



CITY OF EUREKA
COMMUNITY DEVELOPMENT DEPARTMENT
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CEQA Initial Study

Project Title: Humboldt Bay Rowing Association Non-Seasonal Floating Dock and Gangway Coastal Development Permit

Project Applicant: Humboldt Bay Rowing Association (HBRA)

Case No: CDP-11-0001

Project Location: 1535 Waterfront Drive; APN 002-241-013, 006. See Figure 1 – Vicinity Map.

Zoning/General Plan Designations(s): Waterfront Commercial and Development Water/Waterfront Commercial and Waterfront Development

Project Description: The HBRA is seeking regulatory approval to convert the existing private floating dock and gangway (City CDP-01-02, Coastal Commission CDP 1-02-147, SCH#2002092079) from seasonal to non-seasonal (i.e. year-round) structures (Figure 1 – Vicinity Map). This conversion requires an amendment to both the City and Coastal Commission CDPs. No additional structures or improvements are proposed; the existing structures would simply remain in place throughout the year and would no longer be subject to seasonal removal. Therefore, this initial study will address only those impacts associated with the conversion of the dock and gangway from a seasonal to a non-seasonal structure. All previously adopted conditions of approval and mitigation measures remain unaltered and in force, unless otherwise modified herein.

An immaterial amendment to the coastal development permit for the floating dock and gangway eliminated the mitigation measure that required the dock to be permanently removed upon completion of the Boating Instruction and Safety Center, as well as restoration of the site to pre-project conditions including removal of all structures. Pursuant to the lease that allows these structures on City of Eureka Redevelopment Agency (RDA) property, the structures would remain in place until the HBRA (as lessee) or the RDA (as lessor) terminates the lease of the site. Upon such termination, the HBRA will be required to remove all portions of the floating dock and gangway from Humboldt Bay pursuant to the terms of the lease.

Humboldt Bay Rowing Association is a membership-based non-profit organization dedicated to promoting the sport of rowing and boating for community members of all ages and abilities. The HBRA provides rowing instruction and equipment for its

members. The HBRA hosts both junior and master competitive teams, in addition to presenting opportunities for recreational rowing on an independent level with its recreational sculling program. With permission from the HBRA, individuals and groups use the dock for kayaking, canoeing, equipment demonstrations, and special events on the bay. For the last nine years, HBRA has housed both the HSU women's and men's crews and will continue to house the HSU men's crew in the future. The HSU women's crew is planning on moving to the HSU Aquatics Center in 2011.

Lead Agency: City of Eureka, 531 "K" Street, Eureka, CA 95501-1165

Contact Person: Lisa D. Shikany, Environmental Planner; *phone:* (707) 268-5265; *fax:* (707) 441-4202; *e-mail:* lshikany@ci.eureka.ca.gov

Project Applicant's Name and Address: Mr. Jerome Simone, President, HBRA, P.O. Box 750, Trinidad, CA 95570

Setting: The City of Eureka is a charter city located on Humboldt Bay, approximately 300 miles north of San Francisco and 100 miles south of the Oregon border. Initially founded in the spring of 1850, the City of Eureka was incorporated through a special act of the state legislature on April 18, 1856. The community was reincorporated as a City on February 19, 1874 and received a charter on February 8, 1895. As the county seat for the 572 square mile Humboldt County, Eureka is the center of business and government. The major industries include agriculture, fishing, and tourism. The average July maximum temperature is 61.6°F and the average January maximum temperature is 54.3°F. The average July minimum temperature is 52.3°F and the average January minimum temperature is 41.5°F. The average annual precipitation is 39.0 inches; the average annual snowfall is 0.3 inches.

Humboldt Bay is one of the largest bays on the Pacific Coast. Historically, the bay and associated wetlands covered approximately 27,000 acres. Diking, drainage and filling has reduced the effective bay area to approximately 13,000 acres. Humboldt Bay is located about 30 miles northeast of the junction of the Gorda, Pacific and North American crustal plates. Tectonic activity in the area is extremely high: the Gorda Plate is being subducted under the North American Plate, and large-scale tectonic motion has produced a number of northwest-southwest trending faults in the region. Uplifting and folding, differential motion at the various fault lines, and erosion have resulted in a complex pattern of geologic formations – the Franciscan, Hookton, Yager, and Wildcat – in the bay region.

The HBRA facility is on the Humboldt Bay waterfront west of Old Town Eureka on the former Carson Mill Site. The site is vacant except for the HBRA facility which includes the dock, gangway and a boathouse. The remainder of the site consists of maintained grass fields, compacted dirt and gravel fill areas, remnants of mill building foundations, and gravel access roads leading to the boathouse. An asphalt-paved pedestrian trail runs along the waterfront through the northern end of the site.

Surrounding Land Uses: Land uses surrounding the HBRA facility include the Adorni Recreational Center and Sacco Amphitheater to the west; Waterfront Drive, railroad tracks and coastal bluff to the south – a mixture of commercial, public, and residential uses occur on top of the bluff; a parking lot and public boat ramp to the east, and the Highway 255 Bridge overhead; and to the north within Humboldt Bay, boat docking/moorage and the Woodley Island Marina.

Other Public Agencies whose Approval is, or may be Required (e.g. permits, financing approval, or participation agreement): City of Eureka, Humboldt Bay Harbor Recreation and Conservation District; Army Corps of Engineers; Coastal Commission, Regional Water Quality Control Board.

Environmental Factors Potentially Affected: The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Population/Housing |
| <input type="checkbox"/> Agricultural & Forestry Resources | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Hydrology/Water Quality | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Land Use Planning | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Utility/Service Systems |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Noise | <input type="checkbox"/> Mandatory Findings of Significance |

Determination: On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **EIR** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier

EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Lisa D. Shikany
Environmental Planner, City of Eureka

Date

Summary of Potential Project Impacts: Below is a table that summarizes the impact potential for each category of impacts discussed and analyzed in this Initial Study.

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
I. Aesthetics			✓	
II. Agricultural & Forestry Resources				✓
III. Air Quality			✓	
IV. Biological Resources		✓		
V. Cultural Resources				✓
VI. Geology & Soils			✓	
VII. Greenhouse Gas Emissions			✓	
VIII. Hazards & Hazardous Materials			✓	
IX. Hydrology and Water Quality			✓	
X. Land Use and Planning		✓		
XI. Mineral Resources				✓
XII. Noise			✓	
XIII. Population & Housing			✓	
XIV. Public Services			✓	
XV. Recreation		✓		
XVI. Transportation & Traffic			✓	
XVII. Utilities & Service Systems			✓	
XVIII. Mandatory Findings of Significance		✓		

Checklist and Evaluation of Environmental Impacts: An explanation for all checklist responses is included, and all answers take into account the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. The explanation of each issue identifies (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance. In the **CHECKLIST** the following definitions are used:

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

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

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

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

Initial Study
HBRA Non-Seasonal Dock and Gangway

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers whether the proposed project may have any significant effect on visual aesthetics because of: (a) the short-term or long-term presence of project-related equipment or structures; (b) project-related changes in the visual character of the project area that may be perceived by residents or visitors as a detraction from the visual character of the project area; (c) permanent changes in physical features that would result in the effective elimination of key elements of the visual character of the project area near a state scenic highway; or (d) the presence of short-term, long-term, or continuous light which would detract from the project area that is otherwise generally dark at night or that is subject to minimal artificial light.

