



CITY OF EUREKA
DEVELOPMENT SERVICES DEPARTMENT
Rob Dumouchel, Interim Director

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NOTICE OF PUBLIC HEARING

EUREKA CITY COUNCIL

NOTICE IS HEREBY GIVEN that the Eureka City Council will hold a public hearing on **Tuesday, July 7, 2020**, at 6:00 p.m., or as soon thereafter as the matter can be heard. Pursuant to Executive Order N-29-20, by Governor Gavin Newsom, this meeting will be conducted telephonically through Zoom. Please be advised that pursuant to the Executive Order and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, City Hall will not be open for the meeting.

Project Title: Reduction or Removal of Public Parking at 8th and G Street Public Parking Lot to Facilitate to an Affordable Housing Project

Project Applicant: City of Eureka **Case No:** CITY-20-0001

Project Location: 8th and G Streets **APN:** 001-155-005

Project Zoning and Land Use: Downtown (DT) and Downtown Commercial (DC)

Project Description: In December, 2019, the City Council adopted the City's 2019-2027 Housing Element which was certified in March, 2020, by the California Department of Housing and Community Development. The Housing Element contains goals, policies and implementation programs to stimulate the creation of housing within the City limits. Implementation Program *IMP H-34: Affordable Housing on Publicly-owned Properties* requires the City to release a Request for Proposal (RFP) by July, 2020, to develop affordable housing on three (3) City-owned sites, of which, the 8th and G Streets (APN 001-155-005) is a public parking lot purchased with funds from the City's Parking Assessment District. As a result, the 8th and G Street lot requires a public hearing to reduce or remove public parking to support development of a future affordable housing project on this site.

The public is invited to participate in the following manner:

1. You can view the City Council meetings live on the City of Eureka's website at www.ci.eureka.ca.gov or on Cable Channel 10. To view from the website, select Agendas, Meeting and Videos on the home page.
2. Members of the Public who wish to speak and be heard during the Council meeting, must submit their phone number and the name of the item that they would like to comment on by e-mail to cityclerk@ci.eureka.ca.gov or leave a message at 707.441.4175. The City Clerk will call the public member during the discussion of the item.

3. If you don't want to call in during the meeting, please submit your comment via email to the City Clerk at cityclerk@ci.eureka.ca.gov or you may leave a message at 707.441.4175 prior to 4:00 p.m. on Tuesday, July 7, 2020 to ensure that Council receives your comment before the meeting. All comments received by e-mail or mail will be part of the public record for Council consideration but will not be read aloud during the meeting.

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 or written correspondence received during or prior to the public hearing. Accommodations for handicapped access to City meetings must be requested of the City Clerk, 441-4175, five working days in advance of the meeting. The project file is available for review at the Development Services Department. If you have questions regarding the project or this notice, please contact Caitlin Castellano, Senior Planner, ccastellano@ci.eureka.ca.gov or (707) 268-5265.



AGENDA SUMMARY EUREKA CITY COUNCIL

TITLE: Affordable Housing Projects on City-owned Sites

DEPARTMENT: Development Services

PREPARED BY: Caitlin Castellano, Senior Planner

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

1. Receive report;
2. Hold a Public Hearing;
3. Provide direction; and
4. Adopt "A Resolution of the City Council of the City of Eureka authorizing the reduction or removal of public parking at three public parking lots to facilitate development of Affordable Housing Projects".

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

2040 General Plan's 2019-2027 Housing Element:

- IMP H-34: Affordable Housing on Publicly-owned Properties.

DISCUSSION

The City's 2019-2027 Housing Element was adopted by the Eureka City Council on December 17, 2019, and certified by the California Department of Housing and Community Development on March 16, 2020. The 2019-2027 Housing Element contains seven (7) goals, 77 policies and 35 implementation programs, which were developed based on five (5) strategies, to stimulate the creation of housing within the City limits.

To implement *IMP H-34: Affordable Housing on Publicly-owned Properties*, the City will release Requests for Proposal (RFPs) over the next several years with the goal of developing at least 315 deed-restricted affordable units by 2028, in order to meet the goals of the 2019-2027 Housing Element. Additionally, this program implements the following policies of the 2019-2027 Housing Element: H-2.19 (Public Private

Partnerships), H-6.1 (Safe and Stable Housing), H-6.2 (Prohibit Discrimination), H-6.3 (Non-Profit Service Providers), H-6.4 (Fair Housing Choices), and H-7.2 (End Homelessness).

Staff has prepared a comprehensive RFP package (see Attachment 1) to solicit affordable housing on the first three (3) City-owned sites pursuant to IMP H-34, which is set to be released in mid-July 2020. Staff seeks a determination whether: 1) public parking at each site can be reduced or removed, and 2) each site should be sold or leased, to support development of future affordable housing projects on each City-owned site.

Public Parking Reduction or Removal

The City is proposing to allow development on three (3) City-owned sites currently developed as public parking lots. According to Public Works' Traffic Engineering Division, parking lot data for each site is as follows:

1. Sunny and Myrtle (APN 006-181-001)
 - a. Number of parking spaces: approximately 19.
 - b. Utilization rate: no utilization surveys have been completed as this lot has very low usage, and examination of old Google Earth aerial and street views confirm this assessment.
2. 8th and G (APN 001-115-500)
 - a. Number of parking spaces: 41 spaces, plus two ADA-compliant spaces.
 - b. Utilization rate: the average occupancy rate was 11% in 2019, 16% in 2017, and 15% in 2015.
3. 6th and M (APNs 001-233-007 & -006)
 - a. Number of parking spaces: 33 spaces, plus one ADA-compliant space.
 - b. Utilization rate: the average occupancy rate was 86% in 2019, 90% in 2017, and 95% in 2016.

In order to maximize the available area on each site for development of affordable housing, a developer may desire to reduce or remove the on-site public parking. The determination of whether ground-level public parking will be preserved at each site, needs to be made by the City Council on a site-by-site basis, prior to the release of the RFP.

While both the Sunny and Myrtle, and 8th and G sites have low utilization rates that can easily justify removal of public parking, the 6th and M site has significant utilization and will impact on-street parking. However, the Public Works' Traffic Engineering Division indicated there is likely street parking capacity to absorb the public parking occupancy of the 6th and M site. It is also well served by alternative transportation options with easy access to bus stops, and bike lanes. While no off-street parking is required for new residential units that are deed restricted to households earning 50 percent or less of the Humboldt County area median income pursuant to Eureka Municipal Code Sec. 155.324 – Parking, alternative transportation options are also available, such as providing bus passes to tenants, and encouraging utilization of the City's bicycle facilities and other transportation options.

Staff recommends allowing parking to be reduced or eliminated at each site in order to ensure the best possible outcome of the RFP, which is to ensure development of affordable housing happens. Up to 96 parking spaces may be eliminated with this option, but if the RFP process is successful, a minimum of 60 affordable units will be constructed between each site, and the City will promote active/collective modes of transport, such as walking, biking, transit and car shares, which can help the City meet greenhouse gas emission targets. Further, given the nature of the proposed project, to provide new affordable housing, the overall benefit to the community should far outweigh any impacts created by the increased on-street parking demand.

A public hearing is not required to reduce or eliminate public parking at the Sunny and Myrtle, or 6th and M sites; however, the 8th and G site does require a public hearing because it was purchased with funds from the City of Eureka's Parking Assessment District (PAD).

The PAD was created in 1954 and encompassed most of the City's central business district. During that time, the City Council approved issuance of bonds for the acquisition and construction of off-street parking facilities, and in 1955, a bond was formally issued and the City began to acquire and develop parking lots. After several lots were constructed with bond funds, the City was then able to purchase more lots on a pay-as-you-go basis from surplus parking revenues. In 1964, after 8 parking lots¹ were developed, the bonds were retired. Although the PAD is no longer collecting assessments, any public parking lot purchased with funds from the PAD must go through a public hearing process prior to allowing a developer to reduce or remove the public parking.

Lease or Sell Sites for Affordable Housing

Since the City owns the parking lots, Council will need to determine whether a site should be sold or leased to a developer later in the process. Leasing of any of the lots would entail negotiation of a long-term land lease once a developer is selected. Selling the property would entail completing the surplus property process. Council could decide to surplus the property now, and Staff could begin the surplus process during the RFP process. Or, Council could allow prospective Developers to propose whether they desire to purchase or lease a property in their response to the RFP. Staff recommends being flexible by giving Developers the option to choose whether to purchase or lease, which may help ensure a sufficient pool of RFP responses is received, and give the City of Eureka the best chance of developing affordable housing.

REVIEWED AND APPROVED BY:

- City Attorney
- City Clerk/Information Technology
- Community Services

¹ NE corner of Eighth & G: 42 spaces; NW corner of Fifth & D: 40 spaces; N of Third between G & H: 80 spaces; NW corner of Third & D: 40 spaces; Third & I: 32 spaces; Third between F & G: 40 spaces; Second & H: 48 spaces; Second & D: 40 spaces.

- Development Services
- Finance
- Fire
- Human Resources
- Police
- Public Works

Attachments:

Attachment 1. City Council Resolution

Attachment 2. Draft Request for Proposal Package for Affordable Housing on City-owned Sites

RESOLUTION NO. 2020-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EUREKA AUTHORIZING
THE REDUCTION OR REMOVAL OF PUBLIC PARKING AT THREE PUBLIC
PARKING LOTS TO FACILITATE AFFORDABLE HOUSING PROJECTS**

WHEREAS, the City's 2019-2027 Housing Element was adopted by the Eureka City Council on December 17, 2019, and certified by the California Department of Housing and Community Development on March 16, 2020; and

WHEREAS, the 2019-2027 Housing Element contains seven (7) goals, 77 policies and 35 implementation programs, which were developed based on five (5) strategies, to stimulate the creation of housing within the City limits; and

WHEREAS, *IMP H-34: Affordable Housing on Publicly-owned Properties* requires the City to release Requests for Proposal (RFPs) over the next several years with the goal of developing at least 315 deed-restricted affordable units by 2028; and

WHEREAS, an RFP for affordable housing on three (3) city-owned lots must be released by July, 2020; and

WHEREAS, the City-owned public parking lots at 8th and G Streets (APN 001-155-005), Sunny and Myrtle Avenues (APN 006-181-001), and 6th and M Streets (APNs 001-233-006 and 001-233-007) are key to the development of affordable housing; and

WHEREAS, in order to maximize the available area on each site for development of affordable housing, a developer may desire to reduce or remove the on-site public parking; and

WHEREAS, the public parking lot at 8th and G Streets (APN 001-155-005) is within the City of Eureka's Parking Assessment District; and

WHEREAS, the public parking lot at 8th and G Streets (APN 001-155-005) was purchased in 1955 with funds from the City of Eureka's Parking Assessment District; and

WHEREAS, because the 8th and G Street lot was purchased with funds from the Parking Assessment District, a public hearing is required to reduce or remove public parking to support development of a future affordable housing project on this site; and

WHEREAS, the City Council of the City of Eureka did hold a duly noticed Public Hearing at City Hall in the City of Eureka on July 7, 2020, at 6:00 PM, telephonically through Zoom; and

WHEREAS, the following findings of fact are based on, available records and staff research and analysis:

FINDING 1: The reduction or removal of Public Parking on the lots at 8th and G Streets (APN 001-155-005), Sunny and Myrtle Avenues (APN 006-181-001), and 6th and M Streets (APNs 001-233-006 and 001-233-007) to facilitate Affordable Housing Projects is consistent with the 2019-2027 Housing Element's *IMP H-34: Affordable Housing on Publicly-owned Properties*, which is also consistent with the 2040 Eureka General Plan.

FINDING 2: Both the Sunny and Myrtle Avenue (APN 006-181-001) site, and 8th and G Streets (APN 001-155-005) site have low parking utilization rates and nearby streets can accommodate the increased on-street parking demand.

FINDING 3: Although the 6th and M site has significant utilization, the benefit to the community to provide affordable housing outweighs potential impacts to nearby on-street parking demand.

FINDING 4: A combined total of 96 public parking spaces may be eliminated, but a combined minimum of 60 affordable units is required to be constructed, and the City will promote active/collective modes of transport, such as walking, biking, transit and car shares, which can help the City meet greenhouse gas emission targets.

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

1. The City Council of the City of Eureka hereby approves the reduction or removal of public parking at the 8th and G Streets (APN 001-155-005), Sunny and Myrtle Avenues (APN 006-181-001), and 6th and M Streets (APNs 001-233-006 and 001-233-007) parking lots to facilitate development of Affordable Housing Projects.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Eureka in the County of Humboldt, State of California, on the 7th day of July, 2020 by the following vote:

AYES: COUNCILMEMBERS

NOES: COUNCILMEMBERS

ABSENT: COUNCILMEMBERS

Susan Seaman, Mayor of the City of Eureka

Attest:

Pamela J. Powell, City Clerk

Approved as to Administration:

Approved as to form:

Pamela J. Powell, Acting City Manager

Robert N. Black, City Attorney



CITY OF EUREKA, CALIFORNIA

REQUEST FOR PROPOSAL (RFP)

Project: AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

Description: Purchase or Lease, and Develop Affordable Housing on City-Owned Sites:

Site #1: Sunny and Myrtle Avenues APN: 006-181-001

Site #2: 8th and G Streets APN: 001-155-005

Site #3: 6th and M Streets APNs: 001-233-006 and -007

**Contact Person: Caitlin Castellano, Senior Planner
Development Services Department
City of Eureka, 531 K Street, Eureka, CA 95501
Phone: (707) 441-4160
Email: planning@ci.eureka.ca.gov**

Critical Dates and Deadlines

RFP Announcement Released: 7/10/2020 (Friday)

Optional Pre-submittal Zoom Meeting: 8/5/2020 (Wednesday); 1:30 p.m.-2:30 p.m.
Zoom meeting ID: TBD;
Password: TBD

Deadline for Submittal of Questions: 8/7/2020 (Friday)

Addendum #1 (answers to questions): 8/14/2020 (Friday)

Proposal Submittal Deadline: 9/11/2020 (Friday) (No Later than 4:00 p.m.)

Selection Panel Review: 9/30/2020 (Wednesday)

Council Action to Award: 10/20/2020 (Tuesday)

NOTICE OF REQUEST FOR PROPOSAL**City of Eureka Bid#: 2020-16****PROJECT TITLE: AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES**

The City of Eureka (hereinafter "CITY") is issuing a Request for Proposal for a qualified Developer(s) to purchase or lease and develop affordable housing on one, two, or three City-owned sites:

- a. Site #1 is an approximately 0.4-acre (17,487 square foot) property located at 1310 Myrtle Avenue at the southeast corner of Sunny and Myrtle Avenues (APN: 006-181-001).
- b. Site #2 is an approximately 0.33-acre (14,400 square foot) property located at the northeast corner of 8th and G Streets (APN: 001-155-005).
- c. Site #3 is an approximately 0.3-acre (13,200 square foot) property located at the northwest corner of 6th and M Streets (APNs: 001-233-006 and -007).

The CITY will receive proposals in the Finance Department, 531 K Street, Eureka, California, 95501, no later than **4:00 PM, Tuesday, October 20, 2020**.

2. The CITY is seeking interested parties to purchase or lease any or all of the subject sites and develop mixed-use projects with multiple units of affordable housing and related amenities. The CITY's preferred concept is a well-designed, -operated, and -maintained, high-quality, mixed-income, multi-unit residential or mixed-use complex that contributes to the CITY's 2019-2027 Housing Element goals and objectives, and is an asset to the overall community.
3. The services to be performed by the successful proposer are described in the Request for Proposal. Copies of the Request for Proposal are available on the City's website at: <http://www.ci.eureka.ca.gov/depts/pw/engineering/bids.asp>. For more information you may contact:

Caitlin Castellano, Senior Planner
Development Services Department
City of Eureka, 531 K Street, Eureka, CA 95501
Phone: (707) 441-4160
Email: planning@ci.eureka.ca.gov
4. All responsive proposals will be reviewed and evaluated by the CITY to determine which proposals best meet the CITY's needs for the PROJECT. The criteria by which the CITY will evaluate the proposals are set forth in the Scope of Work.
5. The CITY reserves the right to reject any and all proposals or waive any irregularities in any proposal or the proposal process.
6. The CITY is not responsible for any costs incurred in the preparation of proposals and/or any work rendered by a firm prior to the contract award.

Rob Dumouchel
Interim Development Services Director

Date

BACKGROUND INFORMATION

The City of Eureka (hereinafter “City”) maintains a long-term commitment to the provision of affordable housing. In conformance with State Housing Element law, specifically, California Government Code 65580 et. seq., the City’s 2019-2027 Housing Element was adopted by the Eureka City Council on December 17, 2019, and certified by the California Department of Housing and Community Development on March 16, 2020, and contains five strategies to stimulate the creation of housing within the City limits:

1. ***Maximize Development Potential of the Few Remaining Vacant and Underutilized Sites [emphasis added]***
2. Accessory Dwelling Units (ADUs)
3. Internal Conversions
4. Small-lot Subdivisions and Conservation Subdivisions
5. Geographically-Dispersed Affordable Housing Through Affordable-by-design Incentives and Local Density Bonuses

Goals and policies were developed based on these strategies, along with an Implementation Plan designed to utilize these strategies and achieve the City’s goals to create new housing. Housing Element Implementation Plan H-34 proposes the creation of affordable housing on publicly-owned property in response to Goal 1. The City identified 12 potential sites, including nine (9) City-owned parking lots, a City-owned property adjacent to the Cooper Gulch Recreation Center, one surplus property owned by Caltrans, and the Sheriff’s Woodlot just south of the Eureka Dog Park. The City will release Requests for Proposal (RFPs) over the next several years with the goal of developing at least 315 deed-restricted affordable units by 2028, in order to meet the goals of the 2019-2027 Housing Element.

The City has identified the minimum number of units with specific affordability levels for each site. Cumulatively, the minimum number of affordable housing units to be built as a result of this RFP is 60, of which, 45 must be very-low-income (VLI) units and 15 must be low-income (LI) units. Deed restrictions must be recorded to ensure sustained affordability.

The three (3) sites scheduled for affordable housing development through the issuance of this RFP are the following City-owned sites, currently all parking lots, with listed minimum required affordable units and zoning:

- **Site #1 (Sunny and Myrtle)**
 - An approximately 0.4-acre (17,487 square foot)¹ property located at 1310 Myrtle Avenue at the southeast corner of the intersection of Sunny Avenue and Myrtle Avenue (APN: **006-181-001**).
 - Minimum required affordable units: 15 VLI and 5 LI.
 - Zoning: NC (Neighborhood Commercial)

¹ Site area calculated by staff, and based on information from the preliminary title report.

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

- **Site #2 (8th and G)**
 - An approximately 0.33-acre (14,400 square foot) property located at the northeast corner of 8th and G Streets (APN: **001-155-005**).
 - Minimum required affordable units: 15 VLI and 5 LI.
 - Zoning: DT (Downtown Commercial)
- **Site #3 (6th and M)**
 - An approximately 0.3-acre (13,200 square foot) property located at the northwest corner of 6th and M Streets (APNs: **001-233-006** and **001-233-007**).
 - Minimum required affordable units: 15 VLI and 5 LI.
 - Zoning: DT (Downtown Commercial)

Number of Bedrooms:

To ensure the affordable housing units meet the needs of the various household sizes found in Eureka, the following ratios are to be used when determining the number of bedrooms, which are based on existing household size found in Eureka (See Table 5 in the Housing Element Technical Appendix). These ratios do not apply to market-rate units.

- Studio or 1-Bedroom Apartments: No more than 70 percent
- 2-Bedroom Apartments: At least 25 percent
- 3- to 5-Bedroom Apartments: At least 5 percent

Encourage Mixed-Income and Mixed-Use Developments:

This City will prioritize projects that include a diversity of housing units such as Affordable-by-design studios, student housing, condominiums, and/or luxury penthouses. Mixed-use components such as corner stores, ground level or rooftop bars/restaurants, or child care facilities will also strengthen the application. The most strongly weighted scoring criterion will be the overall number of housing units.

Maximize Development Potential:

The City specified a minimum Floor Area Ratio (FAR) for each site to ensure that full development potential is realized. Proposals that meet the minimum unit number threshold, but not minimum FAR, will need to be augmented to be selected. Additional FAR can be achieved by adding additional affordable and/or market-rate units or office/commercial floor area. Eureka Municipal Code (EMC) 155.112.050 provides the rules to measure FAR. The minimum FAR for each site is as follows:

- **Site #1 (Sunny and Myrtle):** 2.0 (34,974 square foot building)
- **Site #2 (8th and G):** 3.0 (43,200 square foot building)
- **Site #3 (6th and M):** 3.0 (39,900 square foot building)

Exterior Design:

All development associated with this program must comply with the objective design standards contained in EMC Section 155.312. These regulations require varying levels of architectural detail with regard to façade/roof articulation and materials and, all projects will go before the Design Review Committee for further refinement prior to approval.

Active Transportation and Transit Focused/Reduced Green House Gas Emissions:

The City will select proposals that clearly indicate ways in which residents will be encouraged and incentivized to use active/collective modes of transport, such as walking, biking, transit, or car shares. Examples of this include convenient/secure bicycle parking, complimentary annual bus passes provided to each resident, or an on-site car share facility. Measures such as these will help the City meet greenhouse gas emission targets by providing the residents a realistic alternative to conventional motor vehicle usage.

Off-street Parking:

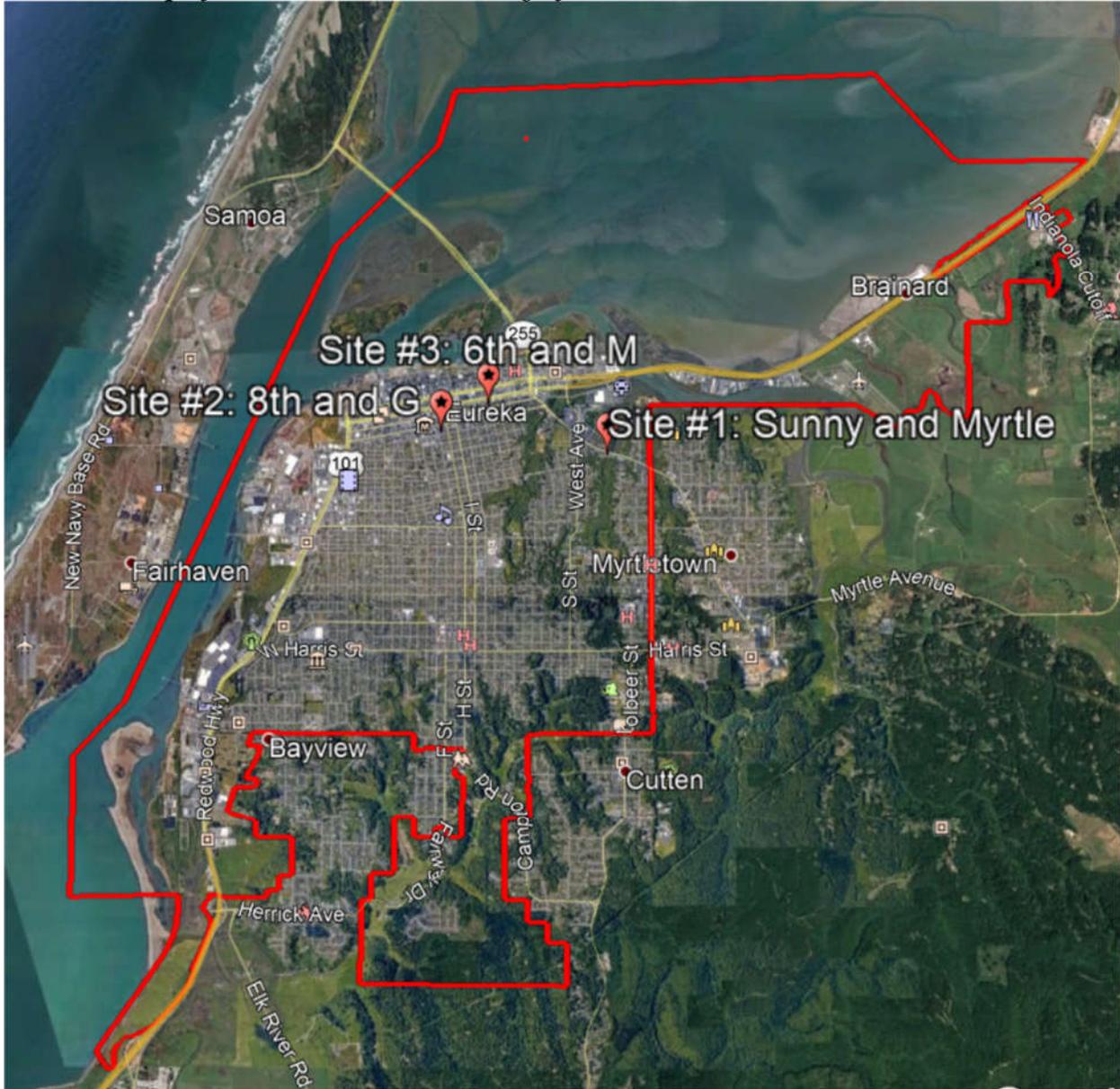
The City recognizes the success of the H-34 implementation program and development of affordable housing through the RFP process may include the ability to construct housing with little to no on-site parking spaces. Given the ample transit and nearby jobs/services, all of the proposed sites could potentially be planned as parking-less developments that can coexist harmoniously with the existing neighborhood.

Parking requirements, exemptions, and reductions are contained in EMC 155.324.020, 155.324.030 and 155.324.040. Several examples of parking exemptions/reductions are listed below and may be applied to all sites unless otherwise noted:

- **Affordable-by-Design Units:** Residential units smaller than 500-square feet (i.e. Affordable-by-design) are exempt from the requirement to provide on-site parking by EMC § 155.324.020.B.2.
- **Deed-Restricted Affordable Units:** Deed-restricted affordable units (50 percent or less of the County AMI), are exempt from the requirement to provide on-site parking by EMC § 155.324.020.B.3.
- **Market Rate Units:** Any market-rate units at each site are required to provide on-site parking per EMC § 155.324.030, unless reduced by EMC § 155.324.040 (Reductions and Alternatives to Automobile Parking). Reductions may be available for features such as proximity to a bus stop or existing class II bike lanes, etc. Additionally, up to eight (8) required parking spaces for market rate units at Site #2 (8th and G) and Site #3 (6th and M) are exempted by EMC § 155.324.020.B.4 (Residential Use Exemptions) because they are located in the Downtown zone district.
- **Commercial Uses:** New construction of commercial uses (e.g. offices, retail, restaurants, etc.) in the Downtown zone district are not required to provide on-site parking per EMC § 155.324.020C.4. Commercial uses for Site #1 Sunny and Myrtle are required to provide on-site parking per EMC § 155.324.030.

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

Location Map of Each Site within the City of Eureka:



Site Descriptions:**Site #1 – Sunny and Myrtle Avenues**

The Sunny and Myrtle site (APN: 006-181-001) is located at 1310 Myrtle Avenue between Sunny Avenue and the Tea Garden Café. The site is generally considered rectangular in shape with low instability² and is approximately 0.4 acres (17,487 square feet)³ in size. The site's frontage on Myrtle Avenue, a major arterial, is 125 feet, and is very well served by transit and has an existing Class II bikeway. The site is located on the Eureka Transit System's green and purple bus routes, and there is a large bus stop/shelter immediately adjacent to the site.

The site is also located less than 0.5 miles from the eastern spur of the 6.3-mile Waterfront/Bay trail, which provides residents trail access to the vast majority of jobs and services in Eureka. Additionally, the middle link of the Humboldt Bay Trail, connecting Eureka and Arcata, has secured funding for its completion starting in 2021, and residents will be able to access it from the Waterfront/Bay trail spur. Completion of this trail will provide a Class I bikeway for travel between the two major employment cities, Eureka and Arcata. The City is currently planning the so-called Bay to Zoo trail, which will provide connectivity between the Waterfront Trail and inland residential and medical areas, terminating near the Sequoia Park Zoo to the south. The Bay to Zoo trail is planned to pass within 0.2 miles of the site.

The existing 18-space parking lot is severely under-utilized and public parking need not be preserved. Surrounding land uses include neighborhood commercial uses (hair salon, restaurants, gas station, etc.) and high-density multi-family and low-density single-family residential uses. A freshwater emergent wetland is just south of the site, and while the site is not in a 500-year flood zone, the wetland is. A Wetland Delineation Report was prepared and included in Exhibit 2. The report concluded a wetland complex exists south of the City-owned site, but not within or immediately adjacent to the parking lot, lawn and hillslope; and, indicated an existing vegetated slope is a suitable buffer to limit potential wetland encroachment. Also, the report included recommendations to enable future development to improve site conditions and increase wetland protection.

The minimum number of affordable units required is 15 VLI and 5 LI, and the minimum required FAR is 2.0 (approximately 34,974 square foot building). The maximum density and number of units are only limited by the FAR, and any applicable development standards, such as parking, height and setbacks, etc.

² Slope Stability information sourced from Humboldt County's Planning and Building Department's WebGIS Hazards data layer, and is used for planning purposes only. All GIS data should be verified before it is materially relied upon for property or project planning.

³ Site area calculated by staff, and based on information from the preliminary title report.

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

Site #1: Sunny and Myrtle (aerial view)



Site #1: Sunny and Myrtle (street view from Myrtle Ave.)



Site #2 – 8th and G Streets

The 8th and G Street site (APN: 001-155-005) is located on the northeast corner of 8th and G Streets with access currently from 8th Street. The site is square in shape, with relative stability⁴ and is approximately 0.33 acres (14,400 square feet) in size. The site has two street frontages: 8th Street (with 120 feet of frontage) and G Street (also with 120 feet of frontage). Both streets are local streets; however, H and I Streets, one and two blocks east, are each one-way major arterials providing north/south travel, and 7th and 6th Streets, one and two blocks north, are each one-way minor arterials providing east/west travel. All four streets are high capacity roadways that accommodate intra-city and sub-regional travel, as well as, serve as the Eureka rainbow (red), gold (yellow) and purple bus routes. Additionally, the Redwood Transit System route is a few blocks north of the site on Highway 101 (4th and 5th Streets).

The existing under-utilized City-owned parking lot is located on the border of the downtown and high-density residential zones. According to parking lot usage data collected in the summer of 2019, the utilization rate of the parking lot is 11 percent. The site is located on the edge of Eureka's downtown area, which puts many jobs and resources within comfortable walking distance. Due to its low utilization rate, it may not be necessary to preserve public parking. Additionally, the site is located within the Parking Assessment District in which non-residential uses are exempt from on-site parking requirements per EMC §155.324.020(C)(5). Surrounding land uses include professional offices, high-density residential (single-family and multi-family dwelling units), car dealership lots and service, a hotel (Eureka Inn), civic institutions, and other commercial and retail services.

The minimum number of affordable units required is 15 VLI and 5 LI, and the minimum required FAR is 3.0 (approximately 43,200 square feet building). The maximum density and number of units are only limited by the FAR, and any applicable development standards, such as parking, height and setbacks, etc.

⁴ Slope Stability information sourced from Humboldt County's Planning and Building Department's WebGIS Hazards data layer, and is used for planning purposes only. All GIS data should be verified before it is materially relied upon for property or project planning.

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

Site #2: 8th and G (aerial view)



Site #2: 8th and G (street view from 8th Street)



Site #3 – 6th and M Streets

The 6th and M Street site consists of two assessor parcel numbers (APNs 001-233-006 and 001-233-007) located on the northwest corner of 6th and M Streets, and is just east of the Humboldt County Veterans Service Office parking lot. The rectangular site is flat with relative stability⁵ and is approximately 0.3-acres (13,200 square feet) in size. The site has two street frontages and alley access: 6th Street (with 120 feet of frontage), M Street (with 110 feet of frontage) and alley (between 5th (Highway 101) and 6th Streets and L and M Streets). Although M Street is a local street, 6th Street is a one-way minor arterial providing west-bound travel, has an existing Class II bike lane, and serves as the Eureka purple bus line with bus stops located at O Street (two blocks east) and L Street (one block west). Also, the rainbow (red) and gold bus lines are several blocks west, and the Redwood Transit route is a one and two blocks north on Highway 101.

The City-owned parking lot is located on the border of the downtown and high-density residential zones. Because of its location on the edge of downtown, many jobs and resources are within comfortable walking distance. The average utilization rate of the lot is 86 percent; therefore, it may be suitable for a development scenario where the ground level is used to preserve public parking. However, there is likely street parking capacity to absorb the public parking occupancy should it not be preserved. Surrounding land uses include high-density residential (single-family and multi-family dwelling units), offices, such as the Times Standard newspaper building and Humboldt Land Title, Civic Institutions, such as Eureka City Hall, and commercial services and retail along Highway 101 to the north.

The minimum number of affordable units required is 15 VLI and 5 LI, and the minimum required FAR is 3.0 (approximately 39,900 square foot building). The maximum density and number of units are only limited by the FAR, and any applicable development standards, such as parking, height and setbacks, etc.

⁵ Slope Stability information sourced from Humboldt County's Planning and Building Department's WebGIS Hazards data layer, and is used for planning purposes only. All GIS data should be verified before it is materially relied upon for property or project planning.

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Site #3: 6th and M (Aerial View)



Site #3: 6th and M (Street View from 6th Street)



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Off-Site Improvements:

The nature and extent of required off-site improvements will be specific to the proposed project. Water and sewer mains are located in the adjoining street rights-of-way and connections will be required. Data regarding existing utilities can be found here: https://www.ci.eureka.ca.gov/depts/development_services/gis_mapping.asp

Click on *Community Development (Parcels, Zoning, Boundaries, Etc.)* under the Interactive Mapping Applications. On right-side of the Web application, activate and expand the *Utility Information Operation Layer* in the Layer List. Search for property with address in upper left-hand corner *search box* or by APN (no spaces) using the magnifying glass in the upper right-hand corner.

Stormwater Requirements:

Stormwater is a valuable resource that the City wants to protect, infiltrate, and reuse. Development at each site is required to comply with post-construction runoff standards detailed in condition E.12 of the state implemented general permit for municipal separate storm sewer systems (MS4 General Permit). The City of Eureka's Stormwater Division in the Public Works Department ensures compliance with the post-construction runoff standards by requiring runoff reduction measures set forth in the Humboldt Low Impact Development (LID) Stormwater Manual. Applicable standards are based on the created or replaced square footage of impervious surface within the project area. Due to the size of the existing sites, future development may be categorized as a Regulated Project, and would be subject to requirements set forth in Part 2 of the Humboldt County LID Stormwater Manual. Additional information can be found here: https://www.ci.eureka.ca.gov/depts/pw/stormwater_division/post_construction_standards.asp.

Flood Hazard Zone:

None of the three (3) properties are within a Flood Hazard area and are shown in the most recent FEMA map as Zone X (unshaded) which includes areas with no or minimal flood hazard. However, Site #1 (Sunny and Myrtle) is adjacent to a shaded Zone X area. According to the FEMA website, areas zoned X (shaded) are moderate flood hazard areas and have a 0.2-percent-annual-chance (or 500-year) of flooding. Although Site #1 is next to an area that may flood, it is considered an area of minimal flood hazard. FEMA Flood Hazard Maps are included in Exhibit 1.

Environmental Review:

The City has determined that the sites may qualify for at least one of the following California Environmental Quality Act (CEQA) exemptions: Class 32 Infill Development Projects (CEQA Guidelines Section 15332), High Density Housing Near Transit (CEQA Guidelines Section 15195); and Affordable Housing Projects (CEQA Guidelines Section 15194). Furthermore, the 2040 Eureka General Plan Environmental Impact Report (EIR) analyzed the impact of the creation of up to 1,886 additional housing units in the City. This is approximately double the 2019-2027 Regional Housing Needs Allocation (RHNA) of 952 units, and as such, demonstrates the potential environmental impacts related to this program are well within the analysis contained in the adopted 2040 General Plan EIR. Should an *Exception* to an Exemption apply and additional environmental review of

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possible site improvements or future uses of the property is needed, City will work with those entities/individuals that are selected, to prepare a new environmental document that tiers off the adopted 2040 General Plan EIR.

Additionally, a wetland delineation has been completed for Site #1 (Sunny and Myrtle, APN 006-181-001) and is included as Exhibit 2. The report concluded a wetland complex exists south of the City-owned site, but not within or immediately adjacent to the area of proposed development, and an existing vegetated slope is a suitable buffer to limit potential wetland encroachment. Additionally, the report included recommendations to enable future development to improve site conditions and increase wetland protection which interested parties are encouraged to incorporate into their proposals.

Furthermore, City Public Works Engineering staff conducted a preliminary evaluation of the proposed development sites (minimum number of units and minimum FAR) and believe most or all traffic/parking related impacts can likely be mitigated by active/public transportation focused measures. City Engineering will evaluate each specific development proposal prior to City approval.

DRAFT

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Summary of Select Zoning/Development Standards:

None of the three (3) sites are within the Coastal Zone. However, Design Review **is required** pursuant to EMC § 155.412.040 to ensure the street-facing facades of any proposed development exhibit required design elements, complement neighboring properties, and contribute to Eureka's distinctive identity and unique sense of place.

While the table below, and information that follows, provide a summary of the City's development standards, interested parties are encouraged to thoroughly review and understand the relevant sections of Chapter 155 of the Eureka Municipal Code (EMC) prior to investing any effort into developing concepts for the site(s). Mock site plans showing basic development standards at each site, as well as maximum footprint allowed by floor scenarios, are included in Exhibits 3 through 5. The City is also willing to consider variances and concessions to development standards as allowed by applicable law.

	Site #1 (Sunny and Myrtle): Neighborhood Commercial (NC)	Site #2 (8th and G) and Site #3 (6th and M): Downtown Commercial (DT)
Minimum Lot Area	No min.	No min.
Maximum Density (du/acre) *	No max.	No max.
Maximum Floor Area Ratio (FAR)		
Minimum	2.0 for this project	3.0 for this project
Maximum	3.0	6.0
Building Height		
Minimum (stories)	2 stories	2 stories
Maximum (feet)	45 ft.	100 ft.
Front Setbacks		
Minimum	0 ft.	0 ft.
Maximum	15 ft.	10 ft.
Minimum Side Setbacks		
Exterior	0 ft.	0 ft.
Interior	5 ft.	0 ft.
Minimum Rear Setbacks		
Non-Alley	5 ft.	0 ft.
Alley	0 ft.	0 ft.
Maximum Site Coverage	No max.	No max.

*Note: While there is no maximum residential density in the mixed-use zoning districts, the number of residential units on a lot will be limited by the maximum FAR, maximum building height, required parking, minimum unit size requirements in the building code, and other applicable development standards.

