Draft

EUREKA PIER HOTEL

Initial Study

Prepared for
City of Eureka

September 2012

Draft

EUREKA PIER HOTEL

Initial Study

Prepared for
City of Eureka

September 2012

550 Kearny Street
Suite 800
San Francisco, CA 94108
415.896.5900
www.esassoc.com

Los Angeles

Oakland

Orlando

Palm Springs

Petaluma

Portland

Sacramento

San Diego

Santa Cruz

Seattle

Tampa

Woodland Hills

211705

ENVIRONMENTAL CHECKLIST

Initial Study

1. Project Title:	Eureka Pier Hotel
2. Lead Agency Name and Address:	City of Eureka 531 "K" Street Eureka, CA 95501
3. Contact Person and Phone Number:	Lisa D. Shikany (707) 268-5265
4. Project Location:	Bounded by Humboldt Bay, D Street, 1st Street, and midblock between E and F Streets; APNs 001-054-045, 001-054-017, and 001-054-013
5. Project Sponsor's Name and Address:	Eureka Waterfront Partners, LLC John Ash, AIA 428 First Street Eureka, CA 95501
6. General Plan Designation(s):	Core – Waterfront Commercial (C-WFC)
7. Zoning Designation(s):	Waterfront Commercial (CW)

8. Description of Project:

Background

Eureka Waterfront Partners, LLC, the project sponsor, proposes to develop approximately 2.24 acres of property along Eureka's "Old Town" waterfront. The project consists of a 108-room hotel with enclosed swimming pool; a separate, two-unit, extended stay guest suite building; retail space fronting First Street; and onsite parking for 136 vehicles. The project site, which is adjacent to Humboldt Bay, is zoned Waterfront Commercial (CW) and generally located on the north side of First Street, between D and midblock between E and F Streets. The site is designated Core Waterfront Commercial (C-WFC) under the City of Eureka Local Coastal Program/General Plan. Hotels and visitor-serving retail are identified as principal uses under these zoning and General Plan land use designations.

The proposed project site encompasses three separate parcels, identified by the Humboldt County Assessor's Office as Assessor Parcel Numbers (APNs): 001-054-045, 001-054-017, and 001-054-

013. The former two parcels are owned by the City of Eureka. The latter is owned by Feuerwerker Properties. The project sponsor has entered into an Exclusive Right to Negotiate Agreement with the City of Eureka for the purchase and development of the City-owned parcels. Lot line adjustments would be necessary for the creation of a single parcel for development of the proposed project.

The development team principals initiated this development process around 1995, in response to a request for proposals from the City to renovate the Fisherman's Buildings existent on the proposed development site. The project sponsor had previously proposed a mixed-used development project, entitled Fisherman's Wharf, for the main parcel (APN 001-054-045). An EIR was prepared for the Fisherman's Wharf project, which the City certified in 1999 (SCH #1998062013), herein referred to as the 1999 EIR. That project was never constructed and the project sponsor has since revised the development proposal. Much of the analysis in the Fisherman's Wharf EIR remains pertinent to the revised project proposal. However, a substantial amount of time has passed since preparation of that EIR, the proposed project has changed, and additional area is now proposed for development. Therefore, an updated assessment of potential impacts is warranted through this Initial Study, which concludes that the project may have a significant impact on the environment and requires the preparation of an EIR.