DISCUSSION:

The measure for determining whether a project will result in aesthetic impacts is a qualitative judgment rather than a set of quantifiable parameters. As such, the opinion of what may be an adverse aesthetic impact can vary from person to person.

The applicant proposes to convert the use of the existing HBRA dock and gangway from seasonal to non-seasonal/year-round. No additional structures or improvements are proposed, but the existing structures would simply remain in place throughout the year and would not be subject to seasonal removal. This discussion evaluates the increase in aesthetic impacts of the non-seasonal facility over those of the temporary facility.

Humboldt Bay is a highly valuable scenic resource in that it provides exceptional views of the natural environment, maritime industry, and maritime recreation. The subject property is adjacent to Humboldt Bay an area of several other public facilities. The HBRA facility is visible from portions of Waterfront Drive, Highway 255, the waterfront pedestrian trail, the boat ramp immediately to the west, the Humboldt County Library, Woodley Island Marina, and from other nearby locations. The existing facility generally compliments the surrounding aesthetic environment in that it is maritime in nature. The facility provides the public with opportunities to view rowing facilities and rowing activities from a variety of vantage points. The facility is located within a portion of Humboldt Bay that is subject to frequent motorized and non-motorized boating activity; with a nearby marina, boat ramp, docks, and mooring structures.

The site is predominantly lighted by an existing pedestrian pathway light post, which predates the HBRA facility. Two small outdoor light fixtures have been installed on the north exterior of the existing boathouse. According to HBRA staff, the small lights are run occasionally off of a photovoltaic system or small generator, as the facility is not equipped with electric utility service. The lights are currently equipped with small wattage (50-100 watt) compact fluorescent bulbs due to the limited availability of electricity. Because of the limited use and the limited illumination capability of the small bulbs and fixtures, the lights are not capable of creating a substantial source of light or glare.

The original construction of the temporary facility was subject to the City of Eureka Design Review, Architectural Review, and Site Plan Review; the conversion from a seasonal to non-seasonal dock will not require additional review. The HBRA lease agreement for the site requires removal of the dock and gangway if the lease is terminated, thus providing for restoration of the site to pre-project conditions. Finally, the dock

has remained in place (i.e. was not seasonally removed) in violation of permit conditions since it was constructed several years ago. Instead of being in the water for 7 months a year as required, it remained in place year-round, with no resulting issues raised relative to aesthetics.

FINDINGS:

Based on the preceding discussion, it is concluded that the proposed project:

- will not result in a significant adverse impact on any scenic vista or resource;
- will not result in a substantial degradation to the existing visual character or quality of the site and its surroundings;
- will not create a new source of substantial light or glare.

MITIGATION MEASURES:

None.

II. <u>AGRICULTURE & FOREST RESOURCES.</u> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined in Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				✓

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would: (a) change the availability or use of agriculturally important land areas designated under one or more of the programs above; (b) cause or promote changes in land use regulation that would adversely affect agricultural activities in lands zoned for those uses, particularly lands designated as Agriculture Exclusive or under Williamson Act Contracts; or (c) change the availability or use of agriculturally important land areas for agricultural purposes.

DISCUSSION:

The project site has no farmlands. There is no agricultural land or agricultural zoning, nor lands of a size and

soil composition suitable for agricultural production, at or near the project site. There is no timber harvesting in the vicinity of the project, nor are there lands suitable for timber harvesting, therefore the project will not encroach upon or affect timber harvesting.

FINDINGS:

The project will have no impact on agricultural resources.

MITIGATION MEASURES:

None.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would (a) directly interfere with the attainment of long-term air quality objectives identified by the North Coast Unified Air Quality Management District; (b) contribute pollutants that would violate an existing air quality standard, or contribute to a non-attainment of air quality objectives in the project’s air basin; (c) produce pollutants that would contribute as part of a cumulative effect to non-attainment for any priority pollutant; (d) produce pollutant loading near identified sensitive receptors that would cause locally significant air quality impacts; or (e) release odors that would affect a number of receptors.

DISCUSSION:

Air quality can be degraded by a variety of contaminants including criteria pollutants that consist of gases or suspended particulate matter (PM-10). Ambient air quality standards and allowable limit levels are set at both the state and federal level; in most cases the standards are similar. The standards are set for air pollutants in outside air and are based on predicated health effects of those pollutants. Humboldt, Del Norte and Trinity Counties are located in the North Coast Air Basin under the regulation of North Coast Unified Air Quality Management District (NCUAQMD). Air quality measurements for Humboldt County are taken in Eureka at 6th & I Streets.

Humboldt County is listed as attainment (i.e., within allowable limits) for the following criteria pollutants: ozone; carbon monoxide; nitrogen dioxide; sulfur dioxide; sulfates; hydrogen sulfide; and vinyl chloride. Humboldt County is listed as non-attainment for the state standard for PM-10 air emissions, which include chemical emissions and other inhalable particulate matter with an aerodynamic diameter of less than 10 microns. Examples include smoke, dust, fly ash, and airborne salts or other particulate matter naturally generated by ocean surf. The major sources of PM-10 pollutants include industrial processes, automobiles, wood smoke from open burning and residential wood heating, dust from paved and unpaved roads, construction, and agricultural practices. Pursuant to data from the California Air Resources Board as presented by the Center for Economic Development, California State University, Chico (2003), Humboldt County has not

exceeded the national PM-10 standard since at least 1990.

Despite the state status of non-attainment for PM-10 pollutants, based on the published data it is evident that the implementation and enforcement by the NCUAQMD of the Particulate Matter (PM-10) Attainment Plan and the Air Quality Regulation 1, Chapter IV, that Humboldt County is on the correct path towards attainment. As evidence, in 1990 Humboldt County exceeded the state standard for PM-10 on 30 days, in 1994 on 12 days, in 1999 and 2000 on 6 days each, and in 2001, only on one day.

The proposed project does not include physical construction and, therefore, does not have significant potential for release of fugitive dust and particulate matter from construction activities. The project will not result in a substantial increase in motorized vehicle traffic on roadways or in the water.

With regard to objectionable odors, the project does not propose any activity that will result in odors that could reasonably be considered objectionable by the general public.

No atmospheric effects are expected as a result of the project.

FINDINGS:

The proposed project does not involve physical construction, nor will it foster any uses or activities, that will create airborne pollutants. The project will, therefore, not result in adverse air quality impacts, nor result in a cumulatively considerable increase in the PM-10 non-attainment.

MITIGATION MEASURES:

None.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers whether the proposed project would result in significant adverse direct or indirect effects to: (a) individuals of any plant or animal species (including fish) listed as rare, threatened, or endangered by the federal or state government, or effects to the habitat of such species; (b) more than an incidental and minor area of riparian habitat or other sensitive habitat (including wetlands) types identified under federal, state, or local policies; (c) more than an incidental and minor area of wetland identified under federal or state criteria; (d) key habitat areas that provide for continuity of movement for resident or migratory fish or wildlife, or (e) other biological resources identified in planning policies adopted by the City of Eureka.