Maximum Front Setbacks (EMC § 155.208.030.B) - A new building constructed at or within the maximum front setback, must cover a minimum of 50% of the lot's linear street frontage (see Figure 208-1: Maximum Front Setbacks). The Director may modify or waive this requirement with an Administrative Adjustment if certain findings are made and the space is utilized for a front-facing courtyard or privately-owned open space (see Figure 208-2: Front-facing Courtyard or Privately-owned Public Space).

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Setbacks adjacent to Residential Zoning Districts (EMC § 155.208.030.C) (for Site #1 Sunny and Myrtle only) - First and second story setbacks must be as follows:

- Interior Side: First and second stories - 5 ft.; Third story and above - 10 ft.

Height Exceptions (EMC § 155.308.020.A and B) - Up to 20% of the building footprint may contain one additional story provided the maximum FAR allowed for the site is not exceeded, and certain building projections, such as decorative features (spires, steeples), skylights, chimneys, solar panels, rooftop equipment etc., may project above the maximum height, and are permitted by-right, with no discretionary permit required.

Setback Exceptions – Projections Over Property Lines (EMC § 155.308.030.A.4) – A building feature, such as roof eave, may extend across a property line into the public-right-of way if allowed by the Building Code, and with an encroachment permit approved by Public Works Engineering.

Setback Exceptions in Required Setbacks – Site Features (EMC § 155.308.030.B) - Site features, such as steps, patios, wheelchair ramps, decorative features, play equipment, ground mounted mechanical and utility equipment etc., and accessory structures, are allowed within required setbacks.

ADDITIONAL STANDARDS:

Supplemental Use Regulations (EMC § 155.304) - Multi-Family Laundry Facilities (EMC § 155.304.100). Either provide laundry facilities within each unit or at least one clothes washer and one dryer per six (6) dwelling units is required.

General Standards (EMC § 155.308) - Vision Clearance Area (EMC § 155.308.040). All intersections of streets, driveways and alleys must provide a vision clearance area (VCA) (AKA sight visibility triangle) to maintain lines of sight for traffic safety. No fence, wall, landscaping, object, etc. over 36 inches (3 feet) may be in the VCA unless findings can be made for an exception. Trees pruned 10 feet above the grade of the curb are permitted within a VCA and a VCA may not be required at one-way street intersections. The VCA does not apply to buildings that comply with minimum setback standards.

Determining the Vision Clearance Area:

- Street Intersections: Measure 20 feet along the two intersecting corner lot lines from the point of intersection, and diagonally connect the ends of the two lines to form a triangle.
- Driveways/Alleys: Measure five feet along the edge of the driveway/alley and the lot line from the point of intersection, and diagonally connect the ends of the two lines to form a triangle. (See aforementioned code section for example.)

Outdoor Lighting (EMC § 155.308.050) - Fixtures must be shielded or recessed so the lighting source is not directly visible from the public right-of-way or adjoining properties. All fixtures must meet the International Dark Sky Association's (IDA)

requirements for reducing waste of ambient light (“dark sky compliant”) and the California Green Building Standards Code. See aforementioned code section for additional restrictions, and see EMC § 155.324.060.I (Lighting) for additional standards.

Solid Waste/Recyclable Material Storage (EMC § 155.308.070) - May not be street-facing or located in a required parking space or landscape area; must be screened from view from any parking lot, street or adjoining residential property by a fence or enclosure, compatible with adjacent architecture, with a minimum height of five (5) feet for carts/cans and seven (7) feet for dumpsters. Not applicable if storage is indoors or on sites with 100% site coverage.

Design Standards (EMC § 155.312):

Applicable to the **exterior street-facing portions** of proposed buildings at all three sites.

Exterior Materials (EMC § 155.312.030) - Must provide long-term durability and appearance. Plywood siding (e.g., T1-11 panels) and vinyl is prohibited. Vertically-oriented board and batten siding must be separate pieces that are installed together; pre-fabricated board and batten sheathing is not allowed. Stucco (concrete plaster, elastomer etc.) may be used for a maximum of 50% of the street-facing building wall (excludes windows, doors, and other building openings for the calculation).

Building Entries (EMC § 155.312.040) - A building entrance that provides interior access to multiple dwelling units and/or tenant spaces, or buildings with multiple independent units/tenant entrances, must have at least one entrance facing a street. Entrances must feature a porch, covered entry, or recessed entry clearly visible from the street to give the entrance prominence, and must be connected to the adjacent public sidewalk with a pedestrian walkway. Mixed-use building entrances must also be prominent and recognizable from the street. Methods to achieve this are listed in the aforementioned zoning code section. Exceptions may be granted if certain findings are made.

Architectural Features (EMC § 155.312.050) - At least two (2) of the following 15 architectural features must be incorporated on the street-facing portions of the buildings: 1) roof form variation, 2) roof detail and ornamentation, 3) horizontal articulation, 4) cantilevered upper story, 5) balconies, 6) projecting windows, 7) window trim, 8) recessed windows, 9) rigid window coverings, 10) masonry façade, 11) wood façade, 12) glass façade, 13) cladding materials façade, 14) living wall, or 15) combination of materials façade. See aforementioned code section for rules of measurement and detailed descriptions and illustrations.

Blank Walls (EMC § 155.312.060) - Building walls fronting a public street may not contain a blank area that exceeds a 10- foot by 10-foot square area (100 square feet). See aforementioned section for options to provide breaks in blank walls.

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Fences and Walls (EMC § 155.320) - Maximum solid or open fence height is 8 feet (anything over 7 feet requires a Building Permit and engineered plans). Open fences must be wrought iron or other high-quality decorative material and at least 70% open to the passage of light and air. Solid fences, and chain link and other wire fence materials, are not allowed between a building and the street in the mixed-use zoning districts (all three (3) sites). See the aforementioned section for rules of measurement, prohibited materials, etc. Fences must comply with vision clearance area requirements in EMC §155.308.040.

Parking (EMC § 155.324) - As previously discussed, market rate units are required to provide on-site automobile parking unless exempted by EMC §155.324.020 (B) or reduced by EMC § 155.324.040 (Reductions and Alternatives to Auto Parking). See aforementioned section for additional reductions and alternatives to automobile parking that may apply.

Electric Vehicle Charging (EMC § 155.324.050.C) - No electric vehicle (EV) charging station is required for projects with less than 25 required on-site parking spaces; one (1) EV charging station is required for 25-49 on-site parking spaces. Two (2) required on-site parking spaces may be exchanged for one (1) electric vehicle charging station per EMC § 155.324.040.C.5.

Design and Development Standards (EMC § 155.324.060) - All parking lots must conform to the standards in the aforementioned code section, which include, but are not limited to:

- Corner lots served by an alley may be accessed from a side street (EMC § 155.324.060.A).
- Parking for multi-family dwellings may not be located between a primary building and a front or exterior side property line unless an Administrative Adjustment is approved (EMC § 155.324.060.B.2).
- Parking areas of four (4) or more spaces adjacent to an arterial or collector roadway must provide sufficient maneuvering area to allow vehicles to enter and access the roadway in a forward direction (EMC § 155.324.060.C) (Forward Entrance and Exit).
- Parking areas must be designed to prevent access to the public right-of-way at any point other than the designated driveways (EMC § 155.324.060.D) (Controlled Access).
- All-on-site parking must comply with the minimum dimensions shown in Figure 324-4 and up to 50% of the required parking spaces may be compact (EMC § 155.324.060.E).
- Parking lots with six (6) or more spaces require screening (minimum 3 feet in height) adjacent to a street, and lots within 10 feet of a residential zoning district (Site #1 Sunny and Myrtle), must be screened by a 10-foot masonry wall (EMC § 155.324.060.K).

Bicycle Parking (EMC § 155.324.070) - Multi-Family Dwellings: 1 short-term bicycle space for every 6 units, and 1 long-term bicycle space for every 3 units is required. Commercial Uses: 1 short-term bicycle space for every 1,000 square feet of floor area and

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1 long-term bicycle space for every 20 required automobile parking spaces are required for uses with a floor area 10,000 square feet or greater. For mixed-use projects, the number of bicycle parking spaces required is the combined total for the residential and commercial components of the project. See aforementioned section for additional requirements, and standards for location, surfacing, space dimensions, rack design, and long-term bicycle parking location and security standards.

Parking Lot Landscaping (EMC § 155.324.080) - Must comply with Figure 324-7 and subsequent paragraphs related to landscape materials, interior and perimeter parking lot landscaping standards, and stormwater runoff. An alternative landscape design may be approved through an Administrative Adjustment if certain findings can be made including that the adjustments are warranted to provide relief for existing site constraints, or to achieve a superior aesthetic or environmental design.

Landscaping (EMC § 155.328) - Required for construction on all three sites. Buildings constructed on the front lot line without any setback, are exempt from this section. New buildings with a front setback must be landscaped. If landscaping is required, see EMC § 155.328.050 for General Landscape Requirements, EMC § 155.328.060 for Water Efficiency in Landscaping Ordinance (WELO) and EMC § 155.328.070 for Maintenance and Enforcement.

Temporary Uses and Structures (EMC § 155.336) - Applies to all short-term events (such as construction activities) to limit impacts on neighboring properties and the general public.

Signs (EMC § 155.340) - Certain signs can be exempt from sign permit requirements, such as address or nameplate sign, directional, directory, or informational sign. Other signs will require either a 1) ministerial Administrative Sign Permit for signs complying with all applicable standards; or, 2) a discretionary Creative Sign Permit to allow a sign to deviate from the standards to allow a unique and high-quality sign. Creative Sign Permits are reviewed by the Design Review Committee.

Infill Incentive Permit (EMC § 155.412.060) - Allows deviations from development standards for projects that provide community benefit and/or public amenities. Infill Incentive Permits are discretionary actions intended to encourage high-quality infill development and/or the adaptive reuse of properties suitable for redevelopment. To qualify, projects must provide at least two (2) of the following eleven (11) community benefits: 1) Architectural Features, 2) Vertical Mixed Use, 3) Historic Preservation, 4) Environmental Remediation, 5) Green Building, 6) Blight/Nuisance Abatement, 7) Child Care, 8) Supportive Housing, 9) Electric Vehicle Charging Stations, 10) High Quality Materials and Building Elements, and 11) Community Amenities. For a full list describing the required benefits, see EMC §155.412.060(E).

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EMC § 155.412.060 (F) Table 412-1: Allowed Deviations through Infill Incentive Permit

STANDARDS	Allowed Deviation	
	Minor Infill Incentive Permit (Director Action; allows one deviation)	Major Infill Incentive Permit (Planning Commission Action; allows two deviations)
Increase Maximum Building Height	20%	35 %
Increase Maximum Floor Area (FAR) Ratio	20%	35 %
Reduce Minimum On-Site Parking Spaces	20 %	50 %

Principally Permitted Use Categories for Mixed-Use Zones (EMC § 155.208.020 (A) Table 208-1: Allowed Land Uses in the Mixed-Use Zoning District):

- Offices
- Small Fitness, Dance or Health Facility (Allowed only as a second use when combined with an allowed primary use. See EMC § 155.108.050.C (Types of Uses))
- General Retail – Indoor
- Mobile Vendors (Additional Standards: EMC § 155.304.090)
- Restaurants, Cafes, and Beverage Sales
- Day Care Facility
- Medical Offices and Clinics
- Personal Service
- Manufacturing, Artisan (may be undesirable)
- Civic Institutions (may be undesirable)
- Instructional Services
- Government Facilities
- Non-Commercial Places of Assembly
- Parks and Playgrounds

See EMC 155.208.020.A, Table 208-1 for a list of conditionally permitted uses.

Concessions and Waivers:

Pursuant to California Government Code §65915-65918, concessions that result in identifiable and actual cost reductions to provide for affordable housing costs, as defined in Section 50052.5 of the Health and Safety Code, or for setting certain rents for targeted units may be allowed. Concessions may be requested for site development standards which might include, but are not limited to: reduced parking or landscaping, or reduced architectural features requirements. The information below shows the allowed concessions/incentives that may be allowed, but interested parties are encouraged to research and understand all relevant State and local regulations prior to developing a concept.

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Total Number of Incentives or Concessions allowed (above and beyond concessions allowed under an Infill Incentive Permit):

Percentage of total units allocated to:			# Concessions/ Incentives available
Lower Income	Very low income	Moderate Income CID	
10%	5%	10%	1
20%	10%	20%	2
30%	15%	30%	3
100% ⁶			4
Childcare facility bonus			1

Multifamily Housing Program:

The City is willing to partner with an experienced developer to participate in the Multifamily Housing Program (MHP) administered by the California Department of Housing and Community Development (HCD). The purpose of the MHP is to assist in the new construction, rehabilitation and preservation of permanent and transitional rental housing for lower income households. MHP funds will be provided for post-construction permanent financing only. Eligible costs include the cost of child care, after-school care, and social service facilities integrally linked to the assisted housing units; real property acquisition; refinancing to retain affordable rents; necessary on-site and off-site improvements; reasonable fees and consulting costs; and capitalized reserves. Assistance includes deferred payment loans with a 55-year term; 3 percent simple interest on unpaid principal balance, except under certain conditions; and, payments at 0.42 percent will be due annually with the balance of principal and interest due and payable upon completion of loan term. More information can be obtained from the MHP website: <https://www.hcd.ca.gov/grants-funding/active-funding/mhp.shtml#purpose>

Other Information:

The following information is available as exhibits and attachments:
 FEMA Flood Hazard Information for all three (3) sites;
 Wetland Delineation Report for Site #1 Sunny and Myrtle;
 Basic site plans and maximum footprint allowed by floor scenarios for each site;
 Credit Authorization;
 City of Eureka Insurance Requirements; and
 Preliminary Title Reports and Appraisals for each site.

⁶ 100% of the total units, exclusive of a manager's unit, except up to 20% of the total units may be for moderate-income households.

SUBMISSION REQUIREMENTS

All submittals must be typewritten or printed in ink clearly and legibly, in conformance with this RFP. Proposals must be double-sided. Seven (7) bound copies, one (1) unbound copy, and one electronic copy on USB/CD of the proposal must be submitted in a sealed envelope plainly marked on the outside: “Proposal for Affordable Housing Projects on City-owned Sites” and indicating whether the proposal is for Site #1, #2 and/or #3, or a combination thereof.

Proposals must include all of the elements outlined below (under “Selection Criteria”) and should be limited only to those elements. Elaborately packaged or lengthy proposals are neither required nor desired. Proposals should be concise and contain relevant information by which the City can judge the qualifications of the developer and the quality of the proposal.

Optional Pre-submittal Meeting:

On the date and time identified on the first page of the RFP, the City will host a pre-Submittal meeting for all interested parties. This will be an opportunity to meet with City officials and ask questions. The meeting is not mandatory, but is highly encouraged.

Submittal of Questions and Release of Addendum #1:

Questions regarding the RFP must be submitted via email by the date specified on the front page of this RFP. The City will then post Addendum #1 on the City’s website to answer all questions posed. CITY will not be responsible for any explanations or interpretations of the Request for Proposal other than by Addendum #1. No oral interpretation(s) of any provision in the Request for Proposals will be binding upon CITY.

Delivery of RFP:

It is the Developer’s responsibility to ensure that the hard copies and electronic copy of the submitted RFP are received by CITY prior to the hour and date for submittal of the proposal specified in the Request for Proposal. Proposals must be in a sealed envelope with the name: “Affordable Housing Projects on City-owned Sites” and indicating whether the proposal is for Site #1, #2 and/or #3, or a combination thereof, clearly printed. Any proposals received by CITY after the hour and date will be rejected and returned unopened. Proposals shall be mailed or hand-delivered to the Finance Department, 531 K Street, Eureka, California, 95501. Proposals must be submitted by the date and time identified on the first page of the RFP. Postmarks will not be accepted. All proposals received by the deadline will become the property of CITY. CITY is not responsible for proposals delivered to a person/location other than specified above.

SELECTION CRITERIA

The City intends to select a separate developer for each site with whom to enter into exclusive negotiations. The same Developer may be chosen for more than one site. The selection will be based on analysis of the information submitted by the Developer, investigation into the Developer’s prior projects, performance in previous undertakings,

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and other pertinent factors including financial capacity for the satisfactory development of the “Project”. The following rating criteria will be used to evaluate the proposals:

1. Cover Letter (5 points): A cover letter (2 pages maximum) outlining Developer’s interest in the PROJECT. Cover letter may include other information.
2. Developer’s Qualifications and Capacity (25 points):
 - a. Basic Information: Developer's name and address, and name and address of any proposed partner or joint venture.
 - b. Nature of the Developer's development entity (corporation, partnership, joint venture, etc.)
 - c. Name of Person (or Persons) authorized to represent Developer in the negotiations with the City.
 - d. Firm Profile: Overview of proposing firm/entity and description.
 - e. Evidence of Developer's (including joint venture partners) financial capability to carry out the proposed commitment. The Developer's most recent certified financial statements (current within six months) must be submitted CONFIDENTIALLY under separate cover, in an envelope plainly marked on the outside with the Developer's Name and: "Confidential: Financial Capability for Affordable Housing Projects on City-owned Sites." Include:
 - i. Ability of Developer (including joint venture partners) to raise equity/debt dollars, including relationship with major lenders.
 - ii. Commitment and ability to fund planning and pre-development costs during negotiation period and the resources to carry the project forward.
 - iii. Anticipated sources of financing, include documentation providing commitment for construction and/or permanent financing for the project. The commitment should identify rates, fees, and terms of financing, if known.
 - f. Previous Project Descriptions: A description of successful projects in comparable undertakings in terms of economic success and overall architectural design quality. (Each project must include the name, contact person, address, phone number of each party for the jurisdiction in which the project was developed, general financial information about the project, and the dates of involvement.) Also describe the Developer's previous relevant experience. Include a brief description of projects, date completed, location, concept, land uses, size, pre-development and development costs, role of development entity, estimated development value, and management and operating experience.
 - g. Principals of the Developer's development entity partners (corporate officers, principal stockholders, general or limited, etc.).
 - h. Team Member Biographies: Brief professional biographies of the team members that are proposed to execute the project. Biographies must include: a summary of the qualifications, licenses, and experience of each individual, and the type of work to be performed by each individual. Include identification, qualifications and role of key individuals including all

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technical, planning, and architectural consultants on the development team who would be involved in the planning or implementation of the development.

- i. Developer's references, including the Names and Addresses of Developer's bank(s).
- j. Credit Report Authorization form (see Attachments).

For each individual site proposed for development, provide the following for each site:

3. Understanding and Conceptual Site Plans (40 points):
 - a. Understanding: A brief summary of the Developer's understanding of the development the City is seeking. This section should include a summary of Developer's understanding of how this PROJECT will affect various stakeholders, various sectors, and citizens of the City of Eureka.
 - b. A Summary of the proposed development.
 - c. Conceptual Plans: Conceptual plans showing the Developer's proposed project. Plans must include the following at a preliminary conceptual level: site plan, plan view, total floor area, height, preliminary grading plan, preliminary landscape plan, preliminary traffic access and circulation plan, pre-construction vegetation management plan, wetland impacts and mitigation plan, and preliminary utility connection plan. Elevation and profile drawings are strongly encouraged but not required.
 - d. Summary Table: Provide a summary table of: units, unit type, unit size, income levels by unit, and other relevant data.
 - e. A preliminary development pro-forma with a complete table of assumptions, including all anticipated development costs, land costs, public improvements costs, and sources and uses of funds.
 - f. A list of all major contingencies for proceeding with the project.
 - g. Description of the environmental effects expected from the project, including impacts on traffic, biological resources, air quality, public services, and any other impacts and a proposal for mitigating these impacts.
 - h. Price and terms for the purchase or lease of the property.
 - i. Proposed City responsibilities.
4. Schedule, Budget, and Management Plan (25 points):
 - a. Schedule: A work plan or schedule for development necessary to complete this PROJECT. The proposal must specify the major tasks and the expected time of completion for each task. Tasks must include at a minimum (but not necessarily in this order):
 - i. Preliminary designs and design meetings with City and other agencies
 - ii. Sale of City property
 - iii. Environmental compliance documentation and permitting, if required
 - iv. Final designs and approvals
 - v. Construction
 - vi. Phasing (if proposed)

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- b. Budget: A financial breakdown of the proposed project by task. Proposal must include documentation demonstrating the financial capability of Developer to accomplish proposed project.
 - c. Management Plan: Proposals must include a brief description of the Developer’s “budget and schedule management plan” that describes the Developer’s approach and commitment to completing the project. The plan does not need to include great detail, but must demonstrate the Developer’s overall PROJECT management approach to accomplishing the project within the established schedule and budget.
5. Other Requirements (5 points):
- a. A statement of willingness to comply with city policy.
 - b. A statement which discloses any past, ongoing, or potential conflicts of interest which the Developer may have as a result of performing the work on this PROJECT.
 - c. A statement confirming that developer is operating, or will operate under a legitimate business license.
 - d. A statement confirming that Developer, if selected, can provide the insurance and indemnification required by the City.
 - e. The proposal must be signed by an authorized representative of the Developer.
 - f. Applicants must submit six (6) bound copies and one (1) unbound copy of their proposal to CITY by mail or hand delivery by the date outlined on the first page of the RFP. Postmarks will not be accepted.
 - g. Proposals must also include one electronic copy on a USB/CD.

The City of Eureka is not responsible for any costs incurred in the preparation of proposals and/or any work rendered by a firm prior to the contract award.

Proposal Evaluation Process:

The City of Eureka is using the competitive proposal process, wherein the related experience, competence and professional qualifications of the Developer for the satisfactory development of the “PROJECT” is evaluated as it relates to the elements outlined in this RFP. All proposals will be reviewed and rated by the City according to the following criteria:

1. Cover Letter Outlining Developer’s Interest in project	5 points
2. Developer’s Qualification and Capacity	25 points
3. Understanding and Conceptual Site Plans	40 points
4. Schedule, Budget, and Management Plan	25 points
5. Other Requirements	5 points
Total	100 Points

City Reservation of Rights:

The City reserves the right, at its sole discretion, to use without limitation, concepts, and data submitted in response to this RFP, or derived by further investigation thereof. The

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

City further reserves the right at any time and for any reason to cancel this solicitation, to reject any or all proposals, to supplement, add to, delete from, or otherwise alter this RFP if the conditions so dictate. The City may seek clarification from a potential Developer at any time and failure to respond promptly may be cause for rejection. The City also reserves the right to interview only those firms that the City finds, in its determination, provide the most advantageous project and to negotiate with the firm to establish contract terms acceptable to the City.

Exclusive Right to Negotiate:

The selected Developer will enter into an Exclusive Right to Negotiate (ERTN) to finalize the terms of the Disposition and Development Agreement (DDA) that identifies Developer and City responsibilities.

Deposit:

The selected developer will be required to submit to the City a \$10,000 deposit in the form of cash, cashier's check, or an irrevocable Letter of Credit drawn against a financial institution acceptable to the City made payable to the City of Eureka. In the event a DDA is not signed, the deposit, net of City negotiation expenses of up to \$5,000, will be returned.

EXHIBITS:

1. FEMA Flood Hazard Information for each site (Sites #1, #2 and #3)
2. 1310 Myrtle Avenue Wetland Delineation, Dated May 2020 (Site # 1: Sunny and Myrtle, APN:006-181-001)
3. Mock Site Plan and Development Scenarios, Site# 1: Sunny and Myrtle
4. Mock Site Plan and Development Scenarios, Site# 2: 8th and G
5. Mock Site Plan and Development Scenarios, Site # 3: 6th and M

ATTACHMENTS:

- A. Credit Report Authorization
- B. City of Eureka Insurance Requirements
- C. Appraisal Report of (3) Lots Owned by the City of Eureka, dated May 29, 2020
- D. Humboldt Land Title Preliminary Title Report (Site #1: Sunny and Myrtle, 1310 Myrtle Avenue, APN:006-181-001)
- E. Humboldt Land Title Preliminary Title Report (Site #2: 8th Street and G Street,

AFFORDABLE HOUSING PROJECTS ON CITY-OWNED SITES

APN: 001-155-005)

F. Humboldt Land Title Preliminary Title Report (Site #3: 6th Street and M, APNs: 001-233-006 and 001-233-007)

DRAFT

EXHIBIT 1

FEMA FLOOD INFORMATION FOR EACH SITE

DRAFT

National Flood Hazard Layer FIRMette



40°48'6.38"N

124°8'58.81"W



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
OTHER FEATURES		Coastal Transect
		Base Flood Elevation Line (BFE)
OTHER FEATURES		Limit of Study
		Jurisdiction Boundary
OTHER FEATURES		Coastal Transect Baseline
		Profile Baseline
MAP PANELS		Hydrographic Feature
		Digital Data Available
MAP PANELS		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/3/2020 at 7:41:37 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

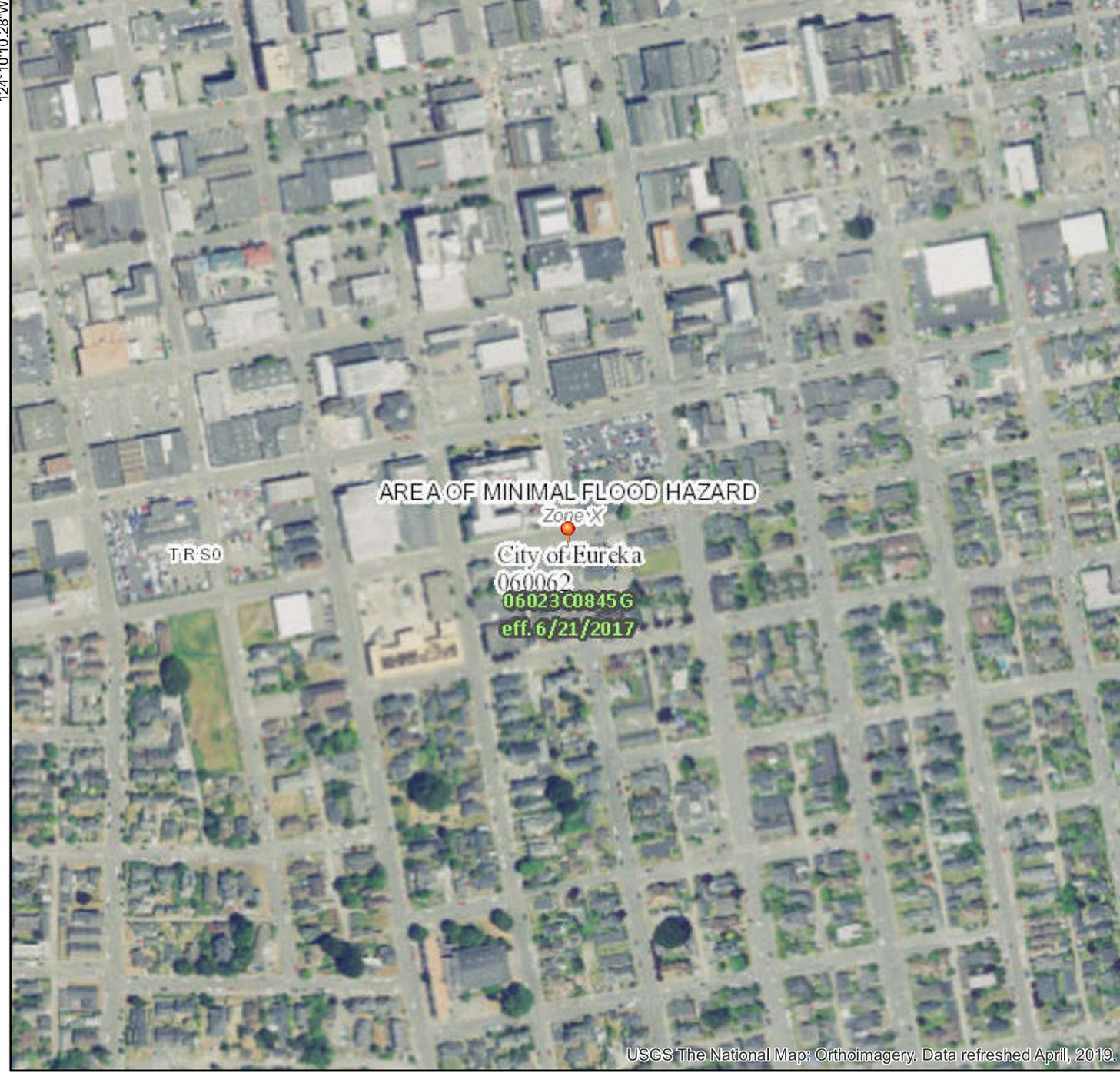


USGS The National Map: Orthoimagery. Data refreshed April, 2019.

National Flood Hazard Layer FIRMMette



40°48'12.28"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
MAP PANELS		Jurisdiction Boundary
		Coastal Transect Baseline
		Profile Baseline
		Hydrographic Feature
		Digital Data Available
		No Digital Data Available
		Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 6/3/2020 at 7:50:21 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

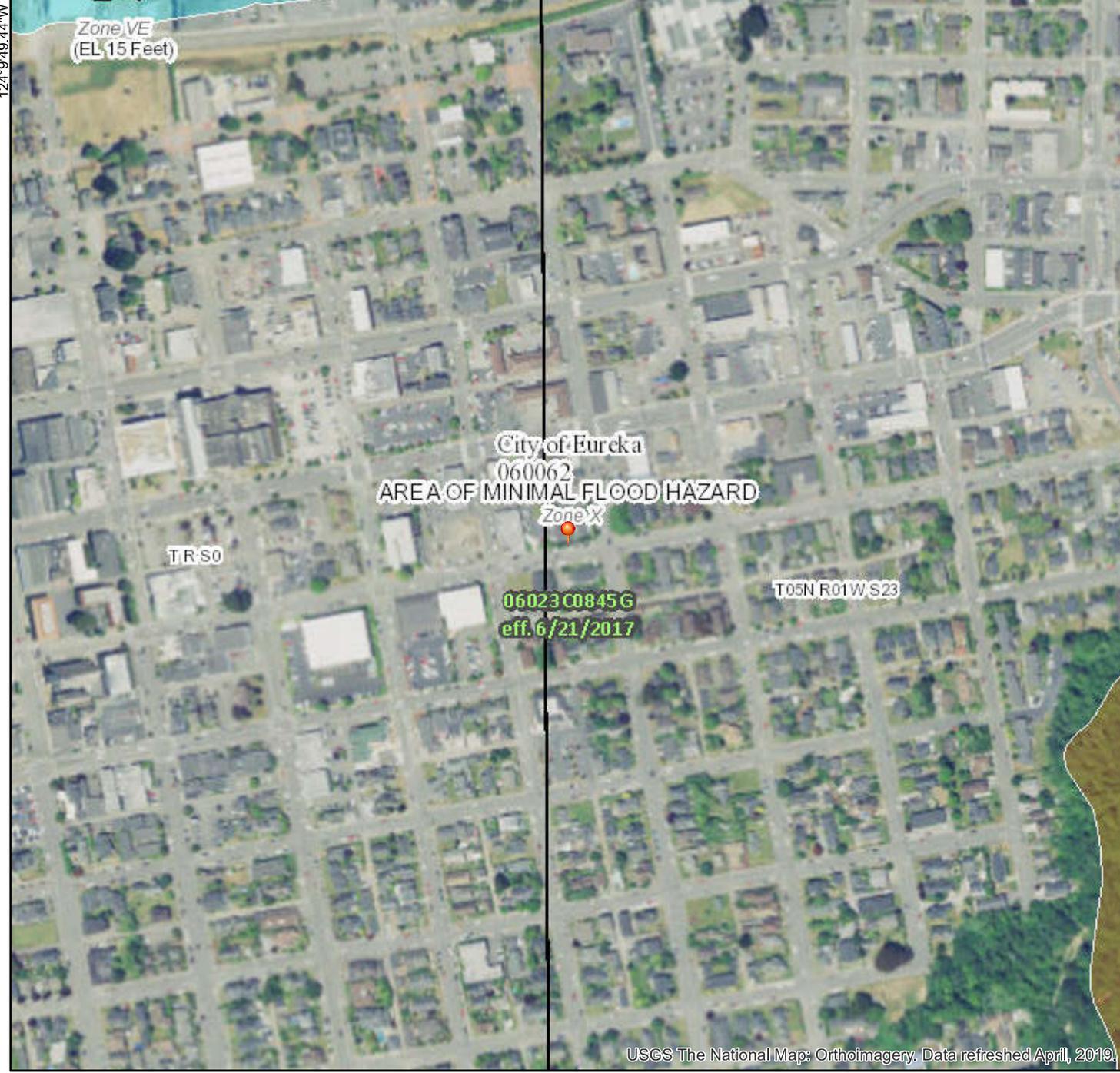
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.

124°9'32.82"W

National Flood Hazard Layer FIRMMette



40°48'21.73"N



SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

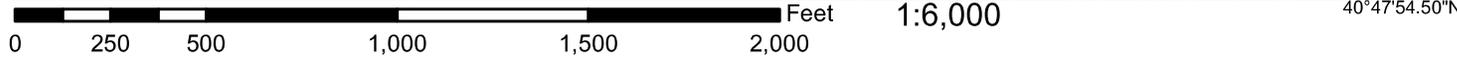
SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE) Zone A, V, A99	With BFE or Depth Zone AE, AO, AH, VE, AR
	Regulatory Floodway	
	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X	
	Future Conditions 1% Annual Chance Flood Hazard Zone X	
	Area with Reduced Flood Risk due to Levee. See Notes. Zone X	
	Area with Flood Risk due to Levee Zone D	
	Area of Minimal Flood Hazard Zone X	
	Effective LOMRs	
	Area of Undetermined Flood Hazard Zone D	
	Channel, Culvert, or Storm Sewer	
	Levee, Dike, or Floodwall	
	Cross Sections with 1% Annual Chance Water Surface Elevation	
	Coastal Transect	
	Base Flood Elevation Line (BFE)	
	Limit of Study	
	Jurisdiction Boundary	
	Coastal Transect Baseline	
	Profile Baseline	
	Hydrographic Feature	
	Digital Data Available	
	No Digital Data Available	
	Unmapped	

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

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124°9'49.44\"/>

124°9'11.99\"/>

EXHIBIT 2

WETLAND DELINEATION, DATED MAY, 2020

SITE #1: SUNNY AND MYRTLE, APN: 006-181-001

DRAFT

Wetland and Other Waters Delineation Report

Sunny Avenue Site

City of Eureka

Assessor's Parcel Numbers

006-181-001 and 006-181-002

Eureka, California



Prepared for:

City of Eureka



May 2020

016008.800

Reference: 016008.800

Wetland and Other Waters Delineation Report

Sunny Avenue Eureka, California

Prepared for:
City of Eureka

Prepared by:



1062 G St., Suite I
Arcata, CA 95521
707-822-5785

May 2020

QA/QC: JLS___

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Abbreviations and Acronyms

In/hr	inches per hour
APN	Assessor's Parcel Number
CDEC	California Data Exchange Center
CFR	Code of Federal Regulations
CWA	Clean Water Act
EPA	United States Environmental Protection Agency
FAC	facultative wetland plant species
FACU	facultative-upland plant species
FACW	facultative-wet wetland plant species
Ksat	most limiting layer to transmit water
NGTOC	National Geospatial Technical Operations Center
NL	not listed wetland plant status
NR	no reference
NRCS	Natural Resources Conservation Service
NWI	National Wetlands Inventory
OBL	obligate wetland plant species
OHWM	ordinary high water mark
Q	sedimentary rock
PEM1/SS1C	Palustrine emergent, persistent scrub-shrub, broad-leaved deciduous, seasonally flooded
redox	redoximorphic
RWQCB	Regional Water Quality Control Board
SWRCB	State Water Resources Control Board
TP	test pit
UPL	upland plant species
USACE	United States Army Corps of Engineers
USC	United States Code
USDA	United States Department of Agriculture
USFWS	United States Fish & Wildlife Service
USGS	United States Geological Survey
WDRs	Waste Discharge Requirements
WETS	Climate Analysis for Wetlands Tables
WoS	Waters of the State
WoUS	Waters of the United States

1.0 Introduction

SHN has prepared this wetland and other waters delineation report for the City of Eureka. Fieldwork was performed by an SHN soil scientist and an SHN wetland ecologist, with 18 years of combined wetland and other waters delineation experience.

1.1 Purpose

The purpose of this report is to identify the presence or absence of potential wetlands and other waters of the State (WoS) or United States (WoUS) within the study area (Figure 1), as defined by the United States Army Corps of Engineers (USACE) three-parameter and ordinary high water mark (OHWM) methodologies. The delineation of these features will help determine setbacks and potential impacts to three-parameter wetland areas and other waters occurring within the project vicinity. The delineation will also aid in project permitting to minimize impacts to potential wetland resources.

1.2 Study Area

The study area (site) exists within two parcels, including the City-owned 0.42-acre western parcel designated Assessor's Parcel Number (APN) 006-181-001, and the privately-owned 0.58-acre eastern parcel, APN 006-181-002. The study area covers the entire western parcel, along with the western edge of the eastern parcel (Figure 2). A paved parking lot, lawn, and naturally vegetated hillside comprise the study area (Appendix 1, Photos 1-4, 6, 8,9, and 11). The proposed project is located within the City of Eureka at the intersection of Myrtle Avenue and Sunny Avenue in Humboldt County, California. The site is within the U.S. Geological Survey (USGS) Eureka 7.5-minute quadrangle, S.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$, Section 23, Township 5 North, Range 1 West, Humboldt Baseline and Meridian at latitude 40.797684° and longitude -124.144513° (USGS, 2020). The site is situated approximately 0.5 miles southwest of Eureka Slough near its confluence with Humboldt Bay (Figure 1). The adjacent wetland to the south is composed of a palustrine emergent, persistent scrub-shrub, broad-leaved deciduous, seasonally flooded (PEM1/SS1C) wetland; see Figure 2.

2.0 Project Description

This wetland delineation was conducted by SHN for the City of Eureka to determine the development potential of the existing parking lot and lawn area.