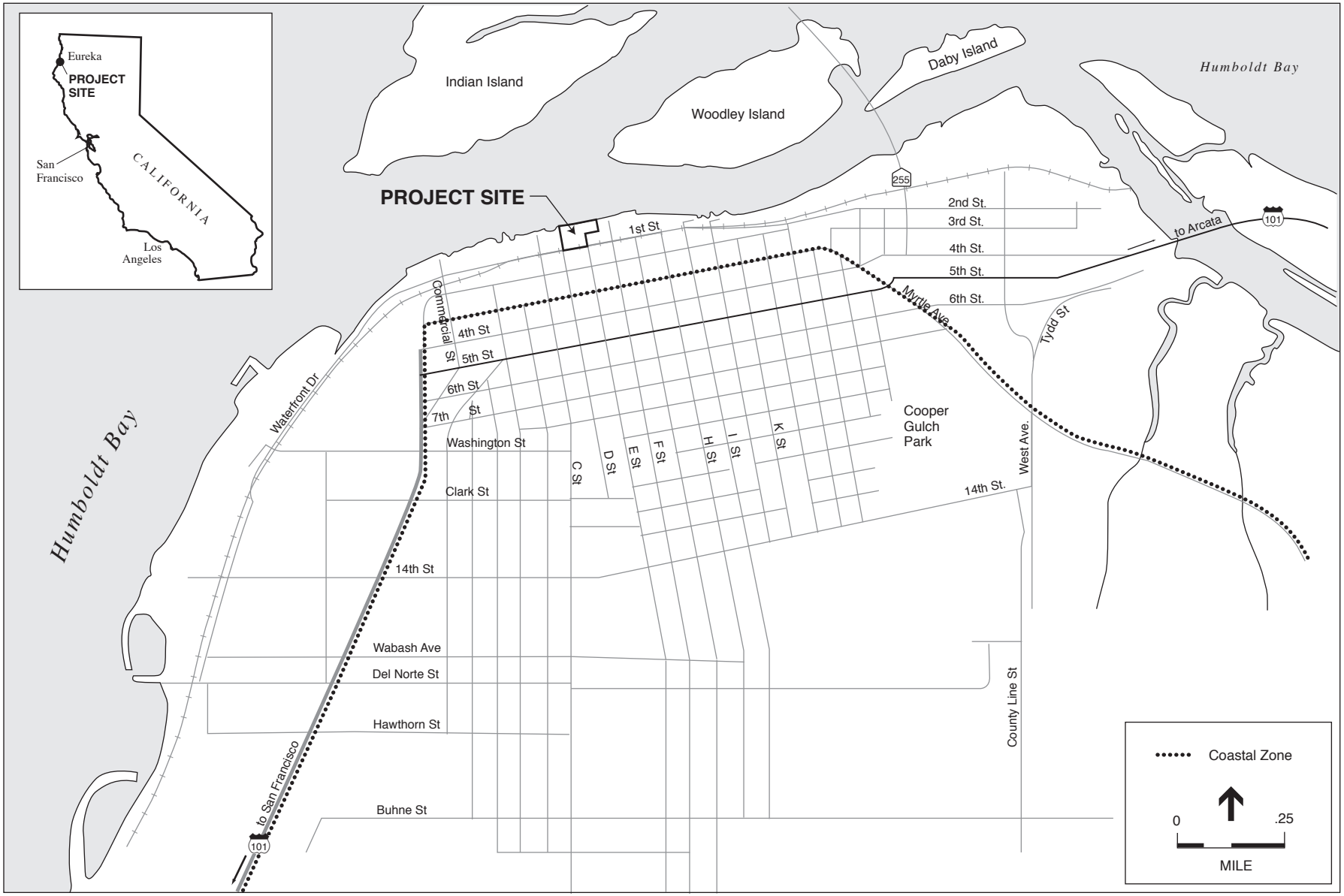
Project Location and Setting

The proposed project location is shown in **Figure 1**. The site consists of approximately 2.24 acres of waterfront property in the City of Eureka's Old Town. The proposed project site is bounded by D Street to the west, E Street to the east with the exception of the guest suites which are located on the east side of what would be the terminus of the northerly extension of E Street, First Street to the south, and the Eureka Boardwalk and Humboldt Bay to the north.

The City of Eureka has a population of more than 27,000 people and is located about 285 miles north of San Francisco and 350 miles south of Portland, Oregon. U.S. Highway 101 (U.S. 101), the main highway serving the North Coast, bisects Eureka's Downtown with an average daily traffic volume in excess of 30,000 vehicles. State Route 299 (SR 299) intersects U.S. 101 approximately 10 miles north of Eureka, and is the major east-west highway, intersecting with Interstate 5 (I 5) in Redding.

Eureka's Old Town has a diverse mixture of land uses, including commercial/retail businesses, residences including Victorian homes, visitor-serving facilities, as well as some vacant buildings. Land uses immediately adjacent to the proposed project site include the following: a vacant lot to the west; retail stores and a private parking lot to the south; retail stores, a vacant lot, and public dock to the east; and the Eureka boardwalk and Humboldt Bay to the north.

The site is primarily vacant and characterized by graveled or sparsely vegetated land and remnants of former parking lots. The only building on the site is the Feuerwerker's Building, commonly referred to as the Eureka Co-op Building, which is a warehouse occupying the corner of First and E Streets. It was originally construct in 1919, and significantly remodeled in 1926. The building has been subject to several additions and alterations, and consists of two separate



SOURCE: ESA

Eureka Pier Hotel . 211705

Figure 1
Project Location

buildings that have been joined and then functioned as a singular building. It is generally in poor condition. Previous analyses have determined, however, that the building is a contributor to the Old Town National Register Historic District. The proposed project requires that the Feuerwerker Building be removed. An aerial view of the site is presented in **Figure 2**.

