

Sidnie Olson

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**From:** Sallie Grover [sallieg15@hotmail.com]  
**Sent:** Saturday, January 31, 2009 4:12 PM  
**To:** DEIRcomments  
**Subject:** Marina Center Development

To whom it may concern,

A Home Depot in the Marina Center would put local businesses out of bussiness. We need to cultivate our local economic base with local small businesses.

81-1

The tract of land should be developed primarily as a park that gives people access to the bay. Educational facilities, environmental tourist facilities and small business incubators could be integrated into the park setting. City parks help maintain the quality of life for residents and are a draw for new businesses, tourism and cultural events.

81-2

Thank you for considering these suggestions for development of the ballon tract. The property is located in a spot that is incredibly beautiful and serene. Development that builds on these attributes could make Eureka into a beautiful city. At the same time we can support and encourage local businesses.

Sincerely,

Sallie Grover

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Windows Live™ Hotmail@:...more than just e-mail. [Check it out.](#)

## Letter 81: Sallie Grover

- 81-1 The comment states that the proposed project would put local businesses out of business. Please see Master Response 1, under “Potential Local Store Closures.”
- 81-2 The comment suggesting other uses for the project site is noted. Alternatives to the proposed project, some of which includes the uses suggested, are discussed in Chapter VI of the Draft EIR.

Sidnie Olson

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**From:** Rebekah Hache [rebekah@thehachehomepage.com]

**Sent:** Friday, January 30, 2009 12:03 PM

**To:** DEIRcomments

I am writing to voice my support for the proposed Marina Center. I was born and raised in Humboldt County and visit it frequently because all of my family still lives in Eureka. I am happy to see this area being cleaned up and making way for new jobs and residential living spaces. I am in support of Home Depot coming to Eureka. Frankly, there are far more benefits to this proposal than there are concerns.

82-1

Thank you,  
Rebekah Haché

[www.TheHacheHomepage.com](http://www.TheHacheHomepage.com)

No virus found in this outgoing message.

Checked by AVG.

Version: 7.5.552 / Virus Database: 270.10.15/1923 - Release Date: 1/29/2009 7:13 AM

## Letter 82: Rebekah Hache

82-1 The comment expressing support for the proposed project is noted.

Sidnie Olson

**From:** BH [somewhereoverca@yahoo.com]  
**Sent:** Thursday, January 29, 2009 7:12 AM  
**To:** DEIRcomments  
**Subject:** Marina Center DEIR

I oppose the proposal by Security National to change the zoning designation for the proposed Marina Center. Current state law specifies coastal-dependent development has priority over other developments. The only part of the Marina Center project that could go forward as planned without changing the zoning is the restoration of Clark Slough and development of recreational paths. There is also the consideration of what this type of development would do to local businesses. Many retail spaces are already vacant and there is the entire Boardwalk yet to be developed. While I don't think a Home Depot would be good for local businesses in kind, I especially would not want to see zoning changed to locate it on the water front for the benefit of a special interest.

Bruce Hales  
2231 E St  
Eureka, CA 95501

83-1  
83-2

## Letter 83: Bruce Hales

- 83-1 The comment expresses opposition to the proposed rezoning of the project site in light of its located near the waterfront. The comment is noted.

As stated in Chapter III, Project Description, the proposed project would require rezoning and other approvals. The Draft EIR therefore acknowledges that land use designation changes would be required. Please see Master Responses 3 and 5 regarding land use policy issues in the coastal zone.

- 83-2 The comment expresses concern that the proposed project would affect local businesses. Please see Master Response 1, specifically “Potential Local Store Closures.”

5-581

Comments: DEIR for the Proposed Marina Project on Eureka's Balloon Tract  
NAME: Sara Hallin-Lundstrom  
Address: 499 Gatliff Avenue Eureka CA 95503  
e-mail jslundstrom@sbcglobal.net

TRANSPORTATION

The additional traffic projected for on site traffic flow and parking, Broadway, Waterfront Dr., 4<sup>th</sup> and 5<sup>th</sup> Streets, 6<sup>th</sup> and 7<sup>th</sup> Streets will create an unacceptable further commitment to the automobile, which in this day and age needs to be discouraged. Not only will traffic become slower than it is now but it will become less safe for pedestrians and bicycles, and will increase truck traffic with its unhealthy diesel fumes. Traffic will likely be diverted into neighborhoods east and south of the Marina project further degrading air quality and noise levels.

84-1  
84-2  
84-3

Signed: Sara Hallin-Lundstrom

Comments: DEIR for the proposed Marina Center Project on Eureka's Balloon Tract

Name (print): Sara Hallin-Lundstrom  
Address: 499 Gatliff Avenue Eureka CA 95503  
E-mail: jslundstrom@sbcglobal.net  
Urban Decay

The EIR says there will be no impact. There are real problems unaddressed within the EIR, which leave Eureka wide open to being exploited by corporations based somewhere a long ways away, who will absorb and suck away profits from this local area. Someone may argue that the city could benefit from additional business taxes, but the spent cash will go elsewhere leaving Eureka high and dry. Witness J.C. Penney's, Macys, Mervyns, Gottschalk's, Borders, Sears, Target, Costco, Rite-Aid, Longs and Winco are all national chain stores who have in their turns sucked the life right out of Henderson Center, down town and Old Town. Our locals are struggling and must not be made to compete unfairly with Big Box stores. We've poured a lot of money into Old Town to create a beautiful tourist destination. The newly created Boardwalk sits undeveloped. Recently Henderson Center has awakened to begin creating interest in the arts and farmer markets. Don't pull the rug out from under our own residents.

84-4

Signed: Sara Hallin-Lundstrom  
Or send e-mail comments to: [DEIRComments@ci.eureka.ca.gov](mailto:DEIRComments@ci.eureka.ca.gov)

5-582

Comments: DEIR for the proposed Marina Center Project on Eureka's Balloon Tract

Name (print): Sara Hallin-Lundstrom  
Address: 499 Gatliff Avenue Eureka CA 95503  
E-mail: jslundstrom@stcglobal.net

Hazardous Materials

People have said there are extremely toxic pollutants in the soil over and above the several identified in the EIR. These not identified or addressed in the EIR, which are present in site soils, sediments and fishes are dioxins and furans. Also the levels of pollutants are not reported using up-to-date toxicity studies. It makes no sense to go ahead and pave over or otherwise disregard toxins which need to be cleaned up, leaving the contamination for future generations to deal with.

84-5  
84-6

Signed: Sara Hallin-Lundstrom  
Or send e-mail comments to: [DEIRComments@ci.eureka.ca.gov](mailto:DEIRComments@ci.eureka.ca.gov)

Comments: DEIR for the proposed Marina Center Project on Eureka's Balloon Tract

Name (print): Sara Hallin-Lundstrom  
Address: 499 Gatliff Avenue Eureka CA 95503  
E-mail: jslundstrom@stcglobal.net

LAND USE

The land proposed for the creation of the Marina Center is not appreciated for the beauty of its bay views. Nothing is said about the prime value of this property. The proposed use for this property has nothing to do with the Highest Priority of allowable uses by the Public Resources Code 30222, 30255, which is State law. The wetlands have been inadequately addressed by this developer. A creation of a public park consisting of a cleaned up wetlands and restored slough would be a far more desirable use for this land than paving over for auto and truck parking lots and high-rise garages. Such a park would take advantage of views of the bay, marinas and sea bird, fish and wildlife of this area.