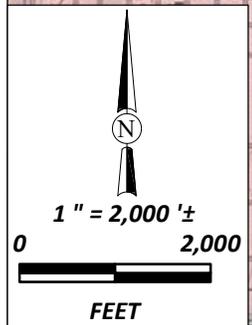
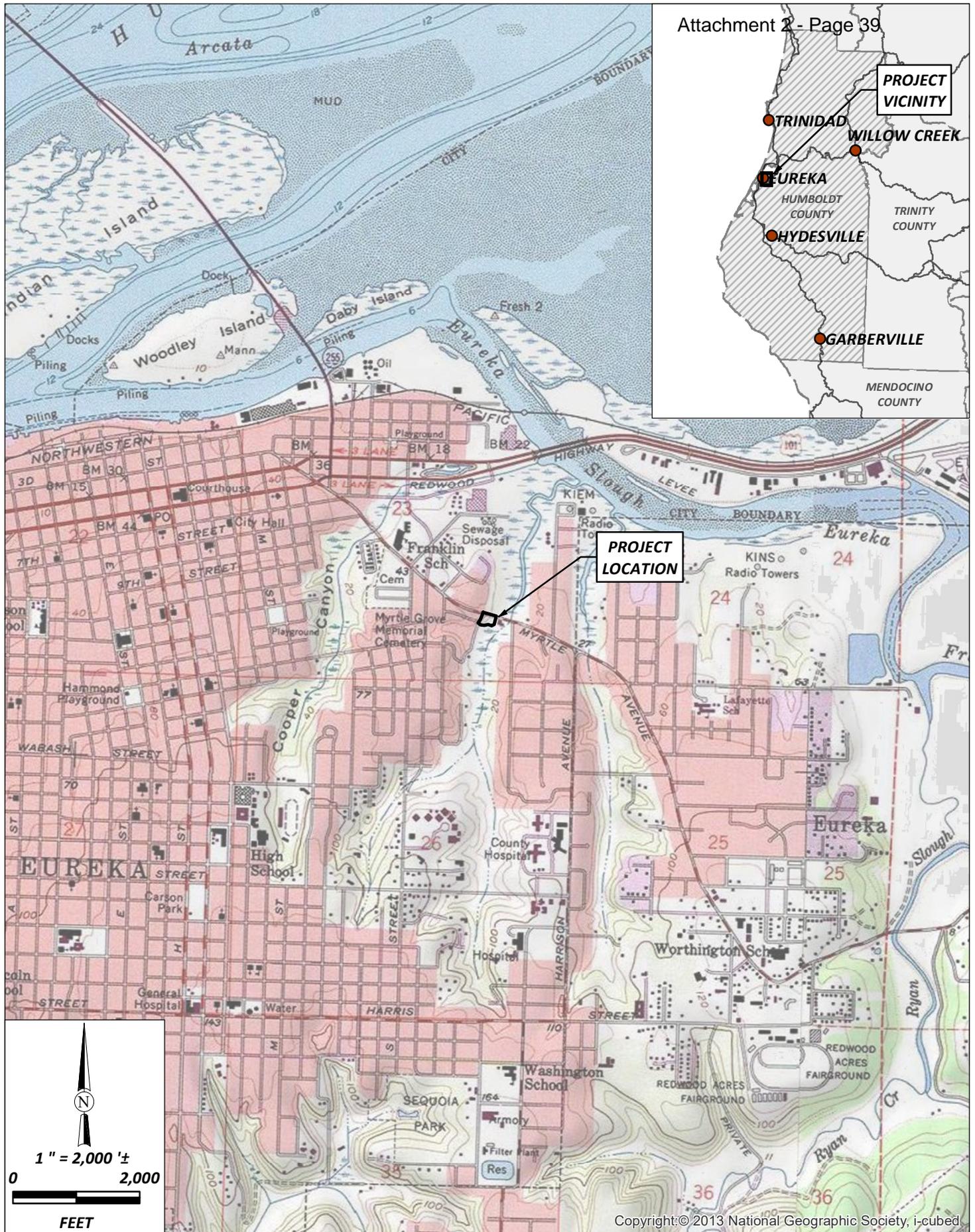
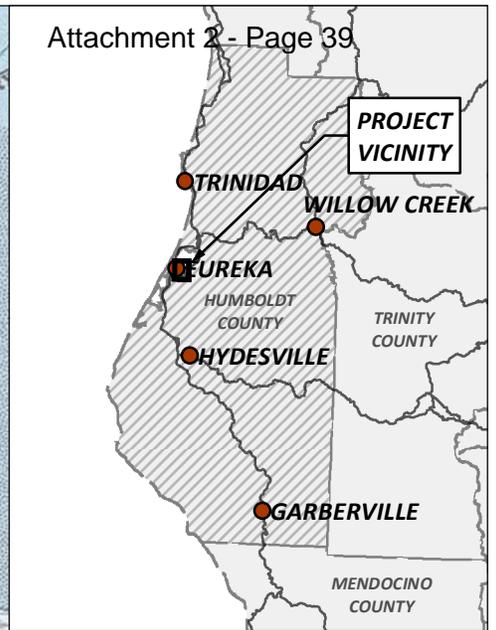
3.0 Environmental Setting

3.1 Site Uses

The site is currently developed with small commercial businesses on parcel APN 006-181-002 and an underutilized parking lot on parcel APN 006-181-001 fronting Myrtle Avenue. The study area is surrounded by residential development and Sunny Avenue to the west, Myrtle Avenue to the north, commercial development to the east, and a brackish marsh wetland complex to the south and north across Myrtle Avenue (Figure 2 and Appendix 1, Photos 1,4,9, and 11).

3.2 Site Hydrology

The United States Department of Agriculture-Natural Resources Conservation Service (USDA-NRCS) Climate Analysis for Wetlands Table (WETS) method was used to review rainfall conditions for the previous three months prior to the test pit (TP) investigations (or the same month and two months prior if after the 15th; Table 1; USDA-NRCS, 2020a). The TP investigation occurred on March 20, 2020. The current 2020 rainfall data for January, February, and March (National Oceanic and Atmospheric Administration, 2020) were



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Path: \\eureka\projects\2016\016008-Eureka\Call\800-SunnyAve\Media\GIS\PROJ_MXD\Figure1_ProjectLocationMap.mxd User Name: psundberg DATE: 5/4/20, 3:23PM

	City of Eureka Wetland and Other Waters Delineation Report Sunny Avenue, Eureka, California	Project Location Map 016008.800
	May 2020	Figure1_ProjectLocationMap

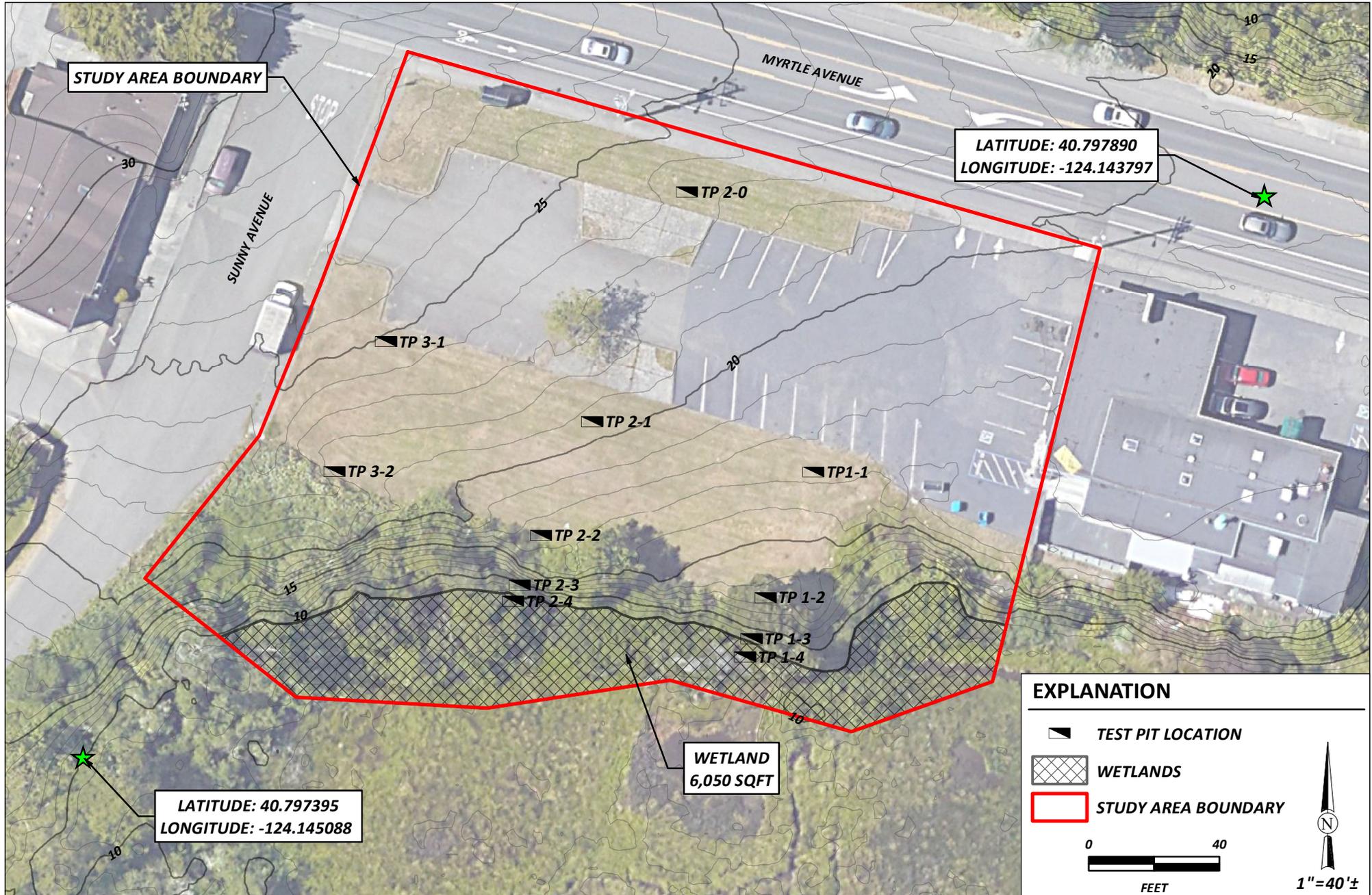


IMAGE SOURCE: GOOGLE EARTH, DATED 6/3/2018
ELEVATION DATA SOURCE: CITY OF EUREKA, CALIFORNIA,
DATED 9/24/2019



City of Eureka
Wetland and Other Waters Delineation Report
Sunny Avenue, Eureka, California

Test Pit and Wetland Boundary
Map
SHN 016008.800

compared to the 30-year rainfall average at the Woodley Island Weather Forecast Office in Eureka, California (1971-2000 data) for the same months. If the current rainfall of each month is between 30% and 70% of the 1971-2000 precipitation average, it is “normal” rainfall; if above 70%, it is ranked “wetter than normal” rainfall; if below 30%, it is ranked “drier than normal” rainfall. The rainfall for this period is considered “drier than normal” (Table 1).

**Table 1. WETS Rainfall Data, March 2020, Hydrological Analysis
Eureka, Humboldt County, California**

Month	WETS Condition	<30%	> 70%	Rainfall (in.)	Condition Value	Weight	Product Value
March 2020	Dry	3.80	6.61	3.69	1	3	3
February 2020	Dry	3.57	6.63	0.60	1	2	2
January 2020	Wet	3.67	7.22	7.46	3	1	3
Total¹					DRIER THAN NORMAL		8
1. A sum of 6-9 prior to site investigation is considered a drier than normal rainfall. 10-14 prior to site investigation is considered a normal rainfall. 15-18 prior to site investigation is considered a wetter than normal rainfall. Sources: CDEC, 2020; USDA-NRCS, 2020a							

The WETS data indicates that the 2019-2020 winter season, just prior to the delineation, averaged “drier than normal” rainfall for the March field assessment.

3.3 National Wetlands Inventory

The United States Fish & Wildlife Service (USFWS) National Wetlands Inventory (NWI) website maps the study area as upland. The adjacent freshwater emergent wetland to the south is mapped as PEM1/SS1C (Appendix 2). This general categorization by the NWI is not intended for planning purposes because of the lack of ground-truthing. In the “Data Limitations, Exclusions and Precautions” disclaimer, it states that:

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high-altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.
(USFWS, 2020)

The intention of this study is to verify NWI mapping using site-specific soil, hydrology, and vegetation analysis.

4.0 Vegetation

The wetland indicator status of plant species for this investigation was based on the *Western Mountains, Valleys, and Coast 2016 Regional Wetland Plant List* (USACE, 2016). Synonyms were checked for species that did not appear on the USACE wetland plant list. Plant species were classified as:

- Obligate (OBL)—almost always occurs in wetlands
- Facultative-wet (FACW)—usually occurs in wetlands, but may occur in non-wetlands
- Facultative (FAC)—occurs in wetlands and non-wetlands

- Facultative-upland (FACU)—usually occurs in non-wetlands, but may occur in wetlands
- Upland (UPL)—almost never occurs in wetlands
- Not listed (NL)—scored as an upland plant and calculated as such on wetland determination forms

During the March 2020 wetland investigation, botanical species were recorded (Appendix 3, Table 1). The study area is on historically placed loamy fill material, which sits on well-drained, relatively flat, loamy marine terrace substrate. Soils throughout the study area have been disturbed and compacted in certain locations but are predominantly undisturbed below grade (Appendix 1, Photo 10). Non-native vegetation cover dominates the test pit locations on the lawn areas, while the test pits downhill to the south adjacent to the wetland, were dominated by native species. Dominant species within the study area included annual blue grass (*Poa annua* [FAC]), California blackberry (*Rubus ursinus* [FACU]), coastal willow (*Salix hookeriana* [FACW]), Coyote brush (*Baccharis pilularis* ssp. *consanguinea* [UPL]), creeping bentgrass (*Agrostis stolonifera* [FAC]), English holly (*Ilex aquifolium* [FACU]), English Ivy (*Hedera helix* [FACU]), hairy cat's ear (*Hypochaeris radicata* [FACU]), Himalayan blackberry (*Rubus armeniacus* [FAC]), Italian rye grass (*Festuca perennis* [FAC]), Pacific willow (*Salix lasiandra* var. *lasiandra* [FACW]), seaside arrow grass (*Triglochin maritima* [OBL]), slough sedge (*Carex obnupta* [OBL]), sword fern (*Polystichum munitum* [FACU]), and tall fescue (*Festuca arundinacea* [FAC]). The site is mostly non-native grass lawn surrounded by riparian vegetation with mixed native- and non-native-dominated understory on the southern slope. Vegetation reflects typical mowed lawn and urban/suburban wildland interface on the southern slope (Section 7.1 Vegetation Methods; Appendix 3, Table 3; Figure 2).

A list of plants observed within the vicinity of the wetland test pits is compiled in Appendix 3, Table 3.

5.0 Geologic and Soil Composition

The geology at the site is mapped as the marine and non-marine sedimentary rocks (geologic map units Q), which consists of alluvium, lake, playa, and terrace deposits—unconsolidated and semi-consolidated (California Department of Conservation, 2010). Proximity to the coast indicates these are likely marine deposits.

The underlying soils in the study area have the USDA-NRCS soil map unit designation 257—Lepoil-Candymountain complex, 2 to 15 percent slopes, as described below. Soils were characterized by somewhat homogeneous, loamy textures (Appendix 1, Photo 10). The site-specific soil description at each exploratory soil TP is included in the wetland determination data forms found in Appendix 4, with photos in Appendix 1.

257—Lepoil-Candymountain complex, 2 to 15 percent slopes

Map Unit Composition

Lepoil and similar soils: 45 percent

Candymountain and similar soils: 40 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the map unit.

Description of Lepoil

Setting

Landform: Marine terraces

Landform position (two-dimensional): Summit

Landform position (three-dimensional): Tread

Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed marine deposits derived from sedimentary rock

Typical profile

Oi - 0 to 2 inches: slightly decomposed plant material
A - 2 to 16 inches: loam
Bt - 16 to 69 inches: clay loam
2CBt - 69 to 75 inches: very fine sandy loam
2C - 75 to 83 inches: fine sand

Properties and qualities

Slope: 2 to 15 percent
Depth to restrictive feature: More than 80 inches
Natural drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to high (0.06 to 2.00 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water storage in profile: High (about 11.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 3e
Hydrologic Soil Group: C
Ecological site: Redwood-Sitka spruce/salal-California huckleberry/western swordfern, marine terraces, marine deposits, sandy loam an (F004BX121CA)
Hydric soil rating: No

Description of Candymountain

Setting

Landform: Marine terraces
Landform position (two-dimensional): Summit
Landform position (three-dimensional): Tread
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Mixed marine deposits derived from sedimentary rock

Typical profile

Oi - 0 to 4 inches: slightly decomposed plant material
A - 4 to 15 inches: fine sandy loam
Bw - 15 to 31 inches: fine sandy loam
BC - 31 to 45 inches: fine sandy loam
C - 45 to 60 inches: very fine sand

Properties and qualities

Slope: 2 to 15 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.60 to 2.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Salinity, maximum in profile: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)

Available water storage in profile: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): None specified

Land capability classification (nonirrigated): 3e

Hydrologic Soil Group: B

Ecological site: Redwood-Sitka spruce/salal-California huckleberry/western swordfern, marine terraces, marine deposits, sandy loam an (F004BX121CA)

Hydric soil rating: No
(USDA-NRCS, 2020b)

6.0 Regulatory Setting

6.1 Federal Laws

6.1.1 Section 401 and 404 of the Clean Water Act

Under Section 404 of the Clean Water Act (CWA; 33 U.S. Code [USC] 1344; U.S. Code of Federal Regulations (CFR), 1986), as amended, the USACE and the Environmental Protection Agency (EPA) retain primary responsibility for regulating discharge of dredged or fill material into “navigable waters of the United States.” All discharges of dredged or fill material into jurisdictional WoUS that result in permanent or temporary losses of WoUS are regulated by the USACE. A permit from the USACE must be obtained before placing fill or grading in wetlands or other WoUS, unless the activity is exempt from CWA Section 404 regulation (for example, certain farming and forestry activities).

In summary, the definition of WoUS as defined by 33 CFR Section 328.3 includes:

1. waters used for commerce,
2. interstate wetlands,
3. all other waters (including lakes, rivers, streams, mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, and natural ponds),
4. impoundments of water,
5. tributaries to aforementioned waters,
6. territorial seas, and
7. wetlands adjacent to waters.

Under 33 CFR 328.3, WoUS do not include prior converted cropland or waste treatment systems.

In 2008, the EPA and USACE released a guidance memorandum implementing the Supreme Court's decision in the cases of the *Rapanos v. U.S.* and *Carabell v. U.S.* Because of these cases, the agencies will apply a significant nexus standard to the following categories of waterbodies to determine if it meets the definition of WoUS:

- Non-navigable tributaries that are not relatively permanent
- Wetland adjacent to non-navigable tributaries that are not relatively permanent
- Wetland adjacent to but that does not directly abut a relatively permanent tributary

Section 401 of the CWA (33 USC 1341) requires that applicants for a federal license or permit obtain a certification that the discharge will comply with the applicable effluent limitations and water quality standards (EPA, 1986). The certification is obtained from the state in which the discharge originates or would originate, or if appropriate, from the interstate water pollution control agency having jurisdiction over the affected waters at the point where the discharge originates or would originate. The responsibility for the protection of water quality in California rests with the State Water Resources Control Board (SWRCB) and its nine Regional Water Quality Control Boards (RWQCBs).

6.1.2 Rivers and Harbors Appropriation Act of 1899

The River and Harbors Appropriation Act of 1899 addresses activities that involve the construction of dams, bridges, dikes, and other structures across any navigable water. Placing obstructions to navigation outside established federal lines and excavating from or depositing material in such waters require permits from the USACE. Section 10 of the Rivers and Harbors Appropriation Act (33 USC 403) prohibits the unauthorized obstruction or alteration of any navigable WoUS.

6.2 State Laws

6.2.1 California Coastal Act

This site is outside of the California Coastal Act jurisdiction.

6.2.2 Porter-Cologne Water Quality Control Act

The State of California maintains independent regulatory authority over the placement of waste, including fill, into WoS under the Porter-Cologne Water Quality Control Act. WoS are defined by the Porter-Cologne Water Quality Control Act as "any surface water or groundwater, including saline waters, within the boundaries of the state." The SWRCB protects all waters in its regulatory scope but has special responsibility for isolated wetlands and headwaters. WoS are regulated by the RWQCBs under the State Water Quality Certification Program, which regulates discharges of dredged and fill material under Section 401 of the CWA and the Porter-Cologne Water Quality Control Act.

Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact WoS are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, but does involve activities that may result in a discharge to WoS, then the local RWQCB has the option to regulate such activities under its state authority in the form of waste discharge requirements (WDRs) or certification of WDRs. Water Quality Order No. 2004-0004-DWQ specifies general WDRs for dredge or fill discharges to waters deemed by the USACE to be outside of federal jurisdiction under Section 404 of the CWA.

7.0 Methods

Wetland delineation fieldwork was conducted on March 20, 2020. Wetland delineation methods described in *U.S. Army Corps of Engineers Wetlands Delineation Manual* (Environmental Laboratory, 1987) and *The Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Western Mountains, Valleys, and Coast Region (Version 2.0)* (USACE, 2010) were used to identify potential wetlands and other waters. The routine method for wetland delineation described in the Environmental Laboratory 1987 manual was used to identify potential wetlands within the study area. The USACE method relies on a three-parameter approach, in which criteria for hydrophytic vegetation, hydric soils, and wetland hydrology must each be met (present at the point of field investigation) to conclude that an area qualifies as a wetland. The study area is within the City of Eureka outside of the Coastal Zone, which relies on a three-parameter wetland definition for determining the presence and extent of wetland. Mapping reflects USACE and non-coastal City of Eureka requirements by showing areas meeting three parameters.

Hydrophytic vegetation refers to plant species known to be adapted to wetland sites. To classify the hydrophytic plants onsite, the most recent *Western Mountains, Valleys, and Coast 2016 Regional Wetland Plant List* was used (USACE, 2016). Hydric soils are those formed under saturated conditions, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part of the soil profile (USDA-NRCS, 2018). Wetland hydrology is demonstrated through direct evidence (primary indicators) or indirect evidence (secondary indicators) of flooding, ponding, or saturation for a significant portion of the growing season (USACE, 2010).

Prior to conducting the field investigation, SHN staff reviewed the USGS topographic quadrangle map (Figure 1); Google Earth (Google Earth, 2020); USDA-NRCS Web Soil Survey website (USDA-NRCS, 2020b); and NWI map (USFWS, 2020; Appendix 2). Visual inspection of the site prior to TP excavation was performed to identify appropriate TP locations and potential wetland locations and boundaries. During the TP subsurface investigation, sample points were characterized at each pit for the botanical, hydrological, and soil parameters. Wetland TP locations were selected to:

- achieve appropriate coverage and characterization of wetland and upland habitats,
- document potential changes in the vegetative community (such as a shift in the dominant species), and
- determine the approximate boundary line between wetlands and uplands by evaluating the extent of key wetland criteria (hydrology, hydric soils, and hydrophytic vegetation).

TP locations were mapped using a 300-foot tape measure triangulated from fixed locations onsite. TPs were located along three transects running north to south to document potential wetland and upland conditions and extent.

7.1 Vegetation Methods

Prior to the wetland field investigation (March 20, 2020), a review of plant species reported to be within the study area was performed by querying the “Consortium of California Herbaria” (Consortium of California Herbaria, 2020) database records and “Calflora” (Calflora, 2020) observations. It was determined that the site investigation was performed during a drier than normal rainfall period by reviewing rainfall data (see Section 3.2 Site Hydrology, Table 1). Absolute percent cover of each plant species was visually estimated within the sample point and within each vegetation stratum. The tree stratum was inspected at a 30-foot radius centered on the sample point, and the herb and sapling/shrub strata, at a 5-foot radius. Botanical

nomenclature follows *The Jepson Manual, Vascular Plants of California* (Baldwin et al., 2012) in addition to the online Jepson Interchange (University of California, Berkeley, 2020) for verification of species whose taxonomy may have changed since its publication.

The 50/20 method¹ was applied to each stratum to determine the dominant plant species within the vicinity of the test pit. Hydrophytic vegetation criteria requires dominance by hydrophytic vegetation. If hydric soils and wetland hydrology were present, the prevalence index² was applied. The occurrence and type of plant cover determine whether jurisdictional areas are identified as satisfying the vegetation criteria of a wetland or other waters. Sites displaying wetland hydrology and hydric soil but with little or no plant cover, or other sites not capable of supporting hydrophytic plant communities in normal circumstances, may be wetlands as defined by the state of California. Those sites with little or no plant cover, or other sites not capable of supporting hydrophytic plant communities in normal circumstances are identified as other waters, provided they have an OHWM.

7.2 Soils Methods

Soils were field verified for the presence or absence of hydric conditions. All TPs were manually excavated using hand tools to a minimum depth of 24 inches when possible. The thickness of each soil horizon was measured. The Munsell Soil Color Chart (Munsell, 2009) was referenced to determine the colors of the moist soil matrix and redoximorphic (redox) features (if present). Soils were closely inspected for hydric soil indicators, as defined by the NRCS "Field Indicators of Hydric Soils in the United States" (USDA-NRCS, 2018).

7.3 Hydrology Methods

Observations for wetland hydrology were made during TP excavations on March 20, 2020. Wetland hydrology is determined by the presence of surface and/or ground water in addition to indirect hydrologic indicators (such as, water marks, drift deposits, sediment deposits, drainage patterns, geomorphic position, water-stained leaves, and similar features). Indicators of extended periods of saturation would include oxidized rhizospheres surrounding living roots or the presence of reduced iron or sulfur in the soil profile. A site must contain at least one primary indicator or two secondary indicators to qualify for the hydrology parameter (Section 3.2 Site Hydrology). In addition, aerial imagery was reviewed that may show past inundation, seasonal inundation patterns, or changes onsite that may have influenced hydrology.

7.4 Ordinary High Water Mark Methods

For purposes of Section 404 of the CWA, the lateral limits of federal jurisdiction over non-tidal water bodies in the absence of adjacent wetlands extend to the OHWM. When adjacent wetlands are present, CWA jurisdiction extends beyond the OHWM to the limits of the adjacent wetlands. For purposes of Sections 9 and 10 of the Rivers and Harbors Act of 1899, the lateral extent of federal jurisdiction, which is limited to the traditional navigable waters of the United States, extends to the OHWM, whether or not adjacent wetlands extend landward of the OHWM (USACE, 2014).

USACE regulations define the term OHWM for the purposes of the CWA lateral jurisdiction as follows:

-
- 1 The 50/20 rule: for each stratum of the plant community, dominant species are the most abundant species that (when ranked in descending order of abundance and cumulatively totaled) immediately exceed 50% of total dominance measure for the stratum, plus any additional species that individually comprise 20% or more of the total dominance measure for the stratum (USACE, 2010).
 - 2 The prevalence index is a weighted-average wetland indicator status of all plant species in the sampling plot or other sampling unit, where each indicator status category is given a numeric code (OBL = 1, FACW = 2, FAC = 3, FACU = 4, and UPL = 5) and weighting is by abundance (absolute percent cover).

The term “ordinary high water mark” means that line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas at 33 CFR 328.3(e).

The OHWM in non-perennial streams corresponds with the boundaries of the active channel, which are typically expressed by some combination of three primary indicators: a topographic break in slope, change in sediment characteristics, and change in vegetation characteristics (USACE, 2014). The following supporting features should be considered when making an OHWM determination, to the extent that they can be identified and are deemed reasonably reliable (USACE, 2014):

- Drift/wrack
- Erosion/scour
- Bank undercutting
- Root exposure
- Point bars
- Water staining
- Litter removal
- Silt deposits
- Shelving
- Headcut/knickpoint
- Macroinvertebrates

8.0 Discussion and Results

Wetland field investigations were conducted on March 20, 2020. Visual inspection of the study area prior to TP excavation revealed well-drained and highly manipulated soils covered by a mix of upland and hydrophytic species reflecting the managed lawn. A brackish marsh observed south of the study area was dominated by native wetland vegetation (Appendix 1, Photos 8 and 11). A steep, vegetated slope approximately 7 to 15 feet in height separated the lawn area from the wetland. Eleven TPs were excavated by hand (Figure 2), and data for each TP was recorded for soils, vegetation, and hydrology on USACE Wetland Determination Data Forms (Appendix 4). The investigation occurred during a drier-than-normal rainfall period within the growing season for this region (Section 3.2 Site Hydrology). Normal circumstances were considered present. Hydrophytic vegetation presence was determined using the Dominance Test. See the discussion sections below for each TP, which describe the physical features and considerations of the site, followed by a data section that summarizes information from the completed USACE Wetland Determination Data Forms. A map of the study area is included as Figure 2 and photos of the study area are presented in Appendix 1.

8.1 TP1-1

8.1.1 Discussion TP1-1

TP1-1 was excavated at the northeast corner of the lawn, at the north end of Transect 1 (Figure 2). The test site was chosen to represent the eastern portion of the lawn area. No wetland parameters were met at this TP; therefore, TP1-1 is not considered a state or USACE wetland.

8.1.2 Data TP1-1

TP1-1 vegetation contained only an herb stratum. The dominant species for the herb stratum was tall fescue [FAC] with 28-percent cover. While this species is a weak wetland indicator, its dominance within the lawn area reflects lawn management rather than wetland conditions. Lawn management promotes the

persistence of FAC species in areas where they otherwise might not occur. The presence of upland species with lesser cover, and lack of hydric soils or wetland hydrology, support the conclusion that tall fescue is not acting as a hydrophyte at this location, therefore the hydrophytic vegetation parameter was not met.

No hydric soil or wetland hydrology indicators were observed.

8.2 TP1-2

8.2.1 Discussion TP1-2

TP1-2 was excavated at the top of slope in the southeastern corner of the lawn (Figure 2; Appendix 1, Photos 1, 6, and 11). No wetland parameters were met at this TP; therefore, TP1-2 is not considered a state or USACE wetland.

8.2.2 Data TP1-2

TP1-2 vegetation contained the tree, sapling/shrub, herb, and woody vine strata. The dominant species were pacific willow [FACW] with 50-percent cover in the tree stratum, California blackberry [FACU] with 3-percent cover, Himalayan blackberry [FAC] with 1 percent cover and English holly [FACU] with 1-percent cover in the sapling/shrub stratum, tall fescue [FAC] with 40-percent cover in the herb stratum and English ivy [FACU] with 28-percent cover in the woody vine stratum. Vegetation dominance by a mix of upland and wetland indicator species did not meet the hydrophytic vegetation parameter.

No hydric soil or wetland hydrology indicators were observed.

8.3 TP1-3

8.3.1 Discussion TP1-3

TP1-3 was excavated near the base of the slope approximately 5 feet in elevation below TP 1-2 and 14 inches above the base in slope in the southeastern portion of the study area (Figure 2). The hydric soil wetland parameter was met at this pit, however no additional wetland parameters were met; therefore, TP1-3 is not considered a state or USACE wetland.

8.3.2 Data TP1-3

TP1-3 vegetation contained the tree, sapling/shrub, herb, and woody vine strata. The dominant species were pacific willow [FACW] with 73-percent cover in the tree stratum, coyote brush [NL] with 50-percent cover and English holly [FACU] with 15-percent cover in the sapling/shrub stratum, slough sedge [OBL] with 28-percent cover in the herb stratum and English ivy [FACU] with 50-percent cover in the woody vine stratum. Vegetation dominance by a mix of upland and wetland indicator species did not meet the hydrophytic vegetation parameter.

The hydric soil parameter was met by observation of the indicator redox dark surface (F6). The presence of hydric soils likely represents the proximity of the TP to the wetlands and indicates that this TP was excavated within the transition from upland to wetland.

Wetland hydrology indicators were not observed, however saturation at 15 inches and a water table at 20 inches support the conclusion that this TP was excavated within the transition to wetlands. The depth to saturation mirrors the elevation of the TP, which was excavated approximately 14 inches above the base of slope.

8.4 TP1-4

8.4.1 Discussion TP1-4

TP1-4 was excavated at the base of the slope approximately 14 inches below and 5 feet south of TP1-3 in the southeast portion of the study area (Figure 2). All three wetland parameters were met at this TP therefore, TP1-4 is considered a state and USACE wetland (see Appendix 1, Photos 7 and 8). The wetland edge occurs between TP1-3 and TP1-4. Wetlands observed at TP1-4 are part of a large wetland complex associated with a brackish marsh south of the study area and north of the study area across Myrtle Avenue (Figure 1; Appendix 1, Photos 8 and 11).

8.4.2 Data TP1-4

TP1-4 vegetation contained the tree, sapling/shrub, herb, and woody vine strata. The dominant species were pacific willow [FACW] with 55-percent cover in the tree stratum, coast willow [FACW] with 5-percent cover sapling/shrub stratum, seaside arrowgrass [OBL] with 32-percent cover in the herb stratum and English ivy [FACU] with 10-percent cover in the woody vine stratum. Dominance by hydrophytes meets the hydrophytic vegetation parameter.

The hydric soil parameter was met with indicator A10, 2 cm of muck. Muck forms under saturated conditions, indicating persistent saturation at this location. The depth of muck at this location (greater than 24 inches) indicates that this wetland complex has been developing at this location for a substantial period.

Wetland hydrology was met at this TP with the primary indicators of a high water table (A2), saturation (A3), and water marks (B1) present. The water table was observed at 8 inches and saturation at the surface. The secondary indicator water-stained leaves (B9) was also observed within the vicinity of the TP.

8.5 TP2-0

8.5.1 Discussion TP2-0

TP2-0 was excavated within a strip of lawn between the existing parking lot and Myrtle Avenue in the north-central portion of the study area (Figure 2; Appendix 1, Photo 4). TP 2-0 represents conditions within the homogenous strip of lawn between the parking lot and Myrtle Avenue. No wetland parameters were met at this TP; therefore, TP2-0 is not considered a state or USACE wetland.

8.5.2 Data TP2-0

TP2-0 vegetation contained an herb stratum dominated by hairy cat's-ear [FACU] with 35-percent cover. Additional species present were primarily upland species reflecting the elevated and managed nature of the area; therefore, the hydrophytic vegetation parameter was not met.

No hydric soil or wetland hydrology indicators were observed.

8.6 TP2-1

8.6.1 Discussion TP2-1

TP2-1 was excavated in the north-central portion of the lawn, between TPs 1-1 and 3-1 (Figure 2; Appendix 1, Photos 9 and 10). No wetland parameters were observed at this TP; therefore, TP2-1 is not considered a state or USACE wetland site. Hydrophytic vegetation was dominant, however species composition reflects management and not wetland conditions; therefore, the vegetation parameter is not met.

8.6.2 Data TP2-1

TP2-1 vegetation contained an herb stratum dominated by hairy cat's ear [FAC] with 40-percent cover, annual bluegrass [FAC] with 30-percent cover, and creeping bentgrass [FAC] with 25-percent cover. Annual bluegrass and creeping bentgrass are weak wetland indicator species, and their dominance within the lawn area reflects lawn management rather than wetland conditions. Lawn management promotes the persistence of FAC species in areas where they otherwise might not occur. The presence of upland species as co-dominates, and lack of hydric soils or wetland hydrology, support the conclusion that annual bluegrass and creeping bentgrass are not acting as hydrophytes at this location; therefore, the hydrophytic vegetation parameter was not met.

No hydric soil or wetland hydrology indicators were observed.

8.7 TP2-2

8.7.1 Discussion TP2-2

TP2-2 was excavated in the center of the site (Figure 2; Appendix 1, Photos 5 and 9). No wetland parameters were met at this TP; therefore, TP2-2 is not considered a state or USACE wetland site.

8.7.2 Data TP2-2

TP2-2 vegetation contained sapling/shrub and herb stratum. The dominant species were California blackberry [FACU] with 5-percent cover and Himalayan blackberry [FAC] with 2 percent cover in the sapling/shrub stratum. Dominant species in the herb stratum included hairy cat's ear [FAC] with 34-percent cover and Italian rye grass [FAC] with 20-percent cover. Vegetation dominance by a mix of upland and wetland indicator species did not meet the hydrophytic vegetation parameter.

No hydric soil or wetland hydrology indicators were observed.

8.8 TP2-3

8.8.1 Discussion TP2-3

TP2-3 was excavated near the base of the slope approximately 10 feet in elevation below TP 2-2, and 14 inches above the slope base in the south-central portion of the study area (Figure 2). No wetland parameters were met; therefore, TP2-3 is not considered a state or USACE wetland.

8.8.2 Data TP2-3

TP2-3 vegetation contained the tree, sapling/shrub, herb, and woody vine stratum. The dominant species in the tree stratum was coastal willow [FACW] with 40-percent cover. Coyote brush [NL] with 30-percent cover and California blackberry [FACU] with 15-percent cover comprised the dominant species within the sapling/shrub stratum. Slough sedge [OBL] with 5-percent cover and sword fern [FACU] with 5-percent cover comprised the dominant species within the herb stratum. The dominant species observed within the woody vine stratum was English ivy [FACU] with 6-percent cover. Vegetation dominance by a mix of upland and wetland indicator species did not meet the hydrophytic vegetation parameter.

No hydric soil or wetland hydrology indicators were observed.

8.9 TP2-4

8.9.1 Discussion TP2-4

TP2-4 was excavated near the base of the slope approximately four feet south of TP2-3 in the south-central portion of the study area (Figure 2). All three wetland parameters were met at this TP therefore, TP2-4 is considered a state and USACE wetland. The wetland edge occurs between TP2-3 and TP2-4. Wetlands observed at TP2-4 are part of a large wetland complex associated with a brackish marsh south of the study area as well as north of the study area across Myrtle Avenue (see Figure 1).

8.9.2 Data TP2-4

TP2-4 vegetation contained the tree, sapling/shrub, and herb strata. The dominant species were coastal willow [FACW] with 40-percent cover in the tree stratum, English holly [FACU] with 5-percent cover in the sapling/shrub stratum, and slough sedge [OBL] with 18-percent cover and creeping bentgrass [FAC] with 25-percent cover in the herb stratum. Dominance by hydrophytes meets the hydrophytic vegetation parameter.

The hydric soil parameter was met with indicator A10, 2 cm of muck. Muck forms under saturated conditions, indicating persistent saturation at this location. The observed depth of muck (greater than 24 inches) indicates that this wetland complex has been developing onsite for a substantial period.

The wetland hydrology parameter was met at this TP with the primary indicators of a high water table (A2), saturation (A3), iron deposits (B5), sparsely vegetated concave surface (B8), and aquatic invertebrates (B13) observed. The water table was recorded at 8 inches, with saturation to the surface. The secondary indicators drainage patterns (B10) and geomorphic position (D2) were also observed within the vicinity of the TP.

8.10 TP3-1

8.10.1 Discussion TP3-1

TP3-1 was excavated at the northwestern corner of the lawn, at the north end of Transect 3 (Figure 2; Appendix 1, Photos 2 and 3). The test site was chosen to represent the western, uphill portion of the lawn area. No wetland parameters were met at this TP; therefore, TP3-1 is not considered a state or USACE wetland. Hydrophytic vegetation was dominant, however species composition reflects management and not wetland conditions; therefore, the vegetation parameter is not met.

8.10.2 Data TP3-1

TP3-1 vegetation contained only an herb stratum. The dominant species for the herb stratum were hairy cat's ear [FACU] with 27-percent cover, annual blue grass [FAC] with 46-percent cover, and creeping bentgrass [FAC] with 30-percent cover. Annual bluegrass and creeping bentgrass are weak wetland indicator species, and their dominance within the lawn area reflects lawn management rather than wetland conditions. Lawn management promotes the persistence of FAC species in areas where they otherwise might not occur. The presence of upland species as co-dominates, and lack of hydric soils or wetland hydrology, support the conclusion that annual bluegrass and creeping bentgrass are not acting as hydrophytes at this location; therefore, the hydrophytic vegetation parameter was not met.

