastern-most edge of the Annexation Area, in addition to immediately adjacent to the east of the Annexation Area. Additionally, starting approximately 40 feet south of the southernmost boundary of the Annexation Area, the majority of the land south of the site is considered as wetland (see Figure 7). No change to wetland areas is proposed or anticipated as a result of the annexation to the City of Eureka.

IV.a-b) The Annexation Area is within the Coastal Zone as defined by the California Coastal Act of 1972. The Coastal Act protects Environmentally Sensitive Habitat Areas (ESHAs) by preventing development within 100 feet of any ESHA or areas identified as habitat for threatened or endangered species. ESHAs, in general, are defined as "any area in which plant or animal life or their habitats are either 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" (Section 30107.5).

The Annexation Area is predominately flat in nature and is mostly developed. Vegetation within the Annexation Area consists of a grassy area along the center divider of Highway 101; two groves of eucalyptus trees, in addition to smaller trees and shrubs, running along the north end of Highway 101; and grass, shrubs, and trees running along the south end of Highway 101. Roadside ditches run along either side of Highway 101.

Since the Annexation Area is located within an unincorporated area of Humboldt County, the Annexation Area is currently under the jurisdiction of the County of Humboldt General Plan (County General Plan); however, if the proposed Annexation Area is annexed into the City of Eureka, the Annexation Area would then be under the jurisdiction of the City of Eureka General Plan (City General Plan). Section 6 (Natural Resources) of the current City General Plan contains goals, policies, and programs that establish the framework for the protection of the valuable natural resources of the Eureka area, including wetland habitat, which is located within and adjacent to the Annexation Area. While no listed plant or animal species habitat appear to be located within the Annexation Area, Policy 6.A.6b of Section 6 (Natural Resources) of the City General Plan considers "wetlands and estuaries, including that portion of Humboldt Bay within the City's jurisdiction, riparian areas, and vegetated dunes" to be an ESHA within the Coastal Zone, in which the Annexation Area is located. Since wetland areas are located on the northern and northeastern-most edge of the Annexation Area, in addition to immediately adjacent to the east of the Annexation Area, adjacent to Humboldt Bay, these areas are considered to be ESHAs under the City General Plan.

Since the proposed project does not involve any physical changes or construction in the Annexation Area, the proposed project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species, or on any habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the

California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for biological resources. No impact would occur.

IV.c) The margins of the property nearest Humboldt Bay, as well as the roadside ditches and median grassy areas, are presumed to include some coastal wetland areas, meeting at least one of the three designated wetland parameters. Review of available information on the Humboldt County Web GIS and the United States Fish and Wildlife Service's (USFWS) National Wetlands Inventory indicate wetland areas on the northern and northeastern-most edge of the Annexation Area, in addition to immediately adjacent to the east of the Annexation Area. Additionally, starting approximately 40 feet south of the southernmost boundary of the Annexation Area, the majority of the land south of the site is considered as wetland.

The Annexation Area, located adjacent to Humboldt Bay, is mostly developed. No new development is proposed under the project and the proposed project would not involve ground-disturbing activities. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for biological resources. As such, no impact would occur.

IV.d) As the Annexation Area is mostly developed and no new development is proposed under the project, there are no elements of the proposed project that would interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. There would be no impact as a result of the proposed project.

IV.e) Since the Annexation Area is located within an unincorporated area of Humboldt County, the Annexation Area is currently under the jurisdiction of the County General Plan. The current County General Plan establishes Natural Resources Protection Policies and Standards that must be followed during the planning of a new development or operation. Specifically, Section 3.30(B)(6) establishes a 250-foot wetland buffer within which no land use or development shall be permitted if it degrades the wetland or detracts from the natural resource value.

If the proposed Annexation Area is annexed into the City of Eureka, the Annexation Area would then be under the jurisdiction of the City General Plan and the City of Eureka Local Coastal Program (City LCP). The policies included within the City LCP are incorporated throughout the City General Plan, and the specific policies, programs, standards, and plan proposals designed to meet Coastal Act requirements are noted with a wave symbol within the City General Plan document. Additionally, Section 6 (Natural Resources) of the City General Plan contains goals, policies, and programs that establish the framework for the protection of the valuable natural resources of the Eureka area, including wetland habitat, which is located within and adjacent to the Annexation Area.

Under the current City General Plan, the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), in addition to the two NWPRR parcels (017-081-002 and portion of 404-141-003), are designated as General Industrial (GI). All parcels included within the Annexation Area are proposed to be annexed under the current City General Plan design, with pre-zoning consistent with the City of Eureka Zoning Code (General Industrial [MG]). Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for biological resources. As such, the proposed project would not conflict with any policies protecting biological resources and no impact would occur.

IV.f) There are no adopted Habitat Conservation Plans, Natural Community Conservation Plans, or other local, regional, or state habitat conservation plans that cover the annexation area. Therefore, no impact would occur as a result of the proposed project.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Biological Resources.

V. CULTURAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on Cultural Resources if it would cause a substantial adverse change in the significance of a historical resource as defined in '15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; disturb any human remains, including those interred outside of formal cemeteries; or cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code §21074.

DISCUSSION: The proposed project would not involve any ground-disturbing activities that have the potential to disturb cultural artifacts or human remains. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for cultural resources.

V.a-d) The Annexation Area, located adjacent to Humboldt Bay, is mostly developed. No new development is proposed under the project and the proposed project would not involve ground-disturbing activities. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for cultural resources. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Tribal Cultural Resources.

VI. GEOLOGY AND SOILS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1- B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on geology and soils if it would expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property; or have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.

DISCUSSION

The proposed project involves the annexation of four Assessor’s parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the Caltrans ROW along Highway 101, totaling approximately 101.1 acres in size. No new development is proposed under the project. The current Alquist-Priolo map for the Arcata South area (California Department of Conservation, 1983), which includes the proposed Annexation Area, does not show any faults or fault rupture zones in the immediate vicinity of the proposed project. The nearest fault is located approximately 3.8 miles northeast of the

Annexation Area. Although the Annexation Area is located within a seismically active area, there are no elements of the proposed project that would increase risk to existing structures, facilities, or residents.

VI.a.i) There are no fault lines or zones, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, located within the Annexation Area (California Department of Conservation, 1983). The proposed project would not expose people or structures to increased potential substantial adverse effects, including the risk of loss, injury, or death. Therefore, there would be no impact as a result of the proposed project.

VI.a.ii). The Annexation Area is situated within a seismically-active area and multiple seismic sources capable of producing moderate to strong ground motions exist in the vicinity of the Annexation Area. Given the proximity of active faults, including the offshore Cascadia Subduction Zone, as well as other active faults within northern California, the Annexation Area would experience ground shaking of some magnitude during the economic life span of any site development. The risk of ground shaking at the Annexation Area is high. However, since the proposed project does not include any new structures, there would be no impact as a result of the proposed project. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance, and adopted building codes which include seismic safety requirements.

VI.a.iii-iv) As shown on the Humboldt County Planning and Building Department's WebGIS (Humboldt County Planning and Building, 2015), the area encompassing and surrounding the proposed Annexation Area is considered to be a "Relatively Stable" area. Additionally, the site is relatively flat and there are no slopes in the Annexation Area that would threaten the project. No new structures are proposed, no new residences would be constructed, and no existing structures would have an increased risk of seismic failure or landslides as a result of the proposed project; as such, no impact would occur.

VI.b) The proposed project would not result in substantial soil erosion or the loss of topsoil. Since no development is proposed under the project, no excavation or groundbreaking would occur. Furthermore, the Annexation Area has been previously developed and encompasses the existing CRC-owned Brainard site, existing railroad grade owned by NWPRR, and Highway 101. Therefore, there would be no impact as a result of the proposed project.

VI.c) The Annexation Area is listed as "Relatively Stable" on the Humboldt County WebGIS and is relatively flat in nature. The Annexation Area has previously been developed and no new development is proposed under the project. Since there are no elements of the proposed project that would increase the annexation area's instability or result in landslides, subsidence, or liquefaction, there would be no impact as a result of the proposed project.

VI.d) There are no expansive soils identified in the proposed Annexation Area. Therefore, there would be no impact as a result of the proposed project. The United States Department of Agriculture (USDA) Web Soil Survey (USDA, 2016) shows no digitally available data for the Annexation Area. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance and adopted building codes which include requirements for soil testing at foundation locations and to ensure appropriate foundation design to reduce potential hazards.

VI.e) An existing septic system comprising four existing septic tanks is located at the Brainard site. While there are no immediate plans for City sewer service at this site, City sewer service would be extended from the connection located at the east end of Jacobs Avenue in the future as required to serve new development.

No additional septic systems are proposed under the project. Since the existing septic system has been adequately supported and since no new septic tanks or alternative wastewater disposal systems are proposed under the project, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Geology and Soils.

VII. GREENHOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on Greenhouse Gas Emissions if it would generate greenhouse gas emissions (GHG), either directly or indirectly, that may have a significant impact on the environment; or conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

DISCUSSION

The Annexation Area is located within the North Coast Air Basin (NCAB) and is subject to North Coast Unified Air Quality Management District (NCUAQMD) requirements. The NCUAQMD is responsible for monitoring and enforcing federal, state, and local air quality standards in the County of Humboldt.

VII.a-b) The proposed project would have no impact on greenhouse gas (GHG) emissions, since the project would not generate any additional GHGs. The proposed project, which includes the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, does not involve any activities that would increase GHGs or cause GHGs to vary substantially from current levels. No new development is proposed under the project. Therefore, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Greenhouse Gas Emissions.

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant impact on hazards and hazardous materials if it were to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; or be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment. In addition, for projects located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area; if the project is within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area. Finally, the project would have a significant impact to hazards and hazardous materials if it would impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan; or expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands.

DISCUSSION

A material is considered hazardous if it appears on a list of hazardous materials prepared by a federal, state, or local agency, or has characteristics defined as hazardous by a federal, state, or local agency. Chemical and physical properties such as toxicity, ignitability, corrosiveness, and reactivity cause a substance to be considered hazardous. These properties are defined in the California Code of Regulations (CCR), Title 22, §66261.20-66261.24. A "hazardous waste" includes any hazardous material that is discarded, abandoned, or will be recycled. Therefore, the criteria that render a material hazardous also cause a waste to be classified as hazardous (California Health and Safety Code, §25117).

The proposed project includes the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka. No new development is proposed under the project. No hazardous materials are known to be in use within the Annexation Area. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for hazardous materials including a requirement to file a hazardous materials business plan where substantial quantities of hazardous materials are in use.

VIII.a) The proposed project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. As noted above, the proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, and no new development would occur under the project. As such, no impact would occur.

VII.b) The proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. The proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, and no new development would occur under the project. As such, no impact would occur.

VIII.c) The proposed project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. No schools are located within ¼ mile of the Annexation Area; the nearest schools, Lafayette Elementary School and Humboldt Bay Christian School, are located approximately 1.1 miles southwest and 1.9 miles northeast of the Annexation Area, respectively. As such, no impact would occur.

VIII.d) The proposed Annexation Area does not include any sites that are known to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would not create a significant hazard to the public or environment. A records search was conducted using the State of California Department of Toxic Substance Control's Envirostor Database, in which it was determined that there are no identified hazardous waste or materials located within or adjacent to the Annexation Area. Therefore, no impact would occur.

VIII.e) The proposed Annexation Area is located approximately 845 feet north of the Murray Field Airport, a public use airport, which is owned and maintained by the County of Humboldt. The Annexation Area is currently developed and no new development is proposed under the project. The Humboldt County WebGIS system indicates that approximately 15 acres of the Brainard site is within Airport Zone B1 (Approach Zone) which requires 30% open land and a maximum density of 0.1 dwelling units/acre. The remainder of the Annexation Area is within Airport Zone C which has a 15% open land requirement and maximum residential density of 4 dwelling units per acre. Any future development on the subject site would continue to be required to comply with the land use, density and building height requirements established for land in the

vicinity of Murray Field. Additionally, the proposed annexation would not adversely affect the airport or airport operations, including noise, takeoffs, landings, flight patterns, safety, light, navigation, or communications. Therefore, there would be no impact as a result of implementing the proposed project.

VII.f) The proposed Annexation Area is not located within the vicinity of a private airstrip. Therefore, no impact would occur.

VIII.g) The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Since the current on-site development does not block emergency vehicle access to roadways and since no new development is proposed under the project, no impact would occur.

VIII.f) According to the Humboldt County Web GIS, the proposed Annexation Area is not located within an area considered high risk for wildfires. The proposed Annexation Area has been previously developed and is located adjacent to Humboldt Bay, with land predominately zoned for Coastal Agriculture (AC) under the City of Eureka Zoning Code, with one area zoned as Service Commercial (CS), located across Highway 101 from the Annexation Area. Since the proposed project only includes annexation of the proposed Annexation Area and no additional development, there is no aspect of the project that would increase the exposure of people or structures to a significant risk of loss, injury, or death associated with wildland fire. As such, there would be no impact as a result of the proposed project.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Hazards or Hazardous Materials.

IX. HYDROLOGY AND WATER QUALITY. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Result in inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Thresholds of Significance: The project would have a significant effect on hydrology and water quality if it would violate any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted); substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site; substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff, or otherwise substantially degrade water quality. Significant impacts would also occur if the project would place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map; place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood

Insurance Rate Map or other flood hazard delineation map; place within a 100-year flood hazard area structures, which would impede or redirect flood flows; expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; or result in inundation by seiche, tsunami, or mudflow.

DISCUSSION

The proposed project would annex the proposed Annexation Area into the City of Eureka, which is located adjacent to and directly south and east of Humboldt Bay. The Annexation Area has been previously developed and includes two on-site domestic water wells and an existing septic system comprising four existing septic tanks at the Brainard site. No new development is proposed under the project.

IX.a) The proposed project would not violate any water quality standards or waste discharge requirements. The Brainard site, which encompasses the northern portion of the proposed Annexation Area, has two on-site domestic water wells and two existing septic tanks located on the eastern parcel (APN 404-141-004) and two additional existing septic tanks located on the western parcel (APN 017-081-001). While there are no immediate plans for City water and sewer service at this site, City water and sewer service would be extended from the connections located at the east end of Jacobs Avenue in the future as development occurs. As such, no impact would occur.

IX.b) The proposed project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. Since no new development is proposed under the project, CRC is not proposing to increase extractions from the two on-site domestic water wells located on the Brainard site or from any surface water sources. Therefore, there would be no impact as a result of the proposed annexation. City water service is expected to be extended to the Annexation Area as development occurs. The City of Eureka relies primarily on the Mad River for its domestic water source via the Humboldt Bay Municipal Water District.

IX.c-d) The project involves the proposed annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka and since no new development is proposed, the project would not substantially change the drainage patterns of the Annexation Area and no impact would occur.

IX.e-f) The proposed project does not involve any new development or construction of any new impervious surfaces within the proposed Annexation Area. The proposed project would utilize existing site conditions, including the existing levee and inboard drainage system located at the Brainard site and drainage ditches along either side of Highway 101. Existing vegetation would continue to minimize surface erosion and runoff into the storm drain system. No impact would occur.

IX.g-h) While the proposed Annexation Area is located within the FEMA 100-year flood zone (Zone A, Map Nos. 06023C0865F and 06023C0855F), as indicated on the FIRM Flood Insurance Rate Map, the proposed project would not involve the placement of any housing or new structures within the FEMA flood zone, as no new development is proposed under the project. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include flood hazard protections. No impact would occur.

IX.i) The Annexation Area is within FEMA Flood Zone A and is protected by an existing levee. Maintenance of the levee is a requirement of the property owner. No new development is proposed which would increase the severity or magnitude of the risk in the event the site levee fails. Any development which occurs

subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include flooding protections and gives the City of Eureka authority to require ongoing and effective levee maintenance. As such, no impact would occur.

IX.j) The proposed project is located within the Coastal Zone and is shown to be within the tsunami inundation zone per the Department of Conservation's Tsunami Inundation Map for Emergency Planning (Arcata South Quadrangle) (2009). Further, as a bayfront property, the subject site may be vulnerable to inundation by seiche. However; the proposed project would not involve any alterations that would increase the potential for inundation by seiche, tsunami, or mudflow within the Annexation Area. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections related to tsunami and seiche risk. Therefore, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Hydrology and Water Quality.

X. LAND USE AND PLANNING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) physically divide an established community; (b) conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or (c) conflict with any applicable habitat conservation plan or natural community conservation plan.

DISCUSSION

Existing and Proposed General Plan Land Use Designations

The proposed Annexation Area is currently located within an unincorporated area of the County of Humboldt. The County is currently in the process of updating its General Plan and the Board of Supervisors is currently reviewing the 2012 Draft General Plan. Table 2 summarizes the current County General Plan and anticipated land use designations of the parcels comprising the Annexation Area under the GPU. No change in land use designations are proposed under the GPU.

Table 2. Existing and Anticipated Land Use Designations Under the County of Humboldt General Plan

Assessor's Parcel Number (APN)	Approximate Area (Acres) ¹	Current Humboldt County General Plan (HBAP) Land Use Designation	Humboldt County General Plan Update Anticipated Land Use Designation
017-081-001	60.5	Industrial-General (MG) (HBAP)	no change
404-141-004	14.2	Industrial-General(MG) (HBAP)	no change
017-081-002	3.7	Railroad	no change
portion of 404-141-003	2.3	Railroad	no change
101 ROW	20.4	N/A	no change

¹ Area from Humboldt County WebGIS System (February 2016)

Under the current City General Plan, the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), in addition to the two NWPRR parcels (017-081-002 and portion of 404-141-003), are designated as General Industrial (GI). All parcels included within the Annexation Area are proposed to be annexed under the current City General Plan design, with pre-zoning consistent with the City Zoning Code.

The current County and City General Plan land use designations for the Annexation Area are illustrated in Figures 3 and 5, respectively.

Existing and Proposed Zoning

Table 3, below, summarizes the current zoning designations under the County Zoning Code and anticipated zoning designations, if annexed, for each parcel comprising the proposed Annexation Area under the City Zoning Code. The parcels comprising the proposed Annexation Area would be pre-zoned in conformance with the current City Zoning Code. Zoning would be effective upon completion of the annexation.

Table 3. Current County of Humboldt Zoning Code Designations and Anticipated City of Eureka Zoning Code Designations if Annexed

Assessor's Parcel Number (APN)	Approx. Area (Acres) ¹	Current County of Humboldt Zoning Code Designations	Anticipated City of Eureka Zoning Code Designations if Annexed
017-081-001	60.5	Industrial General with Flood Hazard Areas Combining Zone (MG/F)	General Industrial (MG)
404-141-004	14.2	Industrial General with Flood Hazard Areas Combining Zone (MG/F); Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D)	General Industrial (MG)
017-081-002	3.7	Railroad	General Industrial (MG)
portion of 404-141-003	2.3	Railroad	General Industrial (MG)
101 ROW	20.4	N/A	N/A

¹ Area from Humboldt County WebGIS System (February 2016)

The current County and City zoning designations are illustrated as Figures 4 and 6, respectively.

X.a) The Annexation Area has been fully developed and is located along the shore of Humboldt Bay. No other development is adjacent to the north, east or west due to the proximity of the bay and Highway 101. Therefore, the proposed project would not physically divide an established community and no impact would occur.

X.b) All parcels included within the Annexation Area are proposed to be annexed under the current City General Plan design, with pre-zoning consistent with the City Zoning Code. Zoning would be effective upon completion of the annexation. Since the parcels are not currently located within the City of Eureka's city boundary, the parcels are not currently designated under the City Zoning Code. However, because the parcels are included under the City General Plan with a land use designation of General Industrial (GI), it is anticipated, if annexed, that the corresponding zoning of the parcels would be General Industrial (MG). As such, no impact would occur.

X.c) There are no habitat conservation plans or natural community conservation plans in effect in the proposed Annexation Area. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Land Use and Planning

XI. MINERAL RESOURCES. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, or (b) result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

DISCUSSION

The proposed project is not located in an area of known rock, aggregate, sand, or other mineral resource deposits of local, regional, or state residents. Additionally, the Annexation Area does not include a Rock and Mineral Extraction Site, as depicted on Figure 10.1, Rock and Mineral Extraction Sites, within Section 10.4, Mineral Resources, of the Humboldt County General Plan.

XI.a-b) The Annexation Area does not contain mineral resources that are of value locally, to the region, or to residents. The Annexation Area is not identified as a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would not interfere with materials extraction or otherwise cause a short-term or long-term decrease in the availability of mineral resources, and no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Mineral Resources.

XII. NOISE. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose persons to or generate excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) expose persons to, or generate, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; (b) expose persons to, or generate, excessive ground borne vibration or ground borne noise levels; (c) result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the proposed project; (d) result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the proposed project; (e) expose people residing or working in the project area to excessive noise levels (only applicable if the proposed project is located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport); or (f) expose people residing or working in the project area to excessive noise levels (only applicable if the proposed project is located within the vicinity of a private airstrip.)

DISCUSSION

No new development is proposed under the project. As such, there would be no construction noise associated with the proposed project and noise levels would remain consistent with existing noise levels in the Annexation Area.

XII.a) The Annexation Area is adjacent to Highway 101 and currently inoperative railroad tracks. Both facilities have the potential to create noise in the Annexation Area in excess of the limits adopted for sensitive receptors in the City of Eureka General Plan. However, no sensitive receptors such as residential uses or outdoor recreation exist or are proposed in the Annexation Area. Since no new development is proposed under the project, the proposed project would not require the use of any heavy equipment and noise levels would remain consistent with existing noise levels in the Annexation Area. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections related to noise impacts. As such, no impact would occur.

XII.b-d) Since the Annexation Area is currently developed and no new development is proposed under the project, there are no elements of the proposed project that would create either temporary or permanent ground borne vibrations or noise levels. Additionally, the proposed project would not result in a substantial temporary, periodic or permanent increase in ambient noise levels in the project vicinity above levels existing without the project. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections related to noise impacts. As such, no impact would occur.

XII.e) The proposed Annexation Area is located approximately 845 feet north of the Murray Field Airport, a public use airport, which is owned and maintained by the County of Humboldt. The Annexation Area is currently developed and no new development is proposed under the project. As such, the proposed project would not expose people residing or working in the vicinity of the Annexation Area to excessive noise levels. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections related to airport noise. Therefore, no impact would occur.

XII.f) The proposed Annexation Area is not located within the vicinity of a private airstrip. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Noise.

XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure); (b) displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or (c) displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

DISCUSSION

The proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka. No new development is proposed under the project. The anticipated City of Eureka General Industrial (MG) zoning is generally consistent with the existing County General Industrial (MG) Zone and permits similar types and intensities of uses.

XIII.a-c) The proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, and does not include the development of any new homes, businesses, or extension of infrastructure, nor the demolition of any existing uses. Since no new development is proposed under the project, there would be no elements of the proposed project that would induce population growth or displace any residents. As such, no impact would occur. [

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Population and Housing.

XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or result in the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for (a) fire protection, (b) police protection, (c) schools, (d) parks, or (e) other public facilities.

DISCUSSION

The proposed project does not involve additional infrastructure or facilities that would impact the ability of the City of Eureka to provide public services to the residents of Eureka. While there are no immediate plans for construction, water and sewer services are expected to be extended to the site as future development occurs.

XIV.a) First response fire protection and emergency medical response services for the Annexation Area are currently provided by the Arcata Fire Protection District (AFPD) in cooperation with the Humboldt Bay Fire Department. An Agreement for Emergency Response Services for California Redwood Company – Brainard Complex was made and entered into on January 1, 2016, between AFPD and CRC for fire protection, emergency medical, and hazardous materials services for the Brainard site. The Agreement will expire on December 31, 2017, unless terminated or extended in accordance with the Agreement terms. The Agreement will be automatically extended on January 1 of each subsequent calendar year for up to three additional one-year terms. AFPD contracts with the Humboldt Bay Fire Department to provide first response emergency service to the Brainard site. Following annexation, fire protection services would be provided by Humboldt Bay Fire, which serves the City of Eureka and the greater Eureka area. Since the proposed project would not create additional facilities that would require increased fire protection above current levels and since the Humboldt Bay Fire Department already provides first response emergency services to the Brainard site, no impact would occur.

XIV.b) The Annexation Area is currently served by the Humboldt County Sheriff’s Office and the California Highway Patrol (CHP), which has specific jurisdiction over all California state routes and freeways in the state. Following annexation, police services from the City of Eureka Police Department (EPD) would extend to include these parcels for primary response, while the CHP would continue to have jurisdiction over Highway 101. [As noted in the City of Eureka Municipal Service Review adopted January 15, 2014 (2014 MSR), upon

request, CHP would also respond to any traffic matter within the rest of the City, and also assists EPD with specialized investigations, technical assistance, and officer backup.]

The proposed project would not create additional facilities within the Annexation Area that would require increased police protection above current levels. However, since primary response would transfer from the Humboldt County Sheriff’s Office to EPD, there would be a less than significant impact to police services as a result of the proposed project.

XIV.c) The nearest schools, Lafayette Elementary School and Humboldt Bay Christian School, are located approximately 1.1 miles southwest and 1.9 miles northeast of the Annexation Area, respectively. However, since there are no components of the proposed project that would increase population to such an extent to create a need for a new or physically-altered school facility, no impact would occur.

XIV.d) As provided in the 2014 MSR, the City maintains a total of 138 acres of park land. No residential units would be constructed, nor is the population expected to increase, as a result of the proposed project. Because the proposed project would not create a need for a new or physically-altered park facility, it would not result in adverse physical impacts associated with the construction of such a facility. As such, no impact would occur.

XIV.e) There are no elements of the proposed project that would impact other public facilities. As noted in the 2014 MSR, the City provides public harbor facilities, in addition to a variety of facilities managed by the City’s Recreation Division that can be reserved by the public for special events. Since there are no components of the proposed project that would increase population to such an extent to create a need for a new or physically-altered public facility, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less than Significant Impact** on Public Services.

XV. RECREATION. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or (b) include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

DISCUSSION

The City of Eureka has several neighborhood parks and recreational facilities within the vicinity of the Annexation Area, including the following:

- Eureka Dog Park, located approximately 1.8 miles southwest of the Annexation Area
- Eureka Skate Park, located approximately 1.9 miles southwest of the Annexation Area
- Sequoia Park and Zoo, located approximately 2.5 miles southwest of the Annexation Area
- Hammond Park, located approximately 2.6 miles southwest of the Annexation Area

Additional recreational facilities located outside of the City of Eureka city limits are located within the vicinity of the Annexation Area, including the following:

- Redwood Acres Fairgrounds, located approximately 2.0 miles southwest of the Annexation Area
- Ryan Creek Community Forest, located approximately 2.2 miles southwest of the Annexation Area

XV.a-b) No residential units would be constructed, nor is the population expected to increase, as a result of the proposed project. The proposed project would not increase the usage of or demand for neighborhood and regional parks or other recreational facilities. Therefore, the proposed project would not result in the physical deterioration of parks or facilities, nor would it require the construction of new park or recreational facilities. No impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Recreation.

XVI. TRANSPORTATION / TRAFFIC. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestions management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit; (b) conflict with an applicable congestion management program including, but not limited to, level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways; (c) result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks; (d) substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); (e) result in inadequate emergency access; or (f) conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

DISCUSSION

All parcels within the Annexation Area include or are located adjacent to Highway 101. The two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004) have two ingress/egress points that connect directly with Highway 101. One is near the southeastern corner of the eastern parcel (APN 404-141-004). The second ingress/egress point is located approximately 2,600 feet southwest of this driveway along the southern boundary of the western parcel (APN 017-081-001). Traffic exiting the eastern driveway is controlled by a stop sign. The driveways contain an uncontrolled railroad crossing, although the railroad is not currently operational. The driveways cross a manmade inboard ditch that runs along the southeastern edge of the

railroad grade. Additionally, the Brainard site also contains considerable paved areas and an internal road network.

Maintenance of Highway 101 would remain the responsibility of Caltrans; the two ingress/egress points and internal road network at the Brainard site would continue to be maintained by the property owner.

XVI.a) The proposed project would not impact an applicable plan establishing measures of effectiveness for circulation in the Annexation Area. As noted above, the proposed project does not include any new development within the Annexation Area. As such, no construction would occur and no changes to roads or traffic levels are expected as a result of the proposed project. Additionally, the proposed project would not impact long term traffic patterns.

Since there is no new development proposed under the project, no temporary construction impacts would result and operational traffic is expected to remain at the same level as existing traffic. Therefore, the proposed project would not impact the capacity of the street system, level of service standards established by the City, or the overall effectiveness of the circulation system. No impact would occur.

XVI.b) There are no congestion management programs in the area that would be impacted by the proposed project. Therefore, there would be no impact as a result of the proposed project

XVI.c) The proposed Annexation Area is located approximately 845 feet north of the Murray Field Airport, a public use airport, which is owned and maintained by the County of Humboldt. The Annexation Area is currently developed and no new development is proposed under the project. As such, the proposed project is not expected to result in a change in air traffic patterns and no impact would occur. Any future development would be required to conform to the land use limitations identified in the Humboldt County Airport Land Use Master Plan for Murray Field.

XVI.d-e) The proposed project would not substantially increase hazards due to design features or incompatible uses or result in inadequate emergency access. Under the proposed project, no changes to any existing roads or access points would occur. Furthermore, the proposed project does not propose any new development within the Annexation Area. As such, no impact would occur.

XVI.f) The Humboldt County Association of Governments' 20-Year Regional Transportation Plan 2014 Update (2014 Regional Transportation Plan) was adopted in August 2014, a long-range planning document to provide a course for future transportation investment in the region, with the goal of building and maintaining a multi-modal, safe, and efficient balanced transportation system. However, since the proposed project would not create any facilities or activities that could impact alternative transportation in the Annexation Area, the proposed project would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Transportation/Traffic.

XVII. TRIBAL CULTURAL RESOURCES. Would the project	Potentially Significant	Less Than Significant with Mitigation Measures	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree the proposed project would cause impacts to Native American artifacts and sites, including traditional tribal cultural places on both public and private lands for federally and non-federally recognized tribes. A cultural place is a landscape feature, site or cultural resource that has some relationship to particular tribal religious heritage or is an historic or archaeological site of significance or potential significance; the cultural place may be outside a reservation boundary.

DISCUSSION: On April 1, 2016, CRC’s consultant delivered a Summary Search Request to the Northwest Information Center (NWIC) to evaluate the potential to encounter archaeological or historic resources during the operation of the proposed project. In correspondence received from NWIC, dated April 4, 2016, NWIC noted that previous studies have identified cultural resources on the subject site including archaeological and potential historical resources.

Additionally, CRC’s consultant delivered a *CEQA Tribal Consultant List (AB 52)* request to the Native American Heritage Commission (NAHC), dated April 1, 2016, pursuant to AB 52, to request a list of Native American tribes that should be consulted with during the preliminary planning stage of the project. To date, a response has not been received from the NAHC. E-mail correspondence was submitted to Janet Eidsness, the THPO for the Blue Lake Rancheria on April 6, 2016. On April 14, 2016, Ms. Eidsness replied that “I am unaware of any recorded Wiyot cultural resources at the old Brainard Mill Site – not to be confused with Brainard’s Point (now known as Bracut), to the north where 3 Wiyot sites were located.”

The correspondence received from NWIC and Ms. Eidsness are attached as Appendix A.

The proposed project would not involve any ground-disturbing activities that have the potential to disturb cultural artifacts or human remains. Any development which occurs subsequent to the annexation would

be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for cultural resources.

The THPOs for the local Native American Tribes consider project referrals from the City of Eureka as invitations to consult under AB 52. On March 27, 2017, per the City's standard practice, project referrals were e-mailed to the THPOs for the Wiyot Tribe, Bear River Band of the Rohnerville Rancheria and Blue Lake Rancheria. On March, 28, 2017, Janet Eidsness from Blue Lake responded stating she was not aware of any known Tribal Cultural Resources located within the subject parcel. She did enquire regarding whether the City would conduct a cultural resources study of the parcels, to capture the history of prior land uses including the California Redwood Company. The City responded via e-mail to all three THPOs indicating that because the current annexation project would merely change jurisdictional boundaries, there are no studies proposed at this time. However, if warranted by future development, studies may be required at that time. No further comments were received from any of the THPOs.

XVII.a) The Annexation Area, located adjacent to Humboldt Bay, is mostly developed. No new development is proposed under the project and the proposed project would not involve ground-disturbing activities. Any development which occurs subsequent to the annexation would be subject to the City of Eureka General Plan and Zoning Ordinance which include protections for cultural resources. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have **No Impact** on Tribal Cultural Resources.

XVIII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board; (b) require or result in the construction of new water or wastewater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; (c) require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; (d) have sufficient water supplies available to serve the project from existing entitlements and resources, or need new or expanded entitlements; (e) result in a determination by the wastewater treatment provider that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments; (f) be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; or (g) comply with federal, state, and local statutes and regulations related to solid waste.

DISCUSSION

Currently, the Annexation Area is not within the service boundary of any community service district. The Brainard site (APNs 017-081-001 and 404-141-004), which encompasses the northern portion of the proposed Annexation Area, has two on-site domestic water wells and two existing septic tanks located on the eastern parcel (APN 404-141-004) and two additional existing septic tanks located on the western parcel (APN 017-081-001). While there are no immediate plans for City water and sewer service at the Brainard site, City water and sewer service would be extended from the connections located at the east end of Jacobs Avenue in the future as development occurs. No services are expected to be needed for the railroad or highway right of way parcels.

As previously discussed, water service can be provided through connection to and extension of the existing 12-inch line, located at the eastern terminus of Jacobs Avenue. The existing dead-end 12-inch system would

be extended approximately one mile parallel to the Caltrans ROW along Highway 101 to the north to reach the northerly entrance to the Brainard site. However, assuming the Brainard site is located at the terminus of an approximately two mile long dead-end water system, service to the Brainard site may be somewhat limited and is unlikely to yield adequate fire flow. As such, continued and possibly increased on-site emergency water storage is like to be required indefinitely.

Sewer service can be provided at the Brainard site through the installation of a new sewer line parallel to the Caltrans ROW, and would be extended from the existing connection located at the east end of Jacobs Avenue. The nearest lift station is located in the intersection of Jacobs Avenue and Cole Avenue, which is located approximately 0.8 miles southwest of the Brainard site. Future development at the Brainard site may merit upgrades to the existing lift station.

XVIII.a) Currently, the Brainard site is served by an existing septic system comprising four existing septic tanks. While there are no immediate plans for City wastewater service at the Brainard site, City wastewater service would be extended from the connection located at the east end of Jacobs Avenue in the future as development occurs, and would be in compliance with all wastewater treatment requirements of the North Coast Regional Water Quality Control Board (NCRWQCB). As such, no impact would occur.

XVIII.b) As noted above, the Brainard site (APNs 017-081-001 and 404-141-004), which encompasses the northern portion of the proposed Annexation Area, has two on-site domestic water wells and two existing septic tanks located on the eastern parcel (APN 404-141-004) and two additional existing septic tanks located on the western parcel (APN 017-081-001). While there are no immediate plans for City water and sewer service at the Brainard site, City water and sewer service would be extended from the connections located at the east end of Jacobs Avenue in the future as development occurs.

Water

As noted in the 2014 MSR, potable water is supplied to the City by the Humboldt Bay Municipal Water District (HBMWD). Development under the current City General Plan would increase potable water demand, resulting in a net increase in the City's consumption and a potential need to purchase additional water from HBMWD. The City has additional contractual capacity from HBMWD, and HBMWD has indicated that there is sufficient supply for the level of development forecasted in the City General Plan. Since the Annexation Area is within the City's Sphere of Influence (SOI), the Annexation Area has been evaluated under the City General Plan. As such, there is sufficient water supply to supply the proposed Annexation Area with potable water, once connected to City water service.

While there are no immediate plans to extend City water service to the Annexation Area at this time, it is assumed that City water service would only be extended to the Brainard site as future development occurs. While the future development on the Brainard site would increase demand on the City's water supply, the proposed project would not require or result in the construction of new water facilities or expansion of existing water facilities, since no new development is proposed under the project. While connection to the City's water system would occur concurrent with future development, potential impacts of extending City water service to the Annexation Area would be evaluated at the time future development is proposed. As such, no impact would occur.

Wastewater

As noted in the 2014 MSR, the City's wastewater collection system collects wastewater from within the City, in addition to wastewater from Humboldt Community Services District (HCSO), which serves the unincorporated areas east and southeast of the city boundary. The City operates the Elk River Wastewater

Treatment Plan (WWTP), which serves customers within the City and also treats wastewater from the surrounding unincorporated areas served by HCSD. The Annexation Area is not currently connected to the City wastewater collection system, and an existing septic system comprising four existing septic tanks is located at the Brainard site (APNs 017-081-001 and 404-141-004).

Though the City's wastewater collection system is experiencing deficiencies that are typical of a collection system of its age, including Inflow and Infiltration (I/I), pipe condition deterioration (with a majority being clay pipe), aging pumping systems, and some capacity limitations. It is noted in the 2014 MSR that the Martin Slough Interceptor (MSI) Project "will reduce demands on the existing pumping systems and eliminate the need to operate and maintain several small lift stations located in the southern portion of the service area." Additionally, "when the Martin Slough Pump Station is fully implemented, higher peak flows to the WWTP will be possible if the collection system I/I is not reduced over time." The MSI Project has since been completed.

The 2014 MSR notes that the average dry weather flow (ADWF) was approximately 79 percent of the ADWF design capacity over the past five years since the date of the 2014 MSR, down from 85 percent from 1999 through 2008. The biological oxygen demand (BOD) has remained fairly consistent. Plant BOD loading beyond the design capacity would require significant upgrades to the secondary treatment system, and until secondary treatment system upgrades are implemented at the WWTP, increases in loading should be limited to the existing allocations in the agreement between the City and HCSD.

City calculations indicate the City has committed to serve a total of approximately 295 estimated dwelling units (EDUs) to be added with future developments. Based on these commitments and the City's remaining uncommitted contractual ADWF capacity of approximately 2,457 EDUs, the City estimates there is remaining available capacity at the WWTP for approximately 2,160 EDUs. HCSD is estimated to have capacity within their contractual allocation of ADWF to accommodate 2,700 EDUs. As such, the WWTP is anticipated to have a remaining ADWF capacity for approximately 4,862 EDUs.

Population growth projections for the area served by the WWTP indicate an increase in 633 EDUs for the 5-year planning period ending in 2014, and an increase of 1,298 EDUs for the 10-year planning period ending in 2019, both of which fall within the available capacity of the WWTP. Extension of the sewer system to serve future development on the Brainard site would account for a portion of the anticipated EDUs. As such, it is estimated there would be available capacity to serve the Brainard site, once connected to City wastewater service in the future concurrent with future development. Potential impacts associated with extending City wastewater service to the site would be evaluated at the time future development is proposed. As such, no impact would occur under the project.

XVIII.c) The proposed project does not require or result in the construction of new stormwater drainage facilities or the expansion of current facilities. Limited storm drainage infrastructure in the Annexation Area is currently available. Stormwater and drainage on the Brainard site is managed with an existing levee and inboard drainage system, which is located at the southeast corner of the Brainard site and runs under Highway 101 from west to east. Impervious surfaces in the Annexation Area generally flow to drainage ditches leading to Cutoff Slough on the east side of Highway 101 and from there to Humboldt Bay. As the Brainard site is nearly entirely paved, additional development is not likely to increase storm drainage volumes, however, the existing system may need to be upgraded to meet current water quality standards and/or to facilitate on-site percolation.

A Stormwater Pollution Prevention Plan (SWPPP) was prepared for the Brainard site (Waste Discharge Identification (WDID) Number 1 121020569) by SHN Consulting Engineers & Geologists, Inc., in June 2015. The

SWPPP was designed to comply with California's General Permit for Stormwater Discharges Associated with Industrial Activities (General Permit or IGP); and Order No. 2014-0057-DWQ (NPDES No. CAS000001), issued by the State Water Resources Control Board. Stormwater and drainage for the other parcels is managed by existing drainage ditches along Highway 101 and the center divide.

As noted in the 2014 MSR, much of the City's existing storm drainage network is old and undersized, depending upon inadequate gutter flow and undersized pipes and drop inlets, and street flooding occurs during the rainy season. Some of the City's sloughs and gulches, serving as natural drainage networks, have been filled, restricted, and/or altered. Most of the natural networks are unimproved, relatively deep, and have adequate capacity for a 100-year storm event; however, due to erosion and siltation, resulting in reduced capacity at some drain inlets and outlets, a few of the gulches experience flooding. No actual drainage easements exist for many of the City's natural drainage networks. As such, due to lack of access, maintenance and replacement within these gulches can be difficult.

As the Brainard site is nearly entirely paved, additional development is not likely to increase storm drainage volumes, however, the existing system may need to be upgraded to meet current water quality standards and/or to facilitate on-site percolation. However, since no new development is proposed under the project, the proposed project would not require or result in the construction of new stormwater drainage facilities or the expansion of current facilities. As such, there would be no impact as a result of the proposed project.

XVIII.d) Currently, domestic water at the Brainard site is available from two on-site wells located on the eastern parcel (APN 404-141-004). One of the wells is located directly to the southeast of the administrative offices, which are located on the easternmost portion the Brainard site; the other well is located directly south of the existing 500,000-gallon fire reservoir located on the southwestern portion of the eastern parcel and southeastern portion of the western parcel (APN 017-081-001). While there are no immediate plans for City water service at the Brainard site, City water service would be extended from the connection located at the east end of Jacobs Avenue in the future as development occurs. No impact would occur.

XVIII.e) As discussed above in Section XVIII.b, it was determined in the 2014 MSR that the Elk River treatment plant was anticipated to have remaining capacity for approximately 2,931 EDUs after the 10-year planning period ending in 2019. As such, it is estimated there would be available capacity to serve the Brainard site, once connected to City wastewater service in the future. Even though the proposed project is anticipated to be adequately served by the WWTP, the remaining available capacity at the WWTP would be reduced as a result of the proposed project; as such, impacts would be less than significant.

XVIII.f) The Annexation Area is within the service boundaries of Recology Humboldt County (Recology) and would continue to be within Recology's service boundaries once annexation occurs. Solid waste generated on the site from existing uses, demolition, construction and future uses would be transferred by Recology to a contracted landfill. As described in the 2014 Eureka MSR, waste is transferred to two possible locations: the Anderson Landfill located at 18703 Cambridge Road, Anderson, California, or the Dry Creek Landfill located at 6260 Dry Creek Road, Eagle Point, Oregon. The Anderson Landfill has a daily permitted disposal of approximately 1,018 tons per day, and a remaining capacity of about eight million tons. Under current conditions, the Anderson Landfill is not expected to close until 2036. The Dry Creek Landfill has a remaining capacity of approximately 50 million tons. The Dry Creek Landfill has been estimated to have the remaining disposal capacity to provide for its current service area for another 75 to 100 years. No impact would occur.

XVIII.g) All current and anticipated future uses would fully comply with federal, state and local regulations regarding the handling and disposal of solid waste. As such, no impact would occur.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Utilities and Service Systems.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE.	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects).	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree, if any, the proposed project would (a) have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory; (b) have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.); or (c) have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

DISCUSSION

The proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka, all of which are located along Highway 101, and adjacent to the south, east, and north of the City of Eureka city boundary. The proposed project does not involve any new development.

XVIII.a) No sensitive plant or animal species or habitats have been identified within the area proposed for annexation. Since no new development is proposed under the project, the proposed project would not involve any ground-disturbing activities that have the potential to disturb cultural artifacts or human remains, and the project would not eliminate important examples of major periods of California history or prehistory. As such, no impact would occur.

XVIII.b) The proposed project includes annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka. There are no elements of the proposed project that would have cumulatively considerable impacts since the proposed project would not result in any growth inducing impacts, there are no unmitigated impacts to utilities and service systems, and no construction would occur

under the proposed project. There would be no cumulative considerable impacts as a result of the proposed project.

XVIII.c) The proposed project involves the annexation of several parcels and a portion of the Caltrans ROW along Highway 101 into the City of Eureka. The Annexation Area is currently developed and no new development is proposed under the project. Bringing the Annexation Area into the City of Eureka city boundary would have no significant impacts that would have adverse effects on humans or the community. As such, there would be a less than significant impact as a result of the proposed project.

MITIGATION MEASURES

No mitigation required.

FINDINGS

The proposed project would have a **Less Than Significant Impact** on Mandatory Findings of Significance.