84-7

Signed: Sara Hallin-Lundstrom  
Or send e-mail comments to: [DEIRComments@ci.eureka.ca.gov](mailto:DEIRComments@ci.eureka.ca.gov)

Sidnie Olson

From: jslundstrom@sbcglobal.net  
Sent: Thursday, January 29, 2009 12:13 PM  
To: DEIRcomments  
Subject: RE: CEQA Overview and Cumulative impacts

NAME: Sara Hallin-Lundstrom  
ADDRESS: 499 Gatliff Avenue, Eureka CA 95503  
E-mail: jslundstrom@sbcglobal.net

OVERVIEW and CUMULATIVE IMPACTS

I am in favor of REJECTING the Marina Center project because:

- 1 Increased diesel and auto emissions will deteriorate air quality.
- 2 Commitment to increased automobile use and parking will further an antiquated mode of transportation and land use.
- 3 One more shopping mall in Eureka will result in more local merchants closing, leaving Old Town undeveloped, Bayshore Mall half-empty, Henderson Center declining even further and Eureka Mall completely dominated by national chain stores.
- 4 Indian villages and artifacts will be lost forever.
- 5 The beauty of the Bay and its wildlife will not be enhanced by General Industrial, General Commercial and private residential buildings.

84-8  
84-9  
84-10  
84-11  
84-12

I am in favor of a public park, museum and gift shop, Indian archeological demonstration, public hiking and biking pathways, picnic areas, and even some nice restaurants. This kind of land use would enhance our beautiful Bay and help develop the Boardwalk.

84-13

/s/ Sara Hallin-Lundstrom

Sidnie Olson

From: jslundstrom@sbcglobal.net  
Sent: Thursday, January 29, 2009 12:18 PM  
To: DEIRcomments  
Subject: Cultural Resources

NAME: Sara Hallin-Lundstrom  
ADDRESS: 499 Gatliff Avenue, Eureka CA 95503  
E-MAIL: jslundstrom@sbcglobal.net

CULTURAL RESOURCE

There is evidence of one or two Wiyot villages at the proposed project site. Archeological digs in this area would be good for the whole Humboldt Bay region. Preserving Wiyot historical sites and native history is important and could easily become a tourist attraction.

84-14

Monitoring during construction is not adequate for respectful identification of important artifacts or village layout.

84-15

/s/ Sara Hallin-Lundstrom

5-583

## Letter 84: Sarah Hallin-Lundstrom

- 84-1 The comment expresses concerns that further traffic delays on nearby streets would be unacceptable. The proposed project's potential traffic impacts to Broadway and Waterfront Drive are discussed in Chapter IV.O, Transportation. The proposed project's potential impacts to air quality are discussed in Chapter IV.C, Air Quality. Please also see Master Response 6.
- 84-2 The comment states that the project would result in an increase in truck traffic and unhealthy diesel fumes. For discussion of the potential health impacts associated with project induced vehicle emissions, see Master Response 2 and Draft EIR pages IV.C-16 through IV.C-19.
- 84-3 The comment states that the project would result in traffic being diverted to residential neighborhoods degrading air quality and increasing noise levels. For air quality and noise impact discussions pertaining to project-related traffic congestion, see Draft EIR Chapters IV.C and IV.K, respectively.
- 84-4 The comment states that national chains will take away profits from local businesses. Please see Master Response 1, under "National Stores vs. Local Stores."
- 84-5 The comment states that extremely toxic pollutants are in the soil at the project site.
- For further discussion regarding the Remedial Action Plan for the proposed project, including additional information on the levels and locations of contaminants on the property, please see Master Response 4.
- 84-6 The comment states that the levels of contamination are not disclosed. The comment is noted. Please see Chapter IV.G regarding hazardous materials. For further discussion regarding the Remedial Action Plan for the proposed project, please see Master Response 4.
- 84-7 The comment regarding Humboldt Bay views from the project site is noted. Alternatives to the proposed project, some of which includes the uses suggested, are discussed in Chapter VI. Please see Master Responses 3 and 5 regarding land use policy issues pertinent to the coastal zone.
- 84-8 The comment states that increased diesel and auto emissions would degrade air quality. For discussion of air quality impacts related to diesel and automobile emissions, see Draft EIR Chapter IV.C.
- 84-9 The comment states that automobile land use is antiquated. The comment is noted. The proposed project assumes that users of the site would travel via various modes of transportation, and the project includes the construction of bicycle and pedestrian facilities. An analysis by the City determined that the project would include enough

parking spaces to meet its generated demand during most of the year, but the project would not provide excess parking capacity beyond what is necessary.

84-10 The comment expresses concern that the proposed project would cause local businesses to close. Please see Master Response 1, under “Potential Local Store Closures.”

84-11 The comment states that Indian villages and artifacts would be lost forever.

Implementation of a subsurface archaeological survey program would help determine whether significant archaeological sites exist in the project area. While avoidance is always the preferred method of protecting archaeological resources, a comprehensive archaeological data recovery plan that would address important themes and questions regarding the prehistory of the Wiyot people is an adequate mitigation measure. This plan would be completed in consultation with the Wiyot Tribe. Please also see Master Response 9.

84-12 The comment states that the beauty of the bay would not be enhanced by the mix of uses included in the proposed project. The comment is noted. Please see response to comment 16-12, which discusses the subjective nature of aesthetic resources.

84-13 Comments in favor of other uses for the project site are noted. Please see Chapter VI, Alternatives, as well as responses to comments 16-239 and 16-242, which explain that the Draft EIR includes a reasonable range of alternatives. Alternative containing uses similar to those described could be the College of the Redwoods Alternative, the Tourism Use Alternative, the Horticultural Gardens Alternative, or the Wetland Restoration and Public Park Alternative.

84-14 Comments regarding the economic and recreational benefits of archaeological excavations are noted.

84-15 The comment states that archaeological monitoring during construction is not an adequate mitigation measure. Implementation of a subsurface archaeological survey program would help determine whether significant archaeological sites exist in the project area. Archaeological and Native American monitoring would occur in areas predetermined to be culturally sensitive. Please also see Master Response 9 for revised mitigation measures related to archaeology.

**Comment Letter 85**

January 28, 2009

City of Eureka  
Community Development Department  
Sidnie L. Olson, Principal Planner  
531 K Street  
Eureka, CA 95501

RECEIVED  
JAN 24 2009  
DEPARTMENT OF  
COMMUNITY DEVELOPMENT

Dear Ms. Olson:

These are some of my concerns as a local citizen after a brief review of the long DEIR document.