No hydric soil or wetland hydrology indicators were observed.

8.11 TP3-2

8.11.1 Discussion TP3-2

TP3-2 was excavated at the top of slope in the southwestern corner of the lawn, at the southern end of Transect 3 (Figure 2; Appendix 1, Photo 3). No wetland parameters were met at this TP; therefore, TP3-2 is not considered a state or USACE wetland.

8.11.2 Data TP3-2

TP3-2 vegetation contained the sapling/shrub, herb, and woody vine strata. The dominant species were California blackberry [FACU] with 5-percent cover and Himalayan blackberry [FAC] with 8-percent cover in the sapling/shrub stratum, hairy cat's ear [FACU] with 40-percent cover in the herb stratum, and English ivy [FACU] with 30-percent cover in the woody vine stratum. Dominance by a mix of upland and wetland indicator species did not meet the hydrophytic vegetation parameter.

No hydric soil or wetland hydrology indicators were observed.

8.12 Ordinary High Water Mark (OHWM)

No OHWM was observed within the study area.

9.0 Conclusions

This region experienced a drier-than-normal seasonal rainfall volume in the three months preceding the March 2020 field work (Section 3.2 Site Hydrology). Based on topography, management, and soil conditions, the study area characteristics recorded and described in this report are representative of site upland and wetland conditions, despite the drier-than-normal rainfall period. A freshwater emergent wetland exists along the southern study area boundary (Figure 2). Table 2 describes the number and type of parameters met at each of the eleven TPs. Figure 2 indicates the jurisdictional wetland boundary and TP locations within the study area.

**Table 2. Parameters Met at Each Test Pit (TP), March 2020
Eureka, Humboldt County, California**

TP Number	Parameters Met	Parameter Type	Latitude/Longitude
TP1-1	0	None: Hydrophytic veg. reflect managed lawn conditions and are not acting as hydrophytes	40.797671°/-124.144327°
TP1-2	0	None	40.797563°/-124.144362°
TP1-3	1	Hydric Soil	40.797531°/-124.144371°
TP1-4	3	Hydrophytic Vegetation, Hydric Soil, Wetland Hydrology	40.797505°/-124.144375°
TP2-0	0	None	40.797882°/-124.144451°
TP2-1	0	None: Hydrophytic veg. reflect managed lawn conditions and are not acting as hydrophytes	40.797702°/-124.144541°
TP2-2	0	None	40.797599°/-124.144591°
TP2-3	0	None	40.797570°/-124.144611°
TP2-4	3	Hydrophytic Vegetation, Hydric Soil, Wetland Hydrology	40.797562°/-124.144614°
TP3-1	0	None: Hydrophytic veg. reflect managed lawn conditions and are not acting as hydrophytes	40.797757°/-124.144779°
TP3-2	0	None	40.797645°/-124.144827°

While TPs 1-1, 2-1, and 3-1 had weakly hydrophytic vegetation dominance, vegetation composition was representative of managed lawn conditions, which promote hydrophytic herbaceous species. Such conditions are not indicative of wetland conditions. TP1-3 met the hydric soil parameter because it was near the edge of the wetland. This TP represented the transition between upland and wetland. TPs 1-4 and 2-4 were excavated within the freshwater emergent wetland along the southern study area boundary. These TPs met all three wetland parameters. The remaining TPs met none of the wetland parameters, indicating most of the site is upland.

9.1 Buffer Recommendation

No wetlands were observed within or immediately adjacent to the parking lot or associated lawn and hillslope, however an intact, native species-dominated wetland complex exists south of the project area. The existing vegetated slope acts as a suitable buffer from the wetlands that exist south of the study area for the following reasons:

- The wetlands are topographically separated from the lawn and parking area. The lawn area is a minimum of 6 feet above the elevation of the wetland and rises to 15 feet above the wetland toward the western side of the study area.
- Native vegetation on the slope acts as a barrier to visual disturbance and accidental encroachment into the wetland from the study area. This vegetative barrier can be improved by removing non-native vegetation, garbage, and homeless encampments.
- The study area is already developed and managed; therefore, a change in development will not substantially alter environmental conditions within the study area which lacks native vegetation communities and wetland buffer habitat.
- Existing commercial development immediately east of the study area is built with a similar buffer incorporated. Any proposed development should observe a similar or greater setback to what has already been established.

Future proposed development can improve the conditions of the site by incorporating the following suggestions:

- Any proposed development should be sited as far from the wetland areas as is feasibly possible.
- Project design should incorporate native vegetation species and invasive species management.
- Any increase in stormwater runoff resulting from an increase in impermeable surfaces should be captured and infiltrated prior to reaching the wetland area.
- Any development should be sited far enough away from the trees and woody vegetation on the slope to prevent substantial root damage to trees that may result in a reduction in vegetative cover, this includes temporary incursion during construction that could damage roots.
- Temporary fencing should be installed during construction to prevent accidental incursion or damage of vegetation along the slope.
- Wildlife-friendly fencing should be installed following completion of construction to prevent incursion into the wetland area.

10.0 Limitations

The conclusions in this report represent a “snapshot in time” and some species may not have been identifiable or may not have been present at the time of the fieldwork. This report documents the investigation by using the best professional judgment of SHN’s wetland ecologist and soil scientist.

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Site Photographs

1



Photo 1: Looking northwest across lawn area toward parking lot from TP1-2 location. Note managed lawn and native woody species indicating top of bank in the left-hand side of the photo. Photo taken March 20, 2020.



Photo 2: Looking southeast across the lawn area from Sunny Avenue sidewalk near TP3-1. Note managed lawn and native woody species along steep bank acting as a buffer for the wetland. Photo taken March 20, 2020.



Photo 3: Looking south along the western boundary of the study area with Sunny Avenue on the right and parking lot on the left. Note developed nature of the study area. Photo taken March 20, 2020.



Photo 4: Looking east at the strip of lawn between the parking lot (right) and Myrtle Avenue (left). Conditions within this area are represented by TP 2-0. Photo taken March 20, 2020.



Photo 5: Upland conditions within the lawn area. Note sloping nature of the area and managed lawn. Photo looking southeast. Photo taken March 20, 2020.



Photo 6: Looking south at TP1-2. Note transition from lawn to woody vegetation along slope, and change in elevation from lawn area at TP1-2 to wetland area within the vicinity of the wetland ecologist. Photo taken March 20, 2020.



Photo 7: TP 1-4 displaying three wetland parameters. Note water table, saturation, and hydric soil indicators. Photo taken March 20, 2020.



Photo 8: Brackish marsh and associated wetlands immediately south of TP1-4. Note native hydrophytic vegetation dominance and surface water. Photo looking south from TP1-4. Photo taken March 20, 2020.



Photo 9: Looking south from the parking lot edge toward TP2-1 (pictured). Note brackish marsh south of the lawn, separated from the upland areas by 6-12 feet of elevation and a steep vegetated slope. Photo taken March 20, 2020.



Photo 10: Soil conditions within TP2-1 looking north. Note lawn conditions, and compacted gravelly fill soils. Photo taken March 20, 2020.



Photo 11: Looking south across brackish marsh and associated wetlands from the top of bank adjacent to the edge of the lawn at TP1-2. Photo taken March 20, 2020.

National Wetlands Inventory Map

2



April 27, 2020

Wetlands

- | | | | | | |
|---|--------------------------------|---|-----------------------------------|---|----------|
|  | Estuarine and Marine Deepwater |  | Freshwater Emergent Wetland |  | Lake |
|  | Estuarine and Marine Wetland |  | Freshwater Forested/Shrub Wetland |  | Other |
| | |  | Freshwater Pond |  | Riverine |

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

Plant List

3

Table 3 Botanical Species Observed 3/20/2020 Sunny Ave Wetland Delineation, Eureka CA			
Scientific Name	Common Name	Family	Native?
Trees			
<i>Alnus rubra</i>	red alder	Betulaceae	FAC
<i>Ilex aquifolium</i>	English holly	Aquifoliaceae	FACU
<i>Salix hookeriana</i>	coast willow	Salicaceae	FACW
<i>Salix lasiandra</i> var. <i>lasiandra</i>	pacific willow	Salicaceae	FACW
<i>Salix sitchensis</i>	Sitka willow	Salicaceae	FACW
Shrubs			
<i>Baccharis pilularis</i> ssp. <i>consanguinea</i>	coyote brush	Asteraceae	NL
<i>Lonicera involucrata</i> var. <i>ledebourii</i>	coast twinberry	Caprifoliaceae	FAC
<i>Rubus armeniacus</i>	Himalayan blackberry	Rosaceae	FAC
<i>Rubus ursinus</i>	California blackberry	Rosaceae	FACU
Ferns and Allies			
<i>Equisetum arvense</i>	horsetail	Equisetaceae	FAC
<i>Polystichum munitum</i>	sword fern	Dryopteridaceae	FACU
Grasses			
<i>Agrostis stolonifera</i>	creeping bent grass	Poaceae	FAC
<i>Dactylis glomerata</i>	orchard grass	Poaceae	FACU
<i>Festuca arundinacea</i>	tall fescue	Poaceae	FAC
<i>Festuca perennis</i>	Italian wildrye	Poaceae	FAC
<i>Holcus lanatus</i>	velvet grass	Poaceae	FAC
<i>Poa annua</i>	annual bluegrass	Poaceae	FAC
<i>Poa pratensis</i>	Kentucky bluegrass	Poaceae	FAC
Herbs			
<i>Atriplex prostrata</i>	fat hen	Chenopodiaceae	FAC
<i>Bellis perennis</i>	English daisy	Asteraceae	NL
<i>Carex obnupta</i>	slough sedge	Cyperaceae	OBL
<i>Daucus carota</i>	Queen Anne's lace	Apiaceae	FACU
<i>Erodium moschatum</i>	whitestem filaree	Geraniaceae	NL
<i>Foeniculum vulgare</i>	fennel	Apiaceae	NL
<i>Geranium dissectum</i>	cutleaf geranium	Geraniaceae	NL
<i>Hypochaeris radicata</i>	hairy cat's ear	Asteraceae	FACU
<i>Lotus corniculatus</i>	bird's-foot trefoil	Fabaceae	FAC
<i>Medicago polymorpha</i>	burclover	Fabaceae	FACU
<i>Plantago lanceolata</i>	English plantain	Plantaginaceae	FACU
<i>Potentilla anserina</i> ssp. <i>pacifica</i>	silverweed	Rosaceae	OBL
<i>Rumex acetosella</i>	sheep sorrel	Polygonaceae	FACU
<i>Rumex crispus</i>	curly dock	Polygonaceae	FAC
<i>Senecio vulgaris</i>	common groundsel	Asteraceae	FACU
<i>Symphotrichum chilense</i>	pacific aster	Asteraceae	FAC
<i>Taraxacum officinale</i>	common dandelion	Asteraceae	FACU
<i>Trifolium subterraneum</i>	subterranean clover	Fabaceae	NL
<i>Triglochin maritima</i>	seaside arrow grass	Juncaginaceae	OBL

Table 3 Botanical Species Observed 3/20/2020 Sunny Ave Wetland Delineation, Eureka CA			
Scientific Name	Common Name	Family	Native?
<i>Veronica americana</i>	American speedwell	Plantaginaceae	OBL
<i>Vicia sativa</i>	spring vetch	Fabaceae	UPL
Vines			
<i>Hedera helix</i>	English ivy	Araliaceae	FACU
163 Species			55% Native
OBL: Obligate, almost always occurs in wetlands FACW: Facultative-wet, usually occurs in wetlands, but may occur in non-wetlands FAC: Facultative, occurs in wetlands and non-wetlands FACU: Facultative-upland, usually occurs in non-wetlands, but may occur in wetlands UPL: Upland, almost never occurs in wetlands NL: Not Listed, scored as an upland plant			

Wetland Determination Data Forms

4

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 1-1
 Investigator(s): Joseph Saler, Sam Poly Section, Township, Range: SE 4 Sec 23, T5 N, R1 W, HBM
 Landform (hillslope, terrace, etc.): Fill Local relief (concave, convex, none): None Slope (%): 3%
 Subregion (LRR): A, MLRA 4B Lat: 40.797888° Long: -124.144292 Datum: WGS84
 Soil Map Unit Name: Lepoil Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No * (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Hydric Soil Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Remarks: <u>32 ft West of culvert</u> <u>67 ft South of parking lot corner.</u> * Drier than normal WETS & 65% of normal per NWSFO 3/20/20			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:	
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)	
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>1</u> (B)	
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>100</u> (A/B)	
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____	
= Total Cover					
Sapling/Shrub Stratum (Plot size: _____)					
1. _____	_____	_____	_____		
2. _____	_____	_____	_____		
3. _____	_____	_____	_____		
4. _____	_____	_____	_____		
5. _____	_____	_____	_____	Hydrophytic Vegetation Indicators: <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants ¹ _____ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.	
= Total Cover					
Herb Stratum (Plot size: <u>5 ft</u>)					
1. <u>Hypochaeris radicata</u>	<u>10</u>		<u>FACU</u>		
2. <u>Bellis perennis</u>	<u>15</u>		<u>NL</u>		
3. <u>Poa annua</u>	<u>20</u>		<u>FAC</u>		
4. <u>Lotus corniculatus</u>	<u>3</u>		<u>FAC</u>		
5. <u>Festuca arvensis</u>	<u>28</u>	<input checked="" type="checkbox"/>	<u>FAC</u>		
6. <u>Triticum subterraneum</u>	<u>21</u>		<u>NL</u>		
7. <u>Rumex acetosella</u>	<u>3</u>		<u>FACU</u>		
8. <u>Medicago polymorpha</u>	<u>6</u>		<u>FACU</u>		
9. <u>Geranium dissectum</u>	<u>3</u>		<u>NL</u>		
10. <u>Taraxacum officinale</u>	<u>10</u>		<u>FACU</u>		
11. <u>Secaerum moschatum</u>	<u>1</u>		<u>NL</u>		
12. <u>Foeniculum vulgare</u>	<u>2</u>				
= Total Cover					
Woody Vine Stratum (Plot size: _____)					
1. <u>Senecio vulgaris</u>	<u>1</u>		<u>FACU</u>		
2. <u>Plantago lanceolata</u>	<u>1</u>		<u>FACU</u>		
= Total Cover <u>2</u>					
% Bare Ground in Herb Stratum <u>0</u>					
Remarks: <u>Dense Lawn cover.</u> ** Vegetation reflects Lawn management and are not operating as hydrophytes					
Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> **					

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 3/2	100	—	—	—	—	L	Debris present } Rock present } fill
5-14	10YR 4/3	100	—	—	—	—	L	
14-24+	7.5YR 3/4	30	—	—	—	—	Sch	
	7.5YR 3/2	35	—	—	—	—		
	10YR 5/6	15	—	—	—	—		
	2.5Y 5/4	10	—	—	—	—		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No Depth (inches): N/A
 Water Table Present? Yes _____ No Depth (inches): N/A
 Saturation Present? Yes _____ No Depth (inches): N/A
 (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 1-2
 Investigator(s): Sam Polly, Joseph Saler Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): fill Local relief (concave, convex, none): None Slope (%): 6
 Subregion (LRR): A, MLRA, 4B Lat: 40.797572° Long: -124.144329° Datum: WGS84
 Soil Map Unit Name: 257: Lepoil Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soil Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Wetland Hydrology Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Remarks: <u>55ft SW of culvert</u> * see I-1 <u>41 ft S of TP 1-1</u>	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>50%</u> (A/B)																		
1. <u>Salix lasiandra var lasiandra</u>	<u>50</u>	<input checked="" type="checkbox"/>	<u>FACW</u>		<table border="1"> <tr> <th colspan="2">Prevalence Index worksheet:</th> </tr> <tr> <td>Total % Cover of:</td> <td>Multiply by:</td> </tr> <tr> <td>OBL species _____</td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species _____</td> <td>x 2 = _____</td> </tr> <tr> <td>FAC species _____</td> <td>x 3 = _____</td> </tr> <tr> <td>FACU species _____</td> <td>x 4 = _____</td> </tr> <tr> <td>UPL species _____</td> <td>x 5 = _____</td> </tr> <tr> <td>Column Totals: _____</td> <td>(A) _____ (B) _____</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = _____</td> </tr> </table>	Prevalence Index worksheet:		Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species _____	x 3 = _____	FACU species _____	x 4 = _____	UPL species _____	x 5 = _____	Column Totals: _____	(A) _____ (B) _____	Prevalence Index = B/A = _____
Prevalence Index worksheet:																						
Total % Cover of:	Multiply by:																					
OBL species _____	x 1 = _____																					
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FAC species _____	x 3 = _____																					
FACU species _____	x 4 = _____																					
UPL species _____	x 5 = _____																					
Column Totals: _____	(A) _____ (B) _____																					
Prevalence Index = B/A = _____																						
2. _____																						
3. _____																						
4. _____																						
= Total Cover <u>50</u>																						
Sapling/Shrub Stratum (Plot size: <u>5ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	<table border="1"> <tr> <th colspan="2">Prevalence Index worksheet:</th> </tr> <tr> <td>Total % Cover of:</td> <td>Multiply by:</td> </tr> <tr> <td>OBL species _____</td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species _____</td> <td>x 2 = _____</td> </tr> <tr> <td>FAC species _____</td> <td>x 3 = _____</td> </tr> <tr> <td>FACU species _____</td> <td>x 4 = _____</td> </tr> <tr> <td>UPL species _____</td> <td>x 5 = _____</td> </tr> <tr> <td>Column Totals: _____</td> <td>(A) _____ (B) _____</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = _____</td> </tr> </table>	Prevalence Index worksheet:		Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species _____	x 3 = _____	FACU species _____	x 4 = _____	UPL species _____	x 5 = _____	Column Totals: _____	(A) _____ (B) _____	Prevalence Index = B/A = _____	
Prevalence Index worksheet:																						
Total % Cover of:	Multiply by:																					
OBL species _____	x 1 = _____																					
FACW species _____	x 2 = _____																					
FAC species _____	x 3 = _____																					
FACU species _____	x 4 = _____																					
UPL species _____	x 5 = _____																					
Column Totals: _____	(A) _____ (B) _____																					
Prevalence Index = B/A = _____																						
1. <u>Rubus ursinus</u>	<u>3</u>	<input checked="" type="checkbox"/>	<u>FACU</u>																			
2. <u>Rubus armeniacus</u>	<u>1</u>	<input checked="" type="checkbox"/>	<u>FAC</u>																			
3. <u>Ilex aquifolium</u>	<u>1</u>	<input checked="" type="checkbox"/>	<u>FACU</u>																			
4. _____																						
5. _____																						
= Total Cover <u>5</u>																						
Herb Stratum (Plot size: <u>5ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	<table border="1"> <tr> <th colspan="2">Prevalence Index worksheet:</th> </tr> <tr> <td>Total % Cover of:</td> <td>Multiply by:</td> </tr> <tr> <td>OBL species _____</td> <td>x 1 = _____</td> </tr> <tr> <td>FACW species _____</td> <td>x 2 = _____</td> </tr> <tr> <td>FAC species _____</td> <td>x 3 = _____</td> </tr> <tr> <td>FACU species _____</td> <td>x 4 = _____</td> </tr> <tr> <td>UPL species _____</td> <td>x 5 = _____</td> </tr> <tr> <td>Column Totals: _____</td> <td>(A) _____ (B) _____</td> </tr> <tr> <td colspan="2">Prevalence Index = B/A = _____</td> </tr> </table>	Prevalence Index worksheet:		Total % Cover of:	Multiply by:	OBL species _____	x 1 = _____	FACW species _____	x 2 = _____	FAC species _____	x 3 = _____	FACU species _____	x 4 = _____	UPL species _____	x 5 = _____	Column Totals: _____	(A) _____ (B) _____	Prevalence Index = B/A = _____	
Prevalence Index worksheet:																						
Total % Cover of:	Multiply by:																					
OBL species _____	x 1 = _____																					
FACW species _____	x 2 = _____																					
FAC species _____	x 3 = _____																					
FACU species _____	x 4 = _____																					
UPL species _____	x 5 = _____																					
Column Totals: _____	(A) _____ (B) _____																					
Prevalence Index = B/A = _____																						
1. <u>Festuca arundinacea</u>	<u>40</u>	<input checked="" type="checkbox"/>	<u>FAC</u>																			
2. <u>Bellis perenne</u>	<u>7</u>		<u>NL</u>																			
3. <u>Vicia sativa</u>	<u>1</u>		<u>UPL</u>																			
4. <u>Dactylis glomerata</u>	<u>11</u>		<u>FACU</u>																			
5. <u>Rumex acetosella</u>	<u>2</u>		<u>FACU</u>																			
6. _____																						
7. _____																						
8. _____																						
9. _____																						
10. _____																						
11. _____																						
= Total Cover <u>5</u>																						
Woody Vine Stratum (Plot size: <u>5ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	<table border="1"> <tr> <td colspan="2">Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></td> </tr> </table>	Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>																	
Hydrophytic Vegetation Present? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>																						
1. <u>Hedera helix</u>	<u>8</u>	<input checked="" type="checkbox"/>	<u>FACU</u>																			
2. _____																						
= Total Cover <u>8</u>																						
% Bare Ground in Herb Stratum <u>39*</u>																						
Remarks: <u>* litter and bare soil</u>																						

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-8	10YR 2/2	100	—	—	—	—	Gr L	chunks of asphalt > fill
8-18+	10YR 3/3	55	—	—	—	—	SL	
	10YR 2/2	45	—	—	—	—		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils³:
<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
Primary Indicators (minimum of one required; check all that apply)	Secondary Indicators (2 or more required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Aquatic Invertebrates (B13)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> Other (Explain in Remarks)
	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
	<input type="checkbox"/> Geomorphic Position (D2)
	<input type="checkbox"/> Shallow Aquitard (D3)
	<input type="checkbox"/> FAC-Neutral Test (D5)
	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
	<input type="checkbox"/> Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No Depth (inches): NA

Water Table Present? Yes _____ No Depth (inches): NA

Saturation Present? Yes _____ No Depth (inches): NA

(includes capillary fringe)

Wetland Hydrology Present? Yes _____ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 1-3
 Investigator(s): Joseph Sales, Sam Polly Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): fill slope Local relief (concave, convex, none): None Slope (%): 38
 Subregion (LRR): A, MLRA, 4B Lat: 40.797494° Long: -124.149345 Datum: WGS 84
 Soil Map Unit Name: 1008: Hydroglaucous mucky silty loam, strongly saline 0-1% NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Is the Sampled Area within a Wetland?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Hydric Soil Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Wetland Hydrology Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Remarks: <u>5ft elevation distance between tp 1-2 and TP 1-3 *sec 1-1</u> <u>13ft south of TP 1-2</u>			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>5</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>40%</u> (A/B)
1. <u>Salix lasiandra var. lasiandra</u>	<u>73</u>	<input checked="" type="checkbox"/>	<u>FACW</u>	
2. _____				
3. _____				
4. _____				
Sapling/Shrub Stratum (Plot size: <u>5ft</u>) 1. <u>Baccharis pilularis sp. consanguinea</u> <u>50</u> <input checked="" type="checkbox"/> <u>NL</u> 2. <u>Ilex aquifolium</u> <u>15</u> <input checked="" type="checkbox"/> <u>FACU</u> 3. <u>Rubus ursinus</u> <u>3</u> <input type="checkbox"/> <u>FACU</u> 4. <u>Rubus armeniacus</u> <u>1</u> <input type="checkbox"/> <u>FAC</u> 5. _____				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Herb Stratum (Plot size: <u>5ft</u>) 1. <u>Carex obnupta</u> <u>28</u> <input checked="" type="checkbox"/> <u>OBL</u> 2. _____ 3. _____ 4. _____ 5. _____ 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____				
Woody Vine Stratum (Plot size: <u>5ft</u>) 1. <u>Hedera helix</u> <u>50</u> <input checked="" type="checkbox"/> <u>FACU</u> 2. _____				
% Bare Ground in Herb Stratum <u>72*</u>				
Remarks: <u>* Litter</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 2/1	100					L	
6-15	10YR 3/1	85	5YR 3/3	5	C	PL	SLC	
	10YR 4/4	10						
15-24+	5Y 3/2	70	5G 5/1	20	D	M	CL	
			5Y 4/3	10	C	M		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	Indicators for Problematic Hydric Soils³:
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input checked="" type="checkbox"/> Redox Dark Surface (F6)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)	Secondary Indicators (2 or more required)
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Drainage Patterns (B10)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	

Field Observations:

Surface Water Present?	Yes _____ No <input checked="" type="checkbox"/>	Depth (inches): <u>N/A</u>	Wetland Hydrology Present? Yes _____ No <input checked="" type="checkbox"/>
Water Table Present?	Yes _____ No <input checked="" type="checkbox"/>	Depth (inches): <u>20 in</u>	
Saturation Present? (includes capillary fringe)	Yes _____ No <input checked="" type="checkbox"/>	Depth (inches): <u>15 in</u>	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 1-4
 Investigator(s): Sam Pally, Joseph Saler Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): Alluvial plain Local relief (concave, convex, none): None Slope (%): 0-1
 Subregion (LRR): A, MLRA, 4B Lat: 40.797470° Long: -124.144349 Datum: WGS84
 Soil Map Unit Name: 1008: Hydrogents muddy silt loam, strongly saline, 0-1% slopes NWI classification: PEM1/SS1C
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes No * (If no, explain in Remarks.)
 Are Vegetation , Soil , or Hydrology significantly disturbed? Are "Normal Circumstances" present? Yes No
 Are Vegetation , Soil , or Hydrology naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Hydric Soil Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Is the Sampled Area within a Wetland? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Remarks: <u>14 inches elevation difference between TP 1-3 and TP 1-4 5 feet south of TP 1-3 *see 1-1</u>			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. <u>Salix lasiandra var. lasiandra</u>	<u>55</u>	<input checked="" type="checkbox"/>	<u>FACW</u>	Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>4</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75%</u> (A/B)
4. _____	_____	_____	_____	Prevalence Index worksheet:
Sapling/Shrub Stratum (Plot size: <u>5ft</u>) 1. <u>Salix hookeriana</u> <u>5</u> <input checked="" type="checkbox"/> <u>FACW</u> 2. _____ 3. _____ 4. _____ 5. _____				Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B)
Herb Stratum (Plot size: <u>5ft</u>) 1. <u>Triglochin maritima</u> <u>32</u> <input checked="" type="checkbox"/> <u>OBL</u> 2. <u>Agrostis stolonifera</u> <u>1</u> <input type="checkbox"/> <u>FAC</u> 3. <u>Rumex crispus</u> <u>3</u> <input type="checkbox"/> <u>FAC</u> 4. <u>Carex obnupta</u> <u>5</u> <input type="checkbox"/> <u>OBL</u> 5. <u>Atriplex prostrata</u> <u>1</u> <input type="checkbox"/> <u>FAC</u> 6. _____ 7. _____ 8. _____ 9. _____ 10. _____ 11. _____				Prevalence Index = B/A = _____ Hydrophytic Vegetation Indicators: <input checked="" type="checkbox"/> 1 - Rapid Test for Hydrophytic Vegetation <input checked="" type="checkbox"/> 2 - Dominance Test is >50% <input type="checkbox"/> 3 - Prevalence Index is ≤3.0 ¹ <input type="checkbox"/> 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) <input type="checkbox"/> 5 - Wetland Non-Vascular Plants ¹ <input type="checkbox"/> Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
Woody Vine Stratum (Plot size: <u>5ft</u>) 1. <u>Hedera helix</u> <u>10</u> <input checked="" type="checkbox"/> <u>FACU</u> 2. _____				Hydrophytic Vegetation Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
% Bare Ground in Herb Stratum <u>68*</u> <u>10</u> = Total Cover <u>21/8.4</u>				
Remarks: <u>* Muck and litter. Note Carex lyngbyi 10ft south of Testpit</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-2	7.5YR 2.5/1	100	—	—	—	—	Muck	
2-4	2.5YR 2.5/3	100	—	—	—	—	Muck	
4-9	10YR 2/2	100	—	—	—	—	Muck	
9-12	N 2.5/	100	—	—	—	—	SM	
12-24+	10YR 3/1	100	—	—	—	—	Muck	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

<input type="checkbox"/> Histosol (A1)	<input type="checkbox"/> Sandy Redox (S5)	Indicators for Problematic Hydric Soils³: <input checked="" type="checkbox"/> 2 cm Muck (A10) <input type="checkbox"/> Red Parent Material (TF2) <input type="checkbox"/> Very Shallow Dark Surface (TF12) <input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Stripped Matrix (S6)	
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Redox Dark Surface (F6)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Depleted Dark Surface (F7)	
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Redox Depressions (F8)	

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)		Secondary Indicators (2 or more required)
<input checked="" type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)	<input checked="" type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input checked="" type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Salt Crust (B11)	<input type="checkbox"/> Drainage Patterns (B10)
<input checked="" type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Aquatic Invertebrates (B13)	<input type="checkbox"/> Dry-Season Water Table (C2)
<input checked="" type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)	<input type="checkbox"/> Saturation Visible on Aerial Imagery (C9)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)	<input type="checkbox"/> Geomorphic Position (D2)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Presence of Reduced Iron (C4)	<input type="checkbox"/> Shallow Aquitard (D3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)	<input type="checkbox"/> FAC-Neutral Test (D5)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Other (Explain in Remarks)	<input type="checkbox"/> Frost-Heave Hummocks (D7)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)		
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)		

Field Observations:

Surface Water Present?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Depth (inches): <u>N/A</u>	Wetland Hydrology Present? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Water Table Present?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>Bin</u>	
Saturation Present? (includes capillary fringe)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Depth (inches): <u>surface</u>	

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-6	10YR 2/2	100					L	Fill
6-24	10YR 4/2	100					L	Fill

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)		Indicators for Problematic Hydric Soils³:
<input type="checkbox"/> Histic Epipedon (A2)	<input type="checkbox"/> Sandy Redox (S5)	<input type="checkbox"/> 2 cm Muck (A10)
<input type="checkbox"/> Black Histic (A3)	<input type="checkbox"/> Stripped Matrix (S6)	<input type="checkbox"/> Red Parent Material (TF2)
<input type="checkbox"/> Hydrogen Sulfide (A4)	<input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1)	<input type="checkbox"/> Very Shallow Dark Surface (TF12)
<input type="checkbox"/> Depleted Below Dark Surface (A11)	<input type="checkbox"/> Loamy Gleyed Matrix (F2)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Thick Dark Surface (A12)	<input type="checkbox"/> Depleted Matrix (F3)	
<input type="checkbox"/> Sandy Mucky Mineral (S1)	<input type="checkbox"/> Redox Dark Surface (F6)	³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.
<input type="checkbox"/> Sandy Gleyed Matrix (S4)	<input type="checkbox"/> Depleted Dark Surface (F7)	
	<input type="checkbox"/> Redox Depressions (F8)	

Restrictive Layer (if present):
 Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:	
<u>Primary Indicators (minimum of one required; check all that apply)</u>	<u>Secondary Indicators (2 or more required)</u>
<input type="checkbox"/> Surface Water (A1)	<input type="checkbox"/> Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> High Water Table (A2)	<input type="checkbox"/> Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
<input type="checkbox"/> Saturation (A3)	<input type="checkbox"/> Salt Crust (B11)
<input type="checkbox"/> Water Marks (B1)	<input type="checkbox"/> Aquatic Invertebrates (B13)
<input type="checkbox"/> Sediment Deposits (B2)	<input type="checkbox"/> Hydrogen Sulfide Odor (C1)
<input type="checkbox"/> Drift Deposits (B3)	<input type="checkbox"/> Oxidized Rhizospheres along Living Roots (C3)
<input type="checkbox"/> Algal Mat or Crust (B4)	<input type="checkbox"/> Presence of Reduced Iron (C4)
<input type="checkbox"/> Iron Deposits (B5)	<input type="checkbox"/> Recent Iron Reduction in Tilled Soils (C6)
<input type="checkbox"/> Surface Soil Cracks (B6)	<input type="checkbox"/> Stunted or Stressed Plants (D1) (LRR A)
<input type="checkbox"/> Inundation Visible on Aerial Imagery (B7)	<input type="checkbox"/> Other (Explain in Remarks)
<input type="checkbox"/> Sparsely Vegetated Concave Surface (B8)	<input type="checkbox"/> FAC-Neutral Test (D5)
	<input type="checkbox"/> Raised Ant Mounds (D6) (LRR A)
	<input type="checkbox"/> Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): N/A

Water Table Present? Yes _____ No X Depth (inches): N/A

Saturation Present? Yes _____ No X Depth (inches): N/A

(includes capillary fringe)

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 2-1
 Investigator(s): Joseph Salor, Sam Polly Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): Fill Local relief (concave, convex, none): None Slope (%): 3%
 Subregion (LRR): A, MLRA 4B Lat: 40.797713° Long: -124.144526° Datum: _____
 Soil Map Unit Name: S1 Lepail Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X* (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	
Remarks: <u>20 ft SE of SW corner of concrete patio</u> <u>26 ft SW of SE "</u> * see 1-1	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66%</u> (A/B)
1. _____				
2. _____				
3. _____				
_____ = Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: _____)				
1. _____				
2. _____				
3. _____				
_____ = Total Cover				
Herb Stratum (Plot size: <u>5ft</u>)				Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ 5 - Wetland Non-Vascular Plants ¹ ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Hypochaeris radicata</u>	<u>40</u>	<u>✓</u>	<u>FACU</u>	
2. <u>Bellis perenne</u>	<u>7</u>		<u>NL</u>	
3. <u>Symphoricarpon chilense</u>	<u>6</u>		<u>FAC</u>	
4. <u>Poa annua</u>	<u>30</u>	<u>✓</u>	<u>FAC</u>	
5. <u>Aspogon prolanifera</u>	<u>25</u>	<u>✓</u>	<u>FAC</u>	
6. <u>Rumex acetosella</u>	<u>1</u>		<u>FACU</u>	
7. <u>Holcus lanatus</u>	<u>1</u>		<u>FAC</u>	
8. <u>Geranium dissectum</u>	<u>1</u>		<u>NL</u>	
9. _____				
10. _____				
_____ = Total Cover <u>55.5</u>				
Woody Vine Stratum (Plot size: _____)				Hydrophytic Vegetation Present? Yes _____ No <u>X**</u>
1. _____				
_____ = Total Cover <u>22.2</u>				
% Bare Ground in Herb Stratum <u>0</u> = Total Cover				
Remarks: <u>Mowed lawn → * Vegetation reflects lawn management and are not operating as hydrophytes</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR 3/2	100	—	—	—	—	SL	
5-24	10YR 4/4	—	—	—	—	—	—	
5-24	10YR 4/6	40	—	—	—	—	SCL	
	2.5Y 4/4	60	—	—	—	—		

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No Depth (inches): N/A
 Water Table Present? Yes _____ No Depth (inches): N/A
 Saturation Present? Yes _____ No Depth (inches): N/A
 (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 2-2
 Investigator(s): Sam Pelly, Joseph Saler Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): Fill Local relief (concave, convex, none): None Slope (%): 5
 Subregion (LRR): A, MLRA, 4B Lat: 40.797650° Long: -124.144541 Datum: _____
 Soil Map Unit Name: 257: Lepoil/Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X* (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	
Remarks: <u>39 ft South of TP 2-1</u> <u>72 ft West of TP 1-2</u> * see I-1	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>5</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>40%</u> (A/B)
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
= Total Cover _____				
Sapling/Shrub Stratum (Plot size: <u>5ft</u>)	_____	_____	_____	Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ 5 - Wetland Non-Vascular Plants ¹ ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Rubus ursinus</u>	<u>5</u>	<u>✓</u>	<u>FACU</u>	
2. <u>Rubus armeniacus</u>	<u>2</u>	<u>✓</u>	<u>FAC</u>	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
= Total Cover <u>7</u>				
Herb Stratum (Plot size: <u>5ft</u>)	_____	_____	_____	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. <u>Hypochaeris radicata</u>	<u>34</u>	<u>✓</u>	<u>FACU</u>	
2. <u>Bellis perenne</u>	<u>7</u>	_____	<u>NL</u>	
3. <u>Festuca perennis</u>	<u>20</u>	<u>✓</u>	<u>FAC</u>	
4. <u>Rumex acetosella</u>	<u>2</u>	_____	<u>FACU</u>	
5. <u>Festuca arundinacea</u>	<u>3</u>	_____	<u>FAC</u>	
6. <u>Poa annua</u>	<u>15</u>	_____	<u>FAC</u>	
7. <u>Agrostis stolonifera</u>	<u>18</u>	_____	<u>FAC</u>	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
= Total Cover <u>99</u>				
Woody Vine Stratum (Plot size: <u>5ft</u>)	_____	_____	_____	
1. <u>Hedera helix</u>	<u>28</u>	<u>✓</u>	<u>FACU</u>	
2. _____	_____	_____	_____	
= Total Cover <u>28</u>				
% Bare Ground in Herb Stratum <u>1%</u>	_____	_____	_____	
Remarks: _____				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-5	10YR2/1	100					L	
5-24	10YR2/2	100					VGr-L	Cobbles + asphalt

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.) **Indicators for Problematic Hydric Soils³:**

- | | | |
|--|---|---|
| <input type="checkbox"/> Histosol (A1) | <input type="checkbox"/> Sandy Redox (S5) | <input type="checkbox"/> 2 cm Muck (A10) |
| <input type="checkbox"/> Histic Epipedon (A2) | <input type="checkbox"/> Stripped Matrix (S6) | <input type="checkbox"/> Red Parent Material (TF2) |
| <input type="checkbox"/> Black Histic (A3) | <input type="checkbox"/> Loamy Mucky Mineral (F1) (except MLRA 1) | <input type="checkbox"/> Very Shallow Dark Surface (TF12) |
| <input type="checkbox"/> Hydrogen Sulfide (A4) | <input type="checkbox"/> Loamy Gleyed Matrix (F2) | <input type="checkbox"/> Other (Explain in Remarks) |
| <input type="checkbox"/> Depleted Below Dark Surface (A11) | <input type="checkbox"/> Depleted Matrix (F3) | |
| <input type="checkbox"/> Thick Dark Surface (A12) | <input type="checkbox"/> Redox Dark Surface (F6) | |
| <input type="checkbox"/> Sandy Mucky Mineral (S1) | <input type="checkbox"/> Depleted Dark Surface (F7) | ³ Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic. |
| <input type="checkbox"/> Sandy Gleyed Matrix (S4) | <input type="checkbox"/> Redox Depressions (F8) | |

Restrictive Layer (if present):