VI. REFERENCES

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FIGURES

Figure 1 Location

Map Figure 2 Site

Plan

Figure 3 Current County of Humboldt General Plan
Land Use Designations

Figure 4 Current County of Humboldt Zoning
Designations

Figure 5 Current City of Eureka General Plan Land
Use Designations

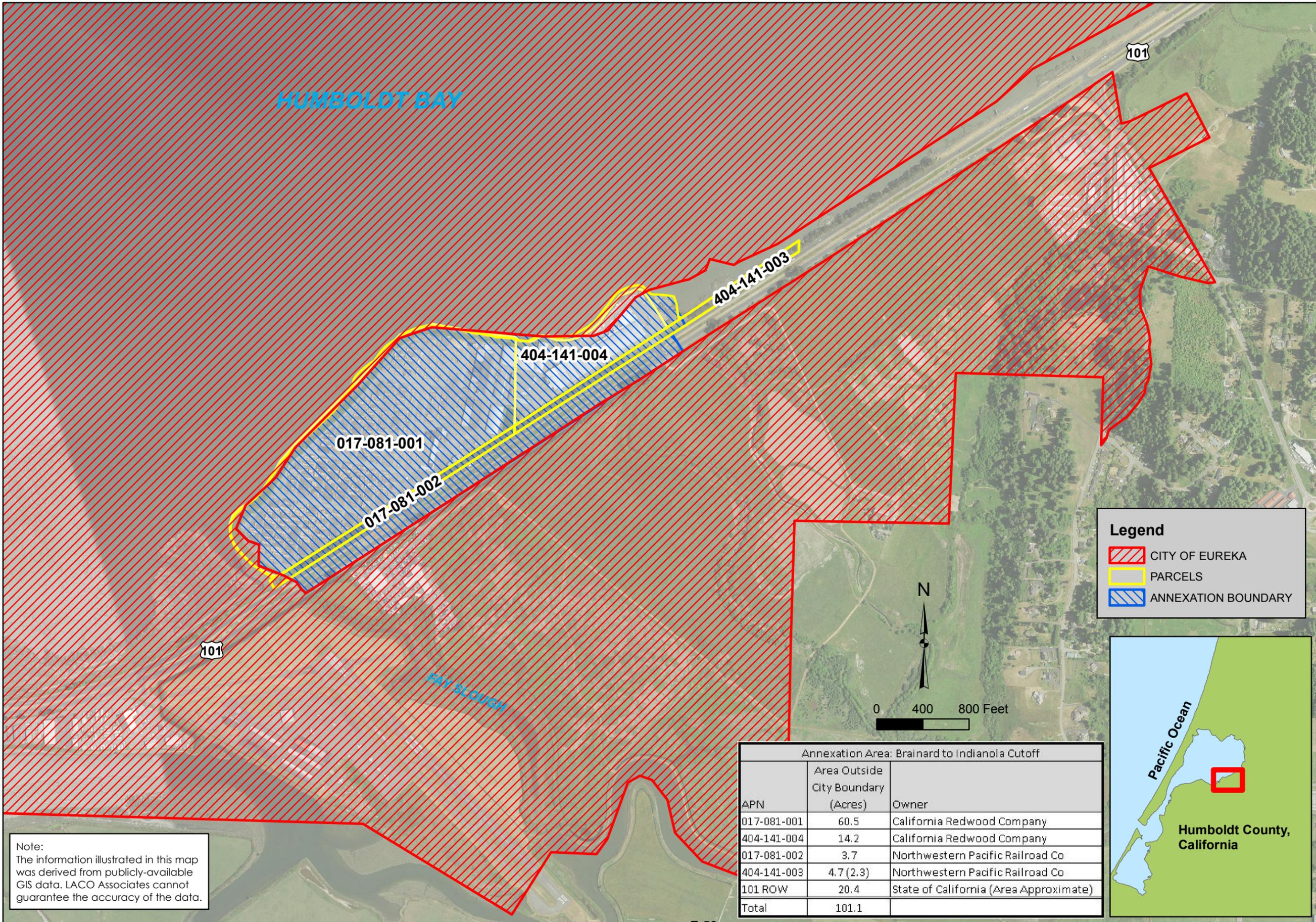
Figure 6 Current City of Eureka Zoning

Designations Figure 7 Constraints Map

APPENDIX A

Cultural Resources Correspondence

Date: 2/8/2017 Time: 2:42:32 PM
 Path: P:\7200\7291 Green Diamond Co General\7291.26 Brainard Annexation and General Plan\12 Figures_Maps\GIS\Project Description\7291.26 PLAN INITIAL STUDY FIG 1.mxd



Note:
 The information illustrated in this map was derived from publicly-available GIS data. LACO Associates cannot guarantee the accuracy of the data.

Annexation Area: Brainard to Indianola Cutoff		
APN	Area Outside City Boundary (Acres)	Owner
017-081-001	60.5	California Redwood Company
404-141-004	14.2	California Redwood Company
017-081-002	3.7	Northwestern Pacific Railroad Co
404-141-003	4.7 (2.3)	Northwestern Pacific Railroad Co
101 ROW	20.4	State of California (Area Approximate)
Total	101.1	

Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY

LOCATION MAP

Pacific Ocean
 Humboldt County, California

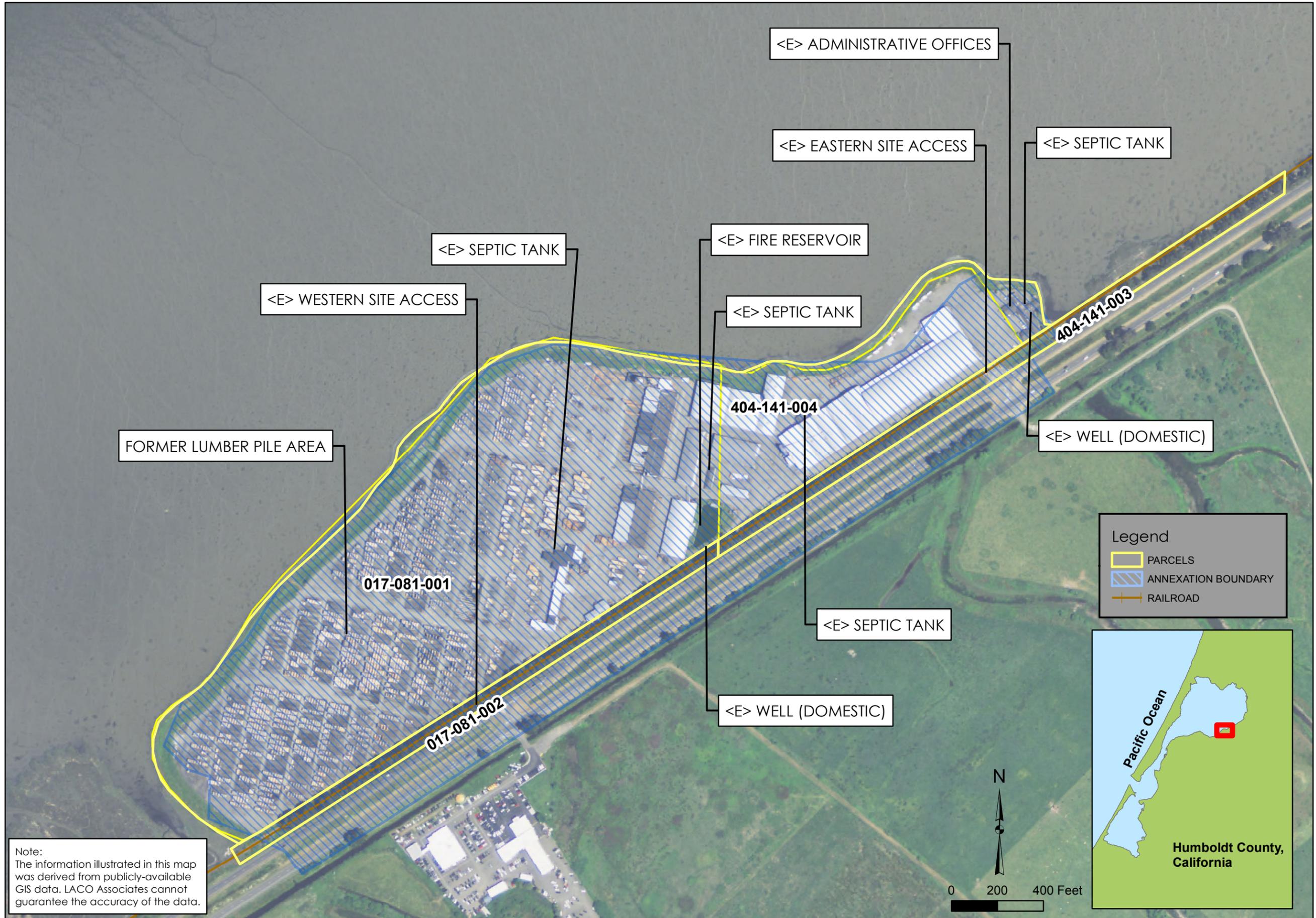
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
LOCATION MAP
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	1

Date: 2/9/2017 Time: 1:54:44 PM
 Path: P:\7200\7291 Green Diamond Co General\7291.26 Brainard Annexation and General Plan\12 Figures_Maps\GIS\Initial Study\7291.26 SITE PLAN FIG 2.mxd



Note:
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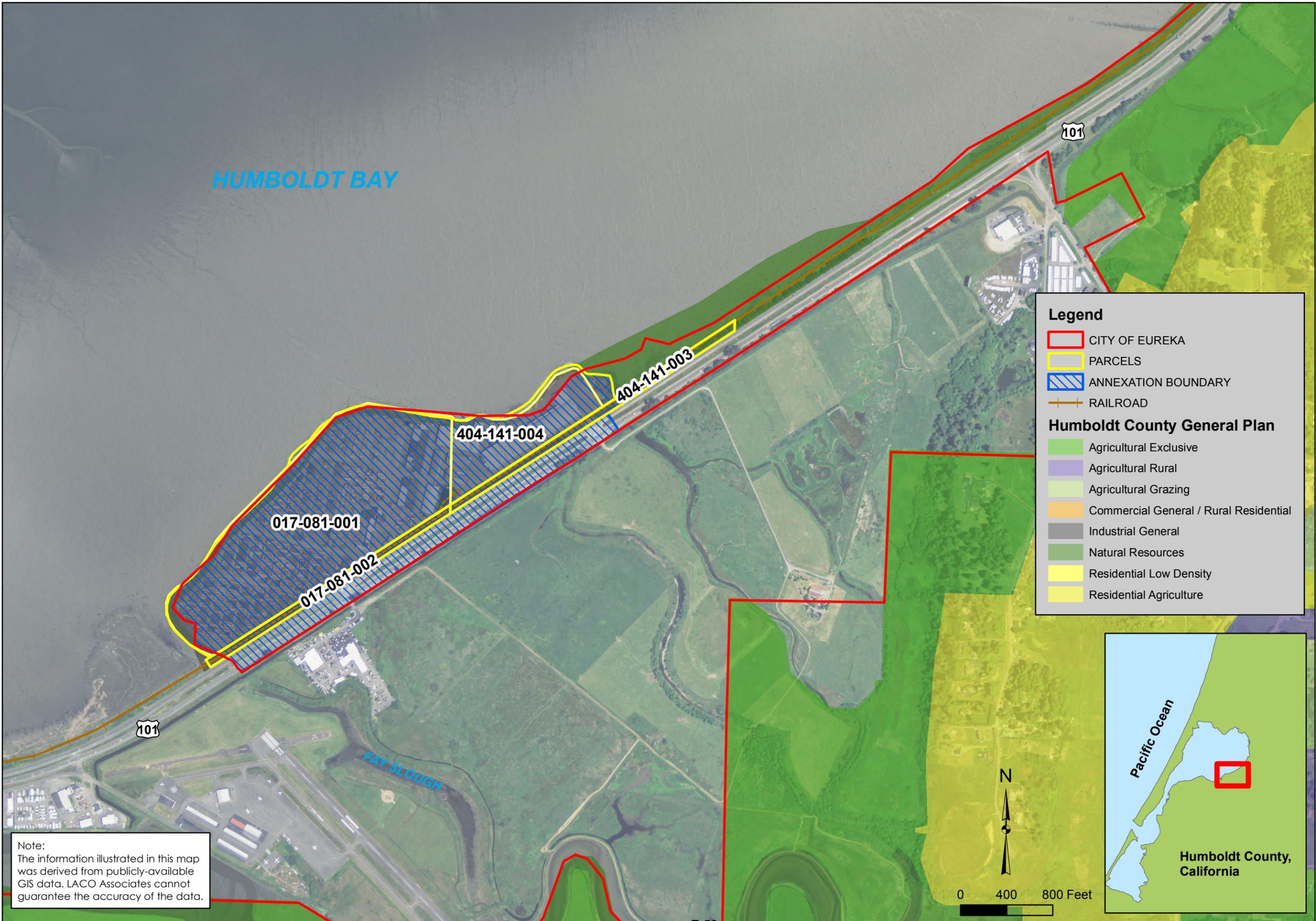
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BRAINARD ENTITLEMENTS PROJECT DESCRIPTION
 5151 HIGHWAY 101, EUREKA, CA 95501
SITE PLAN
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	2

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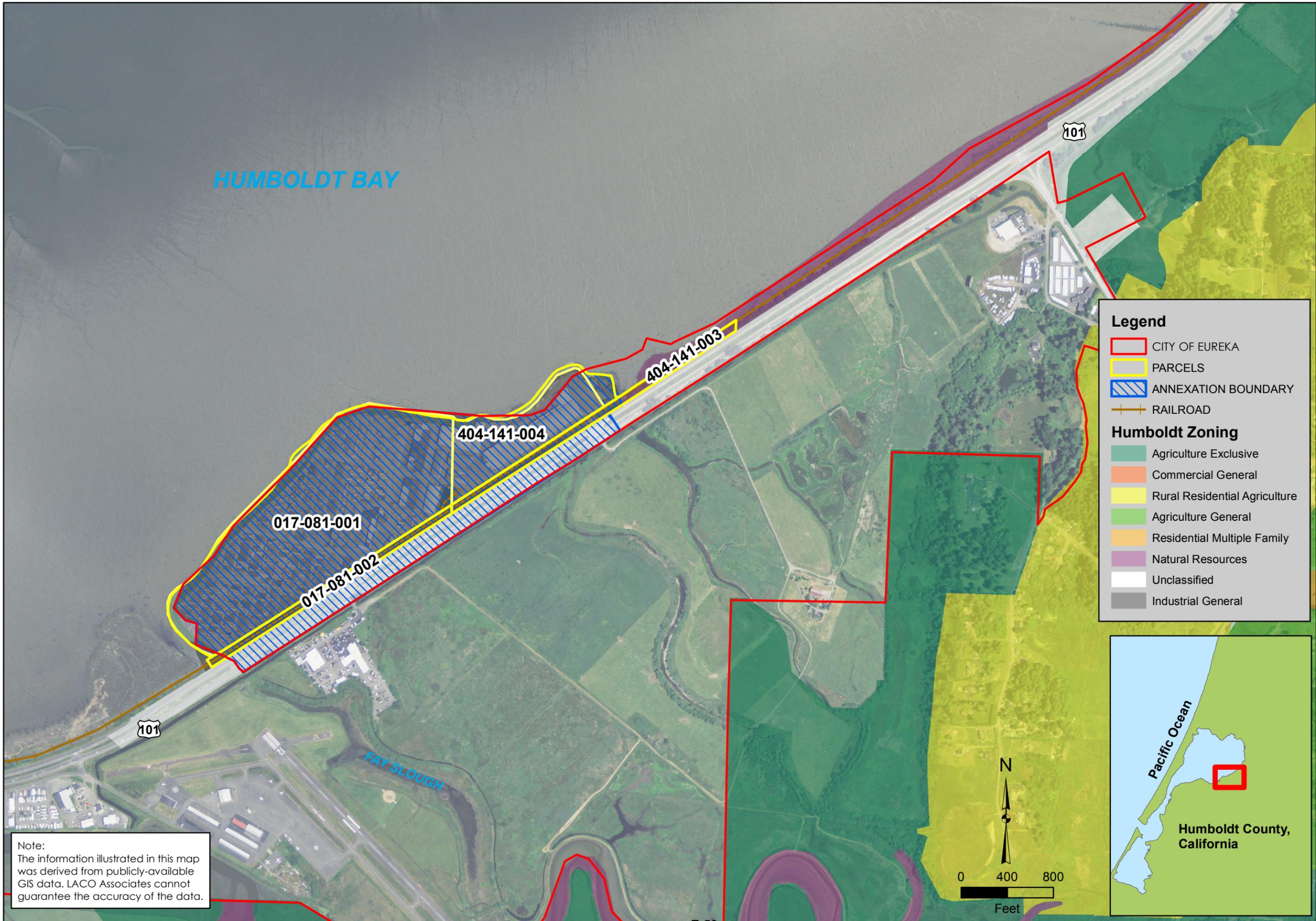
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT HUMBOLDT COUNTY GENERAL PLAN DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	3

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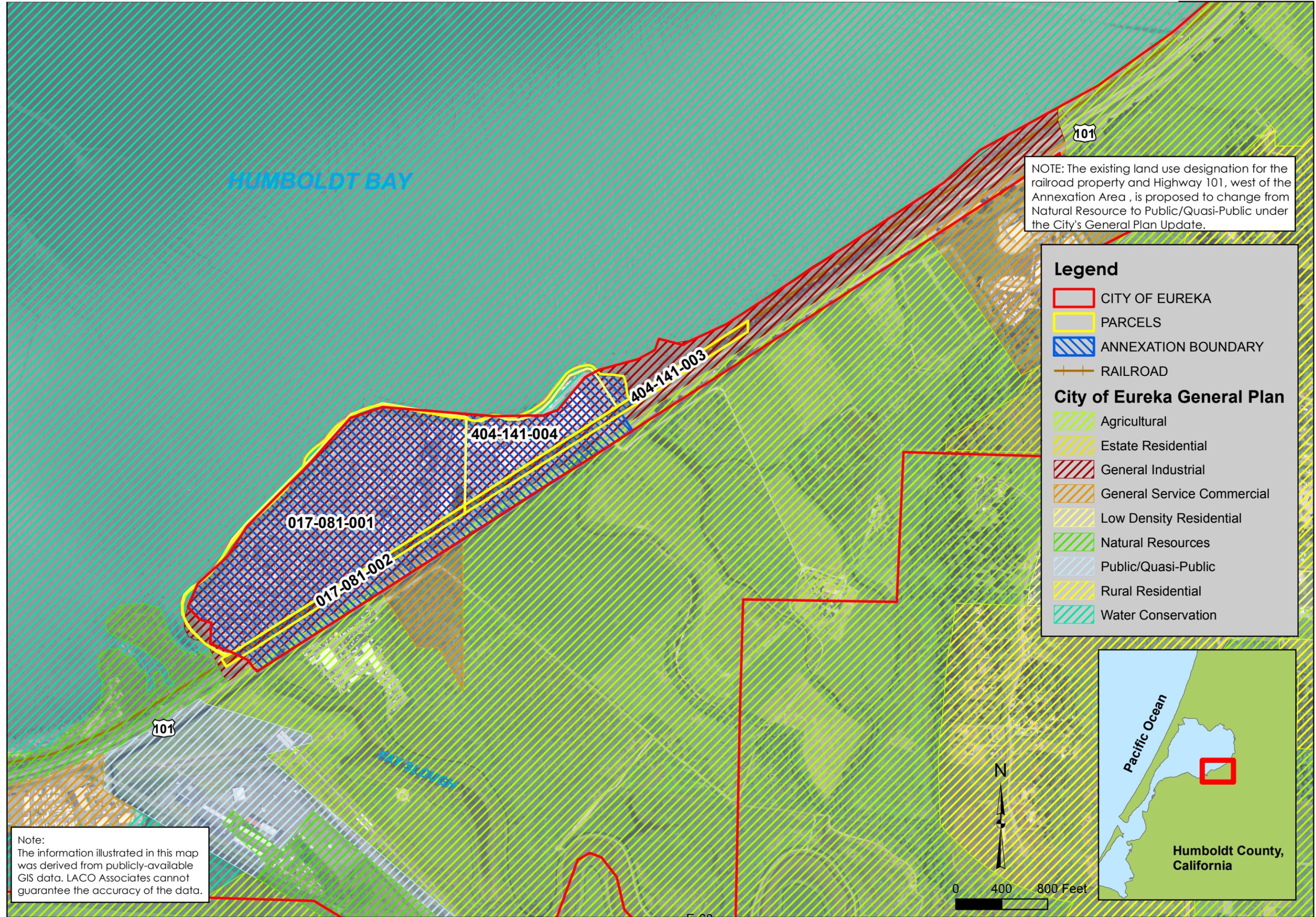
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BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT HUMBOLDT COUNTY ZONING DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	4

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Note:
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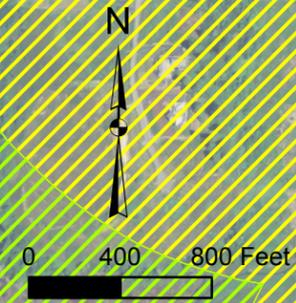
NOTE: The existing land use designation for the railroad property and Highway 101, west of the Annexation Area, is proposed to change from Natural Resource to Public/Quasi-Public under the City's General Plan Update.

Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY
- RAILROAD

City of Eureka General Plan

- Agricultural
- Estate Residential
- General Industrial
- General Service Commercial
- Low Density Residential
- Natural Resources
- Public/Quasi-Public
- Rural Residential
- Water Conservation



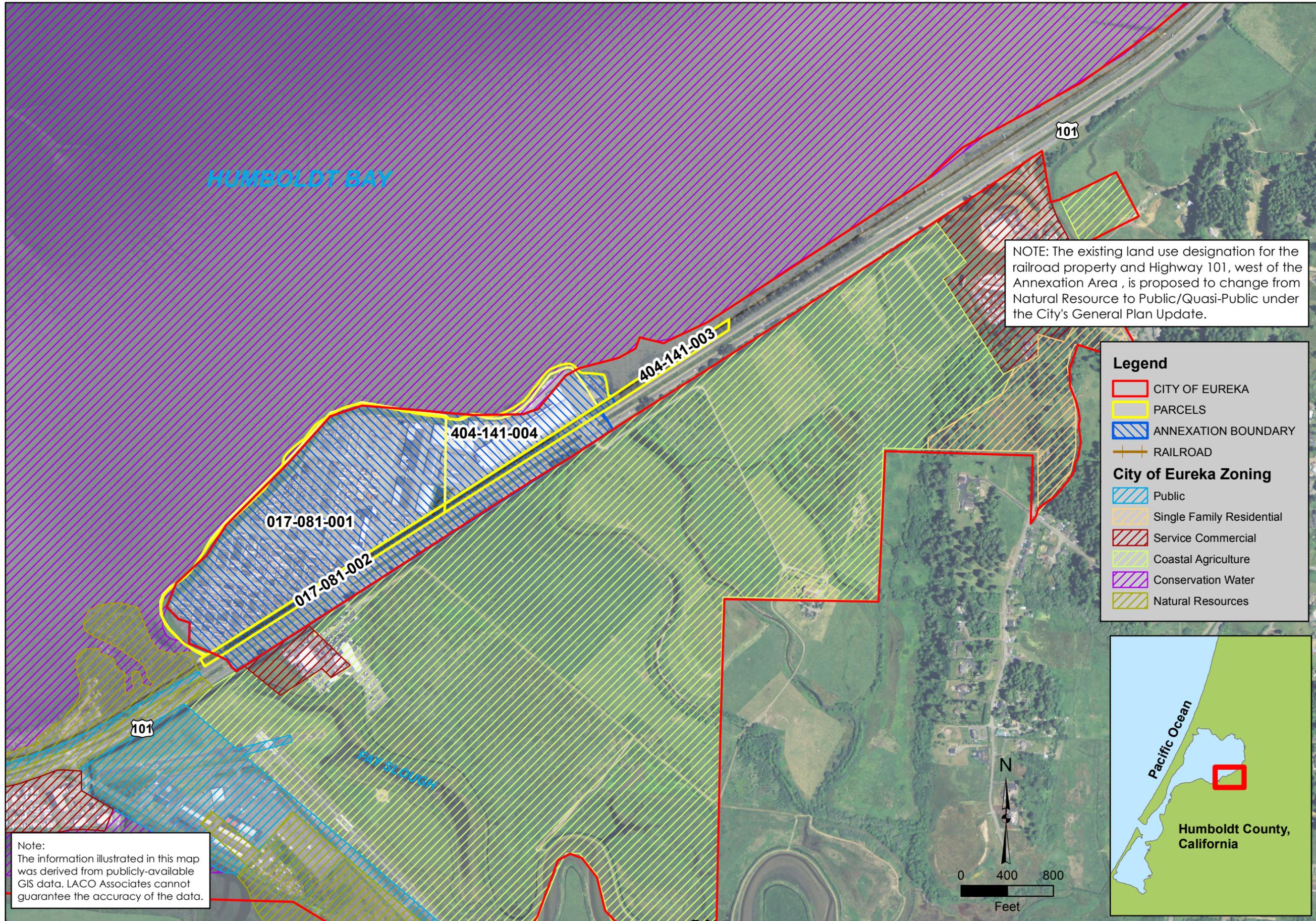
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BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT CITY OF EUREKA GENERAL PLAN DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	5

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E-61

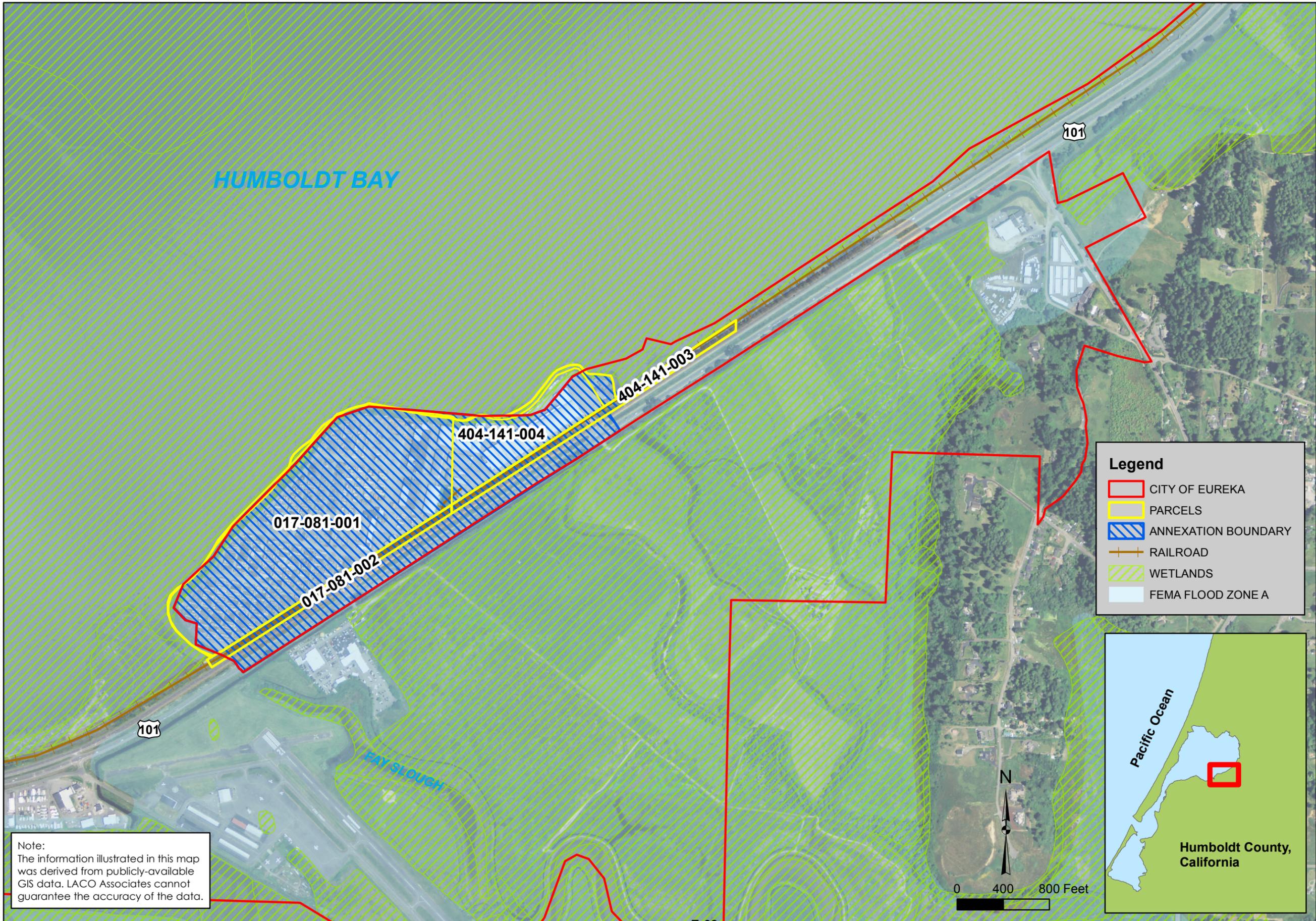
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BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT CITY OF EUREKA ZONING DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	6

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BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CONSTRAINTS MAP
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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DATE	02-08-2017
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FIGURE	7

APPENDIX A

Cultural Resources Correspondence

CALIFORNIA
HISTORICAL
RESOURCES
INFORMATION
SYSTEM



ALAMEDA
COLUSA
CONTRA COSTA
DEL NORTE

HUMBOLDT
LAKE
MARIN
MENDOCINO
MONTEREY
NAPA
SAN BENITO

SAN FRANCISCO
SAN MATEO
SANTA CLATA
SANTA CRUZ
SOLANO
SONOMA
YOLO

Northwest Information Center
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<http://www.sonoma.edu/nwic>

April 4, 2016

File No.: 15-1423

Randy Rouda
LACO Associates
21 W. 4th Street
Eureka, CA 95501

re: 4 APNs (017-081-001, 404-141-004, 017-081-002, 404-141-003) in Unincorporated Humboldt County

Dear Randy Rouda

Records at this office were reviewed to determine if this project could adversely affect cultural resources. **Please note that use of the term cultural resources includes both archaeological sites and historical buildings and/or structures. The review for possible historic-era building/structures, however, was limited to references currently in our office and should not be considered comprehensive.**

Previous Studies:

XX Study #886 (Benson et al 1977), covered approximately 40% of the proposed project area.

Archaeological and Native American Resources Recommendations:

XX The proposed project area contains the archaeological sites P-12-000717, a portion of the Northwestern Pacific Railroad, and P-12-001397, an historic timber bridge. It is recommended that a qualified professional assess the status of the resources and provide project specific recommendations.

XX The proposed project area has the possibility of containing unrecorded archaeological sites. Due to the passage of time since the previous survey (Benson et al 1977) and the changes in archaeological theory and method since that time, we recommend a qualified archaeologist conduct further archival and field study for the entire project area to identify cultural resources. A study is recommended prior to commencement of project activities.

XX We recommend you contact the local Native American tribe(s) regarding traditional, cultural, and religious heritage values. For a complete listing of tribes in the vicinity of the project, please contact the Native American Heritage Commission at (916)373-3710.

Built Environment Recommendations:

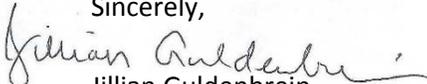
XX The 1959 (photorevised 1972) USGS Arcata South 7.5' quad depicts twelve buildings in the proposed project area. Since the Office of Historic Preservation has determined that any building or structure 45 years or older may be of historical value, if these, or similarly aged buildings, are present then it is recommended that prior to commencement of project activities, a qualified professional familiar with the architecture and history of Humboldt County conduct a formal CEQA evaluation.

Due to processing delays and other factors, not all of the historical resource reports and resource records that have been submitted to the Office of Historic Preservation are available via this records search. Additional information may be available through the federal, state, and local agencies that produced or paid for historical

resource management work in the search area. Additionally, Native American tribes have historical resource information not in the California Historical Resources Information System (CHRIS) Inventory, and you should contact the California Native American Heritage Commission for information on local/regional tribal contacts.

The California Office of Historic Preservation (OHP) contracts with the California Historical Resources Information System's (CHRIS) regional Information Centers (ICs) to maintain information in the CHRIS inventory and make it available to local, state, and federal agencies, cultural resource professionals, Native American tribes, researchers, and the public. Recommendations made by IC coordinators or their staff regarding the interpretation and application of this information are advisory only. Such recommendations do not necessarily represent the evaluation or opinion of the State Historic Preservation Officer in carrying out the OHP's regulatory authority under federal and state law.

For your reference, a list of qualified professionals in California that meet the Secretary of the Interior's Standards can be found at <http://www.chrisinfo.org>. If archaeological resources are encountered during the project, work in the immediate vicinity of the finds should be halted until a qualified archaeologist has evaluated the situation. If you have any questions please give us a call (707) 588-8455.

Sincerely,

Jillian Guldenbrein
Researcher

Megan Marruffo

From: Randy Rouda
Sent: Tuesday, October 11, 2016 11:08 AM
To: Megan Marruffo
Subject: FW: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

LACO



Randy Rouda, AICP
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From: Janet Eidsness [mailto:JEidsness@bluelakerancheria-nsn.gov]
Sent: Thursday, April 14, 2016 1:40 PM
To: Randy Rouda
Cc: erikacooper@brb-nsn.gov; 'Tom'; Janet Eidsness (jpeidsness@yahoo.com)
Subject: RE: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

Hello Randy,

I am not aware of any recorded Wiyot cultural resources at the old Brainard Mill Site – not to be confused with Brainard’s Point (now known as Bracut), to the north where 3 Wiyot sites were located.

Not sure about history of your site, its physical development etc. Just recall that this lumber mill has some history to it – scene of a worker’s strike.

Recommend you retain a consultant that can perform a confidential NWIC records search (and get copies of all relevant records & reports) – and after synthesizing that info, conducting filed survey – probably focused on historic buildings/district that comprises the historic mill site. Don’t know if this has been addressed in past. Susan Guerra (who’s worked with Eliz Burks of your office), comes to mind as a qualified consultant for this type of work.

Janet P. Eidsness, M.A.
Tribal Heritage Preservation Officer (THPO)
Blue Lake Rancheria
P.O. Box 428 (428 Chartin Road)
Blue Lake, CA 95525
Office (707) 668-5101 ext. 1037

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From: Randy Rouda [<mailto:RoudaR@lacoassociates.com>]
Sent: Monday, April 11, 2016 4:26 PM
To: Janet Eidsness
Cc: erikacooper@brb-nsn.gov; 'Tom'; Janet Eidsness (jpeidsness@yahoo.com)
Subject: RE: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

All,

Per Janet's request, attached are DRAFT maps showing the approximate extent of the proposed annexation of the Brainard mill site (and adjacent railroad and highway right of way) to the City of Eureka.

I've also attached the results of an NWIC request. Any insight your group could provide would be welcome.

Feel free to call with any questions.

Randy



Randy Rouda, AICP
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From: Janet Eidsness [<mailto:JEidsness@bluelakerancheria-nsn.gov>]
Sent: Monday, April 11, 2016 4:01 PM
To: Randy Rouda
Cc: erikacooper@brb-nsn.gov; 'Tom'; Janet Eidsness (jpeidsness@yahoo.com)
Subject: RE: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

Randy,

Can you relay to me a location map for these parcels – pls send to my yahoo email and I'll discuss with Erika & Tom at tomorrow's THPO meeting, then get back to you

Cheers

Janet P. Eidsness, M.A.
Tribal Heritage Preservation Officer (THPO)
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From: Randy Rouda [<mailto:RoudaR@lacoassociates.com>]
Sent: Wednesday, April 06, 2016 4:28 PM
To: Janet Eidsness
Subject: FW: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

Janet,

We are preparing a draft IS for the annexation of the Brainard mill site property to the City of Eureka. The project consists of four APNs (two former mill site properties and two railroad parcels, along with the SH 101 right of way just north of Eureka. No construction is anticipated as a direct result of the project, however, the property owners expect that annexation may make the property more marketable for sale and industrial or commercial re-use.

We received the attached from NWIC. I'd appreciate your advice in scoping a technical study based on this review. Nearly all of the site is paved, but there appear to be sufficient known and potential resources to merit review. Do you have any information regarding the known resources that might help to establish likely areas for more intensive study?

I more formal AB 52 consultation letter will be forthcoming, but I wanted to get this underway as soon as I received the NWIC information.

Thanks!

LACO



Randy Rouda, AICP

Senior Planner

LACO Associates

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From: Northwest Information Center [<mailto:nwic@sonoma.edu>]

Sent: Monday, April 04, 2016 2:32 PM

To: Randy Rouda

Subject: Results for NWIC File # 15-1423 4 APNs in Unincorporated Humboldt County

Please find attached our response letter for the above referenced project. Unless you need a hard copy of our recommendations, distribution will be by email only.

Please let us know if you have any questions and we look forward to working with you in the future.

Jillian Guldenbrein

NWIC Staff

707-588-8455

RESPONSE TO COMMENTS ON THE INITIAL STUDY/NEGATIVE DECLARATION

Brainard Annexation to the City of Eureka
State Clearinghouse (SCH) No. 2017062022
August 9, 2017

1.0 INTRODUCTION AND PURPOSE

A draft Initial Study for the Brainard Annexation project into the City of Eureka (City) was prepared by the City in February 2017, pursuant to the California Environmental Quality Act (CEQA), to analyze the potential environmental impacts of the proposed project. Under the proposed project, California Redwood Company (CRC) seeks to annex into the City of Eureka four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101) totaling approximately 101.1 acres in size. The four parcels comprising the Brainard Annexation Area (Annexation Area), identified as Assessor's Parcel Numbers (APNs) 017-081-001, 404-141-004, 017-081-002, and 404-141-003, are located in an unincorporated area of Humboldt County, directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City's Sphere of Influence. Upon completion of the environmental review, the City found that the proposed project would have no significant impacts on the environment and a negative declaration was prepared. The draft Initial Study and Negative Declaration (IS/ND) were circulated for public review and comment for a period of 30 days, beginning on June 12, 2017, and ending on July 11, 2017.

The City of Eureka received a total of four (4) comment letters on the Draft IS/ND. All 4 letters, with attachments, are provided in Appendix A of this Final IS. Comment letters were numbered according to the date they were received by the City. Individual comments within each comment letter were then labeled in alphabetical order starting with the letter "A." Thus, for example, the comment letter received from the California Department of Transportation (Caltrans), dated July 11, 2017, is numbered "1", with individual comments in that letter numbered "1-A", "1-B", "1-C", etc.

Written comments made during the public review of the Draft IS/ND intermixed points and opinions relevant to the project's merits with points and opinions relevant to potential environmental effects of the project. The responses acknowledge comments addressing points and opinions relevant to the project's merits, and discuss as necessary the points relevant to the environmental review required by CEQA.

Table 1, below, lists the organizations who provided written comments on the Draft IS/ND to the City during the 45-day public review period.

Table 1. Comments Received on the Draft IS/ND

Correspondence		
Number	Date of Correspondence	Commenter
1	July 11, 2017	California Department of Transportation (Caltrans)
2	July 11, 2017	California Coastal Commission
3	July 12, 2017	State Clearinghouse
4	July 13, 2017	Humboldt Local Agency Formation Commission

2.0 RESPONSE TO COMMENTS

2.1 Comment Letter 1 (California Department of Transportation [Caltrans] – July 11, 2017)

Response to Comment 1-A

This comment confirms the California Department of Transportation (Caltrans) has reviewed the Draft IS/ND. Additionally, this comment correctly reiterates general information on the proposed project and introduces ensuing comments, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 1-B

This comment expresses concern regarding the potential for an increase in the intensity of uses at the site and the need to accommodate resulting increased traffic volumes on Highway 101. Additionally, the comment notes that adequately accommodating the increased traffic associated with development of the site would be the responsibility of the State and may not be consistent with State goals and policies. This comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. Both the current Humboldt County zoning and City’s proposed MG pre-zoning allow industrial uses, so there isn’t a substantial change in the types or intensity of uses allowed on the site as a result of the annexation. Further, it is important to note that no new construction or development is proposed in the annexation and because the site is located in the Coastal Zone, Coastal Development permits will be required and provide opportunities for input and comment on future proposed development. As such, no additional response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 1-C

This comment notes that Caltrans submitted a comment letter, dated April 7, 2017, in response to the initial referral for the project, which included a number of conditions that would apply to any change in zoning or for new uses with different travel characteristics. Additionally, the comment includes a recommendation for the City to keep in mind the identified transportation constraints when facilitating redevelopment at the site and to refer to the Institute for Transportation Engineers (ITE)’s Trip Generation Manual for standard trip generation rates.

As provided in a letter response to Caltrans by the City of Eureka, dated May 1, 2017, at this time, the proposed project only involves the shifting of political boundaries. Additionally, no change in land use or zoning is proposed, nor is any development proposed at the site at this time. As provided in the May 1st letter,

"The current and proposed land use and zoning designations are both general industrial. The City's version of "General Industrial" is nearly identical to the County's version of "General Industrial." Therefore, there will be no appreciable change in the types of uses allowed at the site as a result of the annexation. Accordingly, the proposed action will have no impact on traffic and a "Transportation Impact Analysis" is not needed at this time. However, CEQA requires that traffic analysis would be provided should land use or zoning changes be proposed in the future. In addition, CEQA also requires that traffic analysis would be provided if new uses or additional development was proposed on the site."

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 1-D

This comment notes that the negative declaration does not address a comment made by Caltrans in a previous letter, dated April 7, 2017, in which Caltrans had strongly suggested that an easement be deeded through APN 017-081-002, which is a 3.7-acre parcel owned by the Northwestern Pacific Railroad Company (NWPRR), to APN 017-081-001, a 60.5-acre parcel owned by CRC. Both of these parcels are included within the Annexation Area. The comment further notes that the CRC-parcels have one primary access point and that the secondary access point, on APN 017-081-001, is too narrow to allow for two-way traffic and would limit future development on this parcel. Furthermore, the comment states that Caltrans cannot guarantee that a second access would be approved.

As provided in a letter response to Caltrans by the City of Eureka, dated May 1, 2017, at this time, the proposed project only involves the shifting of political boundaries. Regarding the portion of the comment pertaining to an easement through property APN 017-081-02 for access to APN 017-081-01, the City provided the following response in their May 1st letter:

"Use of the second access point is not relevant to the currently proposed annexation project. Caltrans will be contacted should the current or future owner wish to utilize the second access point in the future."

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 1-E

This comment notes that the primary access point at the Brainard site (located on CRC's eastern parcel, APN 404-141-004, which is 14.2 acres in size) does not have either acceleration or deceleration lanes for traffic to merge onto or off of Highway 101. The comment further notes that these improvements have not been fully funded by Caltrans at this time and also notes that, as a result, the City will need to ensure that any redevelopment at the site includes the appropriate improvements for driveway connections to an expressway facility.

As provided in a letter response to Caltrans by the City of Eureka, dated May 1, 2017, the City provided the following response:

"The installation of the acceleration and deceleration lanes is not relevant to the proposed annexation project.

The City is aware that the Eureka-Arcata Corridor project is not fully funded, which means the proposed improvements to the current access point are also not currently funded. The City understands that should funding for the acceleration and deceleration lanes not be realized, the current or future owner may be responsible for installation of the lanes for the current access point. The City also understands that Caltrans is suggesting that the property owner would be responsible for installation of the acceleration and deceleration lanes for the second access point. However, none of these points are relevant to the proposed annexation."

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 1-F

This comment contains closing language for the letter, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

2.2 Comment Letter 2 (California Coastal Commission – July 11, 2017)

Response to Comment 2-A

This comment confirms the North Coast District Office of the California Coastal Commission (CCC) received a copy of the IS for the project from the State Clearinghouse, correctly reiterates general information on the proposed project, and introduces ensuing comments. However, the comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-B

This comment notes that the Draft IS states that APN 404-141-004 has a split [dual] County zoning designation of Industrial General with Flood Hazard Areas Combining Zone (MG/F) and Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D). Additionally, the comment requests clarification as to the zoning for APN 404-141-004 and also notes that Figure 4, included in the Draft IS, does not clearly show which portion of the parcel is zoned Natural Resources.

Several revisions to the figures included as part of the Draft IS (Figure 1-7) have been prepared to provide additional clarification and to address this comment from the CCC, including:

- Remove an extraneous parcel line shown on APN 404-141-004 (Figures 1-7);
- Add a note stating “Map is the product of several different sources (Assessor, County, City) and line work will be cleaned up upon annexation approval with legal metes and bounds descriptions prepared by a licensed surveyor.” (Figures 1-7);
- Adding additional labels (“City”) to better distinguish what areas shown on the maps are within the City of Eureka limits; and
- Correcting the land use and zoning designations of the eastern portion of APN 404-141-004 depicted on Figures 3 and 4, respectively, to show the correct current land use and zoning designations as “Natural Resources”, instead of “Industrial General”, as incorrectly shown.