- 1. I am concerned about traffic flow, congestion and subsequent increased pollution due to the proposed project. It is already very difficult to get through this area on Broadway and I'm sure that it will turn Waterfront Drive into an alternate racetrack. Where will bicycles safely ride? It's time the City got together with the State to come up with better flow patterns on Broadway, a project that will require some reduction in left turns, increase in lanes and possibly removal of a few feet of some business buildings around 5<sup>th</sup>-8<sup>th</sup> streets. 85-1
- 2. The addition of 1,500 parking spaces will cause a great deal of vehicle polluted water to flow into the bay. At a minimum there must be the use of permeable pavement properly installed to provide filtration of the water. It is far better to leave the land uncovered and able to breathe and absorb clean rainwater. 85-2
- 3. Land Use: I strongly support the restoration of the sloughs and wetlands by making this a public park. We have lots of empty commercial buildings. Why build more? We have so little downtown parks to enjoy. Let's enhance this area by leaving it natural. 85-3
- 4. I am 100% opposed to making any part of this land into a big box. Big boxes are so detrimental to the community through loss of truly local run businesses, jobs and the overall quality of life of our citizens. I have read extensively on this subject and wonder if you have any idea of the damage big boxes do. It appalls me that the City of Eureka government staff has sold out to Mr. Arkley in his desires to make profits for himself at the detriment of local citizens. 85-4
- 5. Finally, I spend a great deal of my time on and around the bay-walking, sailing, paddling, and, at times, in the bay windsurfing. I don't agree that the analysis of hazardous materials was complete. I've seen the slough coming out of the balloon track running with heavy grey-black muck. I am also concerned for the presence of dioxins and furans on this site. 85-5

I hope you will take these concerns seriously and move in a different direction that will more appropriately serve the people of this community.

Sincerely,  
  
Charles Herbelin  
2619 Ridgeway Lane  
Eureka, CA 95501

## Letter 85: Charles Herbelin

- 85-1 The comment states general concerns about increased traffic, pollution, and bicycle safety. The comment is noted. Impacts to transportation networks and bicycle safety are discussed in Chapter IV.O, Transportation. Impacts related to air quality, noise, hazardous materials, biological resources, and water quality are discussed in Chapters IV.C, IV.K, IV.G, IV.D, and IV.H of the Draft EIR, respectively.
- 85-2 The comment suggest that the traffic consultant consult with the state regarding flow patterns on Broadway. TJKM consulted with the City of Eureka and Caltrans District 1 in developing the list of intersections and road segments to be studied in detail. All the proposed mitigations have been designed as a result of ongoing communications with Caltrans representatives yet still would require final approval by both the City and Caltrans (on U.S. 101). Different alternatives had been studied prior to proposing the mitigation measures in the Draft EIR. The resulting traffic operations, with mitigation, would operate as well or better than 2025 conditions without the project and listed improvements. The operations analysis conducted for the Draft EIR indicates that 2025 conditions with the project would remain acceptable at LOS D or better.
- Please also see responses to comments 40-2 and 33-3, which discuss pedestrian and bicycle safety and circulation.
- 85-3 The comment states that the new parking spaces would increase pollution of the bay. As required by the drainage plan and requirements that the City must adhere to regarding its NPDES permit, the final drainage plan would include appropriate stormwater control facilities such as retention basins with treatment controls and biofilters to minimize pollutants in stormwater runoff from the parking spaces.
- 85-4 Comments suggestion alternative uses for the project site are noted. Alternatives to the proposed project, some of which includes the uses suggested, are discussed in Chapter VI of the Draft EIR.
- 85-5 The comment expresses opposition to big box retail. Please see Master Response 1, under “National Stores vs. Local Stores” and “Potential Local Store Closures.”
- 85-6 The comment states that the hazardous materials analysis is not complete. For further discussion regarding the Remedial Action Plan for the proposed project, please see Master Response 4.

Sidnie Olson

From: a.b.hilf@att.net  
Sent: Sunday, January 11, 2009 2:02 PM  
To: DEIRcomments  
Subject: Marina Center

City of Eureka  
Community Development Department  
Attn: Sidnie L. Olson, AICP, Principal Planner

Hi Ms. Olson,

I have lived in Humboldt County for over 60 years. My husbands Grandfather started a business in Eureka in 1902 and it is still operated by the 4th generation. My Husband, his Father, Children and Grandchildren have all been born in Humboldt County. Humboldt County in my life time has lost fishing and lumber industries, so what is left? My hope would be tourism. We have a beautiful bay that could be developed with shops and restaurants such as the Debini/Pearson building along with the proposed Vellutini Eureka Pier and Security National's Marina Center, along with others. I come to Eureka for about 8 days a month from Grapevine, Tx.( population 47,000). Grapevine Convention & Visitors Bureau has a annual budget of 15 million. We have 165 restaurants in the city. Why? TOURISM I understand Eureka can't be that because we are not near an international airport, however, we could certainly improve what we have. What was is gone. What is past is past. It's time to move on. Let Eureka finally grow.  
Anita Hilfiker

86-1

## Letter 86: Anita Hilfiker

- 86-1 Comments suggesting other uses for the project site are noted. As stated in Chapter VI of the Draft EIR, a tourism oriented alternative to the proposed project is considered but is screened from further analysis because it failed to meet most of the project objectives and would have similar environmental impacts to the proposed project.

Sidnie Olson

**From:** Harriet [harriet@humboldt1.com]  
**Sent:** Saturday, January 31, 2009 4:01 PM  
**To:** DEIRcomments  
**Subject:** Marina Center Draft EIR comments  
**Attachments:** marina center deir comments 09.doc

Please see attached comment letter.

Harriet Hill

January 31, 2009

Harriet Hill  
1444 McFarlan Street  
Eureka, CA 95501

City of Eureka Community Development Department  
Sidnie L. Olson, Principal Planner  
531 K Street  
Eureka, CA 95501

Re: Marina Center Draft EIR Comments

Dear Ms. Olson:

I have the following comments on this document:

Chapter IV D. Biological Resources

Table IV.D-2 (page 23) sets out wetland functions and values expected to result from implementing the wetlands restoration/mitigation plan. This simplistic table simply asserts that every listed wetland "function" (but one) and every listed "value" will be designed into the restored wetlands. There are no details whatsoever as to how this will be accomplished; thus, the reader must take it on faith that the proposed replacement ratio of 1:1 "would adequately mitigate the environmental impact of the filled or disturbed wetlands." A detailed mitigation plan is to be prepared "prior to site grading" in accordance with the U.S. Army Corps of Engineers and California Coastal Commission guidelines.

87-1

The California Coastal Act specifies that the biological productivity and the quality of coastal...wetlands...shall be maintained and, where feasible, restored (PRC Section 30231). The Coastal Act also specifies that wetlands may be dredged or filled only for certain specified uses and circumstances (PRC Section 30233 (a) (1) – (7)), none of those which include those of the project.