Type: _____
 Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No Depth (inches): N/A
 Water Table Present? Yes _____ No Depth (inches): N/A
 Saturation Present? Yes _____ No Depth (inches): N/A
 (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 2-3
 Investigator(s): Sam Polv, Joseph Saler Section, Township, Range: SE 1/4 Sec 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): fill slope Local relief (concave, convex, none): None Slope (%): 45
 Subregion (LRR): A, MLRA, 4B Lat: 40.797533° Long: -124.144584° Datum: _____
 Soil Map Unit Name: 257: Lepoil Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X* (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present?	Yes _____ No <u>X</u>	
Wetland Hydrology Present?	Yes _____ No <u>X</u>	
Remarks: <u>16 ft Sof TP 2-2; 10-12 ft lower than TP 2-2 *see I-1</u>		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>6</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33%</u> (A/B)
1. <u>Alnus rubra</u>	<u>10</u>		<u>FAC</u>	
2. <u>Salix lasianдра var. lasianдра</u>	<u>10</u>		<u>FACW</u>	
3. <u>Salix sitchensis</u>	<u>10</u>		<u>FACW</u>	
4. <u>Salix hookeriana</u>	<u>40</u>	<input checked="" type="checkbox"/>	<u>FACW</u>	
		<u>70</u> = Total Cover	<u>35</u> <u>14</u>	
Sapling/Shrub Stratum (Plot size: <u>5 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Prevalence Index = B/A = _____
1. <u>Baccharis pilularis ssp. caroliniana</u>	<u>30</u>	<input checked="" type="checkbox"/>	<u>NL</u>	
2. <u>Rubus ursinus</u>	<u>15</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ 5 - Wetland Non-Vascular Plants ¹ ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
3. <u>Rubus arifolius</u>	<u>10</u>		<u>FAC</u>	
4. <u>Ilex aquifolium</u>	<u>2</u>		<u>FACU</u>	
5. _____				
		<u>57</u> = Total Cover	<u>28.5</u> <u>11.4</u>	
Herb Stratum (Plot size: <u>5 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. <u>Polystichum munitum</u>	<u>5</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	
2. <u>Carex obnupta</u>	<u>5</u>	<input checked="" type="checkbox"/>	<u>OBL</u>	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
3. <u>Equisetum arvense</u>	<u>1</u>		<u>FAC</u>	
4. _____				
5. _____				
		<u>11</u> = Total Cover	<u>5.5</u> <u>2.2</u>	
Woody Vine Stratum (Plot size: <u>5 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
1. <u>Hedera helix</u>	<u>6</u>	<input checked="" type="checkbox"/>	<u>FACU</u>	
2. _____				Hydrophytic Vegetation Present? Yes _____ No <u>X</u>
		<u>6</u> = Total Cover		
% Bare Ground in Herb Stratum	<u>89*</u>			
Remarks: <u>*Litter and debris</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-11	10YR 2/2	100					L	3in iron pipe present
11-18	2.5Y 3/1	65	10Y 4/2	5	D	M	SCL	
18-24+	5GY 4/2	95	7.5YR 3/3	30	C	PL	SCL	
			7.5YR 4/6	5	C	PL	SCL	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): _____
 Water Table Present? Yes _____ No X Depth (inches): _____
 Saturation Present? Yes _____ No X Depth (inches): 15in

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 2-4
 Investigator(s): Joseph Siler, Sam Polly Section, Township, Range: SE 4, Sec. 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): Alluvial plain Local relief (concave, convex, none): None Slope (%): 0-1
 Subregion (LRR): A, MLRA, 4B Lat: 40.797508° Long: -124.144590 Datum: _____
 Soil Map Unit Name: 257: Lepoil Candy Mountain Complex 2-15% slopes NWI classification: PEM1/SS1C
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes <u>X</u> No _____	Is the Sampled Area within a Wetland? Yes <u>X</u> No _____
Hydric Soil Present?	Yes <u>X</u> No _____	
Wetland Hydrology Present?	Yes <u>X</u> No _____	
Remarks: <u>4' South of TP 2-3, 14" lower than TP 2-3 *see 1-1</u>		

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: <u>30 ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>3</u> (A) Total Number of Dominant Species Across All Strata: <u>4</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>75%</u> (A/B)
1. <u>Salix hookeriana</u>	<u>40</u>	<u>✓</u>	<u>FACW</u>	
2. <u>Alnus rubra</u>	<u>5</u>		<u>FAC</u>	
3. <u>Salix sitchouensis</u>	<u>10</u>		<u>FACW</u>	
= Total Cover <u>55</u>			<u>2.5</u>	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: <u>5ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Lonicera involucrata var. ledebourii</u>	<u>3</u>		<u>FAC</u>	
2. <u>Ilex aquifolium</u>	<u>5</u>	<u>✓</u>	<u>FACU</u>	
3. <u>Rubus ursinus</u>	<u>3</u>		<u>FACU</u>	
4. <u>Rubus amnicus</u>	<u>3</u>		<u>FAC</u>	
= Total Cover <u>17</u>			<u>8.5</u>	
Herb Stratum (Plot size: <u>5ft</u>)	Absolute % Cover	Dominant Species?	Indicator Status	
1. <u>Carex obnupta</u>	<u>18</u>	<u>✓</u>	<u>OBL</u>	
2. <u>Agrostis stolonifera</u>	<u>25</u>	<u>✓</u>	<u>FAC</u>	
3. <u>Potentilla anserina</u>	<u>1</u>		<u>OBL</u>	
= Total Cover <u>44</u>			<u>22</u>	
Woody Vine Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	
1. _____				
2. _____				
= Total Cover _____			<u>8.8</u>	
% Bare Ground in Herb Stratum <u>66%*</u>	= Total Cover _____			
Hydrophytic Vegetation Present? Yes <u>X</u> No _____				
Remarks: <u>*Litter and debris</u>				

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 3-1
 Investigator(s): Joseph Solor, Sam Kelly Section, Township, Range: SE 4, Sec. 23, T5N, R1W, HBM
 Landform (hillslope, terrace, etc.): Fill Local relief (concave, convex, none): None Slope (%): 3%
 Subregion (LRR): A, MLRA, 4B Lat: 40.797760° Long: -124.144779° Datum: _____
 Soil Map Unit Name: 257: Lepoil Candy Mountain Complex 2-15% Slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Hydric Soil Present? Yes _____ No <u>X</u>	
Wetland Hydrology Present? Yes _____ No <u>X</u>	
Remarks: <u>67 ft wetland TP 2-1 6 ft S. of SW corner parking lot. *see 1-1</u>	

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>67%</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
= Total Cover				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum (Plot size: _____)	_____ = Total Cover			
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
= Total Cover				
Herb Stratum (Plot size: <u>5ft</u>)	_____ = Total Cover			
1. <u>Hypochaeris radicata</u>	<u>27</u>	<u>✓</u>	<u>FACU</u>	
2. <u>Erodium moschatum</u>	<u>4</u>		<u>NL</u>	
3. <u>Poa annua</u>	<u>48</u>	<u>✓</u>	<u>FAC</u>	
4. <u>Agrostis stolonifera</u>	<u>30</u>	<u>✓</u>	<u>FAC</u>	
5. <u>Holcus lanatus</u>	<u>2</u>		<u>FAC</u>	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
9. _____	_____	_____	_____	
10. _____	_____	_____	_____	
11. _____	_____	_____	_____	
= Total Cover <u>109</u>				
Woody Vine Stratum (Plot size: _____)	_____ = Total Cover <u>54.5</u> <u>21.8</u>			
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
= Total Cover				
% Bare Ground in Herb Stratum _____				
Hydrophytic Vegetation Present? Yes _____ No <u>X</u> *				
Remarks: <u>Mowed lawn → vegetation comparison reflects lawn conditions and are not acting as hydrophytes.</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-4	10YR 3/3	100	—	—	—	—	L	
4-14	10YR 4/3	65	—	—	—	—	L	
	10YR 4/4	30	—	—	—	—	—	
	10YR 3/2	5	—	—	—	—	—	
14-24+	10YR 2/2	55					L	
	10YR 4/4	45						

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

Indicators for Problematic Hydric Soils³:

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes _____ No X

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)

- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

Secondary Indicators (2 or more required)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No X Depth (inches): N/A
 Water Table Present? Yes _____ No X Depth (inches): N/A
 Saturation Present? Yes _____ No X Depth (inches): N/A
 (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

WETLAND DETERMINATION DATA FORM – Western Mountains, Valleys, and Coast Region

Project/Site: Myrtle Ave. Parking Lot City/County: Eureka Sampling Date: 3/20/20
 Applicant/Owner: City of Eureka State: CA Sampling Point: TP 3-2
 Investigator(s): Sam Polly, Joseph Sater Section, Township, Range: SE 1/4 sec. 23, T5N, R1W, H8M
 Landform (hillslope, terrace, etc.): Fill Local relief (concave, convex, none): None Slope (%): 4
 Subregion (LRR): A.MLRA 4B Lat: 40.797663° Long: -124.144850 Datum: _____
 Soil Map Unit Name: 257: Lepoil Candy Mountain Complex 2-15% slopes NWI classification: None
 Are climatic / hydrologic conditions on the site typical for this time of year? Yes _____ No X (If no, explain in Remarks.)
 Are Vegetation _____, Soil _____, or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes X No _____
 Are Vegetation _____, Soil _____, or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present? Yes _____ No <u>X</u>	Hydric Soil Present? Yes _____ No <u>X</u>	Wetland Hydrology Present? Yes _____ No <u>X</u>	Is the Sampled Area within a Wetland? Yes _____ No <u>X</u>
Remarks: <u>43 ft S of TP 3-1, 66ft West of TP TP 2-2 * see I-1</u>			

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: _____)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet:
1. _____	_____	_____	_____	Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A)
2. _____	_____	_____	_____	Total Number of Dominant Species Across All Strata: <u>4</u> (B)
3. _____	_____	_____	_____	Percent of Dominant Species That Are OBL, FACW, or FAC: <u>25%</u> (A/B)
4. _____	_____	_____	_____	Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
= Total Cover				
Sapling/Shrub Stratum (Plot size: <u>5ft</u>)				Hydrophytic Vegetation Indicators: ___ 1 - Rapid Test for Hydrophytic Vegetation ___ 2 - Dominance Test is >50% ___ 3 - Prevalence Index is ≤3.0 ¹ ___ 4 - Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ 5 - Wetland Non-Vascular Plants ¹ ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.
1. <u>Rubus arniacus</u>	<u>8</u>	<u>✓</u>	<u>FAC</u>	
2. <u>Rubus ursinus</u>	<u>5</u>	<u>✓</u>	<u>FACU</u>	
3. <u>t</u>	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
= Total Cover <u>13</u>				
Herb Stratum (Plot size: <u>5ft</u>)				
1. <u>Cerarium dissectum</u>	<u>1</u>	_____	<u>NL</u>	
2. <u>Hypochaeris radicata</u>	<u>40</u>	<u>✓</u>	<u>FACU</u>	
3. <u>Poa annua</u>	<u>8</u>	_____	<u>FAC</u>	
4. <u>Dactylis glomerata</u>	<u>6</u>	_____	<u>FACU</u>	
5. <u>Agrostis J. Sp. lanata</u>	<u>10</u>	_____	<u>FAC</u>	
6. <u>Bellis perennis</u>	<u>2</u>	_____	<u>NL</u>	
7. <u>Rumex acetosella</u>	<u>4</u>	_____	<u>FACU</u>	
8. <u>Festuca arundinacea</u>	<u>2</u>	_____	<u>FAC</u>	
9. <u>Tritolium subterraneum</u>	<u>7</u>	_____	<u>NL</u>	
10. <u>Veronica americana</u>	<u>1</u>	_____	<u>OBL</u>	
11. _____	_____	_____	_____	
= Total Cover <u>82</u>				
Woody Vine Stratum (Plot size: <u>5ft</u>)				
1. <u>Hedera helix</u>	<u>30</u>	<u>✓</u>	<u>FACU</u>	
2. _____	_____	_____	_____	
= Total Cover <u>30</u>				
% Bare Ground in Herb Stratum <u>20%*</u>				
Remarks: <u>litter and bare soil</u>				

SOIL

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color (moist)	%	Color (moist)	%	Type ¹	Loc ²		
0-10	10YR 2/2	100					L	Asphalt chunks present Mixed fill
10-14	10YR 3/3	Mix					VGrL	
14-24+	10YR 4/3	100					SL	

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix, CS=Covered or Coated Sand Grains. ²Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- Histosol (A1)
- Histic Epipedon (A2)
- Black Histic (A3)
- Hydrogen Sulfide (A4)
- Depleted Below Dark Surface (A11)
- Thick Dark Surface (A12)
- Sandy Mucky Mineral (S1)
- Sandy Gleyed Matrix (S4)
- Sandy Redox (S5)
- Stripped Matrix (S6)
- Loamy Mucky Mineral (F1) (except MLRA 1)
- Loamy Gleyed Matrix (F2)
- Depleted Matrix (F3)
- Redox Dark Surface (F6)
- Depleted Dark Surface (F7)
- Redox Depressions (F8)

- 2 cm Muck (A10)
- Red Parent Material (TF2)
- Very Shallow Dark Surface (TF12)
- Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if present):

Type: _____
Depth (inches): _____

Hydric Soil Present? Yes _____ No

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one required; check all that apply)

Secondary Indicators (2 or more required)

- Surface Water (A1)
- High Water Table (A2)
- Saturation (A3)
- Water Marks (B1)
- Sediment Deposits (B2)
- Drift Deposits (B3)
- Algal Mat or Crust (B4)
- Iron Deposits (B5)
- Surface Soil Cracks (B6)
- Inundation Visible on Aerial Imagery (B7)
- Sparsely Vegetated Concave Surface (B8)
- Water-Stained Leaves (B9) (except MLRA 1, 2, 4A, and 4B)
- Salt Crust (B11)
- Aquatic Invertebrates (B13)
- Hydrogen Sulfide Odor (C1)
- Oxidized Rhizospheres along Living Roots (C3)
- Presence of Reduced Iron (C4)
- Recent Iron Reduction in Tilled Soils (C6)
- Stunted or Stressed Plants (D1) (LRR A)
- Other (Explain in Remarks)

- Water-Stained Leaves (B9) (MLRA 1, 2, 4A, and 4B)
- Drainage Patterns (B10)
- Dry-Season Water Table (C2)
- Saturation Visible on Aerial Imagery (C9)
- Geomorphic Position (D2)
- Shallow Aquitard (D3)
- FAC-Neutral Test (D5)
- Raised Ant Mounds (D6) (LRR A)
- Frost-Heave Hummocks (D7)

Field Observations:

Surface Water Present? Yes _____ No Depth (inches): NA
 Water Table Present? Yes _____ No Depth (inches): NA
 Saturation Present? Yes _____ No Depth (inches): NA
 (includes capillary fringe)

Wetland Hydrology Present? Yes _____ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:



Eureka, CA | Arcata, CA | Redding, CA | Willits, CA | Coos Bay, OR | Klamath Falls, OR

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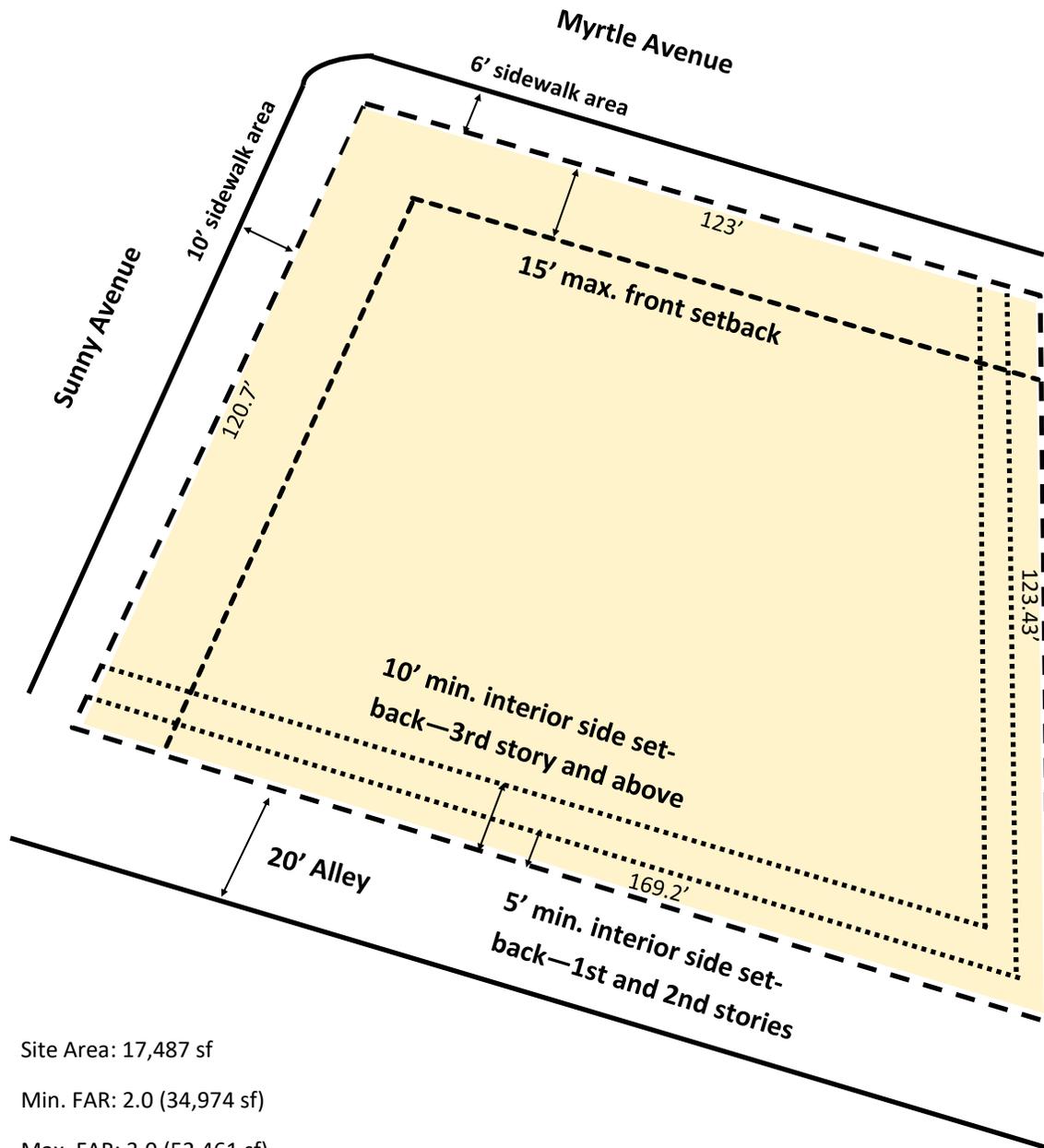
EXHIBIT 3

MOCK SITE PLAN AND DEVELOPMENT SCENERIOS

Site# 1: Sunny and Myrtle

DRAFT

Site #1: Sunny and Myrtle



Site Area: 17,487 sf

Min. FAR: 2.0 (34,974 sf)

Max. FAR: 3.0 (52,461 sf)

Max. Height: 45'

Site 1 - Sunny and Myrtle: Maximum footprint allowed per floor								
Maximum and required setbacks, no parking (sq ft), 20% height exception			Maximum and required setbacks, 1st floor parking (sq ft), 20% height exception			Maximum and required setbacks, half of 1st floor parking (sq ft), 20% height exception		
Story/Floor			Story/Floor			Story/Floor		
1		12193.35	1		0	1		12280.85
2		12193.35	2		12193.35	2		12193.35
3		10505.2	3		10505.2	3		10505.2
4		10505.2	4		10505.2	4		10505.2
5		2439	5		2439	5		2438.67
Total FA		47836	Total FA		35642	Total FA		47923.27
FAR		2.74	FAR		2.04	FAR		2.74
Minimum and required setbacks, no parking (sq ft)			Minimum and required setbacks, 1st floor parking (sq ft)			Minimum and required setbacks, half of 1st floor parking (sq ft)		
Story/Floor			Story/Floor			Story Floor		
1		16023.85	1		0	1		8012
2		16023.85	2		16023.85	2		16023.85
3		14560.7	3		14560.7	3		14560.7
4		5,853	4		14560.7	4		13865
Total FA		52461	Total FA		45145.25	Total FA		52461
FAR		3.00	FAR		2.58	FAR		3.0

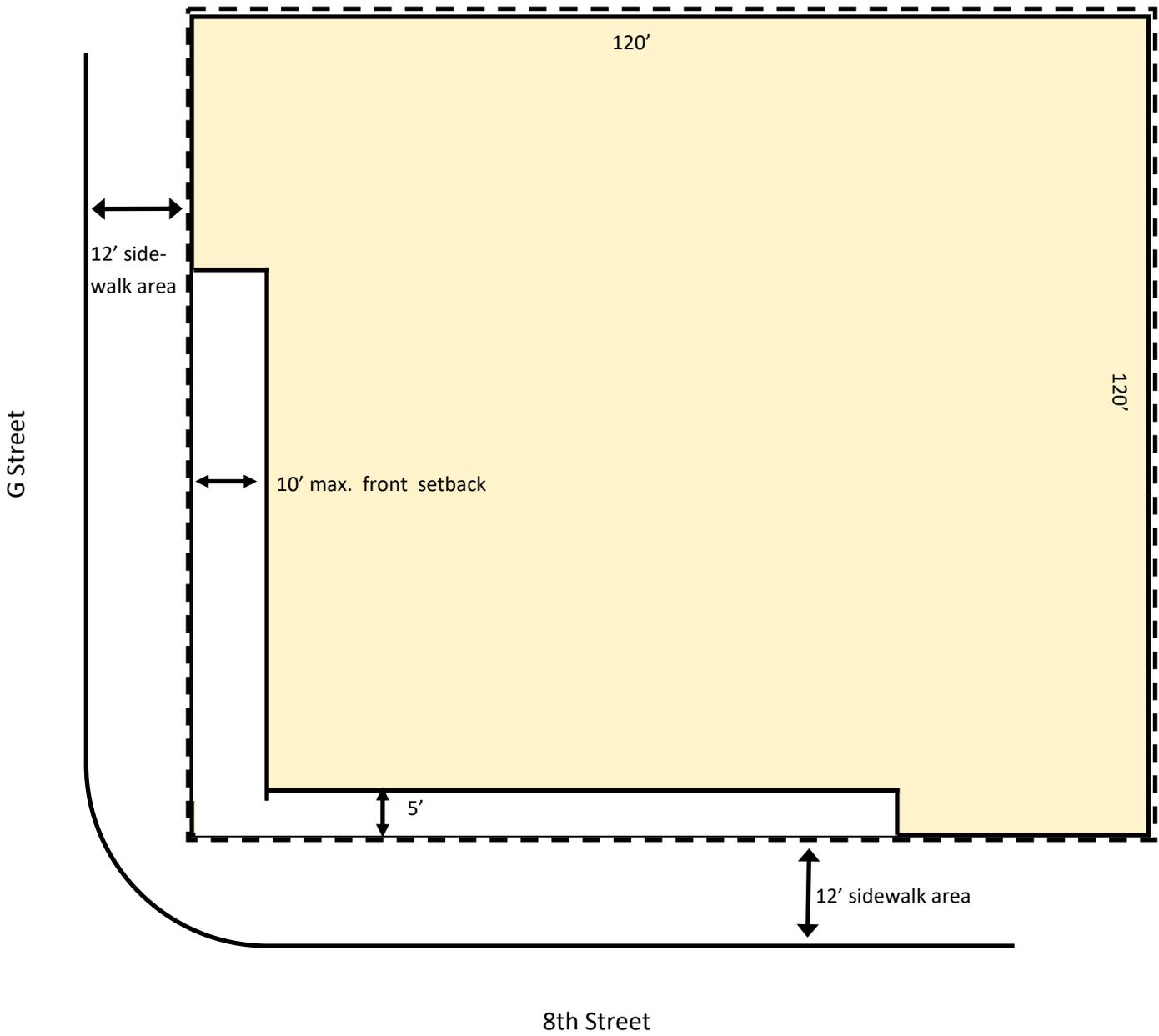
EXHIBIT 4

MOCK SITE PLAN AND DEVELOPMENT SCENERIOS

Site# 2: 8th and G

DRAFT

Site #2: 8th and G



Site Area: 14,400 sf

Min. FAR: 3.0 (43,200 sf)

Max. FAR: 6.0 (86,400 sf)

Max. Height: 100'

Site 2 - 8th and G: Maximum footprint allowed per floor

Maximum setbacks, no parking (sq ft), with 20% height exception		Maximum setbacks, 1st floor parking (sq ft), with 20% height exception		Maximum setbacks, half of 1st floor parking (sq ft), with 20% height exception	
Story/Floor		Story/Floor		Story/Floor	
1	12000	1	0	1	6000
2	12000	2	12000	2	12000
3	12000	3	12000	3	12000
4	12000	4	12000	4	12000
5	12000	5	12000	5	12000
6	12000	6	12000	6	12000
7	2400	7	2400	7	2400
Total FA	60000	Total FA	48000	Total FA	54000
FAR	4.17	FAR	3.33	FAR	3.75

Minimum setbacks, no parking (sq ft)		Minimum setbacks, 1st floor parking (sq ft)		Minimum setbacks, half of 1st floor parking (sq ft)	
Story/Floor		Story/Floor		Story Floor	
1	14400	1	0	1	7200
2	14400	2	14400	2	14400
3	14400	3	14400	3	14400
4	14400	4	14400	4	14400
5	14400	5	14400	5	14400
6	14400	6	14400	6	14400
		7	2880	7	2880
Total FA	86400	Total FA	74880	Total FA	82080
FAR	6.00	FAR	5.20	FAR	5.70

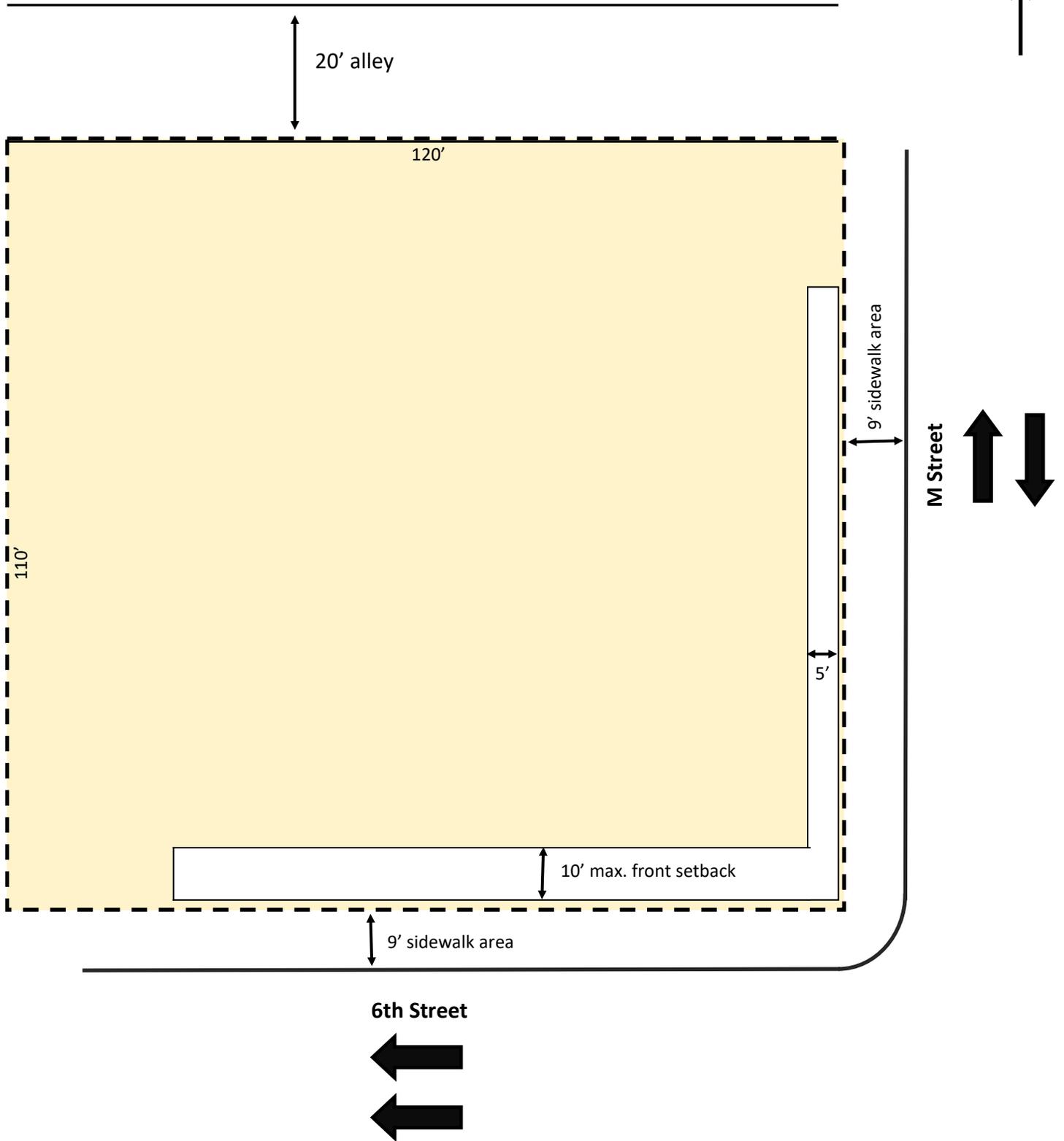
EXHIBIT 5

MOCK SITE PLAN AND DEVELOPMENT SCENERIOS

Site # 3: 6th and M

DRAFT

Site #3: 6th and M



Site Area: 13,200 sf

Min. FAR: 3.0 (39,600 sf)

Max. FAR: 6.0 (79,200 sf)

Max. Height: 100'

Site 3 - 6th and M: Maximum footprint allowed per floor

Maximum setbacks, no parking (sq ft), with 20% height exception		Maximum setbacks, 1st floor parking (sq ft), with 20% height exception		Maximum setbacks, half of 1st floor parking (sq ft), with 20% height exception	
Story/Floor		Story/Floor		Story/Floor	
1	10900	1	0	1	5450
2	10900	2	10900	2	10900
3	10900	3	10900	3	10900
4	10900	4	10900	4	10900
5	10900	5	10900	5	10900
6	10900	6	10900	6	10900
7	2180	7	2180	7	2180
Total FA	54500	Total FA	43600	Total FA	49050
FAR	4.13	FAR	3.30	FAR	3.72

Minimum setbacks, no parking (sq ft)		Minimum setbacks, 1st floor parking (sq ft)		Minimum setbacks, half of 1st floor parking (sq ft)	
Story/Floor		Story/Floor		Story Floor	
1	13200	1	0	1	6600
2	13200	2	13200	2	13200
3	13200	3	13200	3	13200
4	13200	4	13200	4	13200
5	13200	5	13200	5	13200
6	13200	6	13200	6	13200
		7	2640	7	2640
Total FA	79200	Total FA	68640	Total FA	75240
FAR	6.00	FAR	5.20	FAR	5.70

ATTACHMENT A

CREDIT REPORT AUTHORIZATION

DRAFT



AUTHORIZATION TO OBTAIN CONSUMER CREDIT REPORT

I authorize the City of Eureka to obtain a consumer credit report on me. The City of Eureka will use the consumer credit report to confirm my residency, address, and determine whether my income is eligible to support the acquisition/development of an affordable housing project loan. Upon my request, the City of Eureka will provide me with the name and address of the Consumer Reporting Agency contacted to supply the report. I understand that credit inquiries have the potential to impact my credit score

Signature

Date

Printed name

Social Security number

Signature

Date

Printed name

Social Security number

Signature

Date

Printed name

Social Security number



ATTACHMENT B

CITY OF EUREKA INSURANCE REQUIREMENTS

DRAFT



INSURANCE REQUIREMENTS FOR THE CITY OF EUREKA

IMPORTANT NOTE

Contractors/Homeowners shall not perform any work, or allow any work to be performed, on behalf of the City or in the City right-of-way, until the insurance documents described below have been accepted by the City. All Contractors/Homeowners sign an agreement with the City, and that agreement includes the requirement to provide additional insured, primary coverage and cancellation endorsements for the work to be performed. Providing insurance documents that are acceptable to the City can take several days, and sometimes weeks or months. This is because the City of Eureka, along with 14 other small, northern California cities, belongs to a self-insured risk management pool, the Redwood Empire Municipal Insurance Fund (REMIF). The pool exists to protect the funds of these cities and to allow those funds, to the greatest extent possible, to be used for City services, and not to pay insurance claims or legal fees unless the City is found to be negligent. As a result, our insurance requirements may be somewhat different than what is generally required of insurers. However, these requirements are set by REMIF, and each city must follow the requirements or risk being expelled from the pool.

Certificates and Endorsements may be faxed to (707)441-4202 or emailed to kgalt@ci.eureka.ca.gov

Questions may be addressed to the Public Works/Engineering Department at (707)441-4203

Prior to performing work for the City of Eureka, or receiving an encroachment permit to perform work in the City right-of-way, the Contractor and/or Homeowner, including any and all subcontractors working for the Contractor/Homeowner, shall furnish the following documents to the Engineering Department for approval. Coverage shall be effective throughout the term of the permit.

HOMEOWNERS:

1. A copy of the Homeowners Insurance Policy declarations page, showing coverage is currently in effect, and will remain in effect throughout the project period.
2. An additional insured endorsement which includes the following language, *"The City of Eureka, including its officers, officials, employees, and volunteers, are insureds"*.

NOTE: If the agent/broker is unable to name the City as additional insured, the agent/broker shall provide a memo or letter to the Engineering Department so indicating.

CONTRACTORS:

Certificates of Insurance with original, authorized signatures, providing the following minimum insurance coverage(s):

1. **General Liability:** \$2,000,000 Combined Single Limit per occurrence for bodily injury, personal injury, and property damage.
2. **Automobile Liability:** "Any Auto" \$2,000,000 Combined Single Limit per accident for bodily injury and property damage.
3. **Workers' Compensation:** Workers' Compensation Insurance as required by the State of California and Employer's Liability Insurance of \$1,000,000 per accident for bodily injury or disease.

All insurance carriers shall be rated A:VII or better and certificates **SHALL** be accompanied by the following endorsements:

A. **LIABILITY INSURANCE ENDORSEMENT** containing the following specific components:

1. The insurance policy number.
2. A statement that includes the following language:
"The City of Eureka, including its officers, officials, employees, and volunteers, are insureds".
3. A statement that includes the following language:
"The insurance shall be primary as respects the insured shown in the schedule above, or if excess, shall stand in an unbroken chain of coverage excess of the Named Insured's scheduled underlying primary coverage. In either event, any other insurance maintained by the Insured scheduled above shall be in excess of this insurance and shall not be called upon to contribute with it."
4. A statement that includes the following language:
"The insurance afforded by this policy shall not be canceled except after thirty days prior written notice by certified mail return receipt requested has been given to the City."

NOTES:

- a. A CG 20 10 11 85 Form is preferred for the General Liability additional insured Endorsement, but alternative endorsements may be substituted, with approval by the City. The City can now accept either a CG 20 10 10 01 or a CG 20 33 10 01 (or some form specific to a particular insurance company that has similar wording) as long as the form is accompanied by a CG 20 37 10 01.

FOR ENCROACHMENT PERMITS **ONLY**: A CG 20 12 07 98 will be accepted in lieu of the endorsements noted in a, above.

- b. Policies that include endorsement numbers CG 22 94 10 01 and/or CG 22 95 10 01, or have the endorsement wording written into the policy **DO NOT** satisfy the City's insurance requirements, and **WILL NOT** be accepted.
- c. The City will accept strike out of the words "endeavor to" and everything after, "...certificate holder named to the left," on the Certificate of Insurance in lieu of cancellation language on an endorsement.

B. **AUTOMOBILE INSURANCE ENDORSEMENT** containing the following specific components:

1. The insurance policy number.
2. A statement that includes the following language:
"The City of Eureka, including its officers, officials, employees, and volunteers, are insureds".
3. A statement that includes the following language:
"The insurance shall be primary as respects the insured shown in the schedule above, or if excess, shall stand in an unbroken chain of coverage excess of the Named Insured's scheduled underlying primary coverage. In either event, any other insurance maintained by the Insured scheduled above shall be in excess of this insurance and shall not be called upon to contribute with it."
4. A statement that includes the following language:
"The insurance afforded by this policy shall not be canceled except after thirty days prior written notice by certified mail return receipt requested has been given to the City."

NOTE:

Within having "Any Auto" coverage we are willing to accept a memo from most brokers that would state "Scheduled Autos, Hired Autos, and Non-Owned Autos" also meet the City's requirements for coverage minimums.

C. **WORKERS' COMPENSATION INSURANCE ENDORSEMENT** containing the following specific components:

1. A waiver of subrogation clause which states the following:
"This insurance company agrees to waive all rights of subrogation against the City of Eureka, its officers, officials, employees, and volunteers for losses paid under the terms of this policy which arise from the work performed by the named insured for the City."
2. The insurance policy number.
3. A statement that includes the following language:
"The insurance afforded by this policy shall not be canceled except after thirty days prior written notice by certified mail return receipt requested has been given to the City."

NOTE:

- a. Certificates issued by State Compensation Insurance Fund **must have** State Fund endorsement numbers 2065 and 2570 on them.

Subcontractors performing work within the City Right-of-Way, or for Contractor's working on behalf of the City, shall either be included upon the Contractor's policies as insured's, or shall furnish separate certificates and endorsements to the Engineering Department. All coverage for subcontractors shall be subject to all of the insurance requirements stated previously herein for the Contractor, and shall be effective throughout the term of the permit.

Note: Alternative forms are subject to approval by the City of Eureka.

The City of Eureka reserves the right to require more or less coverage than indicated above, and to reject any language or forms that do not meet the City's requirements. The use of umbrella policies to provide required coverage is permissible, providing the umbrella policies are appropriately endorsed and meet all other requirements.