Project Characteristics

The project sponsor proposes to construct a four-story, 108-room hotel, two extended-stay guest suites, and 1,291 square feet of retail space on property adjacent to Humboldt Bay. The approximately 2.24-acre (97,411-square-foot) project site currently encompasses three separate parcels, including APNs: 001-054-045 (55,849 square feet), 001-054-017 (26,027 square feet), and 001-054-013 (15,535 square feet). The creation of a single parcel is proposed as part of the project, which would require lot line adjustments. The project sponsor would construct two free-standing structures – one hotel and one two-unit guest suite (see **Figure 3**).

The project sponsor notes that the overall project design is inspired by the rocky north coast seashore and the abstract shape of a fish skeleton, and is modeled after a prototypical Marriot Courtyard Hotel. The ground floor of the hotel would include a public lobby, six guest rooms, two large meeting rooms (1,080 and 1,330 square feet), an exercise room, an enclosed swimming pool and courtyard, and retail space fronting First Street. Floors two through four would contain a total of 106 guest rooms (see Figure 3). The 6,614-square-foot guest suite structure would contain two separate 2,884 square-foot units, two stairways, and an elevator. The guest suites would each have two bedrooms, and each suite would contain up to four beds. The total gross building area of the proposed project is 73,771 square feet comprised of the following:

- 63,914 sq. ft. – hotel
- 1,952 sq. ft. – courtyard and pool area
- 1,291 sq. ft. – retail space
- 6,614 sq. ft. – guest suites

The proposed structures would both rise to a height of 46’6” and include roof-top decks. **Figure 4** illustrates floors plans of the proposed hotel. Elevations are presented in **Figure 5** and a preliminary project rendering is presented in **Figure 6.**

The proposed hotel and guest suites would be situated along the bayside of the project site. The slender, somewhat rectangular hotel structure would be oriented in a north-south fashion, perpendicular to the shoreline. The main entry is planned for the hotel’s east side, while the pool is along its west. The south side would provide retail storefronts along First Street. The extended stay guest suites would be located approximately 150 feet to the east of the main hotel. An approximately 64,839 square-foot surface parking lot would provide parking for about 136 vehicles along the west, south, and east sides of the main hotel structure and beneath the guest suites (see Figure 3). Landscaped areas would total 6,017 square feet.

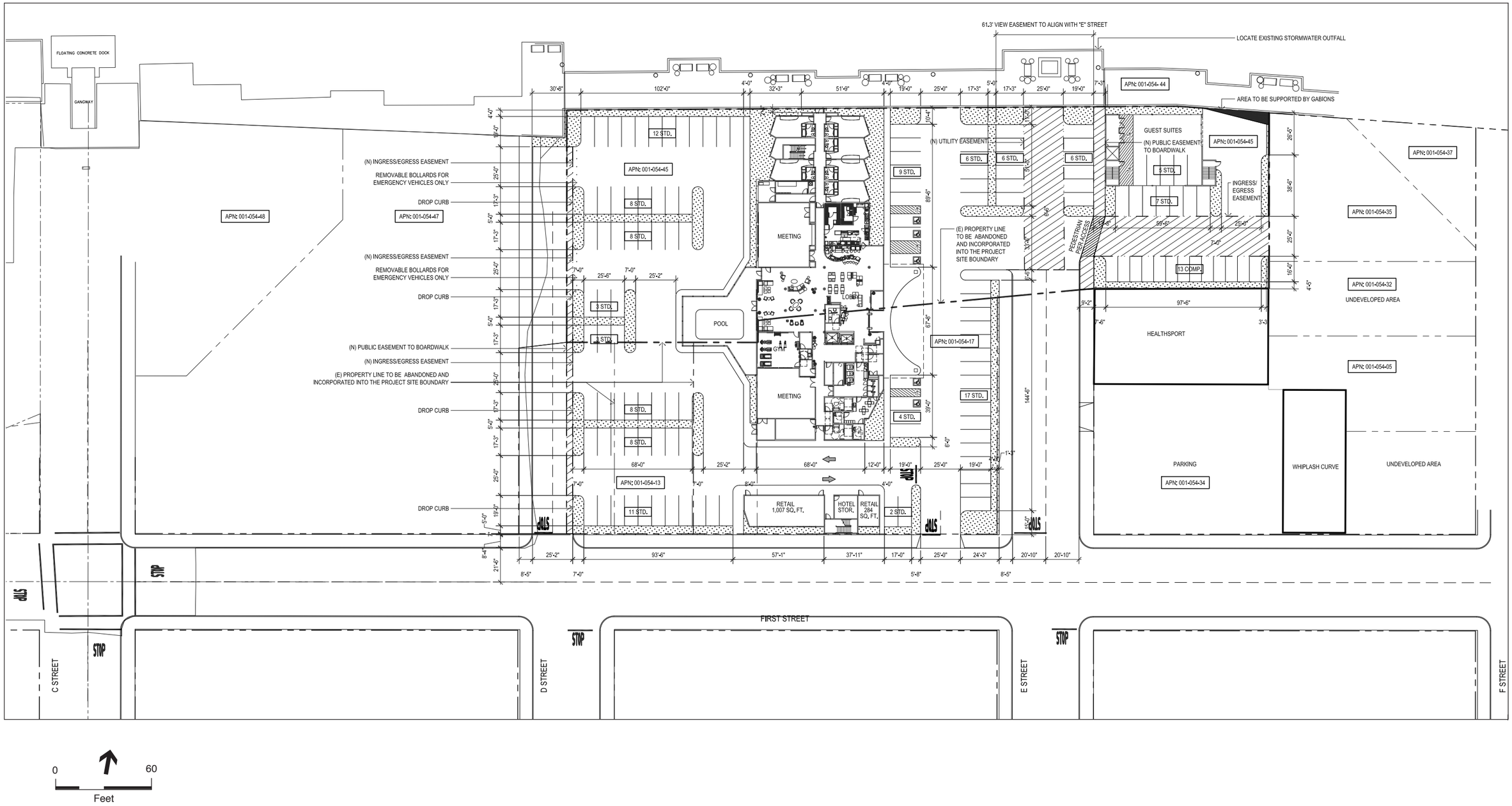
Main vehicular access would be provided from the north end of E Street, where a left turn accesses the hotel’s porte cochere entry. Additional points of vehicular ingress and egress for the