The very eastern portion of APN 404-141-004, approximately 1.5 acres in size, is the portion of the parcel that is zoned as Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/W,D). This zoning designation was inadvertently omitted from Figure 4 included with the Draft IS. Figure 4, in addition to Figure 3, have been revised to correctly show the correct current County of Humboldt zoning and land use designations for this portion of the parcel.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-C

This comment notes that although the City is proposing to zone and designate the site as general industrial, similar to its current County zoning and land use designations, the City and County’s allowable uses and development constraints are not identical. As such, the comment notes that the Initial Study should explore the differences between the relevant City and County zoning and land use designations, particularly any differences in the allowable density and intensity of use of the site.

In response to this comment we have prepared the following table (see Table 2, below) comparing City and County designations:

Table 2. Comparison of County of Humboldt and City of Eureka General Plan and Zoning Code Regulations for the General Industrial Land Use and Zoning Designations

Humboldt County General Plan/Zoning Regulations for Industrial General (MG) Designations	City of Eureka General Plan/Zoning Regulations for General Industrial (MG) Designations
General Plan	
<p><i>Typical Allowed Uses</i> <u>Principally Permitted Uses:</u> Minor Utilities, Warehousing, Storage and Distribution, Heavy Commercial Industrial Use Types* Research/Light Industrial, Aquaculture; subject to the Coastal-Dependent Industrial Development Regulations, Timber Product Processing</p> <p><u>Conditionally Permitted Uses:</u> Caretaker’s Residence, Heavy Industrial (limited to alteration, improvement, and relocation of existing facilities), Hazardous Industrial, Coastal-Dependent and Coastal-Related, Coastal Access Facilities</p>	<p><i>Typical Allowed Uses</i> <u>Principally Permitted Uses:</u> All uses listed as permitted in the ML District, Aircraft and aircraft accessories and parts manufacture; Automobile, trucks, and trailer accessories and parts manufacture; Automobile, truck, and trailer assembly; Bag cleaning; Boiler works; Box factories and cooperages; Breweries and distilleries; Building materials manufacture and assembly; Business machines manufacture; Can and metal container manufacture; Candle manufacture; Carpet and rug manufacture; Cement products manufacture; Chemical products manufacture (provided no</p>

<p>Per the County of Humboldt Commercial Medical Marijuana Land Use Ordinance (CMMLUO); indoor cultivation is permitted in the MG Zone with the clearance or permit type specified below:</p> <ul style="list-style-type: none"> • Up to 5,000 square feet – Zoning Clearance Certificate • 5,000-10,000 square feet – Use Permit 	<p>hazard of fire or explosion is created); Clay products manufacture; Cork manufacture; Electronics manufacturing; Emergency shelters; Firearms manufacture; Flour, feed and grain mills; Food products manufacture; Glass and glass products manufacture; Gravel, rock, and cement yards; Hair, felt, and feathers processing; Insecticides, fungicides, disinfectants, and similar industrial and household chemical compounds manufacture; Jute, hemp, sisal, and oakum products manufacture; Leather and fur furnishing and dyeing; Machinery manufacture; Machine tools manufacture; Match manufacture; Meat products processing and packaging; Medical cannabis cultivation facilities, indoor, not more than 5,000 square feet of cultivation area; Medical cannabis distribution facilities; Medical cannabis manufacturing facilities, non- volatile, more than 5,000 square feet of floor area; Medical cannabis manufacturing facilities, non- volatile, 5,000 square feet or less of floor area; Medical cannabis testing facilities; Medical cannabis transportation facilities, co- located with a distribution facility; Medical cannabis transportation facilities, located separate from a distribution facility; Metal alloys and foil manufacture; Metal casting and foundaries; Mobile vendors; Motor and generator manufacture; Motor testing of internal combustion motors; Painting, enameling, and lacquering shops; Paper products manufacture; Paraffin products manufacture; Plastics manufacture; Porcelain products manufacture; Railroad equipment stations manufacture; Railroad freight stations, repair shops, and yards; Rubber products manufacture; Sandblasting; Shoe polish manufacture; Starch and dextrine manufacture; Steel products manufacture and assembly; Stone products manufacture and stone processing; Structural steel products manufacture; Textile bleaching; Wire and cable manufacture; Wood and lumber processing and woodworking; and Wood scouring and pulling</p> <p><u>Conditionally Permitted Uses:</u> Airports and heliports; Asphalt and asphalt products manufacture; Cement, lime, gypsum, and plaster of paris manufacture; Charcoal, lampblack, and</p>
--	--

	<p>fuel briquettes manufacture; Chemical products manufacture; Coal, coke, and tar products manufacture; Drop forges; Dumps and slag piles; Fertilizer manufacture; Film manufacture; Fireworks manufacture and storage; Fish products processing and packaging; Garbage dumps; Gas manufacture or storage; Gas and oil wells; Gelatine, glue, and size manufacture from animal or fish refuse; Incineration or reduction of garbage, offal, and dead animals; Junk yards; Lard manufacture; Linoleum and oil cloth manufacture; Magnesium foundries; Manure, peat, and topsoil processing and storage; Medical cannabis cultivation facilities, mixed light, not more than 10,000 square feet of cultivation area; Medical cannabis dispensing facilities; Medical cannabis manufacturing facilities, volatile, more than 1,500 square feet of floor area; Medical cannabis manufacturing facilities, volatile 1,500 square feet or less of floor area; Metal and metal ores reduction, refining, smelting, and alloying; Motor vehicle wrecking yards; Oil and gas pipelines; Paint manufacture; Paper mills; Petroleum and petroleum products storage; Pulp mills; Rifle ranges; Rolling mills; Rubber manufacture or processing; Soap manufacture; Steam plants; Stockyards and slaughterhouses; Storage of inflammable liquids; Storage of used building materials; Tallow manufacture; Tanneries and curing and storage of rawhides; Wood and bones distillation; Wood pulp and fiber reduction and processing; Storage of logs or wood chips; Accessory structures and uses located on the same site as a conditional use; and Wireless telecommunication facilities located within 100 feet of an R District.</p>
Zoning	
<p>Maximum Floor Area Ratio*: None specified</p>	<p>Maximum Floor Area Ratio*: 0.50</p>
<p>Purpose: to protect sites suitable for the development of general industrial uses.</p> <p>Principal Use: light and general manufacturing, warehousing and wholesaling, research and development.</p>	<p>Purposes: to provide sites suitable for the development of general and heavy industrial uses.</p> <p>Principal Uses: General manufacturing, boiler works, concrete mixing and hatching, chemical products manufacture, breweries and distilleries,</p>

<p>Conditional Uses: heavy manufacturing, drilling and processing of oil and gas, agricultural-general uses, heavy commercial uses, sand and gravel extraction, electrical generating and distribution facilities, animal and fish reduction plants.</p>	<p>meats products processing and packaging, structure steel products manufacturing.</p> <p>Conditional Uses: Processing of oil and gas, electrical generating and distribution facilities, animal and fish reduction plants, oil and gas pipelines, offices.</p>
<p>* Maximum Floor Area Ratio (FAR) is the ratio of the gross building square footage on a lot to the net square footage of the lot.</p> <p>Sources: County of Humboldt General Plan. Humboldt Bay Area Plan. December 2014. County of Humboldt Zoning Regulations. City of Eureka General Plan. Adopted February 27, 1997. City of Eureka Municipal Code. Title 9 (Land Usage). Chapter 156 (Coastal Zoning Regulations).</p>	

The City of Eureka provides a more comprehensive and specific list of the principally- and conditionally-permitted uses permitted within the General Industrial (MG) District than the County of Humboldt. Both the County Industrial General (MG) and the City General Industrial (MG) Districts, allow for similar uses. For any future development proposed at the site, the proposed use would have to be a use that is either a principally- or conditionally-permitted use within the City's MG District.

Within the City of Eureka and County of Humboldt, several areas are currently zoned and designated as MG, including, but not limited to the following (see Table 3, below):

Table 3. Locations within the City of Eureka and County of Humboldt Currently Designated and Zoned as MG

Site ID/Primary Occupant	Approximate Location	Approximate MG Size (acres)	Current Uses
City of Eureka			
Schmidbauer Lumber	1099 W. Waterfront Drive; adjoining West Washington Street (north); Koster Street (east); Railroad Avenue (west)	25.5	Lumber mill and building supplies
Bay Tank and Boiler Works	825 W. 14 th Street; adjoining Short Street (west); Koster Street (east); West 14 th Street (north)	2.1	Custom metal fabrication and sales
Renner Petroleum	1100 W 14 th Street; adjoining Railroad Avenue (west); West 14 th Street (south)	2.65	Distribution and sale of petroleum products
Bien Padre	1459 Railroad Avenue; on the east side of Railroad between West 14 th Street and West Wabash Avenue	.88	Food manufacture
County of Humboldt			
Former Sierra Pacific Mill	State Route 255, Manilla	40	Former saw mill; business park currently proposed at site
Redwood Coast Trucking	Peninsula Drive, Arcata	5	Trucking company
Fox Farm	Bay Street, Fairhaven	324	Soil manufacturer
Environmental Technology, Inc.	South Bay Depot Road, Fields Landing	14	Custom molded urethane products manufacturer
Former Hansen's Truck Stop	Highway 101, Alton	13	Former truck stop; materials storage; Rural residential
Humboldt Creamery	Highway 211, Fernbridge	19	Creamery
<p><i>Sources:</i> City of Eureka. Geographic Information System. Community Development Services Interactive Viewer. Available at: http://www.ci.eureka.ca.gov/depts/development_services/gis_mapping.asp. County of Humboldt. Humboldt GIS Portal. Humboldt County Web GIS. Available at: http://webgis.co.humboldt.ca.us/HCEGIS2.0/.</p>			

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-D

This comment is in reference to the potential flood hazards associated with the Brainard site and provides data on observed tidal elevations. The comment also describes potential impacts associated with breaching of the levee at the Brainard site, discusses potential impacts associated with sea level rise, and describes requirements for any repairs and maintenance of the existing levee. The comment notes that in permitting future development at the site, the risks of tidal inundation, backwater flooding, and rising groundwater would all need to be evaluated, and any future Coastal Development Permit (CDP) application would need to provide extensive analysis of flood hazard risks and project alternatives to minimize such risks. The comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS.

At this time, the proposed project involves annexation of the Brainard Annexation Area into the City of Eureka. No development is proposed at this time. Any development proposed within the Brainard Annexation Area or other areas located within a flood zone, would be required to analyze potential flood impacts and would be subject to all development regulations specific to areas located within a designated flood zone.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-E

This comment expresses concern for the future extension of municipal water and sewer to the Brainard site and notes potential vulnerabilities relating to the future connection. However, the comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS and no response is required. It is important to note that future extension of municipal water and sewer will be more thoroughly evaluated when extension of such services is proposed. At that time, it will be evaluated if improvements to the lift station and surrounding infrastructure may be required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-F

This comment correctly notes that the Brainard site has two ingress/egress points along Highway 101 and requests that the City analyze the traffic impacts generated by the proposed land use, evaluate if the site can accommodate the range of allowable use types within the proposed General Industrial zoning district, and consider what site improvements would be necessary to support the potential uses. The comment requests that the City not only consider existing conditions, but also the changes proposed under the Eureka-Arcata Route 101 Corridor Improvement Project. The comment also expresses interest in any comments received from Caltrans on the annexation, zoning, and future use of the project site.

At this time, the proposed project involves annexation of the Brainard Annexation Area into the City of Eureka. No development is proposed at this time; as such, traffic impacts need not be analyzed at this time. Traffic impacts associated with any future development will be analyzed at the time development is proposed at the site. Such analysis would occur through CEQA, Use Permits (when required), Coastal Development Permits, and/or other permit requirements relevant to the project being proposed.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-G

This comment is in regards to the trail proposed along the waterfront side of the Highway under the regional Humboldt Bay Trail and statewide California Coastal Trail and requests clarification as to whether the proposed land use and zoning designations would conflict with the future establishment of the non-motorized transportation route. The comment also notes that the CCC will be interested in the impacts of development on the future trail.

Under the current City General Plan, the two parcels comprising the Brainard site (APNs 017-081-001 and 404-141-004), in addition to the two NWPRR parcels (017-081-002 and portion of 404-141-003), are designated as General Industrial (GI). All parcels included within the Annexation Area are proposed to be annexed under the current City Land Use Plan, with pre-zoning consistent with the City of Eureka Zoning Code (Implementation Plan). Zoning would be effective upon completion of the annexation. Since the parcels are not currently located within the City of Eureka's city boundary, the parcels are not currently designated under the City Zoning Code. However, because the parcels are included under the City General Plan with a land use designation of General Industrial (GI), it is anticipated, if annexed, that the corresponding zoning of the parcels would be General Industrial (MG).

Streets and sidewalks are public infrastructure that are currently found within MG zone districts in the City, but they are not listed as allowable uses, nor do they need to be. Likewise, trails do not need to be consistent with the Local Coastal Program. Trails are public transportation infrastructure and are automatically allowed in all zones, subject to CEQA/CDP approval.

Although the City's current Land Use Plan did not specifically envision the annexation of the Brainard Area, there are a number of Coastal Recreation and Access policies within the Land Use Plan that specifically demonstrate the City's support of both waterfront trails, and the public's access to and recreational opportunities along Humboldt Bay. The City's dedication to waterfront access and trails is further demonstrated through the creation of the City's existing Hikshari and Waterfront Trail system extending from Pound Road to Tydd Street, with the final Phases currently under construction.

The current Land Use Plan contains the following Goals and Policies relating to Coastal Recreation and Access:

Goal 5.B

To provide public open space and shoreline accessways throughout the Coastal Zone, consistent with protecting environmentally sensitive habitats and other coastal priority land uses.

Policies

- 5.B.1 The City shall provide public open space and shoreline access through the Coastal Zone, particularly along the waterfront and First Street, through all of the following:
- a. Develop Waterfront Drive from the Elk River Interchange to a terminus near Eureka Slough, with provisions for bicycle lanes, pedestrian walkways, and supporting facilities.
 - b. Establish a walkway system located on or near the shoreline throughout the city's waterfront Core Area.
 - c. Establish scenic vista points at numerous locations along the waterfront, including construction of a public access vista point at the foot of Truesdale Street.

- d. Consider and protect the scenic and visual qualities of coastal areas that are visible from scenic public vista points and waterfront walkways.
 - e. The City, in cooperation with the Coastal Commission and Coastal Conservancy, shall provide for attractive directional signs that are meaningful on the North Coast so as to assist area residents and visitors alike in identifying visitor-serving, recreational, and historical facilities in the city.
- 5.B.2 On shoreline parcels where recreation or visitor-serving uses are integrated with coastal-dependent uses, the City shall ensure that the recreation or visitor-serving uses are secondary to and compatible with the coastal-dependent uses.
- 5.B.3 The City shall promote the maintenance of and, where feasible, shall provide, restore, or enhance facilities serving commercial and recreational boating, including party or charter fishing boats.
- 5.B.4 The City of Eureka shall protect and enhance the public's rights of access to and along the shoreline, consistent with protecting environmentally sensitive habitats, by:
- a. Accepting offers of dedications that will increase opportunities for public access and recreation and the availability of necessary staff and funding to improve and maintain access ways and assume liability for them;
 - b. Actively seeking other public, community non-profit, or public agencies to accept offers of dedications and having them assume liability and maintenance responsibilities; and,
 - c. Allowing only such development as will not interfere with the public's right of access to the sea, where such right was acquired through use or legislative authorization.
- 5.B.5 For new development between the first public road and the sea, the City shall require the dedication of a vertical access easement to the mean high tide line unless:
- a. Another more suitable public access corridor is available within 500 feet of the site; or
 - b. Access at the site would be inconsistent with other General Plan coastal policies, including existing, expanded, or new coastal-dependent industry, agricultural operations, or the protection of environmentally sensitive habitat areas; or,
 - c. Access at the site is inconsistent with public safety, environmental protection, or military security needs.
- 5.B.6 For new development between the first public road and the sea, the City shall require a lateral access easement along the shoreline unless:
- a. Lateral access at the site would be inconsistent with other General Plan coastal policies, including existing expanded, or new coastal dependent industry, agricultural operations, or the protection of environmentally sensitive habitat areas; or,
 - b. Access is inconsistent with public safety or military security needs.
- 5.B.7 The City shall establish a coordinated continuous public access system throughout its Coastal Zone, consisting of pedestrian walkways, nature walks, and bikeways with necessary support facilities, as described in Table 5-2 and shown in Figure 5-1.
- 5.B.8 The City shall enforce the access standards and recommendations contained in the State Coastal Conservancy/Coastal Commission *Report on Coastal Access* (revised August 1980) as the criteria for improvement, maintenance, and management of accessways and supporting facilities proposed in this General Plan. Special attention in design and construction of accessways shall be given to minimizing maintenance requirements given the North Coast climate and to minimizing the possibilities of vandalism. Where public accessways or vista points are located near environmentally

sensitive habitat areas, attractive barriers shall be provided to preclude disturbance of natural areas by off-road or all-terrain vehicles.

- 5.B.9 The City shall ensure that public access support facilities are distributed throughout the Eureka Coastal Zone. Off-street parking shall be provided in the waterfront area; however, it shall not be located immediately adjacent to the shoreline, unless there is no feasible alternative.
- 5.B.10 To the maximum extent feasible, the City shall ensure universal public access to the waterfront, including support facilities.
- 5.B.11 The City shall participate in the development of a facility for the Humboldt Bay Rowers Association on the waterfront.

<i>TABLE 5-2</i>	
COASTAL ZONE PUBLIC ACCESS	
Access Point/Area	Description of Proposed Access
Along shoreline between "J" and "M" Streets	To be located along the shoreline, East Plaza and West Plaza shall be developed in coordination with the overall Restoration Plan.
At the foot of "C" Street	The City-owned pier and dock shall, consistent with any lease requirements or conditions, be restored for pedestrian and public fishing use.
At the Small Boat Basin	A small plaza and improved access facilities, including off-street parking, bicycle racks, benches, tables, restrooms, and an improved boat-launching area shall be provided. Lamoreaux Park shall be upgraded. Public use facilities shall be designed and located to complement potential adjacent revenue generating uses. Existing access to piers with docks shall be continued consistent with public safety and protection of the property of boat owners.
At the foot of "V" Street	A passive recreation plaza with landscaping improvements and picnic tables shall be provided at the shoreline. Development of the "V" Street Plaza shall occur either in conjunction with the construction of Waterfront Drive or the private development of the property (in proximity to the Blue Ox), whichever comes first.
At Eureka Slough, north of the Northwestern Pacific Railroad tracks	A passive recreation plaza with landscaping improvements and picnic tables shall be provided at the shoreline. Public access improvements either at Eureka Slough or near the Samoa Bridge shall also include a small boat launch ramp and off-street parking area, provided that in consultation with the Department of Fish and Game, Coastal Commission, and the Coastal Conservancy, a specific location for these access improvements can be identified that will create no significant adverse effects on environmentally sensitive habitat areas.
At Woodley Island at the westerly end of the marina	A scenic vista point shall be developed to complement the existing public access and support facilities and be compatible with other permitted development. Access to Woodley Island wildlife area shall continue to be by permit from the Department of Fish and Game.
From the Samoa Bridge to and along Eureka Slough	A continuous shoreline pedestrian walkway shall be developed. Portions of this accessway may be incorporated into the extension of Waterfront Drive, which shall also provide for a bicycle way, provided that in consultation with the Department of Fish and Game, Coastal Commission, and the Coastal

	Conservancy, a specific location for these access improvements can be identified that will create no significant adverse effects on environmentally sensitive habitat areas. Support facilities shall include parking areas and trash receptacles.
Along the Eureka northern waterfront between commercial Street on the west and the Samoa bridge on the east	A continuous accessway shall be developed to include: <ul style="list-style-type: none"> (1) completion of lateral accessways at the foot of "J" and "M" Streets; (2) vista points at the foot of "F" Street and the end of "M" Street (on the bluff top near the Carson Mansion/Ingomar Club); (3) access support facilities distributed throughout Old Town so as to minimize potential adverse impacts.
Near Second and "Y" Streets in the East Bridge District	The City shall accept a vertical accessway easement dedication offer if further consultation with the Department of Fish and Game indicates that access can be provided consistent with protection of sensitive natural habitat areas. If the dedication offer is accepted, access shall be integrated through directional signing and support facilities into the northern waterfront shoreline access system.
At the foot of Truesdale Street	A scenic vista point shall be developed on the shoreline to complement the existing vertical access at the street end. Access support facilities shall include a small parking area, bicycle racks, and trash receptacles.
Along waterfront between Truesdale Street and Hilfiker Lane	A continuous waterfront rail shall be dedicated and developed in conjunction with future development in order to connect the vertical accessways at the two street ends. The waterfront trail shall be fenced and/or landscaped to protect adjacent property.
Halvorsen Village and East Park Plaza	The City shall, concurrent with the development of, construct the Fountain Plaza Pedestrian Bridge immediately to the west of the East Park Plaza amphitheater, so as to provide safe public access across the Northwestern Pacific Railroad right-of-way from Waterfront Drive to Old Town.
Near "K" Street across the Northwestern Pacific Railroad right-of-way along the city's bayfront	The City shall, concurrent with the development of the community conference center, parking structure, and West Park Plaza, construct a pedestrian bridge. West Park, located at the foot of "J" Street, shall include a small parking area and public pier available for fishing and, if feasible, use by a tourist-oriented water taxi.
Across the Northwestern Pacific Railroad right-of-way from Waterfront Drive to Old Town	The City shall, in conjunction with the California Public Utilities Commission and the Northwestern Pacific Railroad, prepare an implementable long-range plan for pedestrian and vehicular at-grade access, consistent with requirements of this General Plan, in order to maximize public access opportunities and ensure public safety.
Greenways or gulches near Eureka, First, and Second Sloughs	The City shall utilize public lands, rights-of-way, potential future dedications of land, and/or limited acquisition to establish public walkways in greenways or gulches. The precise location of walkways shall be determined after consultation with adjacent private property owners, the Department of Fish and Game, and the Coastal Conservancy in order to assure that private property rights and environmentally sensitive habitat areas are protected, while this important community asset is opened for appropriate levels of public use and enjoyment. In consultation with the Coastal Conservancy, the City shall explore creation and funding of a community non-profit organization to assist in the design, implementation, and maintenance of the greenway.gulch public access system.

Elk River	Public accessways shall be implemented by the City in consultation with the Department of Fish and Game.
Elk River Split	The pedestrian footbridge and appropriate directional signing shall be constructed.