– INSURANCE FORM SAMPLES FOLLOW –

CERTIFICATE OF INSURANCE
THE CITY OF EUREKA, CALIFORNIA

ISSUE DATE (MM/DD/YY)

PRODUCER	THIS CERTIFICATE OF INSURANCE IS NOT AN INSURANCE POLICY AND DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.	
INSURED	INSURERS AFFORDING COVERAGE:	BEST'S RATING
	INSURER A: _____	_____
	INSURER B: _____	_____
	INSURER C: _____	_____
	INSURER D: _____	_____
	INSURER E: _____	_____

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	ALL LIMITS IN THOUSANDS	
	GENERAL LIABILITY <input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> OCCURRENCE <input type="checkbox"/> OWNER'S & CONTRACTOR'S PROT. <input type="checkbox"/> OTHER				EACH OCCURRENCE	\$
		DAMAGE TO RENTED PREMISES (Ea occurrence)	\$			
		MED. EXP. (Any one person)	\$			
		PERSONAL & ADV INJURY	\$			
		GENERAL AGGREGATE	\$			
		PRODUCTS COMP/OP AGG.	\$			
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS <input type="checkbox"/> GARAGE LIABILITY				COMBINED SINGLE LIMIT (Ea accident)	\$
		BODILY INJURY (Per person)	\$			
		BODILY INJURY (Per accident)	\$			
		PROPERTY DAMAGE	\$			
	EXCESS/UMBRELLA LIABILITY <input type="checkbox"/> OCCURRENCE <input type="checkbox"/> CLAIMS MADE <input type="checkbox"/> DEDUCTIBLE <input type="checkbox"/> RETENTION				EACH OCCURRENCE	\$
		AGGREGATE	\$			
	WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICERS/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below.				WC STATUTORY LIMITS	\$
		OTHER	\$			
		EACH ACCIDENT	\$			
		DISEASE-POLICY LIMIT	\$			
		DISEASE-EACH EMPLOYEE	\$			
	PROPERTY INSURANCE <input type="checkbox"/> COURSE OF CONSTRUCTION				AMOUNT OF INSURANCE	\$

DESCRIPTION OF OPERATIONS/LOCATIONS/VEHICLES/EXCLUSIONS ADDED BY ENDORSEMENT/SPECIAL PROVISIONS

- THE FOLLOWING PROVISIONS APPLY:**
1. None of the above-described policies will be canceled until after 30 days' written notice has been given to the City at the address indicated below.
 2. The City, its officials, officers, employees and volunteers are added as insureds on all liability insurance policies listed above.
 3. It is agreed that any insurance or self-insurance maintained by the City will apply in excess of and not contribute with, the insurance described above.
 4. The City is named a loss payee on the property insurance policy listed above, if any.
 5. All rights of subrogation under the property insurance policy listed above have been waived against the City.
 6. The workers' compensation insurer named above, if any, agrees to waive all rights of subrogation against the City for injuries to employees of the insured resulting from work for the City or use of the City's premises or facilities.

CERTIFICATE HOLDER/ADDITIONAL INSURED THE CITY OF EUREKA 531 K STREET EUREKA, CA 95501-1165	AUTHORIZED REPRESENTATIVE SIGNATURE _____ TITLE _____ PHONE NO. _____
---	---

**COMMERCIAL GENERAL LIABILITY
CG 20 12 07 98**

POLICY NUMBER: _____ ISSUE DATE: _____

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

**ADDITIONAL INSURED –
STATE OR POLITICAL SUBDIVISIONS – PERMITS**

This endorsement modifies insurance provided under the following:
COMMERCIAL GENERAL LIABILITY COVERAGE PART

SCHEDULE State Or Political Subdivision:

The City of Eureka, its officers, elected officials, employees, agents and volunteers are named as additional insured.

(If no entry appears above, information required to complete this endorsement will be shown in the Declarations as applicable to this endorsement.)

Section II – Who Is An Insured is amended to include as an insured any state or political subdivision shown in the Schedule, subject to the following provisions:

1. This insurance applies only with respect to operations performed by you or on behalf for which the state or political subdivision has issued a permit.

- 2. This insurance does not apply to:
 - a. "Bodily injury," "property damage" or personal and advertising injury" arising out of operations performed for the state or municipality; or
 - b. "Bodily injury" or "property damage" included within the "products-completed operations hazard."

INSURER:
POLICY NUMBER:
ENDORSEMENT NUMBER:

ISO FORM CG 20 10 22 85: (MODIFIED)
COMMERCIAL GENERAL LIABILITY

THIS ENDORSEMENT CHANGES THE POLICY, PLEASE READ IT CAREFULLY

**ADDITIONAL INSURED -- OWNERS, LESSEES OR
CONTRACTORS (FORM B)**

THIS ENDORSEMENT MODIFIES INSURANCE PROVIDED UNDER THE FOLLOWING:

COMMERCIAL GENERAL LIABILITY COVERAGE

SCHEDULE

NAME OF ORGANIZATION:
CITY OF EUREKA
531 K STREET
EUREKA, CALIFORNIA 95501-1165

WHO IS AN INSURED (Section II) is amended to include as an insured the person or organization shown in the Schedule, but only with respect to liability arising out of "your work" for that insured by or for you.

- Modifications to ISO form CG 20 10 11 85:
1. The insured scheduled above includes the Insured's officers, officials, employees, and volunteers.
 2. This insurance shall be primary as respects the insured shown in the schedule above, or if excess, shall stand in an unbroken chain of coverage excess of the Named Insured's scheduled underlying primary coverage. In either event, any other insurance maintained by the Insured scheduled above shall be in excess of this insurance and shall not be called upon to contribute with it.
 3. The insurance afforded by this policy shall not be canceled except after thirty days prior written notice by mail has been given to the City.

Signature-Authorized Representative

Address

AUTOMOBILE LIABILITY SPECIAL ENDORSEMENT FOR THE CITY OF EUREKA, CALIFORNIA		ENDORSEMENT NO.	ISSUE DATE (MM/DD/YY)
PRODUCER		POLICY INFORMATION: Insurance Company: _____ Policy No. _____ Policy Period:(from) _____ (to) _____ LOSS ADJUSTMENT EXPENSE <input type="checkbox"/> Included in Limits <input type="checkbox"/> In Addition to Limits	
Telephone _____		<input type="checkbox"/> Deductible <input type="checkbox"/> Self-Insured Retention(check which) of \$ _____	
NAMED INSURED		APPLICABILITY This insurance pertains to the operation and/or tenancy of the named insured under all written agreements and permits in force with the City unless checked here G in which case only the following specific agreements and permits with the City are covered: CITY AGREEMENTS/PERMITS	
TYPE OF INSURANCE		OTHER PROVISIONS	
<input type="checkbox"/> COMMERCIAL AUTO POLICY <input type="checkbox"/> BUSINESS AUTO POLICY <input type="checkbox"/> OTHER			
LIMIT OF LIABILITY		CLAIMS: Underwriter's representative for claims pursuant to this insurance.	
\$ 2,000,000 per accident, for bodily injury and property damage.		Name: _____ Address: _____ Telephone: _____	
In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, it is agreed as follows:			
<p>1. INSURED. The City, its officers, officials, employees and volunteers are included as insureds with regard to damages and defense of claims arising from: the ownership, operation, maintenance, use, loading or unloading of any auto owned, leased, hired or borrowed by the Named Insured, or for which the Named Insured is responsible.</p> <p>2. CONTRIBUTION NOT REQUIRED. As respects work performed by the Named Insured for or on behalf of the City, the insurance afforded by this policy shall:(a) be primary insurance as respects the City, its officers, officials, employees and volunteers; or (b) stand in an unbroken chain of coverage excess of the Named Insured's primary coverage. Any insurance or self-insurance maintained by the City, its officers, officials, employees and volunteers shall be excess of the Named Insured's insurance and not contribute with it.</p> <p>3. CANCELLATION NOTICE. With respect to the interests of the City, this insurance shall not be canceled, except after thirty (30) days prior written notice has been given to the City.</p> <p>4. SCOPE OF COVERAGE. This policy affords coverage at least as broad as: (1) If primary, Insurance Services Office form number CA0001 (Ed. 1/87), Code 1 ("any auto"); or (2) If excess, affords coverage which is at least as broad as the primary insurance forms referenced in the preceding section (1). Except as stated above nothing herein shall be held to waive, alter or extend any of the limits conditions, agreements or exclusions of the policy to which this endorsement is attached.</p>			
ENDORSEMENT HOLDER			
CITY OF EUREKA 531 K STREET EUREKA, CALIFORNIA 95501-1165		AUTHORIZED <input type="checkbox"/> Broker/Agent <input type="checkbox"/> Underwriter <input type="checkbox"/> _____ REPRESENTATIVE I _____ (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement. Signature _____ (original signature required) Telephone: (_____) _____ Date Signed _____	

WORKERS' COMPENSATION AND EMPLOYER'S LIABILITY SPECIAL ENDORSEMENT FOR THE CITY OF EUREKA, CALIFORNIA		ENDORSEMENT NO.	ISSUE DATE (MM/DD/YY)
PRODUCER Telephone _____		POLICY INFORMATION: Insurance Company: _____ Policy No. _____ Policy Period:(from) _____ to) _____	
NAMED INSURED		OTHER PROVISIONS	
CLAIMS: Underwriter's representative for claims pursuant to this insurance. Name: _____ Address: _____ Telephone: _____		EMPLOYERS LIABILITY LIMITS \$ _____ (Each Accident) \$ _____ (Disease-Policy Limit) \$ _____ (Disease-Each Employee)	
In consideration of the premium charged and notwithstanding any inconsistent statement in the policy to which this endorsement is attached or any endorsement now or hereafter attached thereto, it is agreed as follows:			
1. CANCELLATION NOTICE. This insurance shall not be canceled, except after thirty (30) days prior written notice by receipted delivery has been given to the City.			
2. WAIVER OF SUBROGATION. This Insurance Company agrees to waive all rights of subrogation against the City, its officers, officials, employees and volunteers for losses paid under the terms of this policy which arise from the work performed by the Named Insured for the City.			
Except as stated above nothing herein shall be held to waive, alter or extend any of the limits, conditions, agreements or exclusions of the policy to which this endorsement is attached.			
ENDORSEMENT HOLDER			
CITY OF EUREKA 531 K STREET EUREKA, CALIFORNIA 95501-1165		AUTHORIZED <input type="checkbox"/> Broker/Agent <input type="checkbox"/> Underwriter <input type="checkbox"/> _____ REPRESENTATIVE I _____ (print/type name), warrant that I have authority to bind the above-mentioned insurance company and by my signature hereon do so bind this company to this endorsement. Signature _____ (original signature required) Telephone: (_____) _____ Date Signed _____	

ATTACHMENT C

**APPRAISAL REPORT OF THREE (3) LOTS OWNED BY THE CITY OF
EUREKA, DATED MAY 29, 2020**

(Site #1: Sunny and Myrtle, APN:006-181-001; Site #2: 8th and G, APN: 001-155-005; Site #3: 6th and M, APNs: 001-233-006 and 001-233-007)

DRAFT



**APPRAISAL REPORT
PREPARED FOR**

**MS. LISA SAVAGE, PROJECT MANAGER
DEVELOPMENT SERVICES DEPARTMENT
531 K STREET
EUREKA, CALIFORNIA 95501**

OF THE

**REAL PROPERTY KNOWN AS
APN: 001-233-006/007, 001-155-005, & 006-181-001
EUREKA, HUMBOLDT COUNTY, CALIFORNIA**



May 29, 2020

Ms. Lisa Savage, Project Manager
 Development Services Department
 531 K Street
 Eureka, CA 95501

Re: Appraisal Report of (3) lots owned by the City of Eureka
 Eureka, Humboldt County, California

Humboldt County APN: 001-233-006 & 007, 001-155-005, & 006-181-001

RYAN File No: 220006.JMR

Dear Ms. Savage:

As you requested, we have prepared an appraisal report of the subject properties referenced above. The market was researched and pertinent data analyzed to provide a credible and supportable opinion of the market value of the subject properties. The fee simple interest is appraised.

Our opinion of the market value of the subject properties, subject to the definitions, underlying assumptions and limiting conditions set forth in this report, based on the analysis of the data contained in this report, and our definition of market value as of May 28, 2020 is:

Humboldt County APN	Market Value
001-233-006 & 001-233-007: 6 th Street & M Street	\$230,000
001-155-005: 8 th Street & G Street	\$250,000
006-181-001: 1310 Myrtle Avenue	\$200,000

This summary appraisal report is completed in accordance with the reporting requirements set forth under Standards Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice (USPAP) for an Appraisal Report. This report also conforms to the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute. This appraisal does not include any value for any personal property or FF&E. I have never completed an appraisal on these subject properties. As well, there are no extraordinary assumptions or hypothetical conditions used in this appraisal report.

Page 2
Ms. Savage
May 29, 2020

It is unknown at this time how the Covid-19 Crisis will impact the economy in the long term. As of the date of this report being published, many states are entering phase two of re-opening their individual economies. Some sectors of the economy remain closed with an uncertain timeframe. The comparable sales relied on in this analysis all transferred prior to the knowledge of the pandemic. It will likely be some time before the actual impacts on the Eureka economy can be measured. As of the date of this report, the sale data relied upon was the best data available to the appraiser

Documentation concerning the data, reasoning, and analysis is maintained in the appraiser's files. The depth of discussion contained in this report is specific to the intended use of the client. The appraiser is not responsible for unauthorized use of this report. **The contents of this appraisal report is confidential and the property of RYAN, real estate appraisers and cannot be released by the reader without written permission.** John Michael Ryan has completed the Standards and Ethics Education Requirement of the Appraisal Institute for Candidates for Designation.

Sincerely,



John Michael Ryan
California Certified General No. AG 0036466
Expiration: February 17, 2021

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SUMMARY OF SALIENT FACTS	
Humboldt County APN: 001-233-006 & 007: NWC of 6 th Street and M Street Eureka, Humboldt County, California	
VALUATION SUMMARY	
MARKET VALUE, AS IS CONDITION	\$230,000
HIGHEST AND BEST USE	
As Vacant	Commercial Development / Mixed Use
As Improved	N/A
Project Name:	2040 Housing Element Implementation H-34
Assessor Parcel Number:	001-233-006 & 001-233-007
Land Area:	0.30 acres / 13,068 square feet Source: (City of Eureka GIS) All public utilities are available to the site and the parcel is rectangular in shape and at road grade.
Improvement Description:	Other than the asphalt paving, there are no improvements to the subject property.
Zoning: General Plan Coastal Zone	DT – Downtown Downtown Commercial No Agency of Jurisdiction: City of Eureka
Flood Plain:	Zone X: Areas of Minimal Flooding FEMA FIRM Panel 060 23C 0845G: Dated: June 21, 2017
Date of Inspection:	May 28, 2020
Date of Value	May 28, 2020
Date of Report:	May 29, 2020
Property Rights Appraised:	Fee Simple Interest
Appraiser:	John Michael Ryan

SUMMARY OF SALIENT FACTS	
Humboldt County APN: 001-155-005: NEC of 8 th Street & G Street Eureka, Humboldt County, California	
VALUATION SUMMARY	
MARKET VALUE, AS IS CONDITION	\$250,000
HIGHEST AND BEST USE	
As Vacant	Commercial Development / Mixed Use
As Improved	N/A
Project Name:	2040 Housing Element Implementation H-34
Assessor Parcel Number:	001-155-005
Land Area:	0.34 acres / 14,810 square feet Source: (City of Eureka GIS) All public utilities are available to the site and the parcel is rectangular in shape and at road grade.
Improvement Description:	Other than the asphalt paving, there are no improvements to the subject property.
Zoning: General Plan Coastal Zone	DT – Downtown Downtown Commercial No Agency of Jurisdiction: City of Eureka
Flood Plain:	Zone X: Areas of Minimal Flooding FEMA FIRM Panel 060 23C 0845G: Dated: June 21, 2017
Date of Inspection:	May 28, 2020
Date of Value	May 28, 2020
Date of Report:	May 29, 2020
Property Rights Appraised:	Fee Simple Interest
Appraiser:	John Michael Ryan

SUMMARY OF SALIENT FACTS	
Humboldt County APN: 006-181-001: 1310 Myrtle Avenue Eureka, Humboldt County, California	
VALUATION SUMMARY	
MARKET VALUE, AS IS CONDITION	\$200,000
HIGHEST AND BEST USE	
As Vacant	Multi-Family Residential
As Improved	N/A
Project Name:	2040 Housing Element Implementation H-34
Assessor Parcel Number:	006-181-001
Site Data:	0.42 acres / 18,295 square feet Source: (City of Eureka GIS) All public utilities are available to the site. The parcel is slightly irregular in shape but at road grade.
Improvement Description:	Other than the asphalt paving, there are no improvements to the subject property.
Zoning: General Plan Coastal Zone	DT – Downtown Downtown Commercial No Agency of Jurisdiction: City of Eureka
Flood Plain:	Zone X: Areas of Minimal Flooding FEMA FIRM Panel 060 23C 0845G: Dated: June 21, 2017
Date of Inspection:	May 28, 2020
Date of Value	May 28, 2020
Date of Report:	May 29, 2020
Property Rights Appraised:	Fee Simple Interest
Appraiser:	John Michael Ryan

SCOPE OF WORK

CLIENT

The client is the City of Eureka.

INTENDED USER OF THE REPORT

The intended users of this report is Ms. Lisa Savage, Project Manager with the Development Services Department with the City of Eureka.

INTENDED USE OF THE REPORT

The intended use of the report is to assist the intended users in establishing market value of the subject properties for the purpose of potentially offering the property for sale.

The client has requested an appraisal report; supporting documentation is retained in the RYAN work file. In preparing this appraisal, John Michael Ryan performed all of the following steps.

- A physical inspection of the subject properties and collection of necessary data;
- Gathering information by inspecting each of the subject properties neighborhoods;
- Selecting comparable land sales and confirming pertinent information;
- Analyzing all information collected through application of the Sales Comparison;
- Reconciling the estimated highest and best use of the subject properties;
- And set forth all conclusions in a narrative report format for the client's particular needs.

The appraiser last inspected the subject properties on May 28, 2020. The level of inspection included walking through the interior of the parcels in an attempt to identify the property corners. Data was sufficient enough to limit comparable searches to Western Humboldt County, specifically The City of Eureka. Comparable data was gathered from Humboldt County MLS, ParcelQuest, local area brokers, and buyers/sellers involved in the transactions.

For vacant land parcels, the market recognizes the Sales Comparison Approach as the most appropriate methodology for valuation. Neither the Cost Approach nor the Income Approach were developed for this assignment as these valuation approaches would not likely forward a reliable indication of value. In the development of the Sales Comparison Approach we identified similar properties in the market area that have transferred ownership. These properties are analyzed to compare to the subject properties. When exact comparable properties cannot be located, sale properties are adjusted for inferior and superior characteristics to assist in estimating a value for the subject property. The specifics of the sale transactions were verified by a principal involved in the transfer.

DEFINITION OF MARKET VALUE

The definition of Market Value used in this report is as follows: “*The most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition are the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:*

- ▶ *Buyer and seller are typically motivated;*
- ▶ *Both parties are well informed or well advised, and acting in what they consider their best interests;*
- ▶ *A reasonable time is allowed for exposure in the open market;*
- ▶ *Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and*
- ▶ *The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.”*

(12 C.F.R. Part 34.42(g); 55 Federal Register 34696, August 24, 1990, as amended at 57 Federal Register 12202, April 9, 1992; 59 Federal Register 29499, June 7, 1994).

PROPERTY RIGHTS APPRAISED

We appraised the fee simple interest in the subject properties. The Dictionary of Real Estate Appraisal, 4th Edition defines fee simple estate as: “*Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.*”

CASH EQUIVALENCY IN VALUE ESTIMATES

The market value of the subject property is reported in many ways: (1) cash, (2) terms of financial arrangement equivalent to cash, or (3) other precisely defined terms. Our value estimate assumes terms of financial arrangements equivalent to cash. Adjusting for odd financing varying from cash equivalency is completed when necessary. Cash equivalency analysis is: “*A price expressed in terms of cash, as distinguished from a price expressed totally or partly in terms of the face amounts of notes or other securities that cannot be sold at their face amounts.*”

DATE OF INSPECTION

The last physical inspection was completed on May 28, 2020.

DATE OF VALUE

The date of value is May 28, 2020 coinciding with the date of the last physical inspection.

DATE OF REPORT

The report was published on May 29, 2020.

SUBJECT PROPERTY DATA

LOCATION OF PROPERTY

All Properties are located in Eureka, Humboldt County, California.

Property No. 1: APN 001-233-006 & 001-233-007 are located on the southwest corner of 6th Street and M Street.

Property No. 2: APN 001-155-005 is located on the northeast corner of 8th Street and G Street.

Parcel No. 3: APN 006-181-001 has a situs address of 1310 Myrtle Avenue on the northeast corner of Myrtle Avenue and Sunny Avenue.

LEGAL DESCRIPTION

No Legal Descriptions were provided to the signing appraiser.

OWNER OF THE PROPERTY

According to the Humboldt County Assessor, all properties are vested to the City of Eureka

SALE HISTORY OF THE SUBJECT PROPERTY

The subject properties have been under the ownership of the City of Eureka for many years and have not been previously listed for sale or lease.

ZONING CLASSIFICATION

Humboldt County APN	Agency of Jurisdiction: (City of Eureka)
001-233-006 & 001-233-007	DT: Downtown
001-155-005	DT: Downtown
006-181-001	NC: Neighborhood Commercial

GENERAL PLAN DESIGNATION

Humboldt County APN	Agency of Jurisdiction: (City of Eureka)
001-233-006 & 001-233-007	DC: Downtown Commercial
001-155-005	DC: Downtown Commercial
006-181-001	NC: Neighborhood Commercial

SITE DESCRIPTION: 001-233-006 & 001-233-007:SWC of 6th Street & M Street**Land Area:**

APN	Land Area: Acres / Square Feet
001-233-006 & 001-233-007	0.30 / 13,504

Shape:

These two parcels are adjacent and rectangular in shape

Access:

The properties have paved access from M Street and there is also an alley to the west where access is available.

Frontage Improvements:

All frontage street are improved with concrete curbs, gutters, and sidewalks.

Visibility:

The property enjoys excellent visibility and exposure from all access roads.

Terrain:

The property is at road grade.

Utilities:

<i>UTILITY SERVICE</i>	<i>PROVIDER</i>
Electricity	P G & E
Water	City of Eureka
Sewer	City of Eureka
Natural Gas	Pacific Gas & Electric
Trash Collection	City of Eureka

Real Property Taxes:

As a public agency, the City of Eureka is not subject to real property taxes.

Vegetation:

Fully landscaped

Coastal Influence:

None

Highest and Best Use:

Commercial and/or Office development

Easements/Encumbrances:

The appraiser was not provided a Preliminary Title Report. It is assumed that no easements are in place that would affect the market value or marketability of the subject property.

Soil and Subsoil:

We were not provided soil reports. We assume that there are no hidden conditions of the soil or subsoil, which would affect valuation of the property. We assume no responsibility for such conditions or for engineering required to discover such factors. We assume the load bearing qualities of the soil are adequate for the subject's highest and best use. **Neither the individual completing this inspection nor Ryan Appraisals has any liability for the identification of environmental concerns except as defined in applicable industry standards.**

Hazardous Waste/Contamination:

There is no indication of any hazardous waste or hazardous material that was apparent from our inspection. **The appraiser invokes an extraordinary assumption that the property is free from any hazardous or toxic materials.**

ZONING MAP

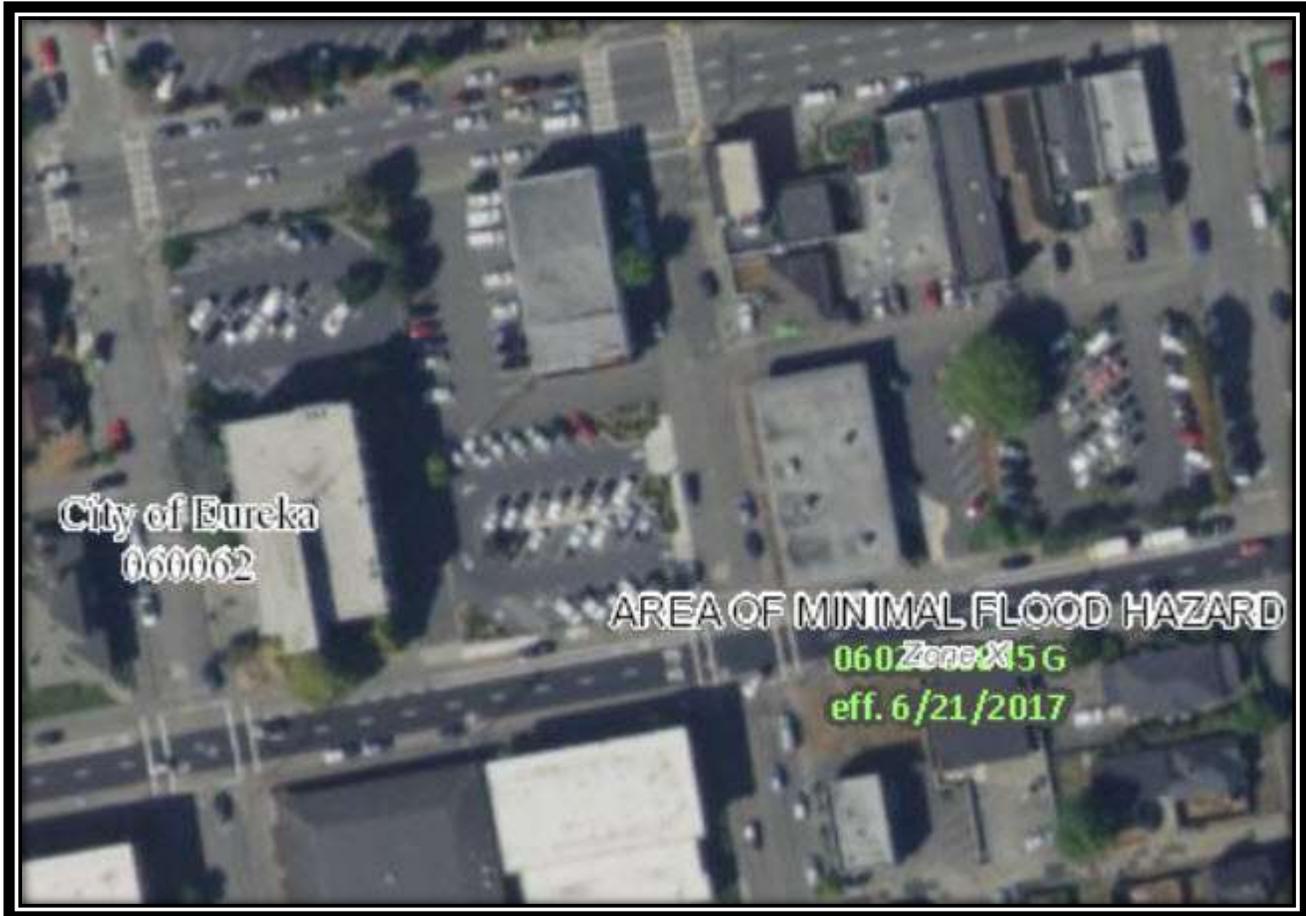
ZONING CLASSIFICATION	DT: Downtown
GENERAL PLAN	Downtown Commercial
COASTAL ZONE	No
AGENCY OF JURISDICTION	City of Eureka
CURRENT USE	Surface Parking

The DT Zoning District maintains, promotes, enhances and builds upon Eureka’s Downtown as a vibrant center for residents, businesses, the arts, local/regional visitors and out-of-town tourists. Vertical mixed-use development with a diversity of uses promote daytime and evening activity, including residential, cultural, lodging, civic, professional office, entertainment, retail and other customer-serving and employment-intensive uses. Multi-story buildings built to boundary lines fully utilize available land and support a high-intensity economic and cultural center for the surrounding region. Existing buildings are fully utilized with uses that serve residents, employees, visitors and the broader region. A diversity of building types and architectural styles, many with active ground-floor uses, support a vibrant pedestrian environment and active and inviting public spaces.

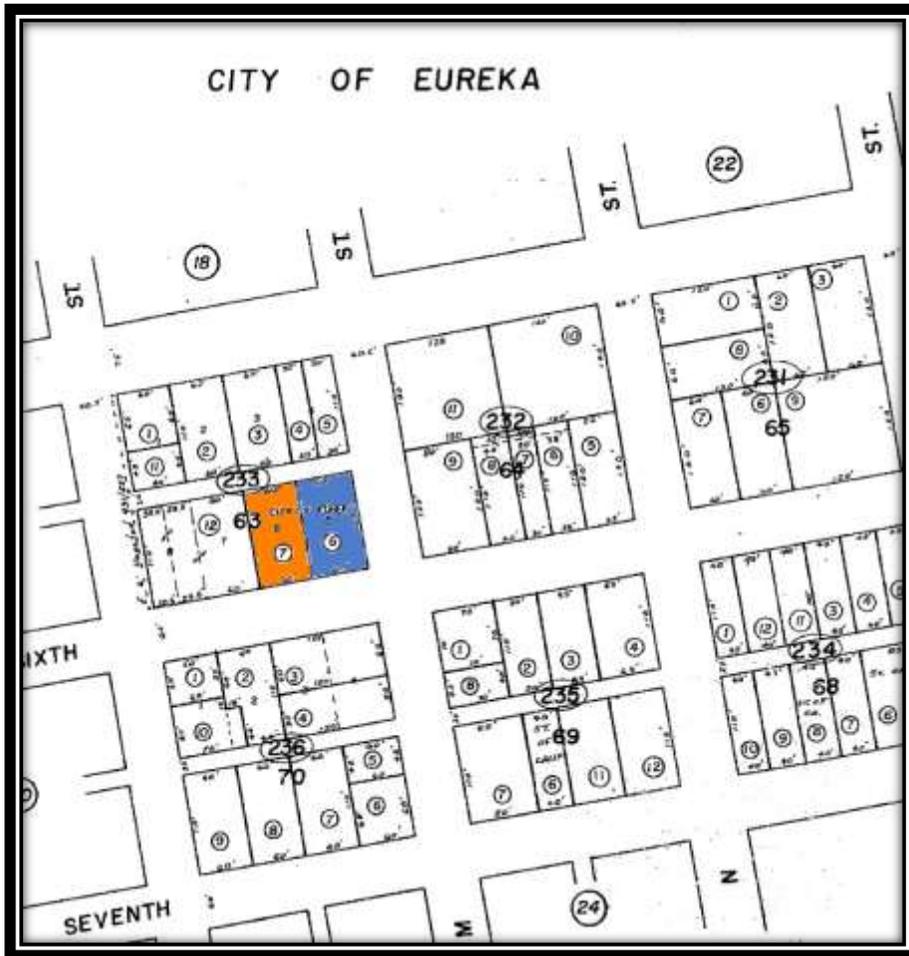


FLOOD MAP INFORMATION

Flood Zone	Panel Number	Panel Date
Zone X	FEMA FIRM 060 23C 0845G:	June 21, 2017
Areas of minimal Flood Hazard		
<p><i>Given the physical limitations of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), the flood zone determination of this report may vary from that identified by way of a formal survey produced by an engineering firm with expertise in the field.</i></p>		



ASSESSORS PARCEL MAP



220006.JMR
City of Eureka: Savage
Vacant City Lots

RYAN
Real Estate Appraisers and Consultants

SUBJECT PHOTO



This property is located on the northwest corner of 6th Street and M Street. The property is currently use for surface parking and on the day of inspection the parking spaces were approximately 50% utilized. The site is fully landscaped, at road grade and all public utilities are available to the site. The surrounding improvements include some single family residential, general commercial, and office.

SITE DESCRIPTION: 001-155-005NEC of 8th Street & G Street**Land Area:**

APN	Land Area: Acres / Square Feet
001-155-005	0.34 / 14,810

Shape:

Rectangular

Access:Paved access is available from 8th Street.**Frontage Improvements:**

All frontage street are improved with concrete curbs, gutters, and sidewalks.

Visibility:

The property enjoys excellent visibility and exposure from all access roads.

Terrain:

The property is at road grade.

Utilities:

<i>UTILITY SERVICE</i>	<i>PROVIDER</i>
Electricity	P G & E
Water	City of Eureka
Sewer	City of Eureka
Natural Gas	Pacific Gas & Electric
Trash Collection	City of Eureka

Real Property Taxes:

As a public agency, the City of Eureka is not subject to real property taxes.

Vegetation:

Several trees in planters and park strips

Coastal Influence:

None

Highest and Best Use:

Commercial and/or Office development

Easements/Encumbrances:

The appraiser was not provided a Preliminary Title Report. It is assumed that no easements are in place that would affect the market value or marketability of the subject property.

Soil and Subsoil:

We were not provided soil reports. We assume that there are no hidden conditions of the soil or subsoil, which would affect valuation of the property. We assume no responsibility for such conditions or for engineering required to discover such factors. We assume the load bearing qualities of the soil are adequate for the subject's highest and best use. **Neither the individual completing this inspection nor Ryan Appraisals has any liability for the identification of environmental concerns except as defined in applicable industry standards.**

Hazardous Waste/Contamination:

There is no indication of any hazardous waste or hazardous material that was apparent from our inspection. **The appraiser invokes an extraordinary assumption that the property is free from any hazardous or toxic materials.**

ZONING MAP

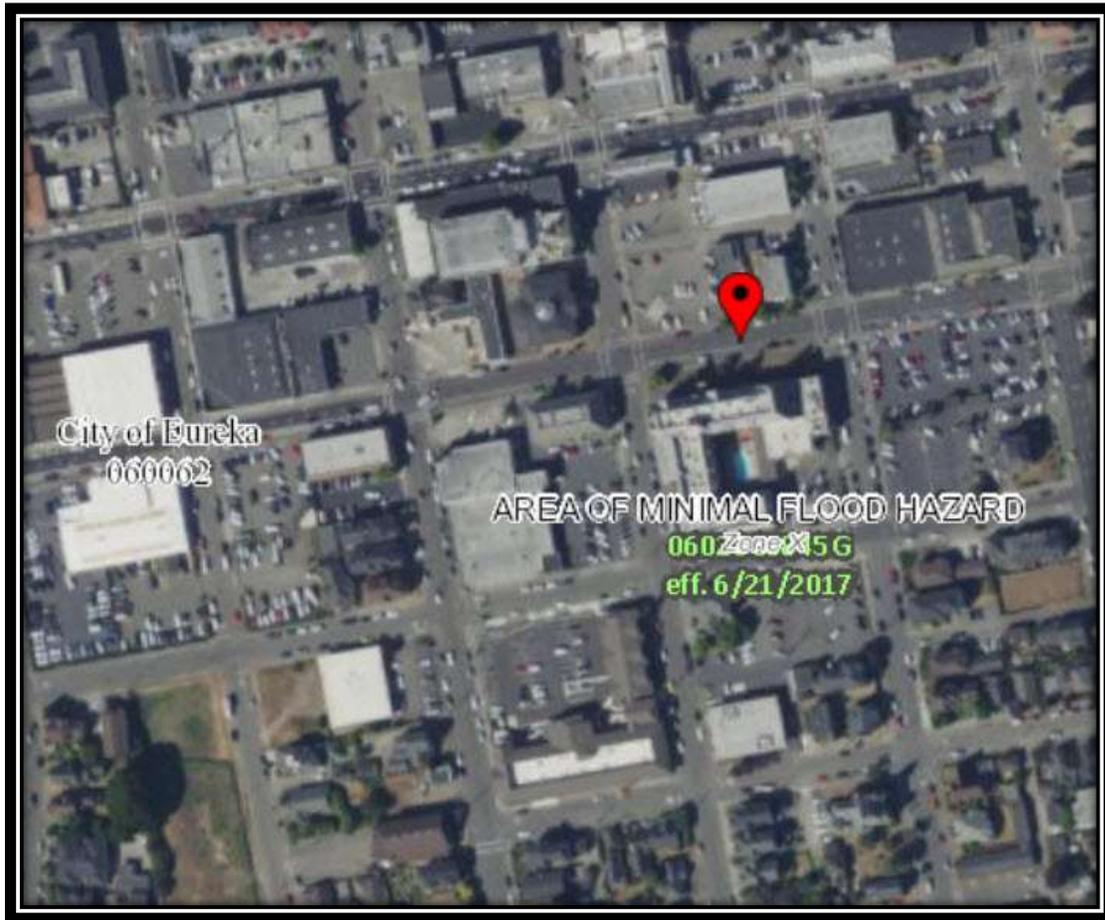
ZONING CLASSIFICATION	DT: Downtown
GENERAL PLAN	Downtown Commercial
COASTAL ZONE	No
AGENCY OF JURISDICTION	City of Eureka
CURRENT USE	Surface Parking

The DT Zoning District maintains, promotes, enhances and builds upon Eureka’s Downtown as a vibrant center for residents, businesses, the arts, local/regional visitors and out-of-town tourists. Vertical mixed-use development with a diversity of uses promote daytime and evening activity, including residential, cultural, lodging, civic, professional office, entertainment, retail and other customer-serving and employment-intensive uses. Multi-story buildings built to boundary lines fully utilize available land and support a high-intensity economic and cultural center for the surrounding region. Existing buildings are fully utilized with uses that serve residents, employees, visitors and the broader region. A diversity of building types and architectural styles, many with active ground-floor uses, support a vibrant pedestrian environment and active and inviting public spaces.



FLOOD MAP INFORMATION

Flood Zone	Panel Number	Panel Date
Zone X	FEMA FIRM 060 23C 0845G:	June 21, 2017
Areas of minimal Flood Hazard		
<i>Given the physical limitations of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), the flood zone determination of this report may vary from that identified by way of a formal survey produced by an engineering firm with expertise in the field.</i>		



SUBJECT PHOTO

This property is located on the northeast corner of 8th Street and G Street. Both 8th and G are two-way streets. The property is currently used as surface parking and on the day of inspection the lot was underutilized. It is difficult to determine if this due to the Covid-19 situation as many businesses have either yet to reopen or are not yet at 100% capacity. The site is fully landscaped, at road grade and all public utilities are available to the site. Unlike the property at 6th and M, the parking spaces are metered. The surrounding improvements include general commercial, and multi-family residential.

SITE DESCRIPTION: 006-181-001: 1310 MYRTLE AVENUE

NEC of Myrtle Avenue & Sunny Avenue

Land Area:

APN	Land Area: Acres / Square Feet
006-181-001	0.42 / 18,295

Shape:

This parcel is slightly irregular in shape.

Access:

Paved access is available from Sunny Avenue. There are no curb cuts on Myrtle Avenue.

Frontage Improvements:

At the subject property, Myrtle Avenue and Sunny Avenue are improved with concrete curbs, gutters, and sidewalks.

Visibility:

The property enjoys excellent visibility and exposure from Myrtle Avenue.

Terrain:

The property is at road grade.

Utilities:

<i>UTILITY SERVICE</i>	<i>PROVIDER</i>
Electricity	P G & E
Water	City of Eureka
Sewer	City of Eureka
Natural Gas	Pacific Gas & Electric
Trash Collection	City of Eureka

Real Property Taxes:

As a public agency, the City of Eureka is not subject to real property taxes.

Vegetation:

None

Coastal Influence:

None

Highest and Best Use:

Multi-Family Development

Easements/Encumbrances:

The appraiser was not provided a Preliminary Title Report. It is assumed that no easements are in place that would affect the market value or marketability of the subject property.