DISCUSSION:

The applicant proposes to convert the use of the existing HBRA dock and gangway from seasonal to non-seasonal/year-round. No additional structures or improvements are proposed, but the existing structures would simply remain in place throughout the year and would not be subject to seasonal removal. Because it was originally approved and evaluated as a seasonal facility, this Initial Study evaluates the increase in biological impacts associated with the facility's year-round use since the facility was constructed.

As discussed below, the resulting impacts to biological resources from year-round installation of the dock involve impacts to eel grass. The placement of the gangway has led to the assumed reduction in the coverage of existing eelgrass beds. Although the dock shades a portion of marine habitat, the area under the dock is likely too deep to support eelgrass. The dock itself, however, has provided hard substrate where none previously existed and has created habitat for many marine invertebrates and plants.

Humboldt Bay is considered Essential Fish Habitat (EFH) for federally threatened and endangered fish and is an Environmentally Sensitive Habitat Area (ESHA) under the Coastal Act and Local Coastal Program. Although impacts to eelgrass have the potential to have an adverse impact on these protected habitats and species, the proposed eelgrass mitigation effort will reduce impacts to a less than significant level.

Pursuant to Fish & Game Code Section 711.4 and California Code of Regulations (CCR) Title 14, Section 753.5 a project may be determined to be "de minimis" in its effect on fish and wildlife resources only if the project does not result in any individual or cumulative adverse effect on fish, wildlife, or their habitat. The California Department of Fish & Game (CDFG), interprets a "de minimis effect" as **no** impact to fish, wildlife, or their habitat. Based on the above and the fact that the project does include mitigation for biological impacts, the project is subject to the Fish & Game fee of \$2010.25, which will be paid to the County Clerk at the time the Notice of Determination is filed.

Eelgrass

The HBRA project was constructed within the vicinity of occupied eelgrass (*Zostera marina*) habitat, which is Essential Fish Habitat (EFH) for various federally managed fish species. The EFH designation identifies fish habitats that are determined to be rare, especially ecologically important, highly susceptible to human-induced degradation, or are located in an environmentally-stressed area. Eelgrass vegetated areas are recognized as important ecological communities in shallow bays and estuaries because of their multiple biological and physical values. Eelgrass habitat functions as an important structural environment for resident bay and estuarine species, offering both predation refuge and a food source. Eelgrass functions as a nursery area for many commercially and recreationally important finfish and shellfish species, including those that are resident within bays and estuaries, as well as oceanic species that enter estuaries to breed or spawn. Eelgrass also provides a unique habitat that supports a high diversity of non-commercially important species whose ecological roles are less well understood.

Background: The 2002 Initial Study for temporary/seasonal installation of the dock and gangway described a "narrow band of eelgrass that parallels the shore." The placement of structures that shade eelgrass is known to cause adverse impacts. As a CEQA mitigation measure and condition of permits, the gangway was, therefore, required to be constructed of grating to allow filtration of light to the eelgrass beds below and was to be removed during the peak growing season. Currently, the gangway portion of the HBRA facility crosses over a disrupted band of eelgrass that parallels the

shoreline.

There is no record of eelgrass vegetation located under the floating dock, where the substrate is likely too deep to support an eelgrass population.

Impact: Installation of the gangway appears to have caused indirect, long-term impacts related to shading the eelgrass beds below. Because eelgrass surveys were not conducted at the site in 2002 and photographic documentation is not sufficient to determine the extent of eelgrass coverage, eelgrass is assumed to have been present under the gangway within the “narrow band” prior to placement of the gangway. Although the gangway was constructed of grating which allows some light to penetrate to the water below, there is now a gap in eelgrass beds below the gangway where shading has occurred. This gap was measured to be approximately 156 ft² in October 2010, near the end of the growing season. The gangway shading impact on the eelgrass was likely exacerbated by the fact that, contrary to the 2002 conditions of project approval, the dock and gangway remained in place throughout the year from 2003 until the present. This allowed the shading to occur through the peak of the growing season when, according to permit conditions, the structure should have been removed.

Mitigation: National Marine Fisheries Service (NMFS) Southern California Eelgrass Mitigation Policy (1991) requires mitigation of impacts to eelgrass beds at a ratio of 1.2:1. The 156 ft² impact would, therefore, require approximately 188 ft² of mitigation to be completed pursuant to NMFS protocol for eelgrass mitigation. The 2010 eelgrass survey identified two regions of suitable, but unoccupied eelgrass habitat in the immediate vicinity of the HBRA facility (Appendix A - Figure 2). These areas total approximately 200 ft² and appear to have favorable conditions for completing on-site eelgrass mitigation under NMFS protocol, as discussed below. The mitigation and impact areas will be resurveyed and approved by DFG and NMFS immediately prior to implementation of the mitigation plan to ensure accuracy. Results of the 2011 survey will be used in determining impact area, plant density, and size of the proposed mitigation site.

The applicant has prepared an Eelgrass Report (Appendix B) and Eelgrass Mitigation and Monitoring Plan (Appendix C) based on the NMFS Southern California Eelgrass Mitigation Policy with additional recommendations by the DFG and NMFS. As required by NMFS Policy, the reports include:

- Existing eelgrass distribution mapping
- Existing eelgrass density analysis
- Mitigation site map and analysis
- Mitigation technique
- Mitigation timing
- Mitigation monitoring methods
- Mitigation success criteria

Implementation of the Mitigation Plan (Mitigation Measure IV-1) is anticipated to compensate for impacts to eelgrass beds that resulted from the placement of the gangway, and, as such, the project as mitigated is not expected to have a significant impact on eelgrass. This mitigation measure eliminates the 2002 CEQA Initial Study/MND mitigation requirement that the dock and gangway be removed from the water May 1 to September 1 to avoid eelgrass impacts.

FINDINGS:

Based on the above discussion, it has been determined that the project as mitigated, involves no significant potential for individual or cumulative adverse effects on biological resources.

MITIGATION MEASURES:

Mitigation Measure IV-1. Applicant shall mitigate all impacts to eelgrass habitat at a minimum ratio of 1.2:1 by implementing the Eelgrass Mitigation and Monitoring Plan prepared for the project incorporating the recommendations of DFG and NMFS. Applicant shall resurvey eelgrass density in the surrounding beds and confirm the size of impact and mitigation areas in July 2011, to satisfaction of DFG and NMFS prior to implementation of mitigation. Applicant shall obtain a Letter of Permission (LOP) from the DFG prior to harvest or transplanting of eelgrass.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would cause (a) physical changes in known or designated historical resources, or in their physical surroundings, in a manner that would impair their significance; (b) physical changes in archaeological sites that represent important or unique archaeological or historical information; (c) unique paleontological resource site or unique geologic feature; or (d) disturbance of human burial locations. In addition, this Initial Study considers to what degree the proposed project would cause impacts to Native American artifacts and sites, including traditional tribal cultural places on both public and private lands for federally and non-federally recognized tribes. A cultural place is a landscape feature, site or cultural resource that has some relationship to particular tribal religious heritage or is an historic or archaeological site of significance or potential significance; the cultural place may be outside a reservation boundary.