Per Table 2 (under Response to Comment 2-C), though “public access structures”, such as public trails, are not listed as either principally- or conditionally-permitted uses, the current Land Use Plan supports development of public access, and the Implementation Plan includes development standards for public access, including vertical and lateral access easements (EMC Sec. 10-5.2941).

Final alignment and design of the public access trail proposed along the waterfront side of the Highway has not yet been selected; however, the proposed annexation, if approved, is not anticipated to have any impacts on the future development of the public access trail.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-H

This comment expresses concern regarding stormwater management at the Brainard site, due to the amount of impervious surfaces at the site, the location of the site directly adjacent to wetlands and coastal waters, and the potential for future development of the site. The comment provides specific details on the stormwater standards that future development will be required to comply with. Since the comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS, no response is required. However, it is important to note that stormwater management will be fully analyzed at the time future development of the site is proposed and will be required to comply with all stormwater-related policies and regulations.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 2-I

This comment contains closing language for the letter, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

2.3 Comment Letter 3 (State of California, Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit – July 12, 2017)

Response to Comment 3-A

This comment confirms that the State Clearinghouse submitted the Draft IS to selected state agencies for review (listed in an enclosed attachment). The comment also notes that the review period closed on July 11, 2017, and the comments received from the responding agency(ies) is (are) enclosed. [The comment letter received from Caltrans, dated July 11, 2017, was included as an attachment to the State Clearinghouse’s letter.] Furthermore, the comment confirms that the City has complied with the State Clearinghouse review

requirements, pursuant to the California Environmental Quality Act (CEQA). This comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

2.4 Comment Letter 4 (Humboldt Local Agency Formation Commission – July 13, 2017)

Response to Comment 4-A

This comment expresses appreciation for the opportunity to comment on the Draft IS and notes that the IS will be considered as part of the annexation to LAFCo, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 4-B

This comment provides jurisdictional information and information on LAFCo's roles, notes that LAFCo is a responsible agency for the proposed project, and introduces ensuing comments, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 4-C

This comment requests that clarification be provided as to how the annexation would affect the Humboldt Bay Area Plan (HBAP) and County Urban Limit Line (ULL) boundary and notes that extension of the ULL would require a HBAP Amendment.

The project would have no effect on the HBAP or ULL boundary. The ULL excludes the Brainard site, though the site has been developed for several decades. If the proposed annexation into the City of Eureka is approved, the parcels would no longer be under the HBAP, so no amendment to the HBAP would be necessary. Additionally, if the proposed annexation is approved, the City of Eureka will need to amend its Local Coastal Plan (LCP) to extend the ULL to the developed site, or change the relevant policy to permit the extension of services to the subject site. The City has plans to modify its LCP after approval of the proposed annexation.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 4-D

This comment correctly reiterates the number of properties contained within the Brainard Annexation Area and notes that "annexations should avoid creating boundaries that are not 'definite and certain' or do not

conform to lines of assessment or ownership (Section 56668(f)).” This comment recommends that the City consider a lot line adjustment to avoid creating legal lot remnants.

The comment does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required. However, it is important to note that although Assessor’s Parcel Numbers (APN) are often used to describe a property, APNs do not necessarily constitute legal parcels. An Assessor Parcel may in fact coincide with the boundaries of a legal parcel, although several legal parcels may be located within a single Assessor Parcel, and vice versa. In particular, it is likely that the APN’s for the railroad parcels were established for the convenience of the Assessor and can be amended without requiring a lot line adjustment.

In completing the required documents for the Brainard Annexation project, several discrepancies have been encountered between the information presented and shown on the County’s WebGIS, City informational maps, and Assessor’s Parcel Maps. The maps presented in the Draft IS (and revised maps and Assessor’s Parcel Maps included in Appendix B to this document) are the product of several different sources, and the line work will be cleaned up upon annexation approval with legal metes and bounds descriptions prepared by a licensed surveyor.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

Response to Comment 4-E

This comment contains closing language for the letter, but does not state a specific concern or question regarding the sufficiency of the analysis contained in the Draft IS. As such, no response is required.

The comment is acknowledged for the record and will be forwarded to the decision-making bodies as part of the Final IS for their consideration in reviewing the project.

3.0 CORRECTIONS AND ADDITIONS TO THE DRAFT INITIAL STUDY

The purpose of this section is to provide a concise presentation of all corrections and additions made to the Brainard Annexation Project Draft Initial Study (IS) in response to the comments received during the public review period. Any deletions made to the Draft IS are denoted in ~~strikethrough~~ text; any additions made to the Draft IS are indicated as underlined text.

Based on the comments received on the Draft IS, no changes are necessary to the document.

APPENDIX A

Comment Letters Received on the Draft Initial Study

DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P.O. BOX 3700
 PHONE (707) 441-4693
 FAX (707) 445-6314
 TTY 711
 www.dot.ca.gov

Comment Letter #1

*Serious drought.
 Help save water!*

July 11, 2017

1-HUM-101-81.83 & 81.36
 SCH# 2017062022
 APN: 017-081-01 & -02

Ms. Kristen Goetz
 Senior Planner
 City of Eureka
 531 K Street
 Eureka, CA 95501

Dear Ms. Goetz:

Thank you for the opportunity to review and comment on the Negative Declaration for the Brainard Annexation, which would extend water and sewer service to the annexed area and transfer two parcels owned by the California Redwood Company from County of Humboldt to City of Eureka jurisdiction. In addition to the private parcels, two parcels owned by the North Coast Railroad Authority (NCRA) as well as a portion of the U.S. Route 101 right of way would be annexed by the City. The parcels are located between Humboldt Bay and the NCRA Railroad right of way, with access to the parcel provided by an expressway portion of U.S. 101.

1-A

We are concerned with both the potential for increasing the intensity of uses at the site and the need to accommodate increasing traffic volumes on U.S. 101 between Eureka and Arcata. Development of the site would place the burden of providing local transportation exclusively upon the State and may be inconsistent with state goals and policies.

1-B

Caltrans submitted a comment letter on April 7, 2017 in response to the initial referral for the proposed annexation (enclosed), which identified a number of conditions that would apply to any change in zoning or for new (proposed) uses with different travel characteristics. We recommend that the City keep the identified transportation constraints in mind when facilitating redevelopment at the site. Please refer to the Institute for Transportation Engineers (ITE)'s Trip Generation Manual as a standard for attributing trip generation rates according to land use.

1-C

The Negative Declaration does not address a comment made in our previous letter from April 7, 2017: "Caltrans strongly recommends deeding an easement through property APN 017-081-02 for access to APN 017-081-01 at the time of the annexation approval." As mentioned in our previous letter, the California Redwood Company parcels are restricted to one primary point of access with the secondary access being too narrow for two-way traffic. We do not guarantee that a second access will be approved. Failure to dedicate an access easement may impact the potential for development on Assessor's Parcel number 017-081-01.

1-D

Ms. Kristen Goetz
7/10/17
Page 2

The existing access does not have acceleration and deceleration lanes for traffic to merge on or off of U.S. 101. The Caltrans project to add or improve acceleration and deceleration lanes on U.S. 101 within the Eureka-Arcata corridor is not fully funded and may not result in improvements at the subject parcel's access. As the lead agency with local land use authority, the City will need to ensure that any redevelopment at the site includes the appropriate improvements for driveway connections to an expressway facility.

1-E

Please contact me with questions or for further assistance at <jesse.robertson@dot.ca.gov>.

1-F

Sincerely,



JESSE ROBERTSON
Transportation Planning
District 1 Caltrans

Enclosed: Letter to Kristen Goetz, City of Eureka, dated April 7, 2017

c: State Clearinghouse

CALIFORNIA COASTAL COMMISSION

NORTH COAST DISTRICT OFFICE
1385 EIGHTH STREET • SUITE 130
ARCATA, CA 95521
VOICE (707) 826-8950
FACSIMILE (707) 826-8960

Comment Letter #2



July 11, 2017

Kristen Goetz, Senior Planner
City of Eureka – Development Services Department
531 K Street
Eureka, CA 95501

RE: Brainard Annexation Initial Study

Dear Ms. Goetz:

Our North Coast District Office received a copy of the City of Eureka's CEQA Initial Study for the Brainard Annexation from the State Clearinghouse on June 14, 2017. The City of Eureka proposes to annex "the Brainard site" from the County of Humboldt, including the 74.7 acre former lumber mill property ("Brainard") and the adjacent railroad properties and Highway 101 right of way. Brainard is located north of Highway 101 and is surrounded on three sides by Humboldt Bay. This peninsula was created through fill of tidelands and is protected by a rock-covered levee. The site was used as an industrial lumber mill beginning in the early 1950s, and that longstanding use has recently been retired. Approximately a third of the property is covered with existing structures while the remainder is largely paved (the entire site is 90% impervious). As filled tidelands, any development at Brainard requires coastal development permit authorization from the Coastal Commission. Many of the following comments are provided by Commission staff in consideration of our coastal development permitting role at the site. A few comments involve requests for project clarification from the City.

1. Changes in allowable uses

Loss of Natural Resource Zoning

The CEQA Initial Study prepared for the project states that under the County LCP, APN 404-141-004 has a split zoning designation of (1) Industrial General with a combining zone of Flood Hazard Areas; and (2) Natural Resources with Coastal Wetlands and Design Review combining zones. However, the map of Humboldt County zoning included in the Initial Study (Figure 4) does not clearly show which portion of the parcel is zoned Natural Resources. The City is proposing to apply its own Industrial General land use plan and zoning designations to the entirety of the site, allowing for a greater potential intensity of use. Given the proposed increase in the intensity of use, it is important to understand which portion of the site is currently zoned Natural Resources and whether any natural resources requiring protection exist in the area. Therefore, please provide a map that clearly shows which portion of APN 404-141-004 is currently zoned Natural Resources.

2-A

2-B

Differences between the City and County’s general industrial districts and designations

Although the City is proposing to zone and designate the site as general industrial land similar to its current County zoning and land use designations, the City and County’s allowable uses and development constraints are not identical. The Initial Study should explore the differences between the relevant County and City zoning and land use designations, particularly any differences in the allowable density and intensity of use of the site.

2-C

2. Flood hazards

The City’s proposal to designate the site for continued and more intensive industrial use raises Coastal Act consistency concerns, particularly given the site’s risks of flooding hazards with sea level rise. Section 30253 of the Coastal Act requires in part that new development minimizes risk to life and property in areas of high geologic and flood hazards, assures structural integrity and stability, and neither creates nor contributes significantly to erosion. The Brainard site is filled former tidelands surrounded on three sides by Humboldt Bay and protected by a rock-covered levee, and as such is subject to significant flood hazards.

The current mean monthly maximum water (MMMW) elevation on Humboldt Bay is 7.74 feet (NAVD 88 as measured at NOAA’s North Spit Tide Gage), and the average annual king tide elevation is 8.78 feet (NAVD 88). During extreme tidal events, storm surge, and periods of heavy stormwater runoff, water can reach up to two feet above tidal baseline elevations, with water levels during recent extreme tides in December 2016 and January 2017 reaching over 9 feet (NAVD 88) at the North Spit tide gage (9.5 feet on December 14, 2016 and 9.4 feet on January 11, 2017).

2-D

The levee at the Brainard site has breached before, including during the New Year’s Storm of 2005/2006 when the water elevation was at 9.55 feet (NAVD). Extreme high winds occurred during a king tide causing severe storm surge that overtopped and badly eroded the perimeter levee. As a result, in 2006, the Commission permitted repair of approximately 1,700 feet of eroded levee at the site (CDP 1-06-035).¹

As sea levels rise, overtopping erosional events will occur with more frequency at this site. Water levels on Humboldt Bay are predicted to rise up to 1.9 feet by 2050 and 5.3 feet by 2100.² The Initial Study prepared by the City of Eureka does not provide information on the elevation of the site or its perimeter levee. However, inundation mapping prepared by Northern Hydrology and Engineering (NHE) indicates that if the perimeter levee were breached, much of the Brainard site would be inundated by the current MMMW level of 7.74 feet. The NHE inundation mapping shows portions of the perimeter levee being overtopped by current 100-year events, by mean

¹ The work was considered repair and maintenance because the work did not expand or enlarge the existing levee and represented less than 50% cumulative replacement of the levee.

² Northern Hydrology & Engineering. (2015, April). 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.

annual maximum water (MAMW) levels (i.e. king tides) with 0.5 meters (1.6 feet) of sea level rise, and by MMMW levels with 1 meter (3.3 feet) of sea level rise.

In its Humboldt Bay Shoreline Inventory, Mapping and Sea Level Rise Vulnerability Assessment, Trinity Associates assigned the majority of the site's levee a low vulnerability rank to erosion/overtopping as compared to other segments of the Humboldt Bay shoreline based on its structure/cover type (a dike fortified with rock) and relative elevation. However, as previously mentioned, the levee was overtopped and compromised earlier this decade, and while the majority of the levee ranges from 12.2-14.43 feet in elevation, there are segments that are lower (9.5-11.5) and more vulnerable (Trinity Associates, June 2013). It only takes failure of one segment of the levee for the site to become flooded.

Regardless of whether the levee is overtopped or fortified, the risk of backwater flooding on the subject property will increase with sea level rise. Higher tides can impair the drainage of stormwater runoff to the bay, causing storm drains to back up and drainage ditches to overflow, thereby increasing flooding inland of the shoreline. In addition, near the coast, groundwater responds to tidal forcing and as a result, with sea level rise, groundwater will also rise. Even where the water table does not rise above the ground surface, groundwater at shallower depths could impact the maintenance of existing infrastructure and compromise the stability and integrity of structural foundations.

Although the property owner under certain circumstances may have the right to repair and maintain the site's levee in a manner that does not result in an addition to, or enlargement or expansion of, the levee (after obtaining a coastal development permit), any addition to the height or bulk of the levee to address rising sea levels would not be considered repair and maintenance and would need to be fully consistent with the policies of the Coastal Act.

Coastal Act §30235 states in part that revetments and other such construction that alters natural shoreline processes shall be permitted when required to serve coastal-dependent uses or to protect existing structures or public beaches in danger from erosion, and when designed to eliminate or mitigate adverse impacts on local shoreline sand supply. Redevelopment of the project site, including the construction of new structures or the replacement of 50% or more of any existing structures³ would constitute new development not covered by this armoring provision. Thus fortification of the levee to protect new development at the Brainard site may not be required to be approved under §30235. In addition, given Coastal Act §30253 requirements that new development assure stability and structural integrity without the construction of new protective devices, the Coastal Commission may not be able to permit such development consistent with the Coastal Act.

In permitting future development at the site, the risks of tidal inundation, backwater flooding, and rising groundwater (given potential sea level rise over the life of the development) will all need to be evaluated. Pursuant to Coastal Act §30253, the Commission treats new development

³ Unless destroyed by a natural disaster, the replacement of 50% or more of a structure does not constitute repair and maintenance pursuant to §13252(b) of the California Code of Regulations.

2-D
(cont.)

as needing to be safe from flooding without reliance on existing armoring. The requirements of Section 30253 to minimize risk of flood hazards may require extraordinary design considerations such as limiting the scale of the development and requiring elevation of new structures above anticipated flood elevations to protect from sea level rise over the life of the project. Any CDP application submitted for redevelopment of the site will need to provide extensive analysis of flood hazard risks and project alternatives to minimize such risks.

2-D
(cont.)

Public infrastructure investment in a vulnerable area

Based on the project referral, it is our understanding that the property owner wants to annex the site into the City of Eureka in part to allow for the future extension of municipal water and sewer to the site (the property currently relies on domestic wells and septic). New water and sewer extensions at the Brainard site will need to receive coastal development permit authorization either through consideration of water and septic capacity for a proposed new development or separately as an independent project if extensions are proposed to occur prior to redevelopment.

The CEQA Initial Study prepared for the annexation anticipates the future connection to municipal water and sewer, including a connection to the sewer lift station at the intersection of Jacobs Avenue and Cole Avenue. The Jacobs Avenue lift station is at 6.6 feet elevation, below the bay's current MMMW level, protected from tidal inundation by dikes along Eureka and Fay Sloughs, and the NW Pacific Railroad grade. According to the City of Eureka's recent sea level rise vulnerability analysis,⁴ the sewer collection pipe network at Jacobs Avenue is likely already below the water table and significant infiltration/inflow (I/I) is already occurring in this area on a periodic basis (based on the observed flows at the Hill Street pump station; the station has been observed to pump more than 11 MGD during storm events, more than the peak dry weather design capacity of the City's Wastewater Treatment Plant). Stormwater drainage from this low-lying area is also prolonged during high tides so that protection of the lift station and surrounding infrastructure is not likely feasible through the fortification of surrounding dikes alone.

2-E

If the site is connected to City water and sewer, the risks of flooding will extend beyond the site boundaries to include risks to the development's water and sewer connections. Expanding reliance on a highly vulnerable segment of the City's sewer system may not be found to minimize risk consistent with the Coastal Act.

3. Impacts on regional transportation and coastal access

The two parcels comprising the Brainard site are located between Highway 101 and Humboldt Bay, with two ingress/egress points that connect directly to the highway. Given traffic congestion and safety concerns along this segment of the state highway, the City should analyze the traffic impacts generated by the proposed local land use, and evaluate whether the site can accommodate the range of allowable use types within the proposed General Industrial Zoning District. The City should also consider what site improvements would be necessary to support potential uses. The City should consider not just the existing conditions of the highway, but also the changes proposed by the Eureka - Arcata Route 101 Corridor Improvement Project including plans to close the two median crossings that allow left turns into the project site. As the project

2-F

⁴ Aldaron Laird, Trinity Associates. (2016). City of Eureka Sea Level Rise Assets Vulnerability and Risk Assessment Appendix.

site involves direct highway access as well as the annexation of a 20.4-acre portion of Highway 101 right-of-way, Commission staff is also interested in any comments received from Caltrans on the annexation, zoning, or future use of the project site.

2-F
(cont.)

Humboldt County is currently planning a multi-use, ADA-compliant trail along the waterfront side of the highway as part of the regional Humboldt Bay Trail and statewide California Coastal Trail. Please clarify whether the proposed zoning and land use designations in the annexation area may conflict with the future establishment of this critical non-motorized transportation route. In permitting any future redevelopment of the Brainard site, the Coastal Commission will be interested in the impacts of development on the future trail.

2-G

4. Stormwater management

Stormwater management of the Brainard site is of particular concern given the percentage of the site covered in impervious surfaces; the location of the site directly adjacent to wetlands and coastal waters; and, based on the proposed zoning, the potential of future redevelopment of the site to involve development of a parking lot, vehicle service facility, industrial outdoor storage area, or other commercial or industrial development with a potential for generating a high pollutant load. Stormwater runoff from the Brainard site generally flows to drainage ditches leading to Cutoff Slough on the east side of Highway 101 and from there to Humboldt Bay. If the site is redeveloped, the Commission will require runoff from any new or replaced impervious or semi-pervious surfaces to meet current standards for stormwater management. If the majority of the site is repaved or otherwise redeveloped, runoff from the entire developed area, including the pre-existing surfaces, will need to be addressed in a stormwater management plan.

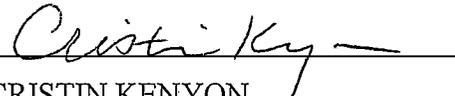
2-H

Current standards that will have to be met to receive coastal development permit authorization from the Commission require a low-impact-development (LID) approach where feasible to retain on-site the runoff produced by the 85th percentile 24-hour design storm. If the 85th percentile runoff volume cannot be retained on site using LID measures, an alternatives analysis will be required to demonstrate that no feasible alternative project design will substantially improve runoff retention. Nevertheless, all new development will be required to infiltrate, retain, or treat, at a minimum, the runoff produced by the 85th percentile 24-hour storm event for volume-based BMPs, or two times the 85th percentile 1-hour storm event for flow-based BMPs.

Thank you for the opportunity to provide comments as part of the finalization of the environmental analysis. Please call if you have any questions regarding this letter.

2-I

Sincerely,


CRISTIN KENYON

Coastal Analyst



Edmund G. Brown Jr.
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Ken Alex
Director

July 12, 2017

Kristen M. Goetz
City of Eureka
531 K Street
Eureka, CA 95501

Subject: Brainard Annexation
SCH#: 2017062022

Dear Kristen M. Goetz:

The State Clearinghouse submitted the above named Negative Declaration 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 July 11, 2017, and the comments from the responding agency (ies) is (are) enclosed. 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."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed 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

Enclosures
cc: Resources Agency

RECEIVED

JUL 14 2017

DEPARTMENT OF
COMMUNITY DEVELOPMENT

3-A

**Document Details Report
State Clearinghouse Data Base**

SCH# 2017062022
Project Title Brainard Annexation
Lead Agency Eureka, City of

Type Neg Negative Declaration

Description California Redwood Company seeks to annex into the city of Eureka four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) and a portion of the Caltrans ROW along Hwy 101, totaling approx 101.1 acres in size. These parcels, identified as APNs 017-081-001, 404-141-004, 017-081-002, and 404-141-003, are located in an unincorporated area of Humboldt County, directly adjacent to the city of Eureka city boundary on three sides, and within the city's sphere of influence.

Lead Agency Contact

Name Kristen M. Goetz
Agency City of Eureka
Phone (707) 441-4166 **Fax**
email
Address 531 K Street
City Eureka **State** CA **Zip** 95501

Project Location

County Humboldt
City Eureka
Region
Lat / Long 40° 48' 46" N / 124° 6' 37" W
Cross Streets Hwy 101 between Indianola and Murray Field Airport
Parcel No.
Township 5N **Range** 1E **Section** **Base**

Proximity to:

Highways 101
Airports Murray Field
Railways UPRR
Waterways Humboldt Bay
Schools
Land Use

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Minerals; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Traffic/Circulation; Water Quality; Water Supply

Reviewing Agencies Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 1E; Department of Parks and Recreation; Department of Water Resources; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 1; Regional Water Quality Control Board, Region 1; Native American Heritage Commission; Public Utilities Commission

Date Received 06/12/2017 **Start of Review** 06/12/2017 **End of Review** 07/11/2017

DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P.O. BOX 3700
 PHONE (707) 441-4693
 FAX (707) 445-6314
 TTY 711
 www.dot.ca.gov



*Serious drought.
 Help save water!*

*clear
 7/11/17
 E*

July 11, 2017

1-HUM-101-81.83 & 81.36
 SCH# 2017062022
 APN: 017-081-01 & -02

Ms. Kristen Goetz
 Senior Planner
 City of Eureka
 531 K Street
 Eureka, CA 95501

Governor's Office of Planning & Research

JUL 11 2017

STATE CLEARINGHOUSE

Dear Ms. Goetz:

Thank you for the opportunity to review and comment on the Negative Declaration for the Brainard Annexation, which would extend water and sewer service to the annexed area and transfer two parcels owned by the California Redwood Company from County of Humboldt to City of Eureka jurisdiction. In addition to the private parcels, two parcels owned by the North Coast Railroad Authority (NCRA) as well as a portion of the U.S. Route 101 right of way would be annexed by the City. The parcels are located between Humboldt Bay and the NCRA Railroad right of way, with access to the parcel provided by an expressway portion of U.S. 101.