Soil and Subsoil:

We were not provided soil reports. We assume that there are no hidden conditions of the soil or subsoil, which would affect valuation of the property. We assume no responsibility for such conditions or for engineering required to discover such factors. We assume the load bearing qualities of the soil are adequate for the subject's highest and best use. **Neither the individual completing this inspection nor Ryan Appraisals has any liability for the identification of environmental concerns except as defined in applicable industry standards.**

Hazardous Waste/Contamination:

There is no indication of any hazardous waste or hazardous material that was apparent from our inspection. **The appraiser invokes an extraordinary assumption that the property is free from any hazardous or toxic materials.**

ZONING MAP

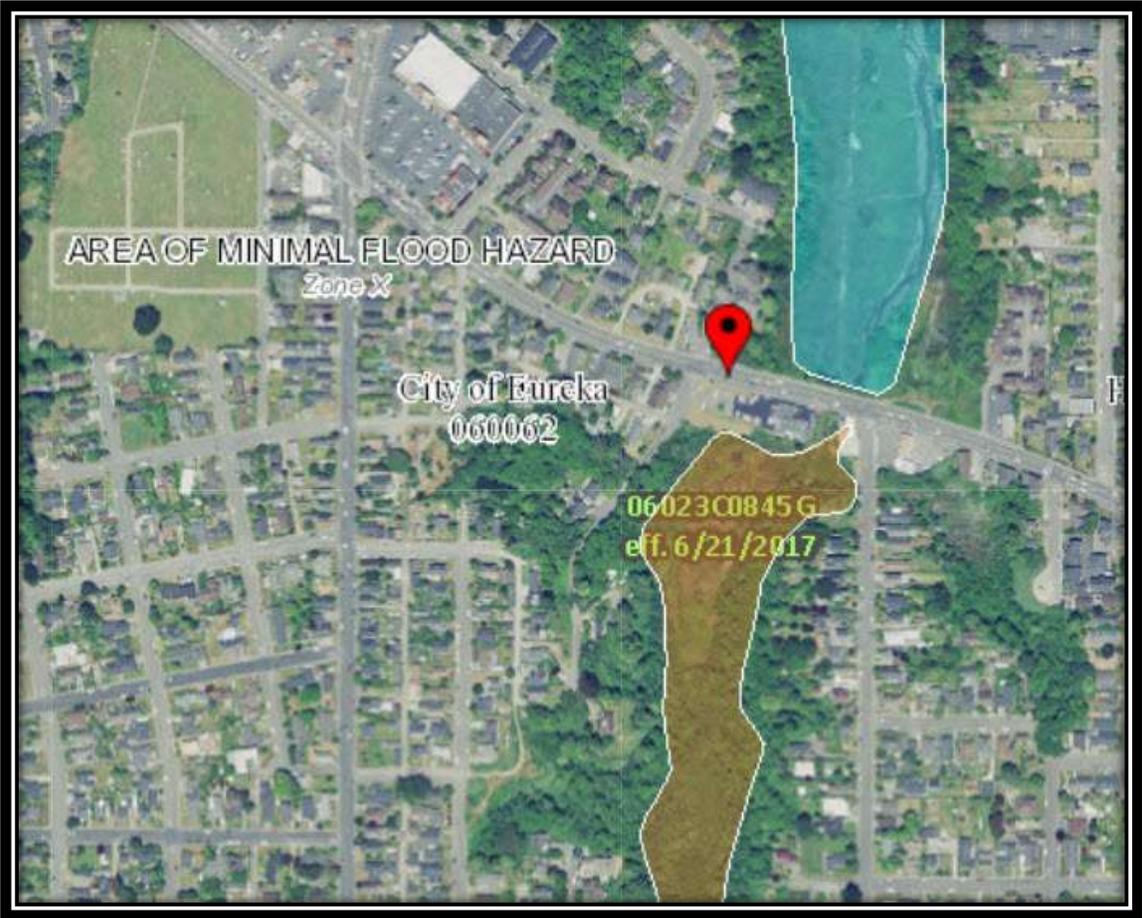
ZONING CLASSIFICATION	NC: Neighborhood Commercial
GENERAL PLAN	Neighborhood Commercial
COASTAL ZONE	No
AGENCY OF JURISDICTION	City of Eureka
CURRENT USE	Surface Parking

The NC Zoning District provides places for limited-scale convenience retail, restaurants, offices, professional services and other customer-serving uses to meet the daily needs of nearby residents, workers and visitors. The form and intensity of development supports an active pedestrian environment and is compatible with neighboring residential properties. Limited residential mixed-use development contributes to neighborhood vitality and safe and attractive streetscapes.

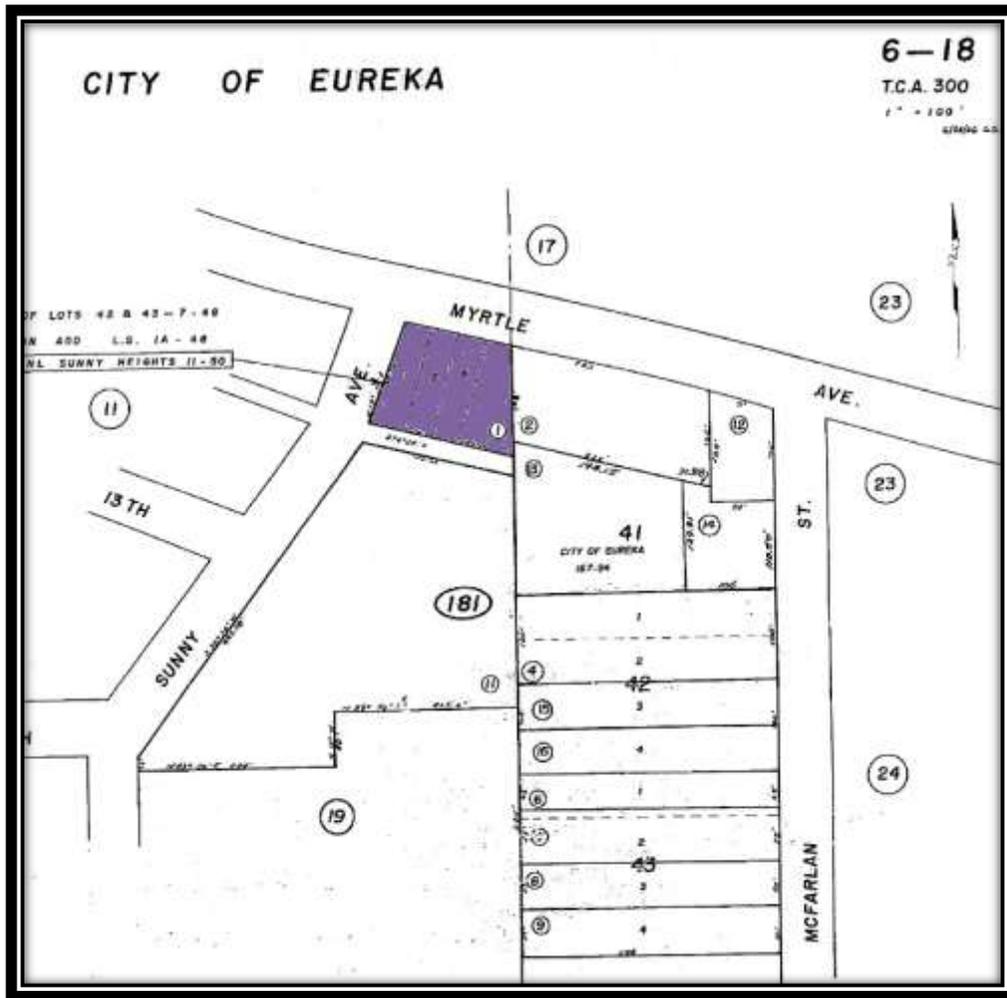


FLOOD MAP INFORMATION

Flood Zone	Panel Number	Panel Date
Zone X	FEMA FIRM 060 23C 0845G:	June 21, 2017
Areas of minimal Flood Hazard		
<i>Given the physical limitations of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRM), the flood zone determination of this report may vary from that identified by way of a formal survey produced by an engineering firm with expertise in the field.</i>		



ASSESSORS PARCEL MAP



220006.JMR
City of Eureka: Savage
Vacant City Lots

RYAN
Real Estate Appraisers and Consultants

SUBJECT PHOTO



This property is located at 1310 Myrtle Avenue on the southeast corner of Myrtle Avenue and Sunny Avenue. The property is currently use as surface parking and on the day of inspection the area was underutilized. This area of Myrtle Avenue and further to the east begin to transition from commercial to residential. The site is partially landscaped, at road grade and all public utilities are available to the site. The surrounding improvements include multi-family and general commercial.

SALES COMPARISON APPROACH TO VALUE

In order to estimate the value of the subject property, Humboldt County Assessor Records were searched for recent comparable sales. We also searched the Multiple Listing Service from the Humboldt Association of Realtors.

Of the sales reviewed, based on the above criteria, the following sale properties represent the best available data from the market to determine the subject's market potential under this valuation approach. While some are more ideal than others, the appraisers believe that they represent a sufficient sample of the data reviewed to provide a credible opinion of value.

Data provided on the following pages include a summary table, a location map, detailed data sheets, and photographs.



LAND SALES SUMMARY TABLE

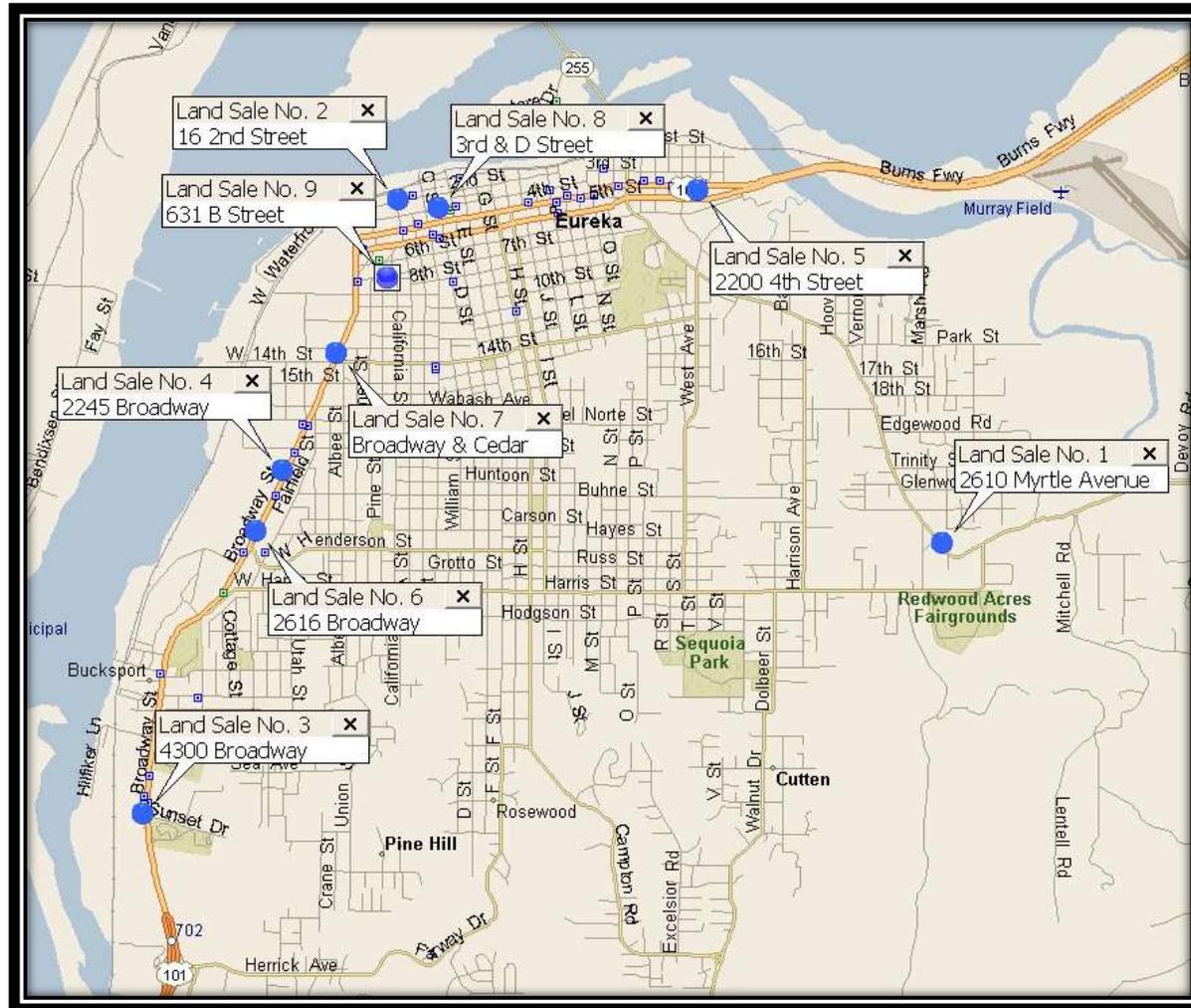
	Location	Sale Date	Sale Price	LAND AREA ACRES / SQUARE FT	SALE PRICE SQUARE FOOT	UTILITIES	TOPOGRAPHY	ZONING COASTAL ZONE	SHAPE
1	2610 Myrtle Avenue	03-04-2020	\$147,768	0.37 / 16,117	\$9.17	All Public	Road Grade	CG: General Commercial Yes	Rectangular
2	16 2 nd Street	04-29-2019	\$330,000	0.45 / 19,602	\$16.83	All Public	Road Grade	ML: Limited Industrial Yes	Rectangular
3	4300 Broadway	10-29-2018	\$3,200,000	4.99 / 217,445	\$14.72	All Public	Mostly Flat	CS: Service Commercial District Yes	Slightly Irregular
4	2245 Broadway	08-16-2018	\$1,000,000	1.24 / 54,014	\$18.51	All Public	Mostly Flat	SC: Service Commercial District No	Irregular
5	2200 4 th Street	07-13-2018	\$325,100	0.39 / 16,988	\$19.13	All Public	Road Grade.	CS: Service Commercial District Yes	Rectangular
6	2616 Broadway	07-17-2015	**\$1,350,000	2.80 / 121,968	\$11.07	All Public	Road Grade	CS: Service Commercial District Yes	Slightly Irregular
7	Broadway & Cedar	08-17-2017	\$140,000	0.18 / 7,841	\$17.85	All Public	Road Grade	CS: Service Commercial District Yes	Slightly Irregular
8	3 rd Street	03-28-2018	\$90,000	0.08 / 3,360	\$26.79	All Public	Road Grade	CW: Waterfront Commercial Yes	Rectangular
9	631 B Street	08-24-2016	\$215,000	0.32 / 13,939	\$15.42	All Public	Road Grade	DW: Downtown West No	Rectangular

220006.JMR
City of Eureka: Savage
Vacant City Lots

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[30]

COMPARABLE LAND SALES MAP



220006.JMR
City of Eureka: Savage
Vacant City Lots

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COMPARABLE SALE No. 1

Location Information		Site Description	
APN:	016-222-038	Land Area: (square feet)	16,117
County:	Humboldt	Zoning:	General Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	2610 Myrtle Avenue	Access:	Unimproved
City:	Eureka	Topography:	Mostly Flat
		Shape:	Rectangular
		Coastal Influence:	None
		Current Use:	Vacant Land
Purchase Information		Land Allocations	
Seller:	Coffey Trust	Sale price per square foot: \$9.17	
Buyer:	Humboldt Spay & Neuter		
Doc. No.:	2020-3769		
Recording Date:	03-04-2020		
Sale Price:	\$147,768		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:	Undisclosed		
Comments			
<p>This property has a Myrtle Avenue address but does not have frontage on Myrtle. It is located behind 2606 Myrtle Avenue with unimproved access from an alley. The property is mostly flat with grass cover, some shrubs, and trees. Given the lack of exposure from Myrtle Avenue, it would not be suitable for commercial development but could work well for multi-family housing. The surrounding improvements are primarily single family residential and multi-family residential.</p>			

COMPARABLE SALE No. 2

Location Information		Site Description	
APN:	001-062-012	Land Area: (square feet)	19,602
County:	Humboldt	Zoning:	ML: Limited Industrial
Property Type:	Industrial Land	Utilities:	All Public
Location:	2 nd Street @ B Street	Access:	Paved
City:	Eureka	Topography:	Road Grade
		Shape:	Rectangular
		Coastal Influence:	Bay Views
		Current Use:	Vacant Land
Purchase Information		Land Allocations	
Seller:	Eureka Rescue Mission	Sale price per square foot: \$16.83	
Buyer:	20 West 3 rd LLC		
Doc. No.:	2019-7411		
Recording Date:	04-29-2019		
Sale Price:	\$330,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:	Undisclosed		
Comments			
This lot lies just west of Old Town Eureka on 2 nd Street at B Street, two blocks from the waterfront. According to the listing agent a small portion of the property has multi-family zoning.			

COMPARABLE SALE No. 3



Location Information		Site Description	
APN:	019-261-002	Land Area: (square feet)	217,445
County:	Humboldt	Zoning:	Service Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	4300 Broadway	Access:	Paved
City:	Eureka	Topography:	Mostly Flat
		Shape:	Rectangular
		Coastal Influence:	No
		Current Use:	Vacant Land
Purchase Information		Land Allocations	
Seller:	W&W Trailer Sales	Sale price per square foot: \$14.72	
Buyer:	Tucson Hospitality LLC		
Doc. No.:	2018-19436		
Recording Date:	10-29-2018		
Sale Price:	\$3,200,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:	Undisclosed		
Comments			
The name of the entity that purchased this property is Tucson Hospitality which suggests this may be developed to a hotel.			

COMPARABLE SALE No. 4



Location Information		Site Description	
APN:	008-011-007	Land Area: (square feet)	54,014
County:	Humboldt	Zoning:	Service Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	2245 Broadway	Access:	Paved
City:	Eureka	Topography:	Mostly Flat
		Shape:	Irregular
		Coastal Influence:	None
		Current Use:	Vacant Land
Purchase Information		Land Allocations	
Seller:	Squires	Sale price per square foot: \$18.51	
Buyer:	Argonaut Ventures		
Doc. No.:	2018-15059		
Recording Date:	08-16-2018		
Sale Price:	\$1,000,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:	Develop Fast Food Restaurant		
Comments			
This is the former site of the Blue Heron Motel which was destroyed by arson. The buyers intend to construct a fast food restaurant to the site. The concept will be a Kentucky Fried Chicken.			

COMPARABLE SALE No. 5

Location Information		Site Description	
APN:	002-133-003	Land Area: (square feet)	16,988
County:	Humboldt	Zoning:	Service Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	2200 4 th Street @ W Street	Access:	Paved
City:	Eureka	Topography:	Road Grade
Verified With:		Shape:	Rectangular
Verified By:		Coastal Influence:	None
		Current Use:	Former used auto sales lot
Purchase Information		Land Allocations	
Seller:	Shumard	Sale price per square foot: \$19.13	
Buyer:	Vincent Arthur LLC		
Doc. No.:	2018-12994		
Recording Date:	07-13-2018		
Sale Price:	\$325,100		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:			
Comments			
This is the former site of a lot used for auto sales. This property is the first commercial property to the east as traffic enters Eureka from the north. On the day of inspection the property was vacant.			

COMPARABLE SALE No. 6

Location Information		Site Description	
APN:	007-121-005	Land Area: (square feet)	121,968
County:	Humboldt	Zoning:	Service Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	2616 Broadway	Access:	Paved
City:	Eureka	Topography:	Road Grade
		Shape:	Slightly Irregular
		Coastal Influence:	None
		Current Use:	Commercial strip retail
Purchase Information		Land Allocations	
Seller:	Heartwood Holdings	Sale price per square foot: \$11.07 + \$50,000 for demolition	
Buyer:	The Carrington Company		
Doc. No.:	2015-13911		
Recording Date:	07-07-2015		
Sale Price:	\$1,300,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:	Commercial Development		
Comments			
The buyer is a local developer that intends to develop this property for commercial uses. There is an In'n Out Burger that is nearly completed and is expected to open in Q2 of 2020 and there is also a Chipotle Mexican concept that will be added. It is unclear with the Covid-19 crisis when these casual dining restaurants will open to full capacity.			

COMPARABLE SALE No. 7

Location Information		Site Description	
APN:	003-141-001	Land Area: (square feet)	7,841
County:	Humboldt	Zoning:	Service Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	1314 Broadway & Cedar	Access:	Paved
City:	Eureka	Topography:	Road Grade
		Shape:	Slightly Irregular
		Coastal Influence:	None
		Current Use:	Parking
Purchase Information		Land Allocations	
Seller:	Pedrazzini	Sale price per square foot: \$17.85	
Buyer:	Knapek		
Doc. No.:	2017-15084		
Recording Date:	08-17-2017		
Sale Price:	\$140,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:			
Buyer Motivation:			
Comments			
This is small lot with service commercial zoning. The buyer own the adjacent property and is using this property to store vehicles.			

COMPARABLE SALE NO. 8

Location Information		Site Description	
APN:	001-093-009	Land Area: (square feet)	3,360
County:	Humboldt	Zoning:	Waterfront Commercial
Property Type:	Commercial Land	Utilities:	All Public
Location:	3 rd Street @ D Street	Access:	Paved
City:	Eureka	Topography:	Road Grade
		Shape:	Rectangular
		Coastal Influence:	Proximate to the Waterfront
		Current Use:	Parking
Purchase Information		Land Allocations	
Seller:	Terry		
Buyer:	Foersterling		
Doc. No.:	2018-5760		
Recording Date:	03-28-2018		
Sale Price:	\$90,000	Sale price per square ft.	\$26.79
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:			
Comments			
This is a very small lot used for parking in Old Town Eureka.			

COMPARABLE SALE No. 9

Location Information		Site Description	
APN:	001-081-009	Land Area: (acres)	13,939
County:	Humboldt	Zoning:	DW: Downtown West
Property Type:	Vacant Land	Utilities:	All Public
Location:	631 B Street @ 7 th Street	Access:	Paved
City:	Eureka	Topography:	Road Grade
Verified With:		Shape:	Rectangular
Verified By:		Water Influence:	None
		Current Use:	Vacant Lot
Purchase Information		Land Allocations	
Seller:	Boskovich	Sale price per square foot: \$15.42	
Buyer:	Harvey Harper Company		
Doc. No.:	2016-16809		
Recording Date:	08-24-2016		
Sale Price:	\$215,000		
Financing Terms:	Cash to Seller		
Property Rights:	Fee Simple		
Condition of Sale:	Arm's Length		
Buyer Motivation:			
Comments			
This small lot near Downtown Eureka was formerly used for auto sales but is now vacant.			

VALUE CONCLUSIONS & RECONCILIATION:

We identified nine land sales to use for analysis in estimating the market value of the subject properties. Each of the three subject properties are paved and the current use is surface parking.

We have estimated the highest and best use of the downtown subject properties to be for commercial and or office development with an immediate timeframe. This could also include mixed-use development with a commercial and residential component.

We have estimated the highest and best use of the Myrtle Avenue property to multi-family residential. The surrounding improvements are primarily residential and the demand for commercial land in this area is likely weak as just east of the subject, the neighborhood begins to transition to residential.

The range of sale price per square foot for the nine sale properties is \$9.17 per square foot to \$26.79 per square foot. The high end of the range is set by the smallest property in the data set at 3,360 square feet. The low end of the range is set by a 0.37 acre lot that is located on Myrtle Avenue. The sale properties range in size from 3,360 square feet to 217,445 square feet or 4.99 acres.

Sale Property No. 1 is located on Myrtle Avenue, approximately 1.5 miles east of the subject property which is located at 1310 Myrtle Avenue. This rectangular lot does not have frontage on Myrtle Avenue and is located behind 2606 Myrtle Avenue. Access is available from an unimproved alley to the east of 2606 Myrtle Avenue. The lot is almost entirely flat and ready for development but the alley would likely require paving and frontage improvements to include concrete curbs, gutters and sidewalks. Given the absence of visibility from Myrtle Ave the demand for commercial land in this area is likely weak. The highest and best use is likely for residential development given the surrounding improvements are single family and multi-family residential.

Sale Property No. 2 is located in an industrial zone just southwest of, but proximate to Old Town. The surrounding improvements are primarily light industrial in use and in average to below average condition but the location is reasonably similar to the downtown subject properties.

Sale Property No. 3 is located on Broadway near the south entrance to Eureka. The land uses transition to rural and rural residential just south of this sale property. This property at almost five acres is considerably larger than the subject property. Formerly put to use as an RV and mobile home sales lot, the property was purchased by an out-of-state hospitality firm suggesting a hotel may be developed to the vacant land. There is an older structure on the site that has little remaining economic life. Given the size and location, this property is not truly comparable to the subject properties.

Sale Property No. 4 is also located on Broadway. Formerly developed as a budget motel, the property was lost to arson. A development group based in Oregon purchased the site with the intent to develop a Kentucky Fried Chicken restaurant. The same development group purchased a site in Redding and has since developed a Kentucky Fried Chicken restaurant. Given the exposure and location on Broadway, this site is ranked as superior to the subject properties.

Sale Property No. 5 is located on 4th Street just as you enter Eureka from the north. On this end of Eureka there is much commercial development and very few vacant parcels. The surrounding improvements proximate to this sale property include restaurants, hotels/motels, retail, and various commercial concerns. The location is ranked as superior to the subject properties due to being at the north gateway to Eureka.

Like Sale Property No. 3 and No. 4, Sale Property No. 6 is located on Broadway. This is one of the older sale transactions in the data set having transferred in July of 2015. At 2.80 acres, this property is considerably larger than the subject properties. The Carrington Company purchased this property and development is occurring currently. Anchor tenants include In'n Out Burger and Chipotle Mexican Food. Given the size and location, this property is not truly comparable to the subject property.

Sale Property No. 7 is a very small lot located on Broadway at Cedar. Comprising 7,841 square feet, this property is smaller than the subject properties. The neighboring property owner purchased this property for additional land area and to store vehicles. Given the small size, the location on Broadway, and differing highest and best use, this property is ranked as superior to the subject properties.

Sale Property No. 8 is a very small lot, 3,360 square feet in Old Town Eureka. The owner now leases the site out for additional downtown parking. An interview with the buyer indicated that she has no immediate development plans but intends to hold the property vacant until a feasible development plan is identified. The location is similar to the downtown subject properties but the size is likely the reason for the elevated sale price per square foot as this sale represents the high end of the range of sale price per square foot.

Sale Property No. 9 is located on B Street and 7th proximate to the downtown subject properties. The buyer of this property also owns several other lots that are either adjacent or immediately proximate to this sale property. There is an older sales office on the property that would likely be demolished in the event of new commercial development. While this is an older sale, the dearth of data in the Eureka market warrants inclusion in the data set. As well, this property has a DW zoning classification which is similar to the downtown subject properties.

In our final conclusion using the Sales Comparison Approach we place primary weight on Sale Property No. 2 and No. 9 for the downtown properties. We estimate the value of these properties to be \$17.00 per square foot. For the Myrtle Avenue subject property, we place primary weight on Sale Property No. 1 although this sale property is slightly inferior. Nonetheless, the zoning is the same as the Myrtle Avenue subject property and the two are only 1.5 miles apart. We estimate the value of this property to be \$11.00 per square foot. Our calculations are provided below.

Humboldt County APN	Value per Square Foot	Value Conclusions
001-233-006 & 001-233-007	13,504 sf @ \$17.00 per sf	Rounded) \$230,000
001-155-005	14,810 sf @ \$17.00 per sf	Rounded) \$250,000
006-181-001	18,295 sf @ \$11.00 per sf	Rounded) \$200,000

ADDENDA

UNDERLYING ASSUMPTIONS AND LIMITING CONDITIONS

1. This is an Appraisal Report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(a) of the Uniform Standards of Professional Appraisal Practice. This report is also intended to comply with the Uniform Appraisal Standards for Federal Land Acquisitions (UASFLA). As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report. The appraiser is not responsible for unauthorized use of this report.
2. No responsibility is assumed for legal or title considerations. Title to the property is assumed to be good and marketable unless otherwise stated in this report.
3. The property is appraised free and clear of any and all liens and encumbrances unless otherwise stated in this report. No Title report was provided to verify this assertion.
4. Responsible ownership and competent property management are assumed unless otherwise stated in this report.
5. The information furnished by others is believed to be reliable. However, no warranty is given for its accuracy.
6. All engineering is assumed to be correct. Any plot plans and illustrative material including project maps in this report are included only to assist the reader in visualizing the property.
7. It is assumed that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. No responsibility is assumed for such conditions or for arranging for engineering studies that may be required to discover them.
8. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and laws unless otherwise stated in this report.
9. It is assumed that all applicable zoning and use regulations and restrictions have been complied with, unless a nonconformity has been stated, defined, and considered in this appraisal report.
10. It is assumed that all required licenses, certificates of occupancy or other legislative or administrative authority from any local, state, or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimates contained in this report are based.
11. Any sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property. Maps and exhibits found in this report are provided for reader reference only. No guarantee as to accuracy is expressed or implied unless otherwise stated in this report. No survey has been made for the purpose of this report.
12. It is assumed that the utilization of the land and improvements are within the boundaries or property lines of the property described, and that there is no encroachment or trespass unless otherwise stated in this report.

13. The appraiser is not qualified to detect hazardous waste and/or toxic materials. Any comment by the appraiser that might suggest the possibility of the presence of such substances should not be taken as confirmation of the presence of hazardous waste and/or toxic materials. Such determination would require investigation by a qualified expert in the field of environmental assessment. The presence of substances such as asbestos, urea-formaldehyde, foam insulation, or other potentially hazardous materials may affect the value of the property. The appraiser's value estimate is predicated on the assumption that there are no such materials on or in the property that would cause a loss in value unless otherwise stated in this report. No responsibility is assumed for any environmental conditions, or for any expertise or engineering knowledge required to discover them. The appraiser's descriptions and resulting comments are the result of the routine observations made during the appraisal process unless otherwise stated in this report, the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the Americans With Disabilities Act. The presence of architectural and communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.
14. Possession of this report, or a copy thereof, does not carry with it the right of publication. It may not be used for any purpose by any person other than the party to whom it is addressed without the written consent of the appraiser, and in any event, only properly written qualification and only in its entirety.
15. Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news sales, or other media without prior written consent and approval of the appraiser.

APPRAISER QUALIFICATIONS FOR JOHN MICHAEL RYAN

EDUCATION:

Bachelor of Science: California Polytechnic State University, San Luis Obispo
College of Agriculture: Agribusiness, Appraisal & Finance

PROFESSIONAL EXPERIENCE:

January 2006 to Present:	Ryan Appraisals	Appraiser, Owner
January 2003 to December 2005:	Ryan & Associates	Trainee, Researcher

APPRAISAL EDUCATION

APPRAISAL INSTITUTE

Appraisal Principles:	AI 110: Dublin, CA	(April 2003)
Appraisal Procedures:	AI 120: Salt Lake City, UT	(July 2003)
Basic Income Capitalization:	AI 310: San Francisco,	(December 2003)
National USPAP (15 Hour):	AI 410: San Francisco, CA	(July 2003)
Advanced Income Capitalization:	AI 510: Denver, CO	(March 2004)
Highest & Best Use: Market Analysis	AI 520: Oakland, CA	(March 2008)
Advanced Sales & Cost Approach	AI 530: Boise, ID	(July 2006)
Advanced Concepts & Case Studies	AI 503 GD: Ontario, CA	(June 2012)
General Report Writing & Case Study	Chicago, Illinois	(November 2014)

AMERICAN SOCIETY OF FARM MANAGERS & RURAL APPRAISERS

Principles of Rural Appraisal:	A-200: Denver, CO	(March 2005)
Conservation Easement Valuation	Austin, TX	(October 2005)
Highest and Best Use	A-250: Sacramento, CA	(May 2008)
Eminent Domain	A-290: Sacramento, CA	(June 2008)

SEMINARS

Analyzing Commercial Lease Clauses	San Jose, CA	(May 2004)
California Conservation Easements	Sacramento, CA	(November 2005)
UASFLA (Yellow Book)	Sacramento, CA	(November 2006)
Land Valuation Assignments	Pleasanton, CA	(January 2007)
Land Valuation Adjustment Procedure	Pleasanton, CA	(January 2007)
Perspectives from Commercial Review Appraisers	Webinar	(July 2011)
Case Study in Lodging Appraisal	Sacramento, CA	(March 2012)
Appraising the Appraisal: Appraisal Review	Sacramento, CA	(March 2012)
Appraisal of Self Storage Facilities	Webinar	(February 2017)
California Laws & Regulations	Webinar	(February 2017)
USPAP: National 7 Hour	Chicago, IL	(February 2019)
Intro to Expert Witness Testimony	Webinar	(February 2017)

LICENSES:

State of California: Real Estate Appraiser; AG036466, Expiration: February, 17 2021

PROFESSIONAL AFFILIATIONS:

Candidate for Designation; Appraisal Institute: AI: Chicago, IL

220006.JMR
City of Eureka: Savage
Vacant City Lots

RYAN

Real Estate Appraisers and Consultants

CERTIFICATION STATEMENT

I certify that, to the best of my knowledge and belief:

- I have not appraised this property within the last three years
- The statements of fact contained in this report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- **My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.**
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the *Uniform Standards of Professional Appraisal Practice*.
- The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- I have made a personal inspection of the property that is the subject of this report.
- No one provided significant real property appraisal assistance to the person signing this certification.



John Michael Ryan
California Certified General Appraiser: No. AG 036466
Expiration: February 17, 2021

Date: May 29, 2020

220006.JMR
City of Eureka: Savage
Vacant City Lots

RYAN
Real Estate Appraisers and Consultants

ATTACHMENT D

**SUNNY AND MYRTLE HUMBOLDT LAND TITLE PRELIMINARY TITLE
REPORT**

(Site #1: Sunny and Myrtle, 1310 Myrtle Avenue, APN:006-181-001)

DRAFT

Title Report

City of Eureka - Development Services Dept.
531 K Street
Eureka, CA 95501
Attn: Caitlin Castellano

File No.: FHBT-TO2000067

Property Address: 1310 Myrtle Avenue, Eureka, CA

Introducing LiveLOOK

LiveLOOK title document delivery system is designed to provide 24/7 real-time access to all information related to a title insurance transaction.

Access title reports, exception documents, an easy-to-use summary page, and more, at your fingertips and your convenience.

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a division of Fidelity National Title Company of CA

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Humboldt Land Title, a division of Fidelity National Title Company of CA** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent



Visit Us on our Website: www.fntic.com



a division of Fidelity National Title Company of CA

ISSUING OFFICE: 1034 6th Street, Eureka, CA 95501

**Another Prompt Delivery From Humboldt Land Title, a division of Fidelity National Title Company of CA
Title Department
Where Local Experience And Expertise Make A Difference**

PRELIMINARY REPORT

Title Officer: Russell Janak
Email: Russell.Janak@titlegroup.fntg.com
Title No.: FHBT-TO2000067G

TO: City of Eureka - Development Services Dept.
531 K Street
Eureka, CA 95501
Attn: Caitlin Castellano

PROPERTY ADDRESS(ES): 1310 Myrtle Avenue, Eureka, CA

EFFECTIVE DATE: February 17, 2020 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

ALTA Loan Policy 2006

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
City of Eureka
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): [006-181-001-000](#)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lots One, Two and Three in Block Two of the Second Enlargement of Sunny Heights Addition to the City of Eureka;

Also BEGINNING on Myrtle Avenue at the Northeast corner of Lot Three of Block Two of the Second Enlargement of Sunny Heights in the City of Eureka, according to the map thereof on file in the office of the County Recorder of said County of Humboldt in [Book 11 of Maps at Page 50](#) and running thence South 13 degrees 28 minutes West, 119.95 feet to an alley which runs to the South of said Block Two; thence along said alley South 76 degrees 32 minutes East, 60.82 feet the West line of Lot 41 of Huntoon Addition to the City of Eureka, according to the map thereof on file in the Recorder's Office of said County of Humboldt in Book 1A of Surveys, Page 48; thence North along said West line of said Lot 41, 123.43 feet to Myrtle Avenue; thence along Myrtle Avenue North 76 degrees 32 minutes West, 30 feet more or less to the place of beginning.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.
2. There were no taxes levied for the fiscal year 2019-2020 as the property was vested in a public entity.
3. Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.
4. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
5. Rights of the public to any portion of the Land lying within the area commonly known as Myrtle Avenue.
6. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
7. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

8. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(ies): City of Eureka

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

9. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.

END OF EXCEPTIONS

NOTES

- Note 1.** Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- Note 2.** Note: The charge for a policy of title insurance, when issued through this title order, will be based on the Basic Title Insurance Rate.
- Note 3.** Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- Note 4.** Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
- Note 5.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 6.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 7.** Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.
- Note 8.** Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.
- Note 9.** Due to the special requirements of SB 50 (California Public Resources Code Section 8560 et seq.), any transaction that includes the conveyance of title by an agency of the United States must be approved in advance by the Company's State Counsel, Regional Counsel, or one of their designees.

END OF NOTES



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We do share Personal Information among affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 5,000.00

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

ATTACHMENT ONE (CONTINUED)

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company
 CLTC - Commonwealth Land Title Company
 FNTC - Fidelity National Title Company of California
 FNTCCA - Fidelity National Title Company of California
 TICOR - Ticor Title Company of California
 LTC - Lawyer's Title Company
 SLTC - ServiceLink Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 CTIC - Chicago Title Insurance Company

Available Discounts

DISASTER LOANS (CTIC, CLTIC, FNTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within twenty-four (24) months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be fifty percent (50%) of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC, FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be fifty percent (50%) to seventy percent (70%) of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be forty percent (40%) to fifty percent (50%) of the appropriate title insurance rate, depending on the type of coverage selected.