87-2

**The Final EIR should provide detailed information on how each of the listed functions and values would be restored on this site, and it should also discuss how the projected loss of wetlands for these non-specified uses can be approved under the Coastal Act.**

87-3

Chapter IV H. Hydrology and Water Quality

The chapter states that "nearly 29 acres of the approximately 43-acre site" would be converted into impervious surfaces (including 1580 parking spaces) and thus is expected to increase nonpoint source (NPS) pollution discharges from the project site into the

5-590

Comment Letter 87

Comment Letter 87

drainage network and ultimately, Humboldt Bay. This is to be minimized by treating stormwater at "drop inlets" that will capture the runoff at various locations. A second mitigation measure would be to "incorporate grassed swales...to the extent feasible." However, no details about the drop inlet "treatment" are provided in the Draft EIR nor can we determine whether there will be sufficient or any biofiltration provided by the swale mitigation measure. **The Final EIR should describe exactly how the stormwater would be treated in the drop inlets, and discuss the type, location and quantity of biofilter area/paved area that would be provided in the high NPS pollution production areas such as the roads and parking lot. The expected effectiveness of pollutant removal by these mitigation measures should be assessed.**

87-4

The cumulative hydrologic impacts of the project are also given a very cursory examination (page IV.H-24). Some past and reasonably foreseeable future projects could, in conjunction with the preferred alternative, result in significant cumulative impacts to Humboldt Bay water quality. The recent Target and Eureka Boardwalk developments, along with proposed projects such as the Marine Terminal, the North Coast railroad reopening, the Eco-hostel near the Adorni Center and the hotel development near the Wharfinger Building are a few of the existing or potential waterfront projects that come to mind. **The Final EIR should consider the cumulative impacts of all these projects in combination with those of the proposed project on Humboldt Bay water quality.**

87-5

Chapter IV I. Land Use and Planning

The Draft EIR includes a detailed description of "Smart Growth" principles in this chapter and states that "The proposed Marina Center project embodies most of the major principles of smart growth." However, some of the important principles that would not be met by the proposed project include "building compactly", "bolstering local economies" and being "transit and pedestrian-oriented."

87-6

The presence of an immense single occupant one-story retail facility of 132,000 square feet, five times the size of the next largest planned retail facility, does not satisfy the compact- building criterion. Nor is this anchor store likely to bolster our local economy. "Big-box" stores are notorious for accomplishing just the opposite in that, typically, local businesses are forced to downsize or close, with the resulting job losses equaling or exceeding the number of new jobs created by the big-box store. This was recently shown in a large-scale study conducted by researchers at the Public Policy Institute of California (David Neumark, Junfu Zhang, and Stephen Ciccarella, "The Effects of Wal-Mart on Local Labor Markets," working paper, Public Policy Institute of California, April 2006).

87-7

Finally, the inclusion of a bike/pedestrian path as part of the development is laudable, but the offsite effects of the proposed project on bicyclists, pedestrians and nearby neighborhoods due to the generation of almost 16,000 new vehicle trips per weekday will be significant. In general, the mobility of bicycles and pedestrians on the site and over the greater Broadway region will worsen since the mitigations proposed in the Draft EIR focus on increasing capacity for vehicular traffic (Chapter IV. 0, page 34), rather than

87-8

measures to reduce traffic volume, improve accessibility for bicycles/pedestrians, or comprehensively improve public transit service to the site.

87-8 cont.

Chapter VI Alternatives

There is no alternative examined in detail that includes the proposed mix of uses for the preferred alternative on the subject site (retail, office, residential, industrial) without a massive "big box" commercial space. The Reduced Footprint alternative includes a 142,000 square-foot single occupant retail space, and the Limited Industrial Zoning Alternative eliminates all residential development, small retail establishments and museums. I believe that all of the development alternatives that received detailed analysis represent an unbalanced approach: the project either is dominated by one retail tenant with no rationale as to how the other planned uses would meet the needs of the small onsite residential community, or it would be limited to several large commercial/office spaces with no other uses. **The Final EIR should analyze a balanced mixed use development alternative that does not include a "big box" tenant and actually meets the majority of Smart Growth principles espoused in the Draft EIR (see above comments under Land Use and Planning). In addition, this or another alternative should analyze the feasibility of devoting a larger portion of the site to wetlands restoration, part of which could serve as a wetlands "mitigation bank" that would function by selling shares to developers who need to provide offsite wetlands mitigation.**

87-9

Chapter IV P. Urban Decay

The Draft EIR provides only 5 pages on this crucial topic. After a superficial analysis it concludes "Because the proposed project and its associated infrastructure improvements would not create or maintain urban decay and would instead eliminate the conditions for urban decay, the project would result in a less-than-significant impact." Even the cumulative impact of the proposed project coupled with a very large, directly competitive proposed home improvement/general merchandise development in Fortuna is not called out as significant since "Humboldt County has a very low vacancy rate for commercial space."

However, there is much evidence that the construction of the Bayshore Mall some 20 years ago had a severe impact on local businesses – indeed, 18 businesses closed within 10 years of the mall being built, mostly downtown and at the nearby Eureka Mall. We also have witnessed numerous closures of large retail stores over the last year in Humboldt County, including more than 100,000 square feet of closures at the Bayshore Mall (as mentioned in the Draft EIR), as well as the closure of the home improvement and furnishings store in a prime old town location, Restoration Hardware, less than 2 weeks ago. Clearly these closures are the result of a severe and ongoing worldwide downward economic spiral that Eureka is not immune to. **The Final EIR should include a thorough economic analysis to evaluate the positive and negative effects of the proposed Anchor 1 store on existing businesses, jobs, wages, vacancy rates, the**

87-10

5-591

**Comment Letter 87**

**cost of municipal services, and the volume of sales revenue that would be retained and reinvested in the community.** ↑87-10  
↓ cont.

Thank you for the opportunity to comment on this document. I look forward to a Final EIR for a project that reflects the constraints of a rapidly changing global economy, the growing interest and need for smart, sustainable development, and the desire of many residents to support our local businesses and keep retail profits in Humboldt County.

Sincerely,

Harriet Hill

5-592

## Letter 87: Harriet Hill

- 87-1 The comment states that there are no details on how the wetland restoration project would be accomplished; readers must take on faith that 1:1 replacement ratio “would adequately mitigate the environmental impact of the filled or disturbed wetlands.”

The Marina Center project includes the creation of contiguous estuarine wetlands at the south end of the project site at an acreage exceeding the extent of the existing combined scattered, degraded seasonal and estuarine wetlands (mitigation ratio of 1.05:1). These restored wetlands would be of much higher quality than those currently onsite. Mitigation Measures D-3a, -3b, and -3d require that the wetland restoration satisfy strict performance criteria: any restored or replacement wetlands must provide functions and values “equal to or greater than the affected wetlands.” The restoration plan also includes an extensive monitoring and adaptive management component that requires that a qualified biologist verify the success of the restoration project after five years and, if necessary to address management issues, recommend and implement contingency measures to satisfy the no-net-loss performance criteria. Consequently, the Draft EIR does not take this success “on faith,” but rather on strict performance criteria and other measures to ensure that the wetland mitigation would be effective over the long term.

- 87-2 The comments related to the Coastal Act are noted. Please see Master Response 5, which addresses the Coastal Act.
- 87-3 The comment regarding wetlands functions and values is noted. A detailed wetlands restoration plan cannot be prepared prior to completion of the Final EIR. In fact, the Final EIR must first be certified before any wetlands restoration plan could be formulated in consultation with regulatory agencies. Please see Master Responses 3 and 5 regarding uses approved under the Coastal Act.
- 87-4 The comment states that the Final EIR should state exactly how stormwater runoff would be treated. The comment is noted. Please see responses to comments 7-8 and 16-47, which address stormwater runoff.
- 87-5 The comment states that the Final EIR should consider the cumulative impacts of all projects on the Humboldt Bay in combination with the proposed project.