DISCUSSION:

The proposed project does not involve any site alteration or physical disturbance of the ground and, as such, does not have any potential to disturb any cultural resource.

FINDINGS:

Based on the discussion above the project will have no impact cultural resources.

MITIGATION MEASURES:

None.

VI. <u>GEOLOGY AND SOILS.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

Initial Study
HBRA Non-Seasonal Dock and Gangway

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				✓
ii) Strong seismic ground shaking?			✓	
iii) Seismic-related ground failure, including liquefaction?			✓	
iv) Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?				✓
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			✓	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			✓	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers project-related effects that could involve or result from: (a) damage to project elements as a direct result of fault rupture along a fault identified in the Alquist-Priolo study or other known fault; (b) damage to project elements as a direct or indirect effect of seismically derived ground movement; (c) damage to project elements because of landslides that are not seismically related; (d) project-derived erosion by water or wind of more than a minimal volume of earth materials; (e) project-derived or project-caused secondary instability of earth materials that could subsequently fail, damaging project elements or other sites or structures; (f) location of project elements on expansive soils that are identified by professional geologists, which could result in damage to project elements or other sites or structures.

DISCUSSION:

The North Coast region is subject to seismic ground shaking due to fault lines and proximity to the intersection of three tectonic plates. However, based upon a review of the Alquist-Priolo Earthquake Fault Zoning Maps, the proposed project is not in an area where fault rupture is known or expected, therefore, potential impacts resulting from fault rupture are less than significant. Standard earthquake engineering design lessens the probability that new structures will be damaged by geologic hazards.

The existing HBRA facility is on relatively flat ground and over water with no geologic features in the vicinity that could result in, or expose people to landslides.

There will be no excavation or ground clearing disturbance as a result of the project.

The project is within an area of historical fill over bay muds and may be subject to liquefaction. Together with much of the land in and around Humboldt Bay and associated coastal streams, the site is mapped within an area of potential liquefaction on the County of Humboldt GIS Portal. All property within the City of Eureka is located in 'Seismic Zone 4' as prescribed by the Uniform Building Code. Therefore, all new construction must comply with the construction standards for Seismic Zone 4. Because all construction must comply with the Seismic Zone 4 standards of the Uniform Building Code, and because construction that conforms to the Uniform Building Code is presumed to meet the building safety standard, the potential impacts from seismic ground shaking and seismic ground failure, including liquefaction are considered less than significant.

The project is not connected to any sewage disposal system; therefore, the project will not have septic tanks or other alternative wastewater disposal systems. The facility is served by a single portable bathroom which receives routine pumping by a local portable toilet company.

FINDINGS:

Because the project does not require any physical construction and the existing structures are built to the

Uniform Building Code requirements, the project will not result in substantial adverse impacts to geology and/or soils.

MITIGATION:

None.

VII. GREEN HOUSE GAS EMISSIONS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
<p><u>DISCUSSION:</u> The HBRA facility has very little potential to generate any additional green house gas emissions. A small portable generator is operated infrequently as a back up for a small photovoltaic electric system that powers small electrical items such as a stereo and lights in the HBRA Boathouse. The facility does generate a small number of motor vehicle trips for those using it. HBRA utilizes one (1) 9HP outboard motor for use on its safety launch. The incremental change in potential green house gas emissions from use of the facility for 12 months per year as compared to 7 months per year is reasonably judged to be less than significant. The project does not have any conflict with any known plan, policy, or regulation related to green house gas reduction.</p> <p><u>FINDINGS:</u> Based on the discussion above, the proposed project will not result in any substantial impacts to greenhouse gas emissions.</p> <p><u>MITIGATION MEASURES:</u> None.</p>				

VIII. HAZARDS AND HAZARDOUS MATERIALS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				✓
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			✓	

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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				✓
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				✓
g) Impair implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized area or where residences are intermixed with wildlands?				✓

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would involve: (a) potential storage or use, on a regular basis, of chemicals that could be hazardous if released into the environment; (b) operating conditions that would be likely to result in the generation and release of hazardous materials; (c) use of hazardous materials, because of construction-related activities or operations, within a quarter-mile of an existing or proposed school; (d) project-related increase in use intensity by people within the boundaries of, or within two miles of, the Airport Planning Areas; (e) project-derived physical changes that would interfere with emergency responses or evacuations; (f) potential major damage because of wildfire.

DISCUSSION:

The project site is known to contain contaminated and potentially hazardous soils. The proposal, however, does not include any activity that will disturb the soil or involve any hazardous materials. There is no potential for exposure of the contaminated soils and no exposure to the public of hazards from the routine transport, use, or disposal of hazardous materials.

The project site is not within ¼ mile of a school and is two miles from the Murray Field airport. The project is not located within the vicinity of a private airstrip. Murray Field is owned and operated by the County and is defined as a general aviation airport. In addition to normal recreation and business use, general aviation airports provide landing facilities for emergency services in times of flood, earthquake, medical evacuations, etc. The project site is located outside the airspace analysis zone identified in the 1993 Airport Land Use Compatibility Plan for Murray Field. The project will not affect normal operations of the airport, and use of the airport will not impact the proposed project. Therefore, the project will not result in a safety hazard for people residing or working in the project area due to the proximity of an airport.

The project site, being located along the edge of Humboldt Bay, has the potential to be impacted by a tsunami. As discussed in the following Section on Hydrology, tsunami impact is considered less than significant. The project site is located within City Limits of Eureka; there are no “wildlands” near the project site. Therefore, there will be no impact as a result of wildland fires.

FINDINGS:

Based on the above, the project will not result in any substantial adverse impacts with regards to hazards and hazardous materials.

MITIGATION MEASURES:

None.

IX. <u>HYDROLOGY AND WATER QUALITY.</u> Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?				✓

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b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g. the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				✓
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?				✓
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?				✓
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				✓
f) Otherwise substantially degrade water quality?				✓
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary of Flood Insurance Rate Map or other flood hazard delineation map?				✓
h) Place within a 100-year flood hazard area structures, which would impede or redirect flood flows?			✓	
i) Expose people or structures to a significant risk or loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				✓
j) Result in inundation by seiche, tsunami, or mudflow?			✓	

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would involve: (a) improvements that would violate standards set for water quality and for discharge of waste water; (b) use of, or interference with ground water such that the amount of flow of groundwater is adversely impacted; (c) drainage improvements that would alter or cause an increase in amount or flow of drainage, or that would affect the free-flow of a stream or river or cause an increase in silt runoff as to cause adverse impact; (d) added runoff from the site that would exceed the capacity of drainage facilities; (e) the creation of polluted runoff or other general adverse water quality impacts; (f) the placement of housing or other structures within the 100-year flood plain, or other area subject to flooding; (g) development in such a manner or location that it would be adversely affected by seiche, tsunami or mudflow.