Available Escrow Discounts

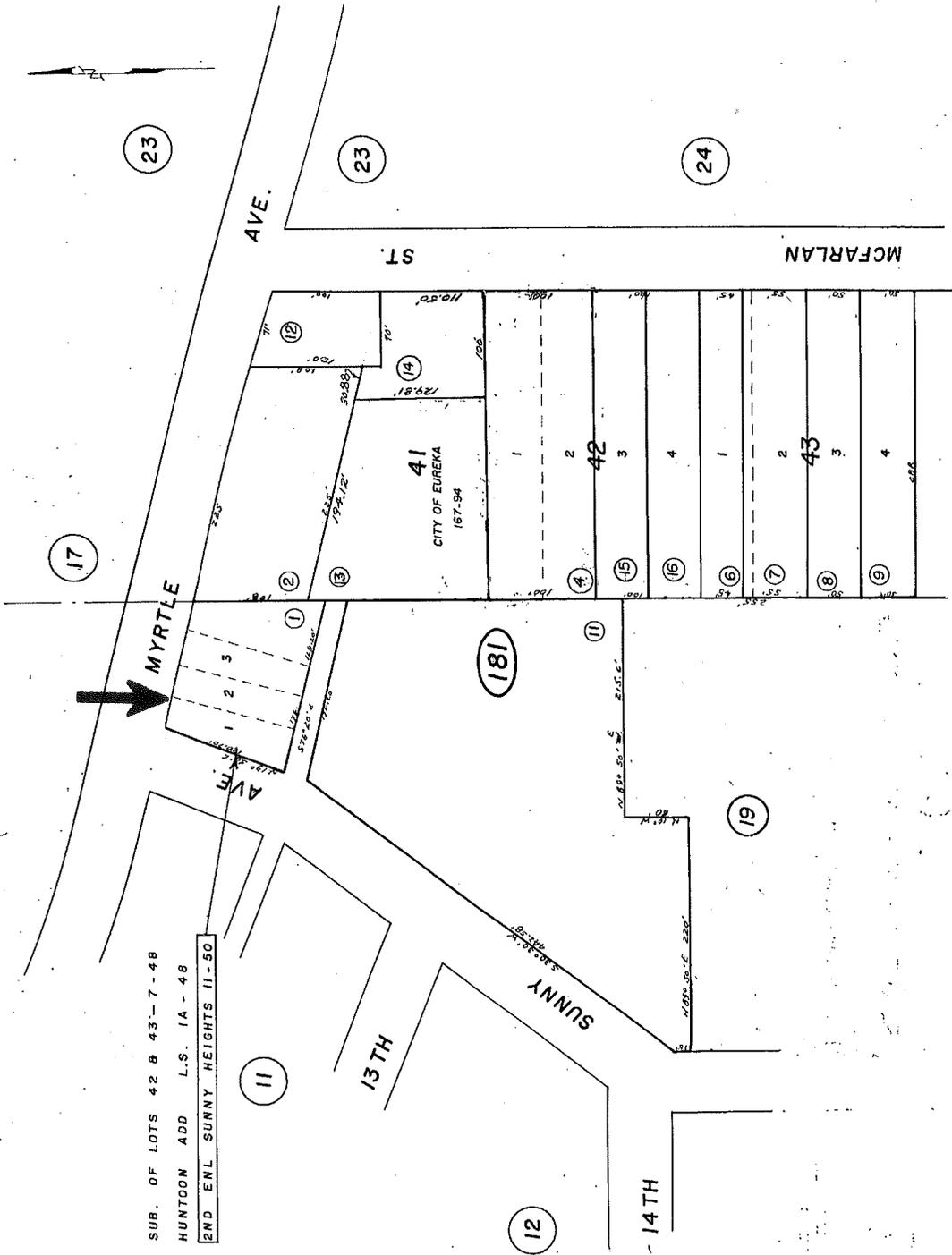
MILITARY RATE (SLTC)

On residential escrows that are not REO Sale Transactions, a discount of One Hundred And No/100 Dollars (\$100.00) of the escrow fee for a refinance transaction or twenty percent (20%) of the escrow fees for a purchase transaction may apply for loans guaranteed by the United States Veterans Administration.

6-18

1" = 100'

CITY OF EUREKA



SUB. OF LOTS 42 & 43-7-48
 HUNTOON ADD L.S. 1A-48
 2ND ENL SUNNY HEIGHTS 11-50

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

ATTACHMENT E

8TH AND G HUMBOLDT LAND TITLE PRELIMINARY TITLE REPORT

(Site #2: 8th and G, APN: 001-155-005)

DRAFT



a division of Fidelity National Title Company of CA

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Humboldt Land Title, a division of Fidelity National Title Company of CA** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent



Visit Us on our Website: www.fntic.com



a division of Fidelity National Title Company of CA

ISSUING OFFICE: 1034 6th Street, Eureka, CA 95501

FOR SETTLEMENT INQUIRIES, CONTACT:

- FAX

**Another Prompt Delivery From Humboldt Land Title, a division of Fidelity National Title Company of CA
Title Department**

Where Local Experience And Expertise Make A Difference

PRELIMINARY REPORT

Title Officer: Russell Janak
Email: Russell.Janak@titlegroup.fntg.com
Title No.: FHBT-TO2000068G

Escrow Officer:
Email:
Escrow No.: FHBT-TO2000068

TO: City of Eureka - Development Services Dept.
531 K Street
Eureka, CA 95501
Attn: Caitlin Castellano

PROPERTY ADDRESS(ES): Vacant Parcel - [APN 001-155-005, Eureka, CA](#)

EFFECTIVE DATE: February 14, 2020 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

CLTA Standard Coverage Policy 1990 (04-08-14)

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

A Fee

2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS [VESTED IN:](#)

The City of Eureka, a municipal corporation

3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): 001-155-005

All that real property situated in the City of Eureka, County of Humboldt, State of California, being more particularly described as follows:

Beginning at the Northeasterly corner of 8th and G Streets as established according to the Official Surveys and Monuments of the said City of Eureka, and running thence Easterly along 8th Street 120 feet; thence Northerly parallel with G Street 120 feet; thence Westerly parallel with 8th Street to G Street; and thence Southerly along G Street 120 feet to the point of beginning.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.
2. There were no taxes levied for the fiscal year 2019-2020 as the property was vested in a public entity.
3. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
4. Any liens or other assessments, bonds, or special district liens including without limitation, Community Facility Districts, that arise by reason of any local, City, Municipal or County Project or Special District.
5. A notice that said Land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document

Recording Date: July 3, 1975
Recording No.: [Book 1296, Page 184, of Official Records](#)
 Redevelopment Plan: The Eureka Tomorrow Redevelopment Project

As modified by document recorded August 1, 2005, as [Instrument No. 2005-25696, of Official Records](#).

As modified by document recorded August 1, 2005, as [Instrument No. 2005-25697, of Official Records](#).

As modified by document recorded August 1, 2005, as [Instrument No. 2005-25697, of Official Records](#).

6. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

 The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

 The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

7. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
8. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance by the corporation named below:

Name of Corporation: City of Eureka, a municipal corporation

- a) A Copy of the corporation By-laws and Articles of Incorporation in

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

EXCEPTIONS
(continued)

9. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(ies): The City of Eureka, a municipal corporation

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.

10. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
11. The requirement that the complete and correct name(s) of the buyer(s) in this transaction be submitted to the Title Department at least 5 days prior to the close of Escrow.
12. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department.

The Company reserves the right to add additional items or make further requirements after such review.

END OF EXCEPTIONS

NOTES

- Note 1.** Note: The name(s) of the proposed insured(s) furnished with this application for title insurance is/are:
No names were furnished with the application. Please provide the name(s) of the buyers as soon as possible.
- Note 2.** Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- Note 3.** Note: The charge for a policy of title insurance, when issued through this title order, will be based on the Basic Title Insurance Rate.
- Note 4.** Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
- Note 5.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 6.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 7.** Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- Note 8.** Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.
- Note 9.** Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.

NOTES
(continued)

- Note 10.** Due to the special requirements of SB 50 (California Public Resources Code Section 8560 et seq.), any transaction that includes the conveyance of title by an agency of the United States must be approved in advance by the Company's State Counsel, Regional Counsel, or one of their designees.

END OF NOTES



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We do share Personal Information among affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 5,000.00

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

ATTACHMENT ONE (CONTINUED)

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

**ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)
EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company
 CLTC - Commonwealth Land Title Company
 FNTC - Fidelity National Title Company of California
 FNTCCA - Fidelity National Title Company of California
 TICOR - Ticor Title Company of California
 LTC - Lawyer's Title Company
 SLTC - ServiceLink Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 CTIC - Chicago Title Insurance Company

Available Discounts

DISASTER LOANS (CTIC, CLTIC, FNTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within twenty-four (24) months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be fifty percent (50%) of the appropriate title insurance rate.

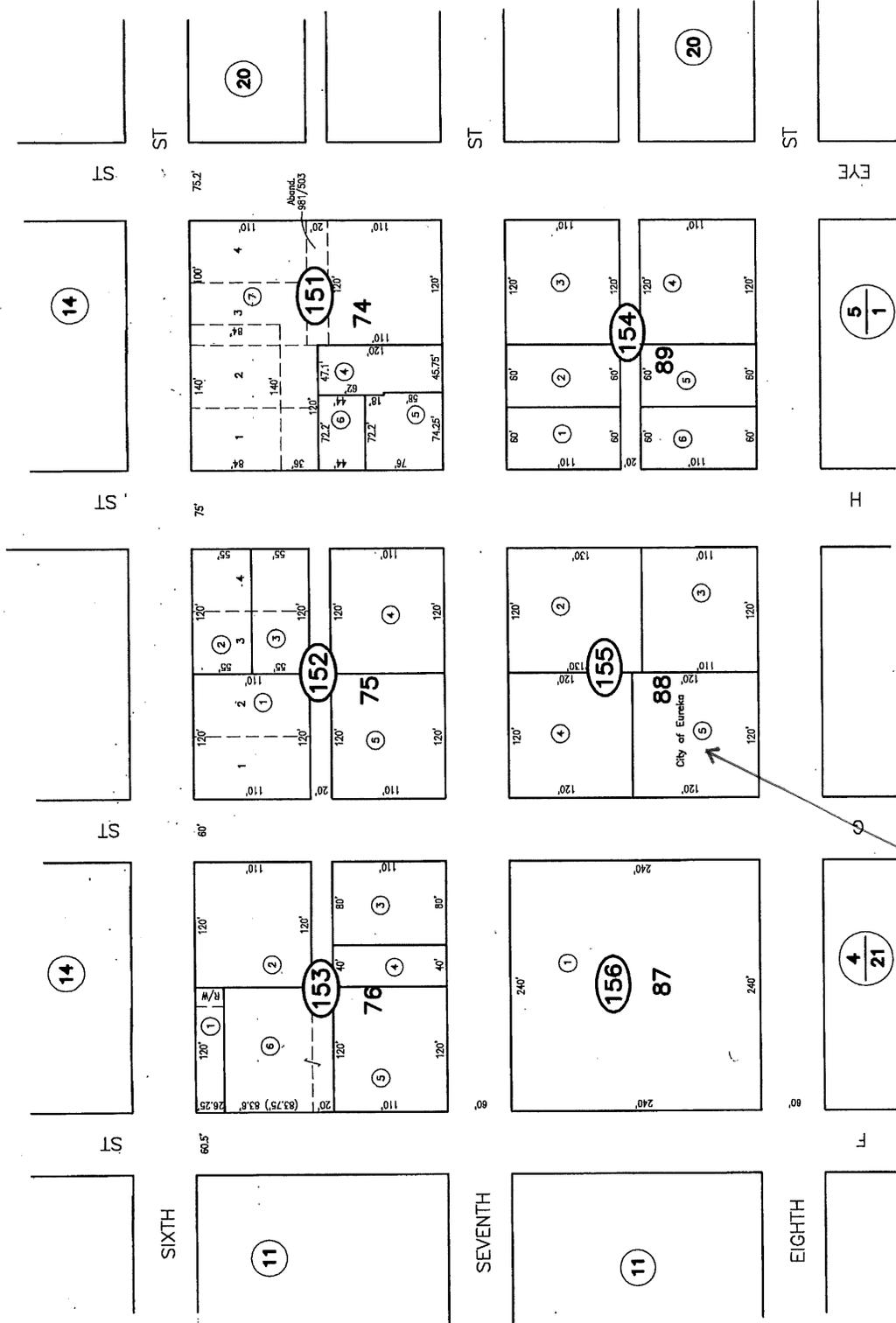
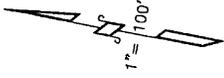
CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC, FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be fifty percent (50%) to seventy percent (70%) of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be forty percent (40%) to fifty percent (50%) of the appropriate title insurance rate, depending on the type of coverage selected.

Available Escrow Discounts

MILITARY RATE (SLTC)

On residential escrows that are not REO Sale Transactions, a discount of One Hundred And No/100 Dollars (\$100.00) of the escrow fee for a refinance transaction or twenty percent (20%) of the escrow fees for a purchase transaction may apply for loans guaranteed by the United States Veterans Administration.



NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles
 Assessor's Map Bk. 1, Pg.15
 County of Humboldt, CA.

RS, Bk 65 of surveys, Pg 44

ASSESSOR'S PARCEL MAP
 1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
 2. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE DATA SHOWN.
 3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

This map/plot is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

CITY OF EUREKA

DEVELOPMENT SERVICES DEPARTMENT

Rob Dumouchel, Interim Director

Caitlin Castellano, Senior Planner

531 K Street • Eureka, California 95501-1146

Ph (707) 268-5265

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



MEMO

DATE: April 24, 2020
TO: Interested Developers of City-owned Sites
FROM: Caitlin Castellano, Senior Planner
SUBJECT: Redevelopment Project Area listed in Preliminary Title Reports

This memo serves as notice that the information regarding inclusion of Land within a project area of a Redevelopment Agency, as described in the Exceptions and Exclusions section of a preliminary title report, is no longer valid and is null and void. Redevelopment Agencies, including the Redevelopment Agency of the City of Eureka, and any referenced Ordinances and Project Areas referenced therein, no longer exist as of February 1, 2012, and are not to be removed from title as per the attached Fidelity National Title Group disclosure attached dated March 1, 2018.

Please call the City of Eureka if you have any further questions regarding the status of this Item from the Preliminary Title Report.

Attached: Fidelity National Title Group “Redevelopment Plans and Dissolution of Redevelopment Agencies”

FIDELITY NATIONAL TITLE GROUP

2150 John Glenn Dr., # 400, Concord, CA 94520 • Phone (925) 288-8079 • Email: Greg.Herrington@fnf.com

REDEVELOPMENT PLANS AND DISSOLUTION OF REDEVELOPMENT AGENCIES

Title company members of the Fidelity National Title Group often receive requests to remove redevelopment plan exceptions to title insurance coverage premised on the position that these plans are no longer effective due to the dissolution of redevelopment agencies. For title insurance purposes, we do not see where California law supports removal based on that proposition and take this opportunity to explain why.

The dissolution of California redevelopment agencies is the subject of Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170), of Division 24, of the California Health and Safety Code (HSC). These parts, hereafter the "Dissolution Laws," were enacted on June 29, 2011, by Chapter 5 of California Statutes of 2011, as subsequently amended by Chapter 26, California Statutes of 2012, and other later acts of the California Legislature.

Effective February 1, 2012:

- Each California redevelopment agency (RDA) was dissolved. (Section 34172 HSC).
- Each dissolved RDA was immediately replaced by a "successor agency," a public entity. (Section 34173 HSC)
- Each successor agency acquired title to all property, real and personal, and all rights, powers, duties, and obligations possessed by the RDA it succeeded. (Section 34175 HSC)

Section 34177 HSC charges each successor agency with mandatory duties, including, among others, that of winding up the affairs of its former redevelopment agency through the discharge of that RDA's existing enforceable contractual obligations, payment of its incurred debt, achievement of a final determination in pending litigation, if any, and disposition of its property assets.

The powers of a RDA to redevelop blighted areas, enter into contracts, obtain revenue, incur debt, and acquire and dispose of property in furtherance of redevelopment must be set forth in provisions of an adopted redevelopment plan (plan). (Sections 33330-33352 HSC)

A redevelopment agency exercised redevelopment within a plan's described project area through administration of plan provisions. (Sections 33122, 33125, and 33131 HSC)

We are unaware of any dictate in the Dissolution Laws terminating a redevelopment plan due to dissolution of its subject redevelopment agency. A successor agency relies on the continued existence of a plan, succeeding thereunder to its former RDA's powers. Those powers are necessary to a successor agency's windup of the activities of its former redevelopment agency. (Sections 34173, 34175, and 34177 HSC).

We conclude and thank you for your time.

The following underwriter may be reached with questions in this regard at the address and other contact information above provided:

Greg Herrington
California State Underwriter
Fidelity National Title Group

The members of Fidelity National Title Group include Chicago Title Company, Chicago Title Insurance Company, Commonwealth Land Title Insurance Company, Fidelity National Title Insurance Company, Lawyers Title Company, and TICOR Title Company.

March 1, 2018

ATTACHMENT F

6TH AND M HUMBOLDT LAND TITLE PRELIMINARY TITLE REPORT

(Site #3: 6th and M, APNs: 001-233-006 and 001-233-007)

DRAFT



a division of Fidelity National Title Company of CA

PRELIMINARY REPORT

*In response to the application for a policy of title insurance referenced herein, **Humboldt Land Title, a division of Fidelity National Title Company of CA** hereby reports that it is prepared to issue, or cause to be issued, as of the date hereof, a policy or policies of title insurance describing the land and the estate or interest therein hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules, Conditions and Stipulations or Conditions of said policy forms.*

The printed Exceptions and Exclusions from the coverage and Limitations on Covered Risks of said policy or policies are set forth in Attachment One. The policy to be issued may contain an arbitration clause. When the Amount of Insurance is less than that set forth in the arbitration clause, all arbitrable matters shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. Limitations on Covered Risks applicable to the CLTA and ALTA Homeowner's Policies of Title Insurance which establish a Deductible Amount and a Maximum Dollar Limit of Liability for certain coverages are also set forth in Attachment One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby. If it is desired that liability be assumed prior to the issuance of a policy of title insurance, a Binder or Commitment should be requested.

The policy(ies) of title insurance to be issued hereunder will be policy(ies) of Chicago Title Insurance Company, a Florida corporation.

Please read the exceptions shown or referred to herein and the exceptions and exclusions set forth in Attachment One of this report carefully. The exceptions and exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.

It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.

Chicago Title Insurance Company

By:

President

Attest:

Secretary

Countersigned By:

Authorized Officer or Agent



Visit Us on our Website: www.fntic.com



a division of Fidelity National Title Company of CA

ISSUING OFFICE: 1034 6th Street, Eureka, CA 95501

**Another Prompt Delivery From Humboldt Land Title, a division of Fidelity National Title Company of CA
Title Department
Where Local Experience And Expertise Make A Difference**

PRELIMINARY REPORT

Title Officer: Russell Janak
Email: Russell.Janak@titlegroup.fntg.com
Title No.: FHBT-TO2000069G

TO: City of Eureka - Development Services Dept.
531 K Street
Eureka, CA 95501
Attn: Caitlin Castellano

PROPERTY ADDRESS(ES): APN's 001-233-006-000 and 001-233-007-000, Eureka, CA

EFFECTIVE DATE: February 17, 2020 at 07:30 AM

The form of policy or policies of title insurance contemplated by this report is:

ALTA Owner's Policy 2006

1. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:
A Fee
2. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:
City of Eureka, a Municipal corporation
3. THE LAND REFERRED TO IN THIS REPORT IS DESCRIBED AS FOLLOWS:
SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

EXHIBIT "A"
Legal Description

For APN/Parcel ID(s): [001-233-006-000](#) and [001-233-007-000](#)

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF EUREKA, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

Lots 5 and 6 in Block 63 of the City of Eureka as per Map recorded in [Book 1, Page 16](#) of Maps, and copy thereof in [Book 6, Page 2](#) of Maps, in the Office of the County Recorder of said County.

AT THE DATE HEREOF, EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN SAID POLICY FORM WOULD BE AS FOLLOWS:

1. Property taxes, which are a lien not yet due and payable, including any assessments collected with taxes to be levied for the fiscal year 2020-2021.
2. There were no taxes levied for the fiscal year 2019-2020 as the property was vested in a public entity.
3. Prior to close of escrow, please contact the Tax Collector's Office to confirm all amounts owing, including current fiscal year taxes, supplemental taxes, escaped assessments and any delinquencies.
4. Any liens or other assessments, bonds, or special district liens including without limitation, Community Facility Districts, that arise by reason of any local, City, Municipal or County Project or Special District.
5. The lien of supplemental or escaped assessments of property taxes, if any, made pursuant to the provisions of Chapter 3.5 (commencing with Section 75) or Part 2, Chapter 3, Articles 3 and 4, respectively, of the Revenue and Taxation Code of the State of California as a result of the transfer of title to the vestee named in Schedule A or as a result of changes in ownership or new construction occurring prior to Date of Policy.
6. A notice that said Land is included within a project area of the Redevelopment Agency shown below, and that proceedings for the redevelopment of said project have been instituted under the Redevelopment Law (such redevelopment to proceed only after the adoption of the redevelopment plan) as disclosed by a document

Recording Date: July 3, 1975

Recording No.: [11030, Book 1296, Page 184, of Official Records](#)

Redevelopment Agency: City of Eureka and/or Eureka Redevelopment Agency for the Eureka Tomorrow Redevelopment Project Area

and Recording Date: January 23, 1995

and Recording No.: [1995-1687-11, of Official Records](#)

and Recording Date: January 24, 2003

and Recording No.: [2003-2722-8, of Official Records](#)

and Recording Date: August 1, 2005

and Recording No.: [2005-25697-43, of Official Records](#)

7. The search did not disclose any open mortgages or deeds of trust of record, therefore the Company reserves the right to require further evidence to confirm that the property is unencumbered, and further reserves the right to make additional requirements or add additional items or exceptions upon receipt of the requested evidence.
8. Any rights of the parties in possession of a portion of, or all of, said Land, which rights are not disclosed by the public records.

The Company will require, for review, a full and complete copy of any unrecorded agreement, contract, license and/or lease, together with all supplements, assignments and amendments thereto, before issuing any policy of title insurance without excepting this item from coverage.

The Company reserves the right to except additional items and/or make additional requirements after reviewing said documents.

EXCEPTIONS
(continued)

9. Matters which may be disclosed by an inspection and/or by a correct ALTA/NSPS Land Title Survey of said Land that is satisfactory to the Company, and/or by inquiry of the parties in possession thereof.
10. The Company will require that an Owner's Affidavit be completed by the party(s) named below before the issuance of any policy of title insurance.

Party(ies): City of Eureka

The Company reserves the right to add additional items or make further requirements after review of the requested Affidavit.
11. The requirement of submission to this company of a resolution of the governing body of the vestee herein, setting forth the following:

A) Authorizing the transaction for which this report has been requested; and

B) Designating the party(ies) authorized to execute on behalf of said vestee
12. The transaction contemplated in connection with this Report is subject to the review and approval of the Company's Corporate Underwriting Department. The Company reserves the right to add additional items or make further requirements after such review.

END OF EXCEPTIONS

NOTES

- Note 1.** Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.
- Note 2.** Note: The charge for a policy of title insurance, when issued through this title order, will be based on the Basic Title Insurance Rate.
- Note 3.** Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving Land that is associated with these activities.
- Note 4.** Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the seller/borrower must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.
- Note 5.** If a county recorder, title insurance company, escrow company, real estate broker, real estate agent or association provides a copy of a declaration, governing document or deed to any person, California law requires that the document provided shall include a statement regarding any unlawful restrictions. Said statement is to be in at least 14-point bold face type and may be stamped on the first page of any document provided or included as a cover page attached to the requested document. Should a party to this transaction request a copy of any document reported herein that fits this category, the statement is to be included in the manner described.
- Note 6.** Any documents being executed in conjunction with this transaction must be signed in the presence of an authorized Company employee, an authorized employee of an agent, an authorized employee of the insured lender, or by using Bancserv or other approved third-party service. If the above requirements cannot be met, please call the company at the number provided in this report.
- Note 7.** Pursuant to Government Code Section 27388.1, as amended and effective as of 1-1-2018, a Documentary Transfer Tax (DTT) Affidavit may be required to be completed and submitted with each document when DTT is being paid or when an exemption is being claimed from paying the tax. If a governmental agency is a party to the document, the form will not be required. DTT Affidavits may be available at a Tax Assessor-County Clerk-Recorder.
- Note 8.** Note: The policy of title insurance will include an arbitration provision. The Company or the insured may demand arbitration. Arbitrable matters may include, but are not limited to, any controversy or claim between the Company and the insured arising out of or relating to this policy, any service of the Company in connection with its issuance or the breach of a policy provision or other obligation. Please ask your escrow or title officer for a sample copy of the policy to be issued if you wish to review the arbitration provisions and any other provisions pertaining to your Title Insurance coverage.
- Note 9.** Due to the special requirements of SB 50 (California Public Resources Code Section 8560 et seq.), any transaction that includes the conveyance of title by an agency of the United States must be approved in advance by the Company's State Counsel, Regional Counsel, or one of their designees.

END OF NOTES



Inquire before you wire!

WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. **DO NOT** use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** **DO NOT** send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do **NOT** reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

Federal Bureau of Investigation:
<http://www.fbi.gov>

Internet Crime Complaint Center:
<http://www.ic3.gov>

FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective January 1, 2020

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

Collection of Personal Information

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Collection of Browsing Information

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

Other Online Specifics

Cookies. When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

Web Beacons. We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

Do Not Track. Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

Use of Personal Information

FNF uses Personal Information for three main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

When Information Is Disclosed

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to nonaffiliated third party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law. We do share Personal Information among affiliates (other companies owned by FNF) to directly market to you. Please see "Choices with Your Information" to learn how to restrict that sharing.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

Security of Your Information

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

Choices With Your Information

If you do not want FNF to share your information among our affiliates to directly market to you, you may send an "opt out" request by email, phone, or physical mail as directed at the end of this Privacy Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you.

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Nevada Residents: You may be placed on our internal Do Not Call List by calling (888) 934-3354 or by contacting us via the information set forth at the end of this Privacy Notice. Nevada law requires that we also provide you with the following contact information: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: BCPINFO@ag.state.nv.us.

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

Information From Children

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

International Users

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

FNF Website Services for Mortgage Loans

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

Your Consent To This Privacy Notice; Notice Changes; Use of Comments or Feedback

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice. We may use comments or feedback that you submit to us in any manner without notice or compensation to you.

Accessing and Correcting Information; Contact Us

If you have questions, would like to correct your Personal Information, or want to opt-out of information sharing for affiliate marketing, send your requests to privacy@fnf.com, by phone to (888) 934-3354, or by mail to:

Fidelity National Financial, Inc.
601 Riverside Avenue,
Jacksonville, Florida 32204
Attn: Chief Privacy Officer

ATTACHMENT ONE

CALIFORNIA LAND TITLE ASSOCIATION STANDARD COVERAGE POLICY - 1990

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance or governmental regulation (including but not limited to building or zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating (i) the occupancy, use, or enjoyment of the land; (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien, or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy.
2. Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge.
3. Defects, liens, encumbrances, adverse claims or other matters:
 - (a) whether or not recorded in the public records at Date of Policy, but created, suffered, assumed or agreed to by the insured claimant;
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy;
 - (c) resulting in no loss or damage to the insured claimant;
 - (d) attaching or created subsequent to Date of Policy; or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the insured mortgage or for the estate or interest insured by this policy.
4. Unenforceability of the lien of the insured mortgage because of the inability or failure of the insured at Date of Policy, or the inability or failure of any subsequent owner of the indebtedness, to comply with the applicable doing business laws of the state in which the land is situated.
5. Invalidity or unenforceability of the lien of the insured mortgage, or claim thereof, which arises out of the transaction evidenced by the insured mortgage and is based upon usury or any consumer credit protection or truth in lending law.
6. Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy or the transaction creating the interest of the insured lender, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws.

EXCEPTIONS FROM COVERAGE - SCHEDULE B, PART I

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
Proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of the land or which may be asserted by persons in possession thereof.
3. Easements, liens or encumbrances, or claims thereof, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b) or (c) are shown by the public records.
6. Any lien or right to a lien for services, labor or material not shown by the public records.

**ATTACHMENT ONE
(CONTINUED)**

**CLTA HOMEOWNER'S POLICY OF TITLE INSURANCE (12-02-13)
ALTA HOMEOWNER'S POLICY OF TITLE INSURANCE**

EXCLUSIONS

In addition to the Exceptions in Schedule B, You are not insured against loss, costs, attorneys' fees, and expenses resulting from:

1. Governmental police power, and the existence or violation of those portions of any law or government regulation concerning:
 - a. building;
 - b. zoning;
 - c. land use;
 - d. improvements on the Land;
 - e. land division; and
 - f. environmental protection.

This Exclusion does not limit the coverage described in Covered Risk 8.a., 14, 15, 16, 18, 19, 20, 23 or 27.
2. The failure of Your existing structures, or any part of them, to be constructed in accordance with applicable building codes. This Exclusion does not limit the coverage described in Covered Risk 14 or 15.
3. The right to take the Land by condemning it. This Exclusion does not limit the coverage described in Covered Risk 17.
4. Risks:
 - a. that are created, allowed, or agreed to by You, whether or not they are recorded in the Public Records;
 - b. that are Known to You at the Policy Date, but not to Us, unless they are recorded in the Public Records at the Policy Date;
 - c. that result in no loss to You; or
 - d. that first occur after the Policy Date - this does not limit the coverage described in Covered Risk 7, 8.e., 25, 26, 27 or 28.
5. Failure to pay value for Your Title.
6. Lack of a right:
 - a. to any land outside the area specifically described and referred to in paragraph 3 of Schedule A; and
 - b. in streets, alleys, or waterways that touch the Land.

This Exclusion does not limit the coverage described in Covered Risk 11 or 21.
7. The transfer of the Title to You is invalid as a preferential transfer or as a fraudulent transfer or conveyance under federal bankruptcy, state insolvency, or similar creditors' rights laws.
8. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake or subsidence.
9. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

LIMITATIONS ON COVERED RISKS

Your insurance for the following Covered Risks is limited on the Owner's Coverage Statement as follows:

- For Covered Risk 16, 18, 19 and 21, Your Deductible Amount and Our Maximum Dollar Limit of Liability shown in Schedule A.

The deductible amounts and maximum dollar limits shown on Schedule A are as follows:

	<u>Your Deductible Amount</u>	<u>Our Maximum Dollar Limit of Liability</u>
Covered Risk 16:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 10,000.00
Covered Risk 18:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 19:	1.00% of Policy Amount Shown in Schedule A or \$5,000.00 (whichever is less)	\$ 25,000.00
Covered Risk 21:	1.00% of Policy Amount Shown in Schedule A or \$2,500.00 (whichever is less)	\$ 5,000.00

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA LOAN POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

[Except as provided in Schedule B - Part II, [t[or T]his policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[PART I

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]

PART II

In addition to the matters set forth in Part I of this Schedule, the Title is subject to the following matters, and the Company insures against loss or damage sustained in the event that they are not subordinate to the lien of the Insured Mortgage:]

**ATTACHMENT ONE
(CONTINUED)**

2006 ALTA OWNER'S POLICY (06-17-06)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
 - (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage, and the Company will not pay costs, attorneys' fees, or expenses that arise by reason of:

[The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage:

1. (a) Taxes or assessments that are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; (b) proceedings by a public agency that may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests, or claims that are not shown by the Public Records but that could be ascertained by an inspection of the Land or that may be asserted by persons in possession of the Land.
3. Easements, liens or encumbrances, or claims thereof, not shown by the Public Records.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
5. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the Public Records.
6. Any lien or right to a lien for services, labor or material not shown by the Public Records.]
7. [Variable exceptions such as taxes, easements, CC&R's, etc., shown here.]

**ATTACHMENT ONE
(CONTINUED)**

ALTA EXPANDED COVERAGE RESIDENTIAL LOAN POLICY - ASSESSMENTS PRIORITY (04-02-15)

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 5, 6, 13(c), 13(d), 14 or 16.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27 or 28); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury, or any consumer credit protection or truth-in-lending law. This Exclusion does not modify or limit the coverage provided in Covered Risk 26.
6. Any claim of invalidity, unenforceability or lack of priority of the lien of the Insured Mortgage as to Advances or modifications made after the Insured has Knowledge that the vestee shown in Schedule A is no longer the owner of the estate or interest covered by this policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching subsequent to Date of Policy. This Exclusion does not modify or limit the coverage provided in Covered Risk 11(b) or 25.
8. The failure of the residential structure, or any portion of it, to have been constructed before, on or after Date of Policy in accordance with applicable building codes. This Exclusion does not modify or limit the coverage provided in Covered Risk 5 or 6.
9. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 27(b) of this policy.
10. Contamination, explosion, fire, flooding, vibration, fracturing, earthquake, or subsidence.
11. Negligence by a person or an Entity exercising a right to extract or develop minerals, water, or any other substances.

Notice of Available Discounts

Pursuant to Section 2355.3 in Title 10 of the California Code of Regulations Fidelity National Financial, Inc. and its subsidiaries ("FNF") must deliver a notice of each discount available under our current rate filing along with the delivery of escrow instructions, a preliminary report or commitment. Please be aware that the provision of this notice does not constitute a waiver of the consumer's right to be charged the filed rate. As such, your transaction may not qualify for the below discounts.

You are encouraged to discuss the applicability of one or more of the below discounts with a Company representative. These discounts are generally described below; consult the rate manual for a full description of the terms, conditions and requirements for such discount. These discounts only apply to transactions involving services rendered by the FNF Family of Companies. This notice only applies to transactions involving property improved with a one-to-four family residential dwelling.

Not all discounts are offered by every FNF Company. The discount will only be applicable to the FNF Company as indicated by the named discount.

FNF Underwritten Title Companies

CTC - Chicago Title Company
 CLTC - Commonwealth Land Title Company
 FNTC - Fidelity National Title Company of California
 FNTCCA - Fidelity National Title Company of California
 TICOR - Ticor Title Company of California
 LTC - Lawyer's Title Company
 SLTC - ServiceLink Title Company

Underwritten by FNF Underwriters

CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 FNTIC - Fidelity National Title Insurance Company
 CTIC - Chicago Title Insurance Company
 CLTIC - Commonwealth Land Title Insurance Company
 CTIC - Chicago Title Insurance Company

Available Discounts

DISASTER LOANS (CTIC, CLTIC, FNTIC)

The charge for a Lender's Policy (Standard or Extended coverage) covering the financing or refinancing by an owner of record, within twenty-four (24) months of the date of a declaration of a disaster area by the government of the United States or the State of California on any land located in said area, which was partially or totally destroyed in the disaster, will be fifty percent (50%) of the appropriate title insurance rate.

CHURCHES OR CHARITABLE NON-PROFIT ORGANIZATIONS (CTIC, FNTIC)

On properties used as a church or for charitable purposes within the scope of the normal activities of such entities, provided said charge is normally the church's obligation the charge for an owner's policy shall be fifty percent (50%) to seventy percent (70%) of the appropriate title insurance rate, depending on the type of coverage selected. The charge for a lender's policy shall be forty percent (40%) to fifty percent (50%) of the appropriate title insurance rate, depending on the type of coverage selected.

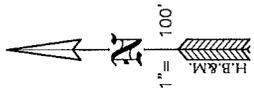
Available Escrow Discounts

MILITARY RATE (SLTC)

On residential escrows that are not REO Sale Transactions, a discount of One Hundred And No/100 Dollars (\$100.00) of the escrow fee for a refinance transaction or twenty percent (20%) of the escrow fees for a purchase transaction may apply for loans guaranteed by the United States Veterans Administration.

CITY OF EUREKA

Assessor's Maps Bk.001, Pg.23
County of Humboldt, Calif.



RD
Via D.M.B.P.
July 31, 2018
RUSSELL DUTRA



This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.

NOTE -- Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles.

ASSESSOR'S PARCEL MAP
1. THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY.
2. NO LIABILITY IS ASSUMED FOR ERRORS OR OMISSIONS.
3. ASSESSOR'S PARCELS MAY NOT COMPLY WITH LOCAL LOT-SPLIT OR BUILDING SITE ORDINANCES.

CITY OF EUREKA

DEVELOPMENT SERVICES DEPARTMENT

Rob Dumouchel, Interim Director

Caitlin Castellano, Senior Planner

531 K Street • Eureka, California 95501-1146

Ph (707) 268-5265

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



MEMO

DATE: April 24, 2020
TO: Interested Developers of City-owned Sites
FROM: Caitlin Castellano, Senior Planner
SUBJECT: Redevelopment Project Area listed in Preliminary Title Reports

This memo serves as notice that the information regarding inclusion of Land within a project area of a Redevelopment Agency, as described in the Exceptions and Exclusions section of a preliminary title report, is no longer valid and is null and void. Redevelopment Agencies, including the Redevelopment Agency of the City of Eureka, and any referenced Ordinances and Project Areas referenced therein, no longer exist as of February 1, 2012, and are not to be removed from title as per the attached Fidelity National Title Group disclosure attached dated March 1, 2018.

Please call the City of Eureka if you have any further questions regarding the status of this Item from the Preliminary Title Report.

Attached: Fidelity National Title Group “Redevelopment Plans and Dissolution of Redevelopment Agencies”

FIDELITY NATIONAL TITLE GROUP

2150 John Glenn Dr., # 400, Concord, CA 94520 • Phone (925) 288-8079 • Email: Greg.Herrington@fnf.com

REDEVELOPMENT PLANS AND DISSOLUTION OF REDEVELOPMENT AGENCIES

Title company members of the Fidelity National Title Group often receive requests to remove redevelopment plan exceptions to title insurance coverage premised on the position that these plans are no longer effective due to the dissolution of redevelopment agencies. For title insurance purposes, we do not see where California law supports removal based on that proposition and take this opportunity to explain why.

The dissolution of California redevelopment agencies is the subject of Part 1.8 (commencing with Section 34161) and Part 1.85 (commencing with Section 34170), of Division 24, of the California Health and Safety Code (HSC). These parts, hereafter the "Dissolution Laws," were enacted on June 29, 2011, by Chapter 5 of California Statutes of 2011, as subsequently amended by Chapter 26, California Statutes of 2012, and other later acts of the California Legislature.

Effective February 1, 2012:

- Each California redevelopment agency (RDA) was dissolved. (Section 34172 HSC).
- Each dissolved RDA was immediately replaced by a "successor agency," a public entity. (Section 34173 HSC)
- Each successor agency acquired title to all property, real and personal, and all rights, powers, duties, and obligations possessed by the RDA it succeeded. (Section 34175 HSC)

Section 34177 HSC charges each successor agency with mandatory duties, including, among others, that of winding up the affairs of its former redevelopment agency through the discharge of that RDA's existing enforceable contractual obligations, payment of its incurred debt, achievement of a final determination in pending litigation, if any, and disposition of its property assets.

The powers of a RDA to redevelop blighted areas, enter into contracts, obtain revenue, incur debt, and acquire and dispose of property in furtherance of redevelopment must be set forth in provisions of an adopted redevelopment plan (plan). (Sections 33330-33352 HSC)

A redevelopment agency exercised redevelopment within a plan's described project area through administration of plan provisions. (Sections 33122, 33125, and 33131 HSC)

We are unaware of any dictate in the Dissolution Laws terminating a redevelopment plan due to dissolution of its subject redevelopment agency. A successor agency relies on the continued existence of a plan, succeeding thereunder to its former RDA's powers. Those powers are necessary to a successor agency's windup of the activities of its former redevelopment agency. (Sections 34173, 34175, and 34177 HSC).

We conclude and thank you for your time.

The following underwriter may be reached with questions in this regard at the address and other contact information above provided:

Greg Herrington
California State Underwriter
Fidelity National Title Group

The members of Fidelity National Title Group include Chicago Title Company, Chicago Title Insurance Company, Commonwealth Land Title Insurance Company, Fidelity National Title Insurance Company, Lawyers Title Company, and TICOR Title Company.

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