The City of Eureka is now regulated under the NPDES program as an MS4 (see response to comment 22-19). The associated permit requires the City to implement a Storm Water Management Plan (SWMP) to reduce the discharge of stormwater pollutants to the maximum extent practicable for all existing and future development. Adherence to this plan, which considers water quality objectives, plans, policies and criteria of the Basin Plan for the region, would effectively reduce the cumulative impact to less-than-significant levels. For further discussion of project-specific stormwater mitigation measures, please see responses to comments 23-16 and 7-6.

- 87-6 The comment relates to smart growth and states that the proposed project does not embody smart growth.

Please see responses to comments 16-7, 52-37, and 75-4, which further explain that the proposed project exemplifies several smart growth principles. The EIR preparers respectfully disagree. The project does encompass smart growth principles, including building density, local economic development, and transit and pedestrian-oriented designs. The project includes a well-balanced mix of uses that provide employment (retail and office) alongside residential units. All of this is within walking distance to the Downtown/Old Town areas of the City. The project also proposes to expand the existing transit grid into the development footprint and would accommodate bike and pedestrian routes into and through the project site. Economic activity generated from the site would help with the local economy and the jobs-housing balance. Thus, the project should satisfy the smart-growth principles identified by the comment.

- 87-7 The comments express negative opinions of big box retail stores. The comments are noted. Please see Master Response 1, under “Jobs / Wages Impacts” and “Potential Local Store Closures.”

- 87-8 The comment relates to increased traffic on Broadway and its potential effects on pedestrian and bicycle circulation. Please see responses to comments 75-1 and 53-2, which discuss these issues.

In regards to reducing traffic, other planned commercial and retail developments in the U.S. 101 corridor are expected to result in an approximate 33 percent increase in traffic volumes. In other words, much of the traffic increases anticipated in the traffic impact study are to occur regardless, albeit from different locations along U.S. 101 in Eureka. Traffic since 1980 has increased, on average, about 1.5 percent per year, and will continue to do so with or without the proposed project. With the proposed project it is likely that nearby intersections would experience more growth than otherwise, such as on Broadway between Wabash Avenue and Fourth Street, and on the Fourth/Fifth Street couplet to I Street. However, mitigations are proposed to accommodate this growth at study intersections with the development of the proposed project. While traffic is expected to increase due to a multitude of other development projects in the vicinity of the project, it is not certain that needed traffic improvements would be made if the project were not approved. The operation of each signalized intersection is evaluated in detail, and adequate time for pedestrian crossings is provided for. All bicycle plans by the City of Eureka and others avoid Broadway north of Wabash Avenue because of the reduced cross section. The project does not significantly affect these plans and may enhance them due to the proposed construction of a Class 1 bike and pedestrian path through the project along Waterfront Drive.

- 87-9 The comment requesting additional alternatives analysis is noted. Please see Chapter VI, Alternatives, as well as responses to comments 16-239 through 16-242, which explain that the Draft EIR includes a reasonable range of alternatives. As stated in Chapter VI,

Alternatives, alternatives selected for evaluation should meet the basic project objectives, which include the creation of a destination retail center. As detailed in the chapter, of the 24 alternatives screened for detailed analysis, 18 of them met most of the basic objectives of the project. However, only the Reduced Footprint Alternative, Limited Industrial Zoning Alternative, and the Shoreline Property Alternative are also determined to be feasible and to either avoid or substantially lessen at least one significant impact. Please also see response to comment 16-9, which discusses a requested “No Large Retail” alternative.

- 87-10 The comment states that the Final EIR should include a thorough economic analysis. Please see Master Response 1, which includes an analysis of several economic issues raised by the comments.”

Sidnie Olson

**From:** Lisa Hoover [ldiane@humboldt1.com]  
**Sent:** Friday, January 30, 2009 2:51 PM  
**To:** DEIRcomments  
**Cc:** Pete Nichols  
**Subject:** Comments to Marina Center DEIR  
**Attachments:** Comments to Marina Center DEIR.doc

Please see attached.

Thank you.

Lisa D. Hoover

**Marina Center Mixed Use Development Project DEIR**  
November 2008

**Comments to :**  
City of Eureka  
Community Development Department  
Attn: Sidnie L. Olson, AICP, Principal Planner  
[DEIRcomments@ci.eureka.ca.gov](mailto:DEIRcomments@ci.eureka.ca.gov)

**From:**  
Lisa D. Hoover  
January 30, 2009  
[ldiane@humboldt1.com](mailto:ldiane@humboldt1.com)

Thank you for the opportunity to comment on the Marina Center Mixed Use Development Project (hereafter referred to as "the project") DEIR. My comments will focus on three elements:

- a) Bases for Finding of Significance
- b) Cumulative Effects Analysis
- c) Land Use and Array of Alternatives- emphasis on Coastal Zone uses

**A. Bases for Finding of Significance**

"Significance" is defined in your document (IV-5) as "*an impact that exceeds the defined threshold(s) of significant and cannot be eliminated or reduced to a less-than significant level through the implementation of feasible mitigation measures. Pre-mitigation impacts that exceed the defined thresholds of significance are referred to as a significant.*"

Issue: The document contains much information on the regulatory and compliance requirements at various level, identifies issues, and identifies mitigations, however, what is missing is the analysis that links the issue to the resource affected, to the mitigation and ultimately to the level of significance. What is the current condition (baseline), how will project activities affect the current condition, how will mitigations reduce these effects to make the case for "less-than-significant", which is often the finding in the document. Without this link, significance cannot be adequately determined.

88-1

A related dimension to this issue is considerable reliance on management plans, programs and permits (e.g. Storm Water Pollution Prevention Plan, National Pollution Discharge Elimination System, drainage plan) as mitigations yet to be developed. While I understand that certain details may not be available at this juncture, simply mentioning the plans without providing any likely content for how elements of the plan would mitigate effects, does not adequately disclose to the public the logic for reducing an effect from significant to less-than-significant.

88-2

5-596

Example: Hydrology and Water Quality

Impact H-5. Would the Marina Center create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

In the response, it states that "pollutants from the proposed project would be consistent with commercial areas, light industrial areas and parking lots. Increases in the levels of oil and grease, petroleum hydrocarbons, metals and possibly nutrients in site runoff are likely". So is "consistency" with surrounding commercial areas... a positive or negative effect? Consistency and a statement that runoff is "likely", is not an analysis of the effects of additional sources of polluted runoff on water quality and aquatic environments-- direct, indirect or cumulative.

88-3

Without the aforementioned analysis, the mitigation measures H-5a through H-5c pertaining to preparation of a "permanent maintenance program" (NOTE: one of many examples of deference to some future plan or program to minimize effects without providing content of how), installation of biofilters, and using USEPA approved herbicides and pesticides, lacks a line of reasoning. Without this logic thread, the finding of "less-than-significant" relies on the mitigations has little to no basis.

88-4

Example: Seismicity and Liquefaction

Impact F-1. Would the project expose people or structure to potential adverse effects, be located on a geologic unit that is unstable....?

Impact F-3. Would the project be located on a geologic unit or soil that is unstable...and potentially result in on- or off-site liquefaction or collapse?