DISCUSSION:

The project involves no physical construction and will not result in the addition of non-permeable surface. HBRA cleans and washes boats and other equipment on site, adjacent to the facility, on a permeable surface away from the gangway, using water and biodegradable soaps and solutions. There is no potential for significant alteration in the existing pattern or rate of surface runoff or depletion of groundwater. The project will not alter the course of a stream or river. The upland portion of the project site is mapped as flood zone "C" - areas of minimal flooding (Flood Insurance Rate Map Community-Panel No. 060062 005 C, revised 6/17/86). Humboldt Bay is mapped as a FEMA 100-year flood zone. Because the dock floats on top of the water and is hinged to allow it to rise and fall with the tide, it is not expected to be adversely impacted by a flood event particularly since the incremental change proposed by the project will permit the dock to remain in the water during the summer months when flooding is unlikely. Because the project will not alter the course of a stream or river, does not alter flow within the flood plain, and because it will not substantially alter the existing drainage patterns nor substantially increase the amount of surface runoff, the project will not result in substantial erosion or siltation, or flooding on- or off-site.

Tsunami Hazard

Due to the known seismic activity in the Pacific Rim, a tsunami could impact Humboldt Bay. It is expected that

the impact of a tsunami on Humboldt Bay would primarily occur along the north and south spits and the King Salmon and Fields Landing areas, which are located directly across from the opening to Humboldt Bay. Humboldt State University faculty and graduate students have conducted a number of studies on the impacts to Humboldt Bay resulting from tsunami inundation. These studies indicate that although a wave from 12 to 20 feet high could threaten the southern end of the north Spit, including the U.S. Coast Guard base, Fairhaven and parts of Samoa, the largest tsunamis occurring on Humboldt Bay, including those dating back as early as 1700 A.D. did not entirely inundate the north spit. This is partially due to the fact that the northern end of the north spit is almost a mile wide, and in addition, a tsunami of less than 20 feet high is unlikely to overtop the stable dunes there. The last recorded tsunami of any observable height to occur in Humboldt Bay was in 1964 as a result of the Gulf of Alaska earthquake. It had a recorded maximum height of twelve feet on the inside of the north spit, with lower heights occurring along the Eureka waterfront area.

A tsunami is a system of gravity waves formed in the sea as a result of a large-scale disturbance of sea level over a short duration of time. In the process of sea level returning to equilibrium through a series of oscillations, waves travel outward in all directions from the generating area. A tsunami can be generated by submarine volcanic eruptions, by displacement of submarine sediments, by coastal landslides into a bay or harbor, by meteor impact, or by vertical displacement of the earth's crust along a zone of fracture which underlies or borders the ocean floor. The latter is by far the most frequent cause of tsunamis and for all practical purposes the primary cause of tsunamis capable of propagation across an ocean basin. Their speed depends on the depth of water, so that the waves undergo accelerations and decelerations in passing over an ocean bottom of varying depth. In the deep and open ocean, they travel at speeds of 300 to 600 miles per hour. The distance between successive crests can be as much as 300 to 400 miles; however, in the open ocean, the height of the waves may be no more than 1 or 2 feet, and the waves pass unnoticed. The tsunami's waveform extends through the entire water column from sea surface to the ocean bottom. It is this characteristic that accounts for the great amount of energy transmitted by a tsunami. A tsunami is not one wave, but a series of waves. The time that elapses between passage of successive wave crests at a given point usually is from 10 to 45 minutes. Oscillations of destructive proportions may continue for several hours, and several days may pass before the sea returns to its normal state. Upon reaching shallower water, the speed of the advancing wave diminishes, its wave length decreases, and its height may increase greatly, owing to the piling up of water.

Inundation is only one of the hazards posed by tsunamis. The extremely high current velocity caused by rapid changes in water elevation are capable of causing significant erosion and damage to structures especially when the water is laden with debris. High velocity water can cause damage even when the water height is not significantly high. Docks, piers and structures built directly on the waterfront are the most vulnerable. In the shallow waters of bays and harbors, a tsunami frequently will initiate seiching. If the tsunami period is related closely to that of the bay, the seiche is amplified by the succeeding waves. Under these circumstances, maximum wave activity often is observed much later than the arrival of the first wave.

During the 101-year period from 1900 to 2001, 796 tsunamis were observed or recorded in the Pacific Ocean according to the Tsunami Laboratory in Novosibirsk. Twenty-one tsunamis have been observed or recorded on the North Coast since 1855. All but four were teletsunamis (the source was far away). There is no known evidence of significant tsunami damage to the Humboldt Bay region in historic times. The great Alaskan earthquake of 1964 generated a tsunami that caused water to breach a ten-foot seawall at the Eureka Boat Basin and rise eight feet into the street. The bay was filled with logs and debris and nine changes in tidal height were reported over the night causing high current velocities within the bay. Fourteen-knot currents were reported in the channel opposite the Coast Guard Stations (Lander and others, 1993).

The 1992 Cape Mendocino earthquake produced a relatively modest tsunami that was recorded at the tide gauge on the North Spit and at Crescent City. Although small, this tsunami launched several research efforts to better understand the tsunami hazard in our area. The National Oceanographic and Atmospheric Administration (NOAA) published a tsunami inundation model of the Humboldt Bay region which mathematically computes the expected inundation levels caused by a magnitude 8.4 earthquake on the Cascadia Subduction Zone (CSZ) (Bernard and others, 1994). In the model, the north and south spit bear the brunt of the impact. Both spits are overrun and the waves travel across Humboldt Bay flooding Woodley and Indian Islands. The shallowness of the bay dissipates the wave energy and flooding on the east side of the bay is expected only in the immediate waterfront area and at King Salmon, which sits directly across from the