We are concerned with both the potential for increasing the intensity of uses at the site and the need to accommodate increasing traffic volumes on U.S. 101 between Eureka and Arcata. Development of the site would place the burden of providing local transportation exclusively upon the State and may be inconsistent with state goals and policies.

Caltrans submitted a comment letter on April 7, 2017 in response to the initial referral for the proposed annexation (enclosed), which identified a number of conditions that would apply to any change in zoning or for new (proposed) uses with different travel characteristics. We recommend that the City keep the identified transportation constraints in mind when facilitating redevelopment at the site. Please refer to the Institute for Transportation Engineers (ITE)'s Trip Generation Manual as a standard for attributing trip generation rates according to land use.

The Negative Declaration does not address a comment made in our previous letter from April 7, 2017: "Caltrans strongly recommends deeding an easement through property APN 017-081-02 for access to APN 017-081-01 at the time of the annexation approval." As mentioned in our previous letter, the California Redwood Company parcels are restricted to one primary point of access with the secondary access being too narrow for two-way traffic. We do not guarantee that a second access will be approved. Failure to dedicate an access easement may impact the potential for development on Assessor's Parcel number 017-081-01.

Ms. Kristen Goetz

7/10/17

Page 2

The existing access does not have acceleration and deceleration lanes for traffic to merge on or off of U.S. 101. The Caltrans project to add or improve acceleration and deceleration lanes on U.S. 101 within the Eureka-Arcata corridor is not fully funded and may not result in improvements at the subject parcel's access. As the lead agency with local land use authority, the City will need to ensure that any redevelopment at the site includes the appropriate improvements for driveway connections to an expressway facility.

Please contact me with questions or for further assistance at <jesse.robertson@dot.ca.gov>.

Sincerely,



JESSE ROBERTSON
Transportation Planning
District 1 Caltrans

Enclosed: Letter to Kristen Goetz, City of Eureka, dated April 7, 2017

c: State Clearinghouse

July 13, 2017

Kristen Goetz
Senior Planner
City of Eureka
531 K Street
Eureka, CA 95501

Subject: LAFCO COMMENTS ON THE INITIAL STUDY FOR THE BRAINARD ANNEXATION TO THE CITY OF EUREKA

Ms. Goetz,

Thank you for the opportunity to comment on the Initial Study for the proposed Brainard Annexation to the City of Eureka. The environmental document will be considered as part of the annexation application to LAFCo, expected to be filed by Resolution of Application by the City of Eureka.

4-A

LAFCo is governed by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH Act"; Government Code Section 56000 et seq.). Under the CKH Act, LAFCo is required to make determinations regarding proposed changes of organization or reorganization (Section 56375). The CKH Act also establishes factors LAFCo considers in making its determinations, including any policies adopted by LAFCo to create planned, orderly and efficient patterns of development (Section 56668). Because of this role and pursuant to Section 21069 of the Public Resources Code, LAFCo is a responsible agency for the proposed Brainard Annexation. Additionally and pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15086, LAFCo is responsible for reviewing and providing comments on the City's environmental document.

4-B

LAFCo has the following comments on the proposed annexation:

- Please describe how the annexation would affect the Humboldt Bay Area Plan and County Urban Limit Line (ULL) boundary. City Ordinance 156.055, Public Works Standards, states "There shall be no extension of urban services (sewer and water) beyond the [ULL] as designated in the Local Coastal Program..." While there are no immediate plans to extend City water and wastewater services to the proposed annexation area, it is assumed that municipal services would only be extended to the Brainard site as future development occurs. An extension of the ULL would require a Humboldt Bay Area Plan Amendment.
- The proposed annexation area includes four Assessor's parcels including three parcels in their entirety and a portion of one addition parcel. Annexations should avoid creating boundaries that are not "definite and certain" or do not conform to lines of assessment or ownership (Section 56668(f)). The City should consider a lot line adjustment or other instrument to avoid creating legal lot remnants.

4-C

4-D

Again, thank you for the opportunity to comment on this project. Please contact me at 445-7508 or execofficer@humboldtlafo.org if you have questions regarding this letter.

4-E

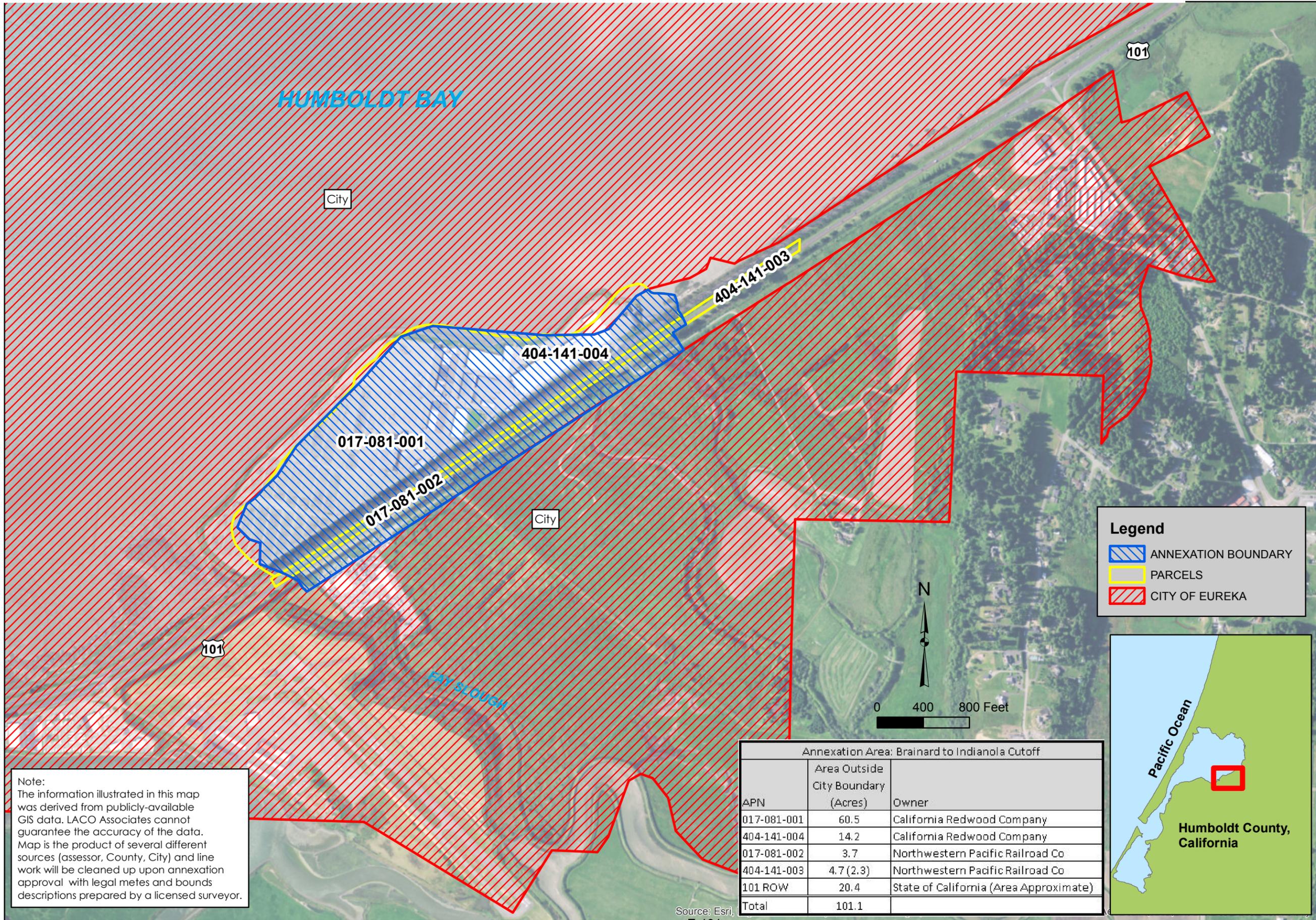
Sincerely,

George Williamson, AICP
LAFCo Executive Officer

APPENDIX B

Revised Figures 1-7

Date: 8/2/2017 Time: 12:04:19 PM
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Note:
 The information illustrated in this map was derived from publicly-available GIS data. LACO Associates cannot guarantee the accuracy of the data. Map is the product of several different sources (assessor, County, City) and line work will be cleaned up upon annexation approval with legal metes and bounds descriptions prepared by a licensed surveyor.

Annexation Area: Brainard to Indianola Cutoff		
APN	Area Outside City Boundary (Acres)	Owner
017-081-001	60.5	California Redwood Company
404-141-004	14.2	California Redwood Company
017-081-002	3.7	Northwestern Pacific Railroad Co
404-141-003	4.7 (2.3)	Northwestern Pacific Railroad Co
101 ROW	20.4	State of California (Area Approximate)
Total	101.1	

Source: Esri, E-101

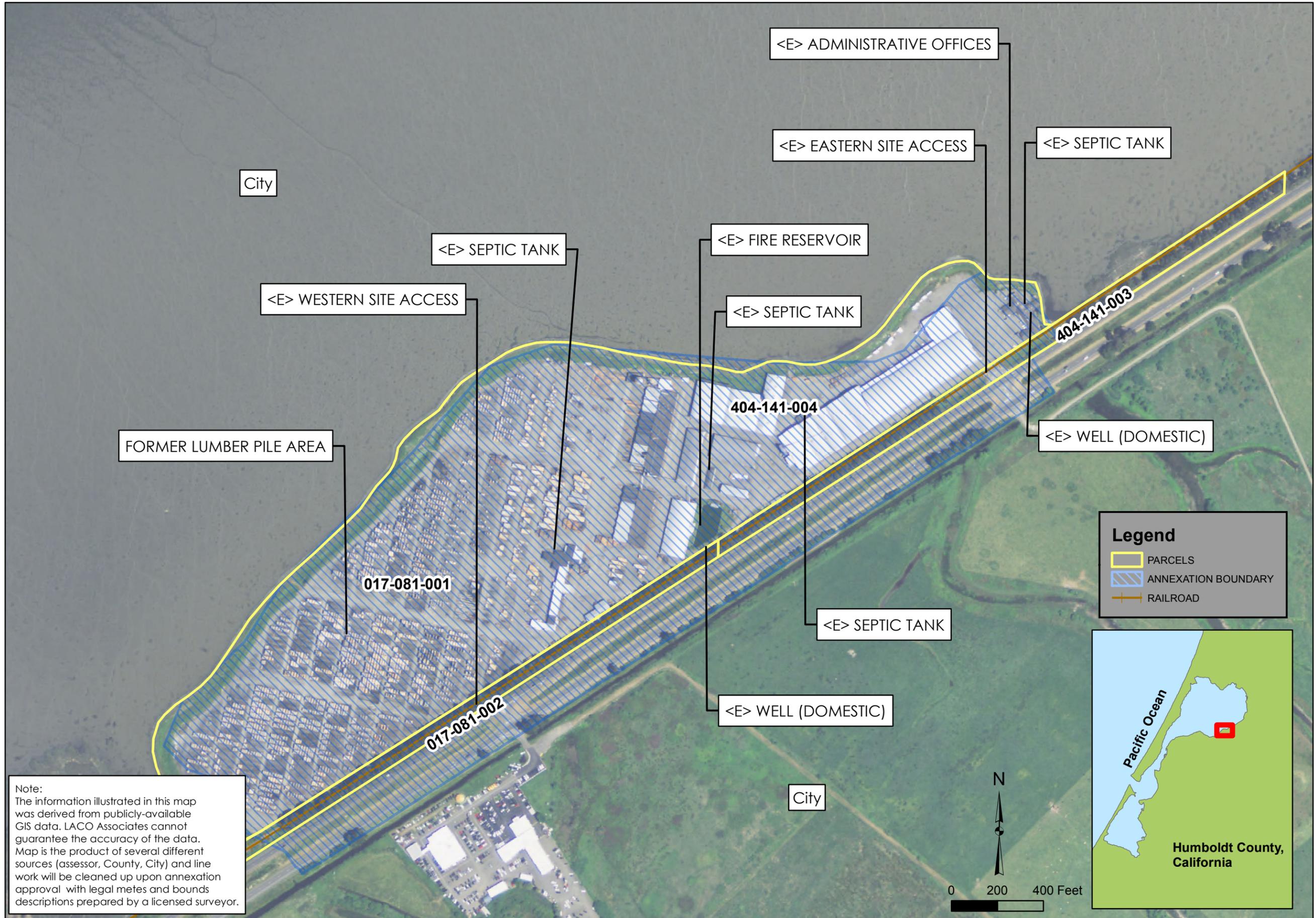
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 www.lacoassociates.com

NO.	HISTORY/REVISION	BY	CHK.	DATE

LOCATION MAP
 BRAINARD ENTITLEMENTS
 5151 HIGHWAY 101, EUREKA, CA 95501
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

DRAWN	BMW
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APPROVED	RSR
DATE	8/2/2017
JOB NO.	7291.26
FIGURE	1

Date: 8/2/2017 Time: 11:39:36 AM
 Path: P:\7200\7291 Green Diamond Co General\7291.26 Brainard Annexation and General Plan\12 Figures_Maps\GIS\Initial Study\7291.26 SITE PLAN FIG 2.mxd



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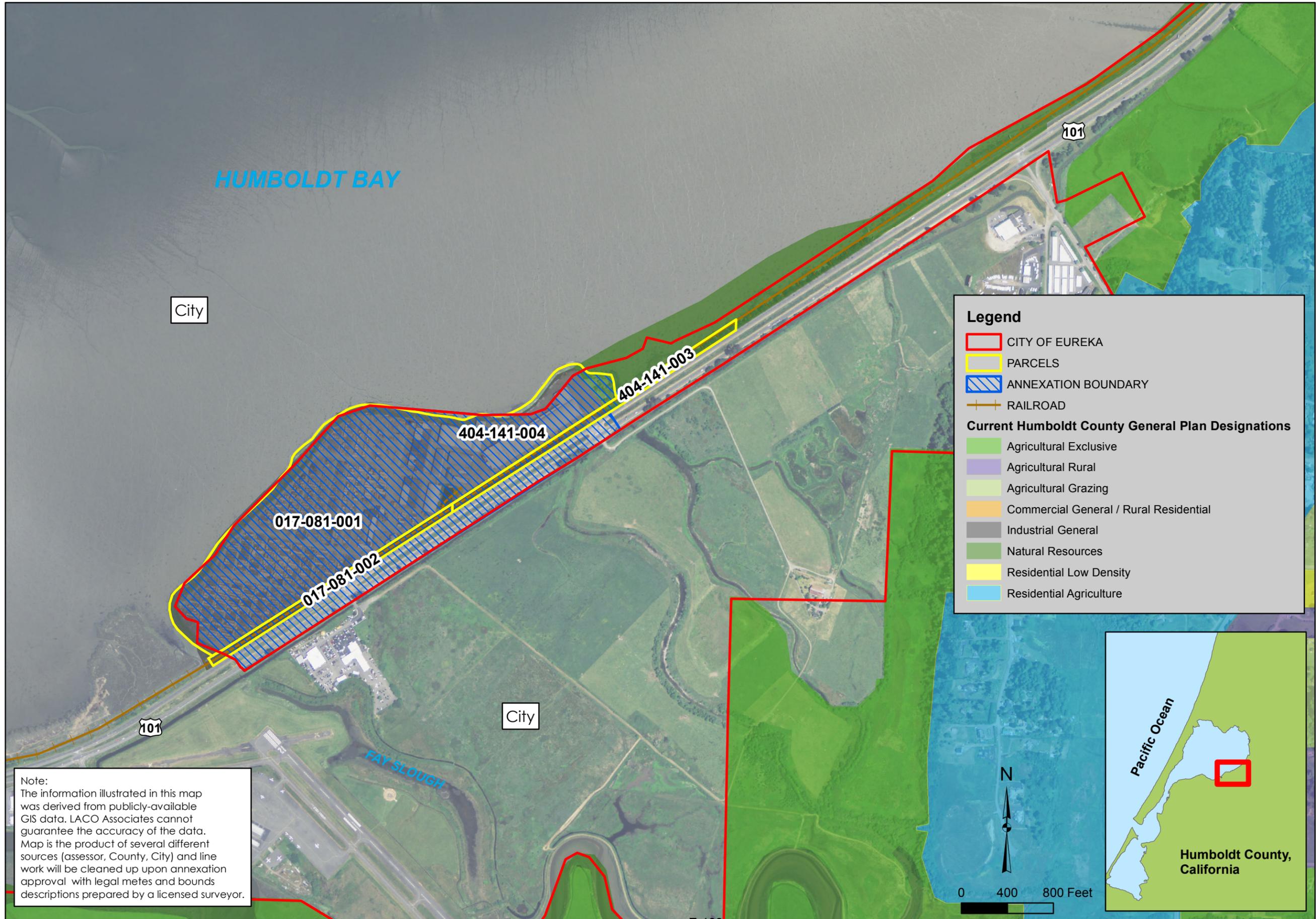
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS PROJECT DESCRIPTION
 5151 HIGHWAY 101, EUREKA, CA 95501
SITE PLAN
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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JOB NO.	7291.26
FIGURE	2

Date: 8/2/2017 Time: 11:34:09 AM
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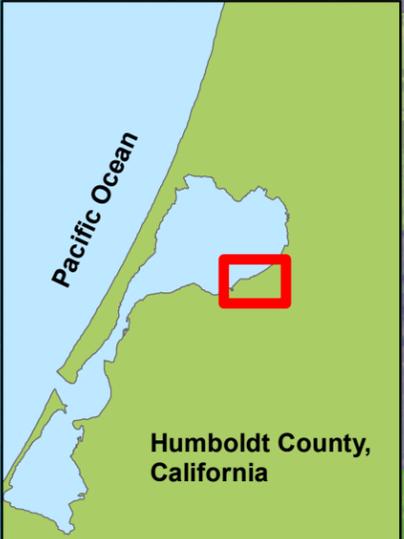
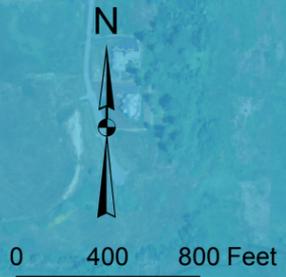
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Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY
- RAILROAD

Current Humboldt County General Plan Designations

- Agricultural Exclusive
- Agricultural Rural
- Agricultural Grazing
- Commercial General / Rural Residential
- Industrial General
- Natural Resources
- Residential Low Density
- Residential Agriculture



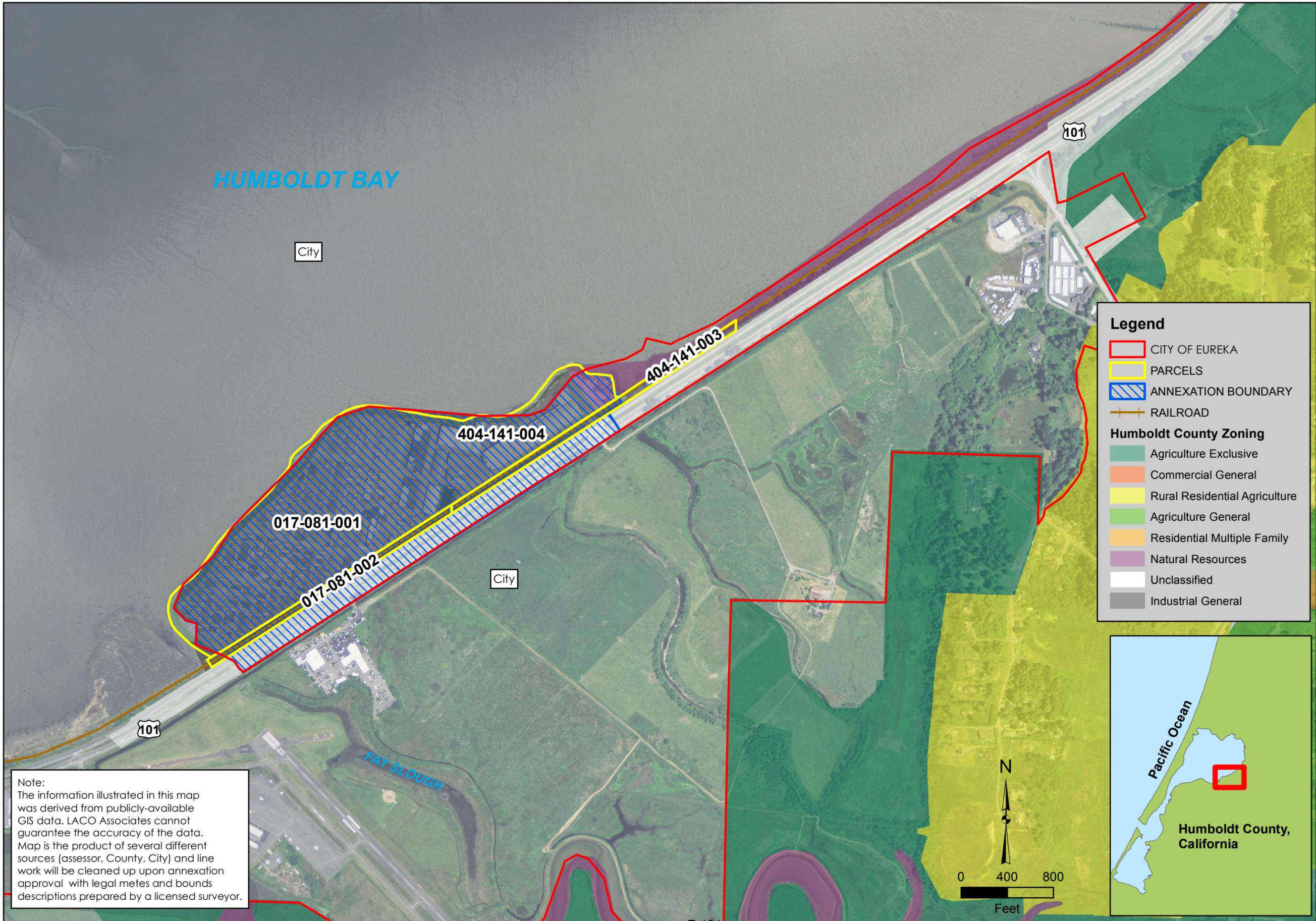
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT HUMBOLDT COUNTY GENERAL PLAN DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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DATE	8/2/2017
JOB NO.	7291.26
FIGURE	3