As identified in the document, the answer to F-1 and F-3 is, yes. The document states that the "project is located in a dynamic tectonic region where moderate to large magnitude earthquakes are common and the potential for seismicity increases the risk of liquefaction". Indeed the document states (pg. IV-F-15) that the project site is vulnerable to liquefaction.

Furthermore, tsunamis can be generated by both local and remote seismic events and certain types of subaqueous landsliding events may result. There is mounting evidence that tsunamis from Cascadia earthquake events pass over the south spit and at least the southern part of the north spit, in turn potentially stimulating these underwater landslides. This component is included because the significance of the project site, its vulnerability, has been understated in the document.

88-5

Issue: In regards to F-1, the mitigation simply identifies compliance with the California Building Code which includes completion of a site-specific design level geotechnical report that examines the potential for seismic hazards and measures to address these hazards. An example of deference to future plans without providing content of how measures might address hazards. Issue F-3 refers to mitigation F-1 as a remedy and

5-597

states "some structural damage is not avoidable...however building codes and foundation standards have been established to protect against adverse effects of ground failure such as liquefaction." What are those codes and standards? How would they protect against adverse effects?

88-5 cont.

Without how the mitigations will indeed mitigate, the conclusion of "less-than-significant" has no basis.

B. Cumulative Effects

A definition of cumulative impacts is provided on page IV-6: Cumulative impacts refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The cumulative impact from several project is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future impacts. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Issue: The spatial and temporal context for cumulative effects analysis has not been established in the document. One could argue from a hydrological perspective that cumulative effects should consider the Eureka Plain Hydrological Unit geographic scale. Reasonable or not would be the question to deliberate.

Barring the Eureka Plain Hydrological Unit, some factors from the document that could have been considered in defining the spatial context for hydrology, particularly the connection of the project to Humboldt Bay through surface and groundwater:

Stormwater- a) Clark Slough drains to Humboldt Bay, b) the City of Eureka's storm drain outfalls are found along the City's waterfront, c) the slough collects water from commercial/industrial facilities to the south of the project area and d) 29 acres of 67% of the proposed project acres are to be impervious surfaces. All of these are statements demonstrate potentially connected and cumulative impacts.

88-6

Groundwater-a) the B-zone of the aquifer is tidally influence by Humboldt Bay and groundwater levels in the B-zone flow in the direction of Humboldt Bay, b) recharge areas for the groundwater are from direct precipitation and seepage from Freshwater Creek, Elk River and Eel River, c) agriculture is the primary extractor of groundwater at 4800 acreft--what is the geographic scope that provided these data?. All of these are statements demonstrate potentially connected and cumulative impacts.

In sum, the argument for a given scale by resource area has not been provided, therefore, findings of significance relative to cumulative effects lack substantiation.

Example a.

Relative to the above point the project contribution to pollutant runoff; "pollutants from the proposed project would be consistent with commercial areas, light industrial areas

Comment Letter 88

Comment Letter 88

and parking lots". This begs the question—what is the expected magnitude of that run-off currently (baseline resulting from past impacts), what are the reasonably foreseeable future impacts in what geographic area, and how might/to what degree would the proposed project contribute cumulatively to polluted runoff? 88-6 cont.

Example b. Impact H-11: Would the Marina Center project, together with other developments in the immediate vicinity, contribute to potential adverse cumulative impacts on hydrology and water quality?

Implementation of the propose project, combined with other foreseeable ....would not result in adverse cumulative effects....

The reason provided for why the project would not result in adverse cumulative effects and thus a finding of "less-than-significant" relies on the present and future projects (across what geographic area??) utilizing Best Management Practices (BMPs), erosion control permits. .... While these measures apparently have merit, simply stating BMPs would be implemented is not an adequate test of cumulative effects analysis. 88-7 88-8

Example c. Impact D-34: Would the Marina Center project, together with other developments in the immediate vicinity contribute to potential cumulative impacts on biological resources....?

The reason provided for why the project would not result in adverse cumulative effects on biological resources and thus a finding of "less-than-significant" relies on the present and future projects (across what geographic area??) employing "applicable federal, state and local requirements. Provided (emphasis added) all future projects comply with the permit requirements and mitigation measures...the cumulative impacts associated with the proposedproject, together with other existing and reasonably foreseeable future development in the surrounding (emphasis added—what is "surrounding") area. ...would be less than significant." 88-9

While federal, state and local permits apparently have merit, simply stating that they would be sought by the project proponent, be implemented is not an adequate test of cumulative effects analysis. 88-10

Example d. Appendix J, p.g 25 pertaining to hazards under cumulative effects states that the project would not contribute to significant cumulative hazards impacts in the project area therefore, a finding of less-than-significant. The rationale provided is that "hazards impacts associated with a proposed project usually occur on a project-by-project basis, rather than in a cumulative manner. Because there are site specific mitigation measures, any potential cumulative impact associated with the project would also be decreased.

Therefore cumulative impacts from hazards associated with the proposed project are considered less than significant."

The project-by-project basis argument is not accurate. Hazards pertaining potential of petroleum by-products for example, generate an indirect and cumulative effect. These effects have not been analyzed in these section. 88-11

C. Land Use Array of Alternatives- emphasis on Coastal Zone Uses

The project proponent's (Security National) objectives include: complement the existing downtown and old town uses, develop an economically viable mixed use project, provide a greater variety of goods and services in Humboldt County, and increasing jobs and revenue. To do that, the project proposes to notable change current zoning and land uses from light industrial to 558,000 sq.ft primarily of commercial retail (56% of the project area). The link between this extent and scale of commercial development proposed and "complementing the old town uses or developing an economically viable mixed use project" is lost on me as the sheer scale and types of commercial retail (relatively large anchor stores comprise about 61% of the retail) would neither complement downtown, old town or provide the bulk of jobs above minimum wage. 88-12

In addition, and particularly relevant to the particular project site in question is the issue of the Coastal Zone in which the project lies. Beyond the no action alternative, there is no alternative that incorporates the fact that the site is within the Coastal Zone and this zoning prioritizes certain uses; thus, the EIR has not considered and analyzed a reasonably array of alternatives. 88-13

Priority allowable uses in the Coastal Zone are those that are coastal-dependent and includes coastal dependent development and visitor serving commercial recreation. Lower priority uses include general commercial and private residential. The proposed project weighs in heavily with lower priority uses with only perhaps the museum (if it includes marine discovery) falling into the priority uses. 88-14

Within the Coastal Zone, "applicants must obtain a certification that activities proposed within the coastal zone are consistent with State Coastal Zone Management Programs." Those programs include but are not limited to the following uses a. coastal dependent industrial facilities e.g. commercial fishing facilities, b. restoration purposes, and c) nature study, aquaculture or similare resources dependent activities.

Given that the coastal zone designation is place-based, meaning another site can not accommodate coastal uses, this zoning should be considered an over-riding factor in the City of Eureka's evaluation of what is the best use of a site in the Coastal Zone, what does the City need, and would the project that follows benefit Eureka and other publics that frequent Eureka. 88-15

5-598

**Comment Letter 88**

I appreciate your consideration of my comments.