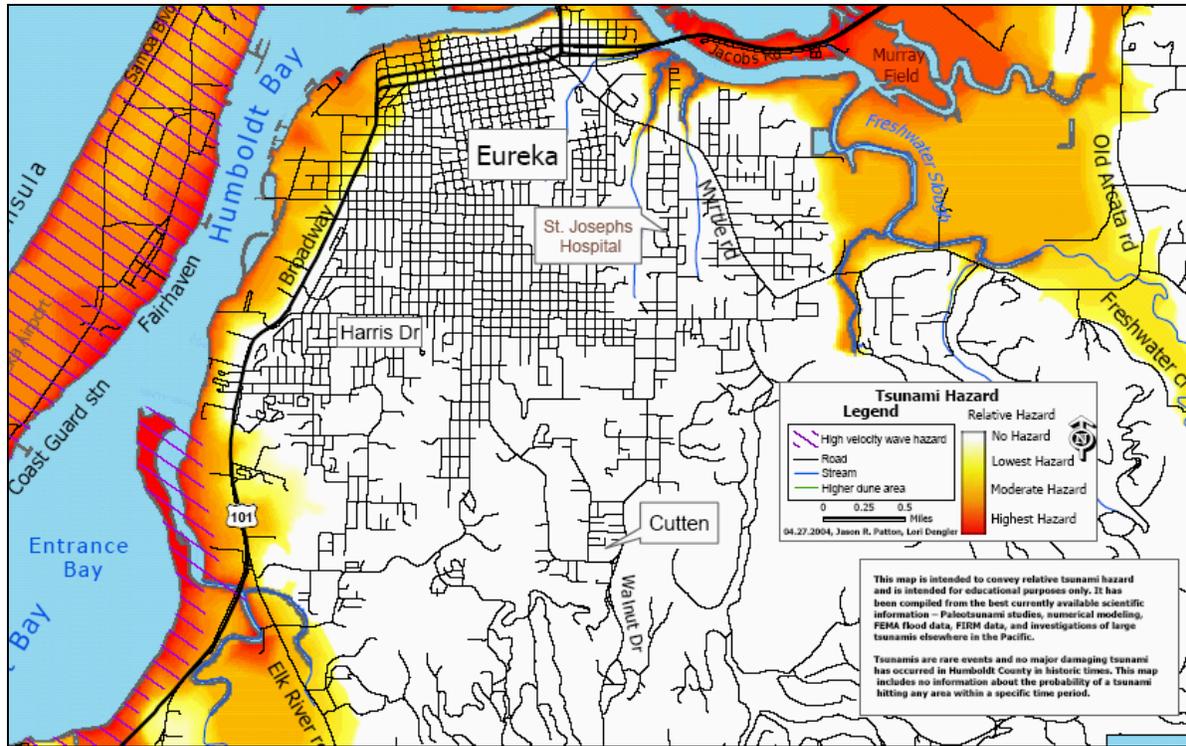
mouth of the bay.

Configuration of the coastline, shape of the ocean floor, and character of the advancing waves play an important role in the destruction wrought by tsunamis along any coast, whether near the generating area or thousands of kilometers from it. The United States has collaborated with other countries around the Pacific to build and maintain a warning system that detects earthquake, sea surface levels, and ocean-bottom movements of water. The Pacific Tsunami Warning Center in Ewa Beach, Hawaii, is staffed full-time by scientists, who quickly collect and analyze incoming data and decide whether to issue a tsunami warning. In the event of a tsunami warning, the City of Eureka Emergency Operations employees are trained in disaster preparedness including broadcasting an emergency tsunami warning and giving direction to the public on the actions they should take in the event of a potential tsunami in Humboldt Bay.

In 2004, the Humboldt Earthquake Education Center, Humboldt State University, has completed tsunami inundation hazard mapping for the Humboldt Bay area (See Tsunami Hazards Map, below); although the mapping is not “official” the accuracy for determining potential risk is very helpful for disaster preparedness. The Humboldt County Tsunami Hazard Map combine the results of past studies to depict the relative tsunami hazard, but unlike inundation maps with a single line to show the inland extent of flooding, the map uses a four-tiered hazard system to represent relative risk: Highest hazard areas include low areas adjacent to Humboldt Bay and areas mapped as zone A (100 year flooding) on FEMA Flood Insurance Rate Maps; Moderate hazard areas include those areas likely to be flooded by a major tsunami generated by the CSZ; Low hazard areas are likely to provide refuge in all but the most extreme event; and, No hazard areas where the potential for tsunami inundation is extremely unlikely.

The project site is located within and immediately adjacent to Humboldt Bay and is likely to experience a tsunami in much the same way as other similar structures along the Old Town waterfront. Together with all areas seaward of 2nd Street in Eureka, the site is within the Tsunami Evacuation Area as mapped by the Humboldt County GIS Portal. The Division of Mines & Geology Special Publication 115 (1995) discusses a planning scenario, including potential tsunami inundation, for a large earthquake on the Cascadia Subduction zone. The report concludes that the docks in Eureka are not expected to suffer severe damage from shaking, but damage could occur from tsunami inundation. The planning scenario reflects the known damage from the last known tsunami to occur in Humboldt Bay that occurred in 1964 as a result of the Gulf of Alaska earthquake. The Mines and Geology report specifies two measures that can be used to reduce tsunami impacts. They are: a) not to locate critical facilities along the waterfront, and b) make sure that all construction is designed to withstand earthquakes. Although located within an area where a tsunami may occur, the project does not involve critical facilities and the existing structures were constructed to current Uniform Building Requirements regarding earthquake safety. The project is therefore not expected to expose people to significant risk, loss, injury or death from tsunami inundation.

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FINDINGS:

Based on the discussion above, the project will not result in a substantial impact regarding hydrology and water quality.

MITIGATION MEASURES:

None.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would (a) divide an established community or conflict with existing land uses within the project’s vicinity, such as agriculture resources; (b) conflict with the Eureka General/Coastal Plans designation, policies, and zoning ordinances regarding commercial facilities; (c) conflict with applicable environmental plans and protection measures enforced by regulatory agencies such as habitat conservation plans or a natural community conservation plan.

DISCUSSION:

The landward portion of the project including the top of the gangway is within designated Waterfront Commercial (WFC) under the City of Eureka adopted Local Coastal Plan (LCP). The purpose of the WFC

general plan designation is to promote coastal-related establishments catering to visitors, including markets, boat landings, fishing-related activities, restaurants, and tourist accommodations. The portion of the project over and on the water is planned Water-Development (WD). The gangway and dock float on or are suspended over the water; there are no piles or other temporary or permanent structures in the bay. The purpose of the WD plan designation is provide for port- and harbor-related uses of the estuarine waters of Humboldt Bay consistent with the City’s resource protection policies.

The current zoning designations for the project site, as identified in the Eureka Municipal Code, are Coastal Waterfront Commercial (CW) and Development Water District (WD). The purpose of the CW zoning designation includes the following: to encourage, protect, and maintain coastal-dependent and coastal-related uses; to encourage development of recreational and visitor-serving establishments, amusement establishments; and to provide space for appropriate community facilities and institutions that may be located in commercial areas. The purpose of the WD zone district is to provide for port and harbor related uses of the estuarine water of Humboldt Bay, consistent with the City’s resource protection policies.

The use of the site is for launching of rowing shells. It is a combination recreational and community facility that constitutes a coastal-dependent use. As such, the proposed project is consistent with the land use policies described above.

The Local Coastal Program calls for the protection of coastal biological resources. As discussed in the biological resource section, above, the eelgrass beds under the gangway have likely been adversely impacted as a result of shading from the gangway. Mitigation for this impact is provide in the biological resource section (see **Mitigation Measure IV-1**)

Based on the above, staff concludes that the project is consistent with the Eureka Local Coastal Plan and the Eureka Municipal Code. As mitigated, there will be no adverse impacts or conflicts between the proposed project and the existing general plan land use and zoning designations.

FINDINGS:

Based on the above discussion, the project as mitigated by replacing lost eelgrass beds will not result in an adverse impact to land use and planning; see **Mitigation Measure IV-1**.

MITIGATION MEASURES:

See Mitigation Measure IV-1.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would interfere with the extraction of commodity materials or otherwise cause any short-term or long-term decrease in the availability of mineral resources that would otherwise be available for construction or other consumptive uses.

DISCUSSION:

The project does not involve the use of any mineral resource or mineral resource recovery site and will have no impact on these resources.