Date: 8/2/2017 Time: 11:59:59 AM
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Note:
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Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY
- RAILROAD

Humboldt County Zoning

- Agriculture Exclusive
- Commercial General
- Rural Residential Agriculture
- Agriculture General
- Residential Multiple Family
- Natural Resources
- Unclassified
- Industrial General



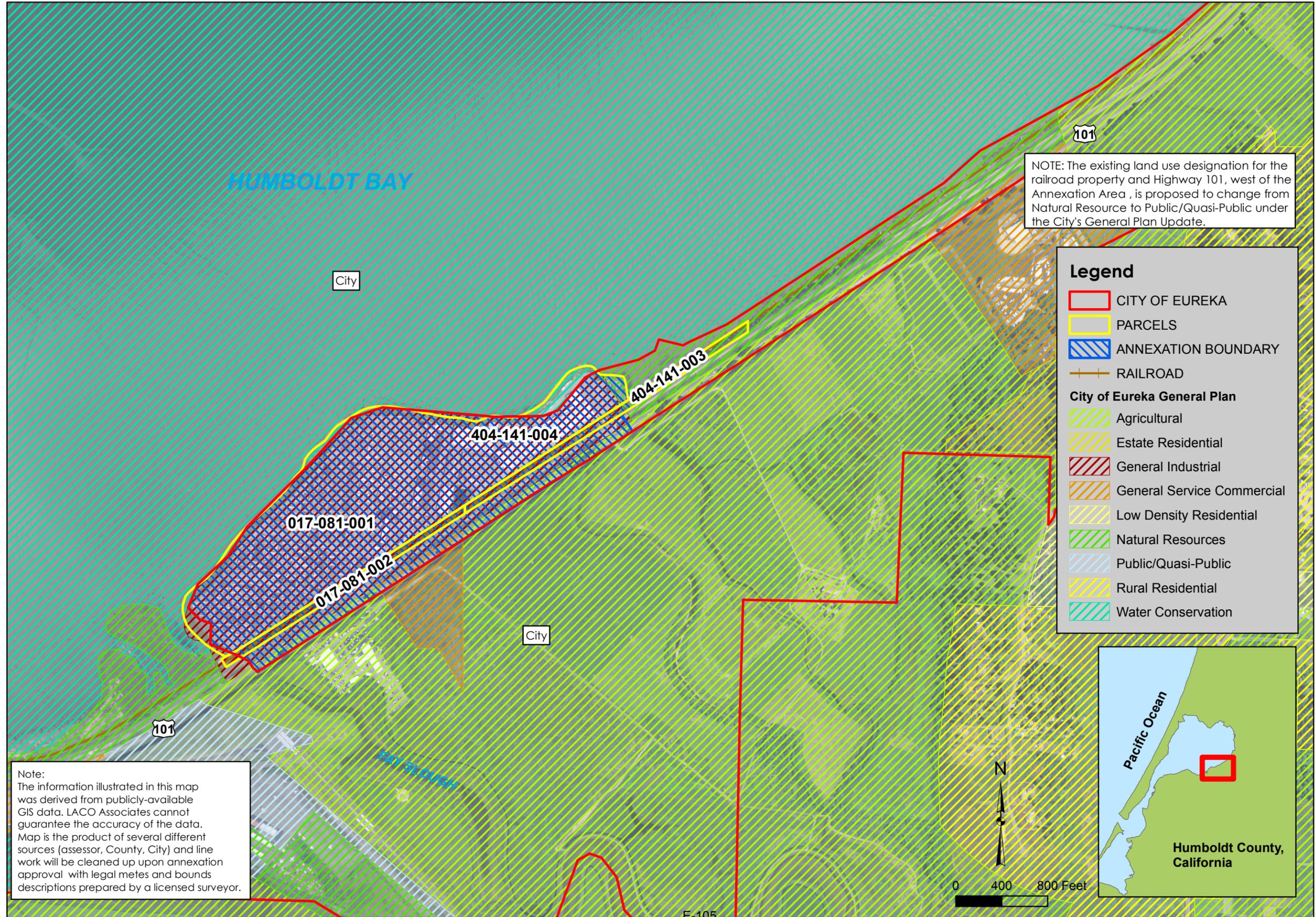
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT HUMBOLDT COUNTY ZONING DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	4

Date: 8/2/2017 Time: 1:20:35 PM
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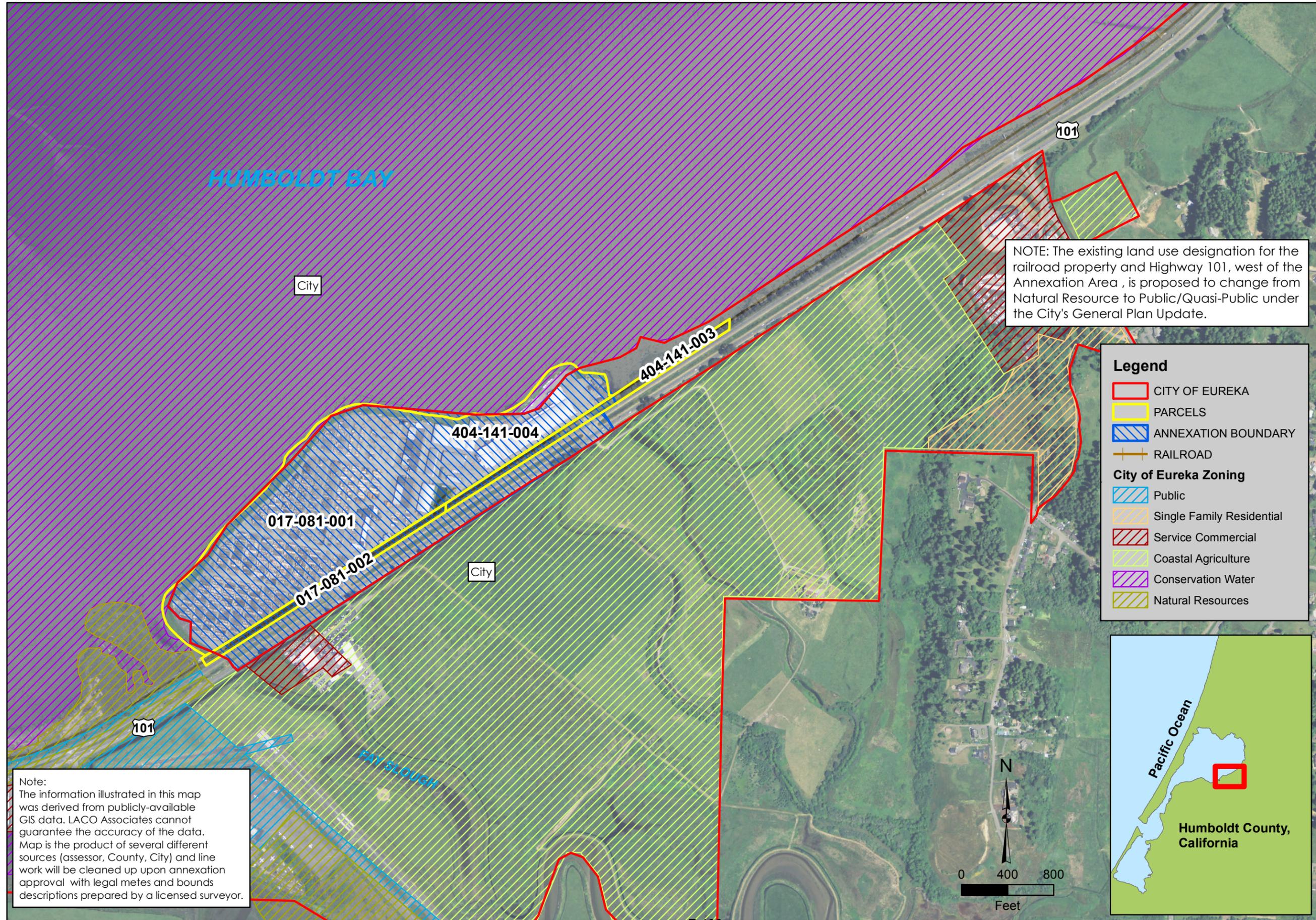
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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT CITY OF EUREKA GENERAL PLAN DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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DATE	8/2/2017
JOB NO.	7291.26
FIGURE	5

Date: 8/2/2017 Time: 1:20:43 PM
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NOTE: The existing land use designation for the railroad property and Highway 101, west of the Annexation Area, is proposed to change from Natural Resource to Public/Quasi-Public under the City's General Plan Update.

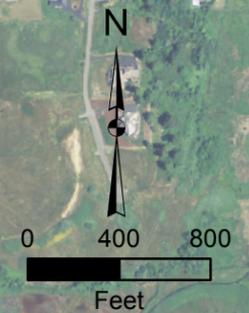
Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY
- RAILROAD

City of Eureka Zoning

- Public
- Single Family Residential
- Service Commercial
- Coastal Agriculture
- Conservation Water
- Natural Resources

Note:
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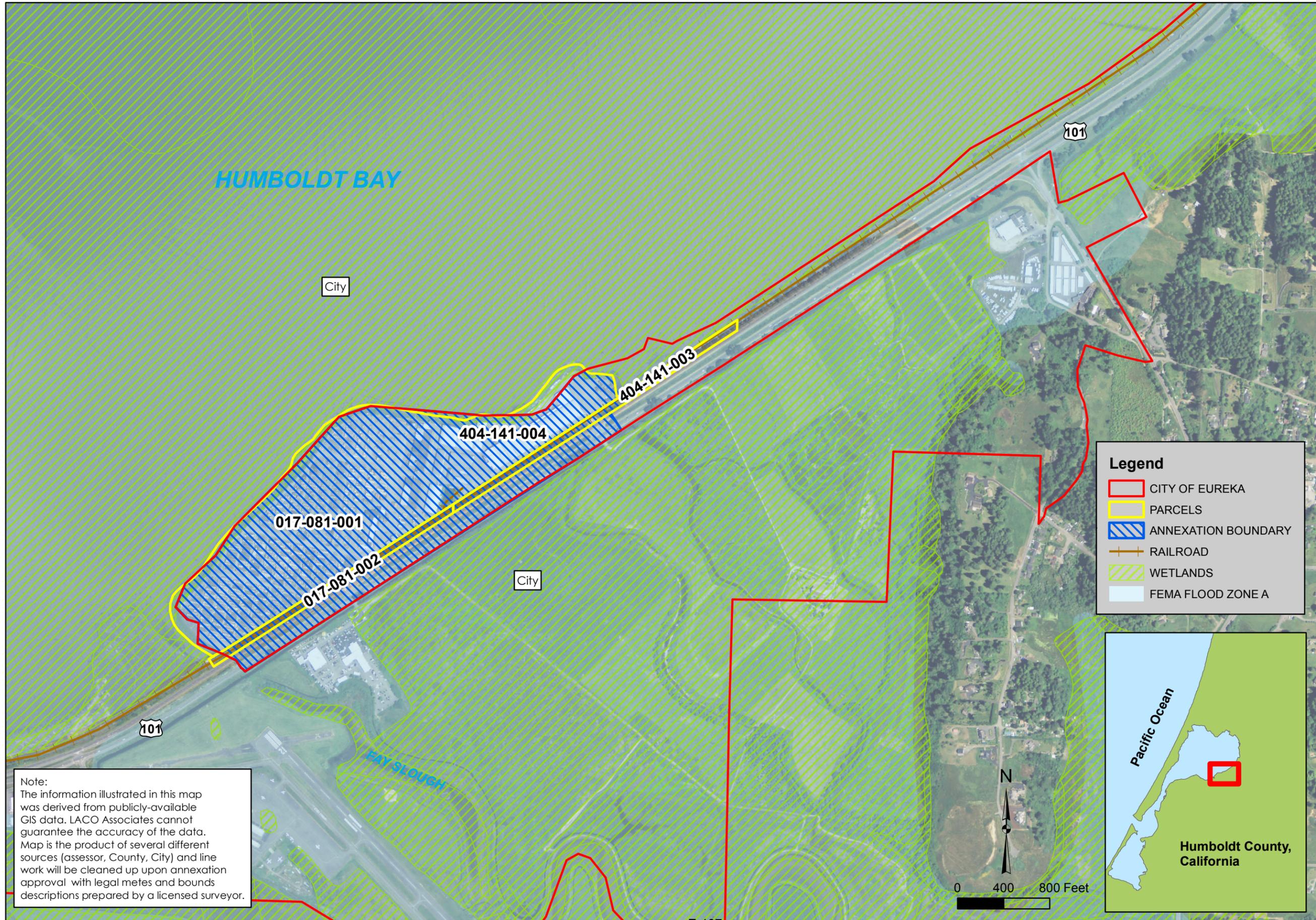
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BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CURRENT CITY OF EUREKA ZONING DESIGNATIONS
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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FIGURE	6

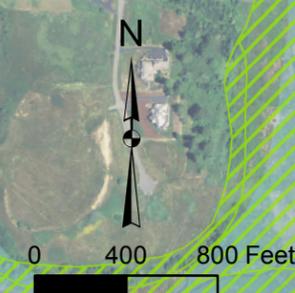
Date: 8/2/2017 Time: 12:03:19 PM
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Note:
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Legend

- CITY OF EUREKA
- PARCELS
- ANNEXATION BOUNDARY
- RAILROAD
- WETLANDS
- FEMA FLOOD ZONE A



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NO.	HISTORY/REVISION	BY	CHK.	DATE

BRAINARD ENTITLEMENTS INITIAL STUDY
 5151 HIGHWAY 101, EUREKA, CA 95501
CONSTRAINTS MAP
 CALIFORNIA REDWOOD COMPANY
 1301 FIFTH AVENUE, SUITE #2700, SEATTLE, WA 98101

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APPROVED	RSR
DATE	8/2/2017
JOB NO.	7291.26
FIGURE	7



**CEQA
NEGATIVE DECLARATION
CITY OF EUREKA**

SCH #: 2017062022

PROJECT TITLE: Brainard Annexation and Local Coastal Program Prezoning Amendment

PROJECT APPLICANT: California Redwood Company

CASE NOS: ANX-16-0001/LCP-16-0007

PROJECT LOCATION: 5151 Highway 101 South; APNs 017-081-001, 404-141-004, 017-081-002 and portion of 404-141-003

CURRENT ZONING AND GENERAL PLAN DESIGNATIONS (COUNTY OF HUMBOLDT): Industrial General with Flood Hazard Areas Combining Zone (MG/F), Natural Resources with Coastal Wetlands and Design Review Combining Zones (NR/WD), and Railroad/ Industrial-General (MG) and Railroad

CURRENT GENERAL PLAN DESIGNATION (CITY OF EUREKA): General Industrial (GI)

PROPOSED ZONING (CITY OF EUREKA): General Industrial (MG)

PROJECT DESCRIPTION: California Redwood Company (CRC) is proposing to annex four Assessor's parcels of unincorporated land (three parcels in their entirety and a portion of one additional parcel) into the City, along with a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in size. The parcels are directly adjacent to the City of Eureka (City) city boundary on three sides, and within the City's Sphere of Influence.

The City's Land Use Plan designates the Brainard Annexation area as General Industrial (GI) and although changes may be made during the General Plan update to designate the Railroad and Caltrans rights-of-way as Public/Quasi-Public (PQP), no changes are proposed to the land use at this time.

Pre-zoning is required to assign the appropriate City zoning district to the area proposed for annexation. In order to pre-zone the parcels, an amendment of the Implementation Plan (IP) map of the adopted and certified Local Coastal Program (LCP) is required. The proposed IP amendment will apply General Industrial (MG) to the zoning district map for the land included in the Brainard Annexation area.

The proposed project consists exclusively of changes to administrative boundaries and does not include any construction, development, or physical changes. **LEAD AGENCY/CONTACT:** City of Eureka, Development Services Department; Kristen M. Goetz, Senior Planner; 531 K Street, Eureka, CA 95501-1165; phone: (707) 441-4160; fax: (707) 441-4202; e-mail: kgoetz@ci.eureka.ca.gov

DATE OF PROJECT APPLICATION: November 21, 2016

DATE OF PROJECT APPROVAL: October 3, 2017

FINDINGS: This is to advise that on October 3, 2017, the City Council of the City of Eureka, as the Lead Agency, approved the project described above, and made the following determinations and findings regarding the project.

1. The City Council found that the proposed project will not have a significant effect on the environment.
2. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. The City Council found that the Negative Declaration was prepared pursuant to the provisions of CEQA.
4. The decision of the City Council to adopt the Negative Declaration was based on the whole record before it (including the initial study and the comments received).
5. The City Council found that the Negative Declaration reflects the City of Eureka's independent judgment and analysis.
6. Mitigation measures were not made a condition of approval of the project.
7. A Statement of Overriding Considerations was not adopted for this project.
8. Findings were not made pursuant to the provisions of CEQA (CCR §15091)
9. The City Council found although the project site is located within two nautical miles of a public airport or public use airport, they determined that the project will not result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.

This is to certify the Development Services Department is the custodian of the documents or other material which constitute the record of proceedings upon which the City Council's decision was based; and that the Negative Declaration and the record of project approval are available to the general public for review during regular office hours at the City of Eureka, Development Services Department, Third floor, 531 K Street, Eureka, CA 95501.

Kristen M. Goetz
Senior Planner
City of Eureka

October 4, 2017
Date

Attachment F

**AN ORDINANCE OF THE CITY OF EUREKA AMENDING THE IMPLEMENTATION
PLAN MAP (ZONING MAP) OF THE ADOPTED AND CERTIFIED LOCAL COASTAL
PROGRAM PREZONING THE PROPERTIES IN THE BRAINARD ANNEXATION
AREA**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF EUREKA AS FOLLOWS:

[

Section 1. Declaration

The City Council of the City of Eureka does hereby find, declare and determine that the following rezoning of the Brainard Annexation area as shown on the attached map labeled Exhibit "A" consisting of four Assessor's parcels (three parcels in their entirety and a portion of one additional parcel) and a portion of the California Department of Transportation (Caltrans) right-of-way (ROW) along State Highway 101 (Highway 101), totaling approximately 101.1 acres in to a General Industrial (GI) zone district, consistent with the existing General Industrial land use plan designation, was duly initiated, that notice of hearing thereon was duly given and published, that public hearings thereon were duly held by the Planning Commission and the City Council and that public necessity and convenience and the general welfare require that the following amendment to the Implementation Plan map (zoning map) be made.

Section 2. Rezoning

The Implementation Plan map (zoning map) of the City of Eureka is hereby amended to prezone the properties included in the Brainard Annexation area to a General Industrial (GI) zone district, consistent with the existing General Industrial (GI) land use plan designation. Said property being shown on the attached Exhibit "A", and effecting Assessor Parcel Numbers 017-081-001, 404-141-004, 017-081-002, 404-141-003, and a portion of State Highway 101

Section 3. Timing

The amendment to the Implementation Plan map (zoning map) will take effect immediately and automatically upon the effective date of the Brainard Annexation as established by the Humboldt County Local Agency Formation Commission.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 17th day of October, 2017 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS
ABSTAIN: COUNCILMEMBERS

Marian Brady, Mayor Pro Tem

Bill No. ____-C.S.
Ordinance No. ____-C.S.
Page 2

THE ABOVE ORDINANCE WAS PRESENTED TO THE MAYOR on the ____ day of _____, 2017,
and hereby approved.

Frank J. Jager, Mayor

Approved as to Administration:

Approved as to form:

Greg L. Sparks, City Manager

Cyndy Day-Wilson, City Attorney

THE ABOVE ORDINANCE WAS ATTESTED BY THE CITY CLERK OF THE CITY OF EUREKA on
the ____ day of _____, 2017.

Pamela J. Powell, City Clerk

Attachment G

RESOLUTION NO. 2017-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA AUTHORIZING THE FILING OF AN ANNEXATION APPLICATION KNOWN AS THE BRAINARD ANNEXATION TO THE HUMBOLDT COUNTY LOCAL AGENCY FORMATION COMMISSION FOR ASSESSOR PARCEL NUMBERS: 017-081-001, 404-141-004, 017-081-002, A PORTION OF PARCEL 404-141-003, AND A PORTION OF THE CALIFORNIA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY ALONG STATE HIGHWAY 101

WHEREAS, the City of Eureka desires to initiate proceedings pursuant to the Cortese/Knox/Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the Brainard Annexation; and

WHEREAS, pursuant to Section 56654 of the California Government Code, notice of intent to adopt this resolution of application was given to the Humboldt County Local Agency Formation Commission, interested agencies and subject agencies at least twenty-one (21) days before the adoption of this resolution; and

WHEREAS, on October 3, 2017, the City Council conducted a public hearing based upon this notification; and

WHEREAS, the principal reasons for the proposed reorganization are to complement the City's Economic Development strategy and, following amendment of the Urban Limit Line to extend City utility services to the site; and

WHEREAS, the territory proposed to be reorganized is uninhabited, and a map delineating the boundaries of the territory is attached hereto as Exhibit A and by this reference incorporated herein; and

WHEREAS, the City has prepared a Plan for Services that addresses the City's short- and long-term plans for providing water and sewer infrastructure to the newly annexed territory; and

WHEREAS, based on the complete record, including the Initial Study, comments regarding the Initial Study, and responses to such comments, Council determines that the proposed project will not have a significant effect on the environment and adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting program prepared for the project.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Eureka, that:

1. This Resolution of Application is hereby adopted and approved and the Local Agency Formation Commission of Humboldt County is hereby requested to take proceedings in

the matter of the annexation of territory as authorized and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The Plan for Services is hereby approved.

3. Staff is directed to submit an application for annexation for the Brainard Annexation consisting of Assessor Parcel Numbers: 017-081-001, 404-141-004, 017-081-002, a portion of parcel 404-141-003, and a Portion of the California Department of Transportation Right-Of-Way along State Highway 101 identified in Exhibit A, attached hereto and incorporated herein, to the Humboldt County Local Agency Formation Commission.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 3rd day of October, 2017 by the following vote:

AYES: COUNCILMEMBERS
NOES: COUNCILMEMBERS
ABSENT: COUNCILMEMBERS

Frank J. Jäger, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Greg L. Sparks, City Manager

Cyndy Day-Wilson, City Attorney