Lisa D. Hoover

5-599

## Letter 88: Lisa Hoover

- 88-1 The comment states that the Draft EIR does not identify the baseline condition and does not link issues to resources affected. The comment also states that the Draft EIR does not address how project activities would affect the current conditions and how mitigation measures would reduce those effects to a less-than-significant level.

As stated on Draft EIR page I-11, Chapter IV of the EIR contains a discussion of existing (baseline) conditions, the environmental impacts that could result from the project, and mitigation measures that would reduce or eliminate the identified adverse impacts. The criteria used to assess the significance of adverse environmental effects are identified in each section.

For example, on page IV.K-11, Impact K-3 states, “Would the Marina Center project result in a substantial permanent increase in ambient noise levels of 5 dBA or more in the vicinity of sensitive receptors above levels existing without the project?” This statement establishes a threshold with which to measure the level of significance of the proposed project’s impact to ambient noise. As stated on Draft EIR page IV.K-13 in Mitigation Measure K-13, “All outdoor loudspeaker paging systems shall not exceed 60 dBA Leq at the property line.” This mitigation measure includes a specific performance standard that would reduce the potential impact to a less-than-significant level (a permanent increase in ambient noise levels of less than 5 dBA).

- 88-2 The comment states the more information is needed in to-be-developed action plans to know whether these plans would reduce impacts to less-than-significant levels. The comment is noted.

For further discussion regarding remediation plans for the proposed project, please see Master Response 4. The Remedial Action Plan is discussed in this Master Response. The plans, programs and permits referred to in the Draft EIR include the Remedial Action Plan, the final drainage plan, and Storm Water Pollution Prevention Plan. All of these require regulatory oversight from agencies responsible for mitigating potential impacts. Projects that adhere to these requirements according to the performance standards included in the mitigation measures would be effective in reducing potential impacts to less-than-significant levels.

- 88-3 The comment states that the analysis of stormwater runoff that would be generated by the parking uses at the project site is note adequate.

The discussion on Draft EIR page IV.H-20 also states that quantification of anticipated pollutant loading from the proposed project is not possible. However, with implementation of the mitigation measures and performance criteria associated with this impact, the potential impact would be less than significant. The installation of stormwater treatment controls as identified by these mitigation measures have shown to be effective

with other sites that are similar or consistent with the proposed project and therefore would be effective in reducing the potential impact to less-than-significant levels.

- 88-4 The comment states that Mitigation Measures H-5a and H-5b lack a “line of reasoning” and “logic thread” to explain their effectiveness.

The ability of the stormwater treatment controls identified as part of the Mitigation Measures H-5a and H-5b to effectively reduce the potential for stormwater pollutants to be discharged offsite in part depends on their maintenance and upkeep. Maintenance of these features is generally considered relatively basic and standard for the industry. Including a responsibility for the maintenance program ensures that the long term potential for pollutant loading is reduced to less-than-significant levels. See also response to comment 88-3, above.

- 88-5 The comment states that tsunamis can be generated by both local and remote seismic events and that submarine landslides could occur. According to the comment, there is mounting evidence that tsunamis from Cascadia earthquakes pass over the south spit and at least the southern end of the north spit, and potentially stimulate underwater landslides, and that this comment is included because the significance of the project site, and its vulnerability, are understated. Finally, the comment suggests that the EIR’s reliance on the California building code and foundation standards does not support the conclusion that the risk of earthquake hazards is less than significant.

The comment is technically incorrect concerning the relationship between tsunamis and submarine landslides. Tsunamis are generated by land-level changes on the sea floor. These land-level changes may result from direct submarine fault rupture, but these modest sea floor displacements are often too small to explain the relatively large resultant tsunami. Evidence suggests that the larger-than-anticipated tsunami waves are a result of seismically-induced submarine landslides. The EIR preparers are not aware of any documentation of tsunamis “potentially stimulating these underwater landslides” as suggested in this comment. In any case, the modeling and other estimates concerning tsunami hazards originating from a Cascadia earthquake event have already taken into account the possible enhancement of tsunami intensity due to submarine landslides. Thus, the EIR already reflects this additional factor. Likewise, the EIR already includes evidence concerning the risks that tsunamis from Cascadia earthquake events may overtop the south and north spits. Again, that information is reflected in the EIR, and the comment does not provide any additional evidence.

The remainder of the comment seems to pull language from Impacts F-1, F-2, and F-3, and claims that there is insufficient information in the EIR to conclude that the risks associated with earthquake hazards would be less than significant. Preliminary geotechnical evaluation of the project site was completed in 2006 (SHN, 2006). That investigation defines general geotechnical conditions at the project site, and discusses potential mitigations. The current level of geotechnical investigation is consistent with the conceptual development plan. The “site-specific design-level” geotechnical

investigation described in the EIR refers to the additional characterization and recommendations that would be necessary for specific buildings and other structures once project design is finalized. This is a normal progression of geotechnical investigation since it is impractical, if not impossible, to define geotechnical parameters until the buildings are finally designed.

Nonetheless, the existing, preliminary geotechnical investigation adequately defines site conditions to evaluate potential environmental impacts, and presents a variety of acceptable, industry-standard mitigations. From a geotechnical standpoint, the primary hazards at the project site are related to the presence of uncontrolled fill, as well as soft, compressible soils, and granular materials that may liquefy during a strong earthquake. These hazards are routinely mitigated with a variety of standard foundation designs; the preliminary geotechnical report discusses the potential need for deep foundation elements (piles or piers to 25 to 30 feet east of Clark Slough and 35 to 40 feet west of Clark Slough) and/or stiffened, structurally reinforced floor slabs. As with all foundation design, it must be consistent with the guidelines and criteria outlined in the most recent version of the California Building Code (a standard which is mandated in the City of Eureka Municipal Code). The applicable codes and standards are referenced in the Draft EIR at page IV.F-13. Mitigation Measure F-1a requires the Project Applicant to satisfy and exceed these code requirements and standards and to implement the final recommendations in the site-specific design-level geotechnical report. Again, this sort of design-level detail can only be provided once the building designs are prepared. Thus, the risks associated with earthquake hazards would be less than significant. For further discussion regarding tsunami hazards, please see response to comment 3-14.

- 88-6 The comment states that the context for cumulative effects is not established for the Draft EIR, especially in relation to hydrological effects. A list of cumulative projects is included in Draft EIR Chapter V.

In addition, the cumulative analysis for hydrology and water quality is found on Draft EIR page IV.H-24. In the analysis, the Draft EIR discusses the City of Eureka for context of potential cumulative effects. The reasoning behind this is that the City of Eureka is the most densely populated area of the region surrounding the proposed project site and the most likely to have similar potential impacts regarding stormwater runoff and groundwater recharge.

- 88-7 Please see response to comment 88-6 regarding cumulative hydrological effects issues raised by the comment.

- 88-8 The comment states that simply stating that best management practices would be implemented is not an adequate test of cumulative effects analysis. Please see response to comment 87-5 regarding cumulative water quality effects.

- 88-9,10 The comment states that relying on federal, state, and local permits to mitigate biological impacts is not adequate. The comment is noted.

Please see response to comment 13-4, which addresses biological resources. Given that all impacts on biological resources can be mitigated to a less than significant level, and there is a net gain in wetland size and function, the project, cumulatively considered together with other projects causing related impacts, would not make a contribution significant enough to conclude there is a significant cumulative impact on biological resources.