FINDINGS:

The proposed project will not result in the loss of availability of a state or locally known mineral resource.

MITIGATION MEASURES:

None.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers whether the proposed project would produce: (a) sound-pressure levels contrary to the City of Eureka noise standards; (b) long-term ground vibrations and low-frequency sound that would interfere with normal activities and which is not currently present in the project area; (c) a substantial increase in ambient short-term or long-term sound-pressure levels; (d) changes in noise levels that are related to operations, not construction-related, which will be perceived as increased ambient or background noise in the project area.

DISCUSSION:

The project will not result in a significant amount of noise. Operation of the facility includes hand maneuvering of boats from the boathouse and bay, rowing boats on the bay, light housekeeping of the facility. A small portable generator is occasionally used as a back up for a photovoltaic power system in the HBRA Boathouse to power a small amount of lighting and small portable stereo. The generator and stereo produce a minor amount of noise that does not reach beyond the immediate area of the HBRA facility. The non-seasonal use of the facility would cause this low level of noise to be produced during the summer months, but the increase would not exceed the maximum of 60 dB at the edge of the property as prescribed in the adopted LCP. Considering the very low noise level generated by these activities, and the close proximity to the background noise of the Highway 255 Bridge, there are not expected to be any adverse impacts related to noise.

The project is not located within two miles of a public airport, or within an airport land use plan. The project is not located within the vicinity of a private airstrip.

FINDINGS:

Based on the above information, the project will not result in any substantial adverse impacts with regard to noise

MITIGATION MEASURES:

None.

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XIII. POPULATION AND HOUSING. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (e.g., by proposing new homes and/or businesses) or indirectly (e.g., through extension of roads or other infrastructure)?				✓
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				✓
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				✓
<p><u>THRESHOLDS OF SIGNIFICANCE:</u> This Initial Study considers to what degree the proposed project would result in, or contribute to, population growth, displacement of housing units, demolition or removal of existing housing units, or any project-related displacement of people from occupied housing.</p> <p><u>DISCUSSION:</u> The project consists of making a temporary/seasonal recreational boating facility into a non-seasonal facility. The project will not directly or indirectly substantially induce growth, displace any housing, or displace people. The project will not have a significant adverse impact on population and housing.</p> <p><u>FINDINGS:</u> Based on the above information project will have no impact on population and housing.</p> <p><u>MITIGATION MEASURES:</u> None.</p>				

XIV. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Fire protection?		✓		
b) Police protection?			✓	
c) Schools?			✓	
d) Parks?			✓	
e) Other public facilities?			✓	
<p><u>THRESHOLDS OF SIGNIFICANCE:</u> This Initial Study considers to what degree the proposed project would result in any changes in existing fire or police protection service levels, or a perceived need for such changes, as well as any substantial changes in the need for, or use of, schools, parks, or other public facilities.</p> <p><u>DISCUSSION:</u> The Eureka City Fire and Police Departments service the project area. As such, the project was constructed and is operated in compliance with the regulations and requirements of the City Fire and Police Departments. In 2002, the City Fire Department advised that because there will be no fire hose cabinets or standpipes, or other fire suppression systems constructed as part of the project, that no vessels can be moored at the dock, a requirement that was made a condition of approval in the form of a mitigation measure. Further, in order to assure that emergency responders can access the project site, an additional mitigation measure required the applicant to provide an all-weather gravel driveway from Waterfront Drive such that it will support and accommodate fire apparatus. The incremental change in the dock from seasonal to non-seasonal does not alter the need for these requirements, nor does it foster any additional needs. They remain in effect and sufficient to address fire suppression needs for the incremental change in dock use.</p>				

The project site is located near the following recreational facilities: the Adorni Center, HSU Boating Safety Information Center, the Sacco Amphitheatre, and public boat ramp under Highway 255. In addition, the project site, being part of a much larger piece of property, is occasionally used by organizations for recreational purposes (e.g., “Blues by the Bay” and the “Jazz Festival”). Because the project is limited to making the facility a non-seasonal facility, and there several other recreational facilities in the immediate area, it is not expected to have a perceptible impact on any recreation or park facilities.

FINDINGS:

Based on the above information, will not result in significant adverse impacts to public services.

MITIGATION MEASURES:

None.

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree any aspect of the proposed project would be related to demand for recreational facilities or increase use of existing recreational areas such that those areas are physically degraded, including secondary effects such as degradation through over-use of environmentally sensitive areas.

DISCUSSION:

The project consists of converting a seasonal recreational boating facility into a non-seasonal facility. Allowing the facility to remain in place year-round may contribute to an increase in the use of the facility. The dock and gangway are not expected to deteriorate significantly faster with year-round use. The Bay is an environmentally sensitive area that was impacted due to the shading effect of the gangway on eelgrass beds below. The HBRA facility may, therefore, be considered a recreational facility that has had an adverse effect on the environment. This impact will be mitigated through on-site, in-kind eelgrass mitigation (**Mitigation IV-1**).

The HBRA Dock and Gangway were originally permitted and constructed as private facilities and will remain private under the proposed project. The HBRA would continue to offers use of the facilities through paid membership in its organization and by permission to various community groups. Several nearby public docks would remain available to the general public and the project would not have a significant impact on public access to Humboldt Bay

The project does not require construction or expansion of any recreational facilities and will, therefore, not have any related adverse impacts.

FINDINGS:

Based on the above information and as mitigated, the project will not result in substantial adverse impacts regarding recreation.

MITIGATION MEASURES:

See Mitigation Measure IV-1.

Initial Study
HBRA Non-Seasonal Dock and Gangway

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

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree, if any, the proposed project would be associated with (a) changes in traffic, circulation, or other changes that might be perceived as adverse, including traffic effects resulting from temporary construction-related changes; (b) any project-related changes in levels-of-service on County or state highways; (c) project-associated travel restrictions that would prevent emergency vehicles from reaching the locations where they were needed.

DISCUSSION:

The amount of traffic generated by people using the dock, noting that it has been installed year-round for the past few years, has easily been accommodated on existing City streets. Thus, the incremental change in traffic resulting from the project is judged to be less than significant.

In addition to the on-site gravel parking area, there is City parking at the Adorni Center, under Highway 255, and across Waterfront Drive that are all available for public parking. Given the limited number of persons expected to use the dock on a regular basis, existing parking is more than adequate to serve the demand.

The proposed project may increase the number of rowing and other small boats in Humboldt Bay. However, this increase is not expected to significantly impact the existing shipping lanes within Humboldt Bay, nor significantly congest the Bay. Therefore, no significant affect on waterborne traffic is expected to occur as a result of the proposed project.

Facility users must cross a pedestrian path to access the Bay. The path and boat access areas have adequate sight-lines to prevent conflict between pedestrians, boaters, and cyclists.

Regarding emergency access, as discussed in Public Services section above, the incremental change between the proposed project and the previously approved project, which incorporated adequate mitigation to reduce impacts to emergency access, will result in no additional emergency access impacts.

The project is not located near a public airport or private airstrip; therefore, the project will not interfere with air traffic control.

FINDINGS:

Based on the above information, the project will not have a significant adverse impact on transportation or traffic.