SOURCE: JAG Architects, Inc.

Eureka Pier Hotel . 211705

Figure 2
Site Aerial

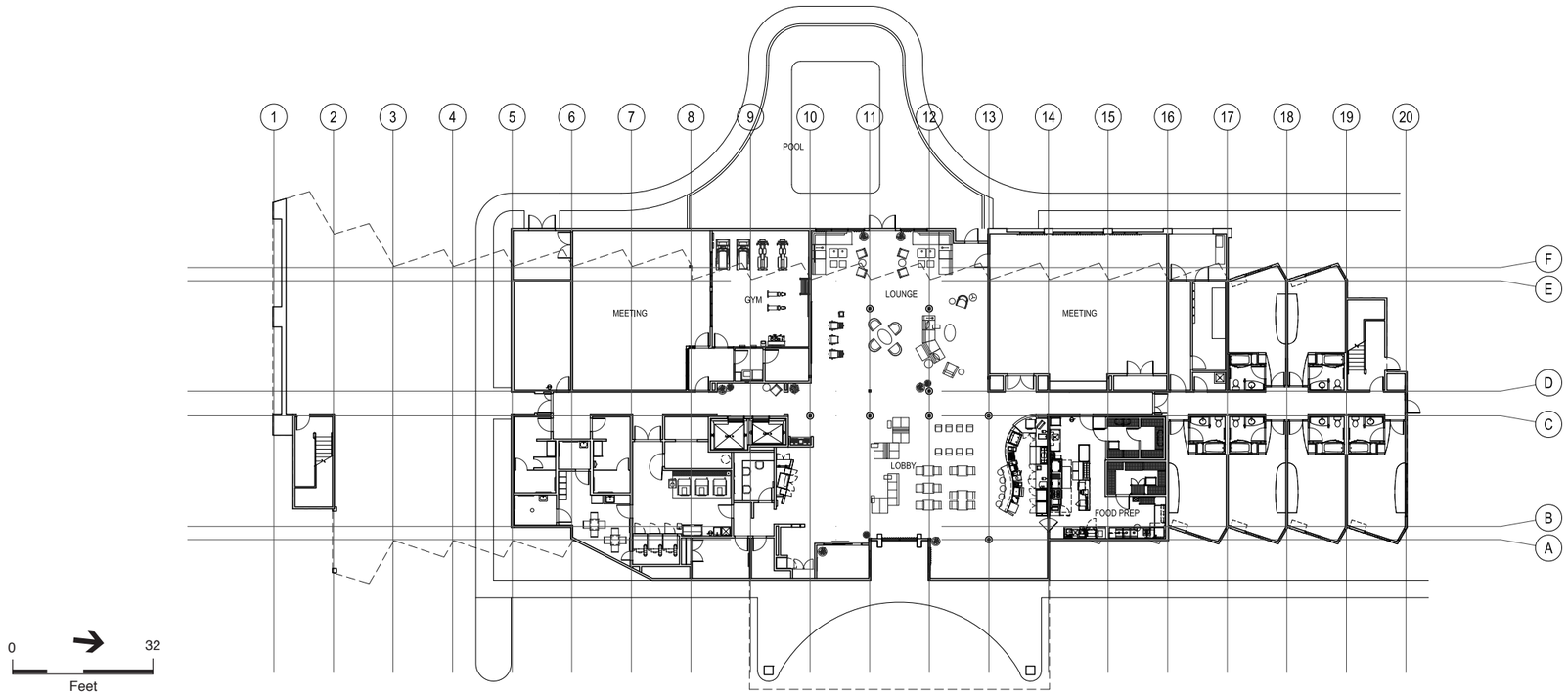
This page deliberately left blank



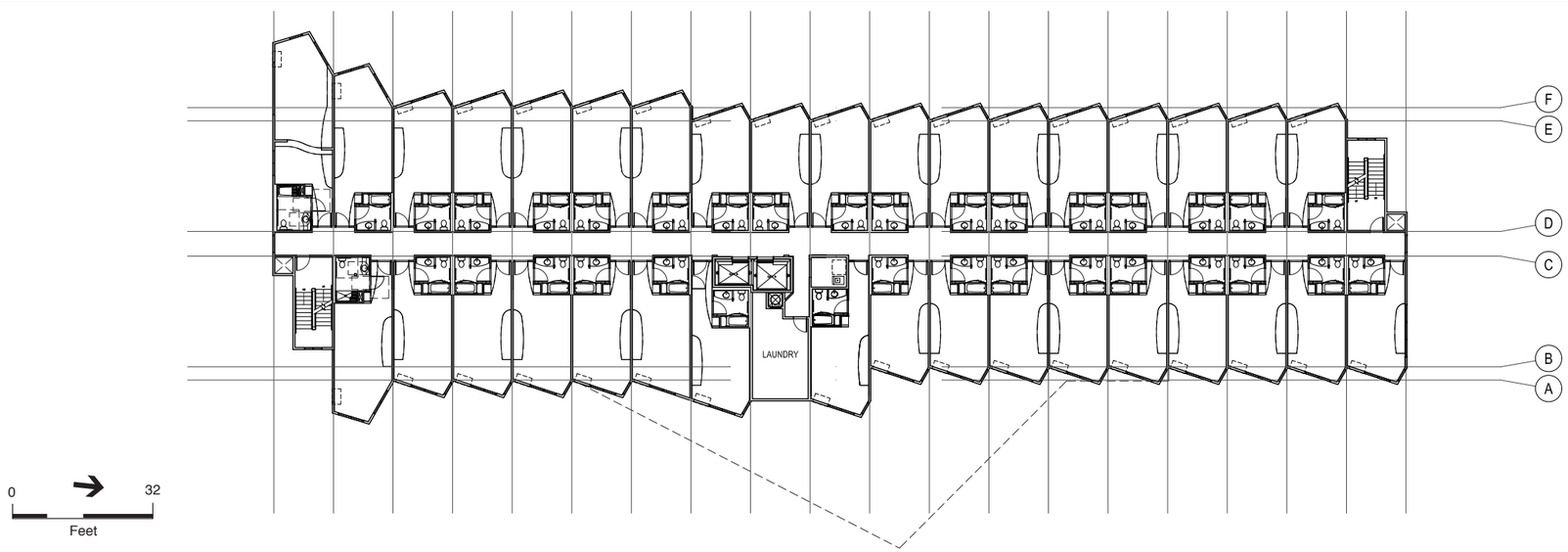
SOURCE: JAG Architects, Inc.

Eureka Pier Hotel . 211705

Figure 3
Site Plan



FIRST FLOOR

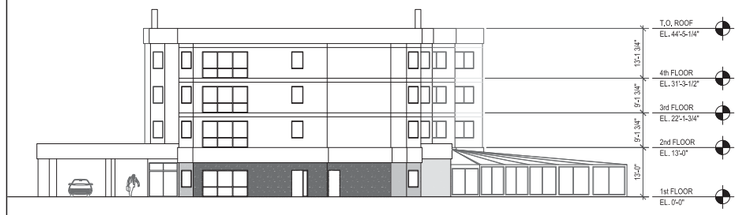


SECOND THROUGH FOURTH FLOOR PLAN

SOURCE: JAG Architects, Inc.