- 88-11 The comment states that a project-by-project basis for hazardous materials assessment is not accurate. It also states that indirect and cumulative effects from hazardous materials can be generated and should be analyzed in the EIR.

The proposed project would not emit or discharge, as part of project operations, any significant hazardous materials. The existing subsurface contamination at the project site would be remediated according to the requirements of the RWQCB. Remediation efforts as more fully described in Master Response 4 of this document may result in residual contamination levels at the project site that are below risk levels for human health and the environment. However, any residual contamination at the project site when combined with any potential contamination at other sites does not increase the potential risk from exposure to hazardous materials. Similarly the potential for accidental upset conditions is not increased to cumulatively significant levels with other sites that are handling or storing commercially contained hazardous materials. Therefore, the rationale contained in the Draft EIR is valid.

- 88-12 The comment disagrees that the Project Applicant's objectives are met by the proposed project. The comment is noted.

Please see Master Response 1 regarding the economic viability of the project and the anticipated jobs created. The proposed project, which would be a mixed-use development containing recreation, housing, retail, office, industrial, and restaurant space, would complement Downtown Eureka rather than compete with it.

- 88-13 The comment questions the adequacy of the Alternatives Chapter, stating that it did not include an alternative considering coastal zone priority uses.

The Alternatives Chapter of the Draft EIR screens 24 separate alternatives, including the Coastal Dependent Industrial Zoning Alternative, the Limited Industrial Zoning Alternative, and the Wetland Restoration and Park Alternative. These Alternatives would include uses prioritized in the coastal zone.

- 88-14 The comment regarding priority uses in the coastal zone is noted. Please see Master Responses 3 and 5, both of which address uses in the coastal zone.

- 88-15 The comment that zoning should be considered the overriding factor in the City's evaluation of the proposed project is noted. Decision makers must weigh several criteria when weighing entitlements for proposed development projects, including environmental, economic, social, and cultural. The existing and proposed future land use designations of the project site are included in these considerations, and they are detailed in Chapter IV.I, Land Use and Planning.

Sidnie Olson

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**From:** chaslewis [chaslewis905@yahoo.com]  
**Sent:** Friday, January 30, 2009 6:53 AM  
**To:** DEIRcomments  
**Subject:** Comments on proposed Marina Project

I'm a longtime property owner and resident of Eureka, with serious concerns about the proposed Marina Project. I am not generally anti-big box, but given the current economic climate, have serious misgivings about the part of the proposal that reads "anchored by a Home Depot."

I do not wish to see some of the last open space adjacent to Humboldt Bay committed to a national chain, even in a mixed-use project as proposed. ] 89-1

After reading the DEIR several times, I have concerns that even with the inclusion of the wetlands project as described, that potential environmental issues have been understated. ] 89-2

Charles Horn  
3432 N Street  
Eureka

## Letter 89: Charles Horn

- 89-1 The comment states opposition to the last open space adjacent to Humboldt Bay committed to a national chain, even if it is a mixed-use project.

The comment appears to be expressing a policy preference for a particular use (open space) or project alternative (the No Project Alternative), but does not raise any issues pertaining to the sufficiency of the EIR as an informational document. It should be clarified, however, that the project site is not the last open space adjacent to Humboldt Bay. There are a number of other sites that are currently vacant and could be devoted to open-space uses. Indeed, hundreds of acres still remain in open space along the boundary of the Bay. (See, e.g., Draft EIR, page VI-30, Figure 6-5, showing other open-space locations adjacent to Humboldt Bay and the shoreline.) Moreover, this site in particular is surrounded almost entirely by industrial or other uses, is close to the heart of Downtown Eureka, and is an ideal infill location given its proximity to Old Town and Downtown, public transit, and other compatible land uses. Finally, leaving the project site in its blighted and contaminated state does not constitute the sort of open-space uses that should be preserved near the waterfront. The project would actually help to restore the Clark Slough remnant and provide long-term wetlands habitat.

- 89-2 The comment states that, even with the inclusion of a wetland reserve in the proposed project, the Draft EIR understates the potential environmental issues. The comment does not provide any specifics to which to respond. The proposed project's potential impacts to wetlands are discussed, however, in Chapter IV.D, Biology, of the Draft EIR.

Sidnie Olson

**From:** Steve Horner [s\_horner@suddenlinkmail.com]  
**Sent:** Wednesday, January 28, 2009 3:12 PM  
**To:** DEIRcomments  
**Subject:** I SUPPORT MARINA CENTER & COMMENTS FOR RECORD

Dear Ms. Olson,

I support development of the Marina Center. I want there to be a modern developed area for shopping, to attract tourists and house public service groups.

The presence of a big-box style retail space is very important for Humboldt County. Personally, I and my family travel outside of the County to shop at big box stores because they provide the items I need at a good price. Most of the items and selection locally cannot compare, at any price. I believe having such retail opportunities in Humboldt County will lessen the amount of significant travel by my family and that of thousands of other Humboldt residents. Certainly this will result in a reduction of fossil fuel use and all of the concomitant benefits. 90-1

I travel approximately every other month to Home Depot in Crescent City or Ukiah. When I arrive, I ALWAYS have encountered at least two different people I know who are doing the same thing, because the selection is not available in Humboldt County. By having a local Home Depot it will reduce significantly the number of trips Humboldt County residents are making out of the county. This is not a minor environmental benefit, but a great one! 90-2

Much of Eureka is in a blighted condition. Through re-development of the Marina Center, the City will move significantly forward on improving the aesthetics of the City and improve its image. This will attract more activity to the city and generate much needed municipal revenues. Especially because the people who will stop and use a beautified Eureka are already passing through on 101, there won't be additional traffic added to the City or Marina Center vicinity as a result of the development of Marina Center. 90-3  
90-4

The environment will be much improved by the careful development described in the EIR. That site is a wasteland now, and the proposed project is a vast improvement to the natural environment and improves human enjoyment. 90-5

Please adopt the Marina Center EIR and get the project going as soon as possible.

Steve Horner  
Arcata, CA  
707-498-7150

## Letter 90: Steve Horner

- 90-1 The comment that big box retail is important for Humboldt County is noted. The EIR includes an analysis of the proposed project's potential impacts to traffic and air quality in Chapter IV.O, Transportation and Chapter IV.C, Air Quality. Although the number of current automobile trips to areas outside of Eureka could be reduced by the proposed project, the traffic and air quality analyses do not assume any reduction in these trips. By assuming that all trips generated by the project would be an increase over existing conditions, the EIR assures a conservative analysis of potential impacts in conformance with the CEQA Guidelines.
- 90-2 The comment's support of the proposed development is noted.
- 90-3 The comment states that aesthetics would be improved and that municipal revenues would be generated by the proposed project. Please see Chapter IV.A of the Draft EIR for a discussion of the proposed project's aesthetic impacts. Also see Master Response 1, under "Fiscal Impacts to the City of Eureka and Other Jurisdictions," for a discussion of municipal revenues.
- 90-4 The stated support of the proposed development is noted.
- 90-5 The comment stating that the environment would be improved by the proposed project is noted.