MITIGATION MEASURES:

None.

XVII. UTILITIES AND SERVICE SYSTEMS. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				✓
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				✓
d) Have insufficient water supplies available to serve the project from existing entitlements and resources (i.e., new or expanded entitlements are needed)?				✓
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
f) Be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs?			✓	
g) Violate any federal, state, and local statutes and regulations related to solid waste?				✓

THRESHOLDS OF SIGNIFICANCE:

This Initial Study considers to what degree the proposed project would be related to: (a) a substantial demand for water supplies affecting existing entitlements and resources; (b) increase in runoff intensity that exacerbates drainage conditions and changes; and (c) insufficient provision for solid waste disposal.

DISCUSSION:

The HBRA facility is not connected to any utilities, including water, sewer, or power. Therefore, the project will have no impact on utilities. The City of Eureka has given HBRA access to use a water stanchion at the public boat ramp under the Samoa Bridge. HBRA installed and maintains a backflow regulator as required by the City for use of this source. The project will not alter the use of this stanchion.

The project involves no elements that could result in the substantial alteration to the rate or pattern of surface runoff.

Solid waste generated at the facility is collected and disposed of on an individual basis by HBRA members. The amount of solid waste generated by project will not significantly contribute to the waste stream volumes transferred out of the County and will not result in amounts of waste that exceed the capacity of the landfill. Therefore, the project will not be served by a landfill with insufficient permitted capacity to accommodate the project's solid waste disposal needs.

The project is not connected to any sewage disposal system; therefore, the project will not have septic tanks or other alternative wastewater disposal systems. The facility is served by a single portable bathroom which receives routine pumping by a local portable toilet company.

FINDINGS:

This project will not place extraordinary demands on public utilities or services, as the project does not have any utility systems. Based on the discussion above, the project will not result in any significant adverse impacts to utilities and service systems.

MITIGATION MEASURES:

None.

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

DISCUSSION:

The project will have no impact or a less than significant impact on aesthetics, agricultural resources, air quality, cultural resources, green house gasses, geology and soils, hazards and hazardous materials, hydrology and water quality, mineral resources, noise, population and housing, public services, transportation/traffic or utilities and service systems. The project as proposed in combination with Mitigation Measure IV-1 will have a less than significant impacts associated with biological resources, land use, and recreation. The project, as mitigated, will not cause any cumulatively considerable impacts. The mitigation measure recommended herein will reduce the potential impacts of the project to a level that is considered less than significant

As discussed herein, the project as mitigated will not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Also as discussed herein, the project, as mitigated, will not have impacts that are individually limited, but cumulatively considerable, and will not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly.

The project's impacts will not cause substantial adverse effects on human beings, either directly or indirectly.

EARLIER ANALYSES

1) ***Earlier Analyses Used.*** The following document(s), available at the Community Development Department, have adequately analyzed one or more effects of the project. Earlier

analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (CEQA Guidelines Section 15063 (c)(3)(D)).

City of Eureka Initial Study, CDP-01-02, Humboldt State University & Humboldt Bay Rowing Assoc. Temporary Dock, 1535 Waterfront Drive, APN 002-241-011, 2002, SCH#2002092079 – This previous initial study analyzed the environmental effects of a seasonal boat dock. The current initial study contained herein for the non-seasonal dock relies on this previous initial study in that it analyzes only those potential environmental effects associated with the incremental change of the dock from seasonal to non-seasonal.

2) ***Impacts Adequately Addressed***. The following effects from the above checklist were within the scope of and adequately analyzed in the document(s) listed above, pursuant to applicable legal standards.

See discussion above.

3) ***Mitigation Measures***. The following mitigation measures from the document(s) listed above have been incorporated into the checklist:

- Analysis and mitigation measures from the 2002 Initial Study (CDP-01-02) for the temporary/seasonal dock and gangway construction remain in effect unless amended by this Initial Study.

SOURCE/REFERENCE LIST: The following documents and resources were used in the preparation of this Initial Study.

- 1) City of Eureka Initial Study, CDP-01-02, Humboldt State University & Humboldt Bay Rowing Assoc. Temporary Dock, 1535 Waterfront Drive, APN 002-241-011, 2002. State Clearinghouse Number 2002092079
- 2) Eureka Municipal Code
- 3) Adopted City of Eureka General Plan and Certified Local Coastal Plan, as applicable
- 4) Project File(s) and prior permitting documentation for the project.
- 5) Mapping Humboldt County's Tsunami Hazard. Lori Dengler and Jay Patton, Geology Department, Humboldt State University.
- 6) Humboldt Earthquake Education Center, Humboldt State University.
- 7) Southern California Eelgrass Mitigation Policy. NMFS. 1991
(http://swr.nmfs.noaa.gov/hcd/policies/EELPOLrev11_final.pdf)
- 8) Humboldt County, 2003. Economic & Demographic Profile. Center for Economic Development, California State University, Chico.
- 9) Winzler & Kelly, 2010. Eelgrass Report for Humboldt Bay Rowing Association Non-Seasonal Boating Facility. November, 2010.
- 10) Winzler & Kelly, 2010. Eelgrass Mitigation and Monitoring Plan for Humboldt Bay Rowing Association Non-Seasonal Boating Facility. December, 2010.

- 11) Fonseca, M.S., W.J. Kenworthy, and G.W. Thayer. 1998. Guidelines for the conservation and restoration of seagrass in the United States and adjacent waters. NOAA COP/Decision Analysis Series 12. 222 pp.
- 12) Merkel, K.W. 2004. Experimental Eelgrass Transplant Program. Investigations for On-site Eelgrass Mitigation. Final Report to California Department of Transportation.

Appendix A
Figures

Appendix B
Eelgrass Report w/o Figures

Appendix C
Eelgrass Mitigation and Monitoring Plan w/o Figures

Appendix D
CEQA Mitigation, Monitoring, and Reporting Plan

**Humboldt Bay Rowing Association
Non-Seasonal Floating Dock and Gangway
Coastal Development Permit**

CEQA Mitigation, Monitoring, and Reporting Program (MMRP)

Mitigation Measure IV-1. Applicant shall mitigate all impacts to eelgrass habitat at a minimum ratio of 1.2:1 by implementing the Eelgrass Mitigation and Monitoring Plan prepared for the project incorporating the recommendations of DFG and NMFS. Applicant shall resurvey eelgrass density in the surrounding beds and confirm the size of impact and mitigation areas in July 2011, to satisfaction of DFG and NMFS prior to implementation of mitigation. Applicant shall obtain a Letter of Permission (LOP) from the DFG prior to harvest or transplanting of eelgrass.

Timing for Implementation/Compliance: Prior to, during, and after mitigation implementation.

Person/Agency Responsible for Monitoring: HBRA in coordination with NMFS, DFG, Coastal Commission, City of Eureka.

Monitoring Frequency: Seven monitoring events as specified in Mitigation Monitoring Plan, pursuant to NMFS/DFG requirements.

Evidence of Compliance: Mitigation meets Mitigation Success criteria as set forth in Mitigation Monitoring Plan,.