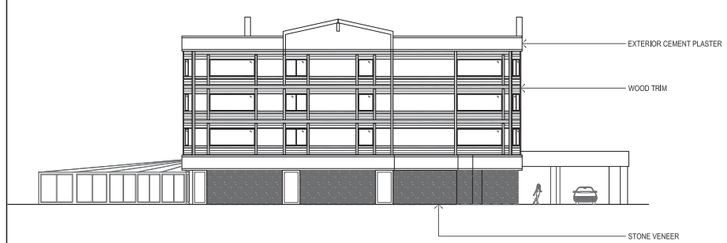
Eureka Pier Hotel . 211705

Figure 4
Floor Plans



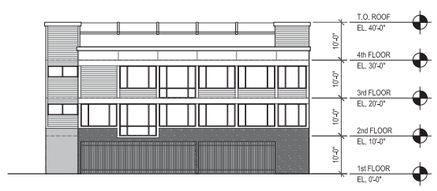
MAIN HOTEL - NORTH ELEVATION

MAIN HOTEL - EAST ELEVATION

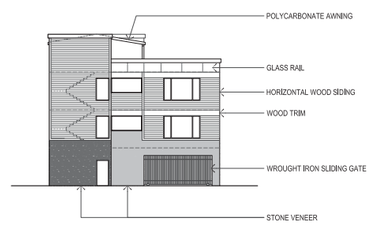


MAIN HOTEL - SOUTH ELEVATION

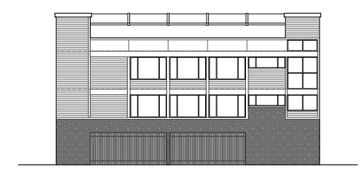
MAIN HOTEL - WEST ELEVATION



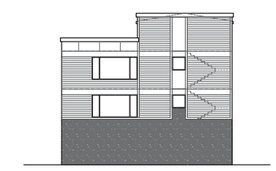
GUEST SUITES - NORTH ELEVATION



GUEST SUITES - EAST ELEVATION



GUEST SUITES - SOUTH ELEVATION



GUEST SUITES - WEST ELEVATION

SOURCE: JAG Architects, Inc.

Eureka Pier Hotel . 211705

Figure 5
Project Elevations

This page deliberately left blank

SOURCE: JAG Architects, Inc.

Eureka Pier Hotel . 211705

Figure 6
Hotel Rendering

hotel would be provided by a driveway located on First Street just west of E Street, and from two driveways on D Street. Emergency vehicular access only will be provided by two driveways between the end of D Street and the Boardwalk. Pedestrian access will be available to the Boardwalk along D Street and what would be the extension of D Street. On the east side of the project, pedestrian access to the Boardwalk will be available along the sidewalk that runs from First Street along the east side of E Street and beyond north to the Boardwalk. Non-motorized vehicular access (e.g. bicycles) for the public will also be available to the Boardwalk through the parking area north of the end of E Street. Access to properties east of the guest suites will be provided from E Street north and then east through the parking area south of the guest suites. Also, a viewshed corridor will be retained by the City over what would constitute the northerly extension of the E Street right of way.

City water is available to the project; upsizing of waterlines in D and E Streets will be required. The project will connect to an existing sewer main in First Street. Drainage will be provided by vegetative swales between parking bays, permeable pavement, treated drain inlets, and potentially a new outfall at E Street into Humboldt Bay.

Construction activities for the project would include soil excavation/fill of approximately 2,100 cu. yd. (the original project was 1,700 cu. yd.). Assuming a haul truck with capacity for 20 cu. yd., the excavation would generate 105 truck loads (or 210 one-way trips). Additionally the project would include pile driving. The number of piles and duration for this proposed project has not been defined at this time; based on a similar structural system, there would be 96 piles with the average length of 35 feet. One pile driver can drive approximately 30 to 40 piles in a work week, and it is estimated that pile driving for the proposed project would take less than three weeks.

The proposed project would require the certification of an EIR, approval of the project, design review, lot line adjustments, other authorizations or permits from the City of Eureka.

9. Surrounding Land Uses and Setting. (Briefly describe the project's surroundings.)

Land uses in the project vicinity consist mainly of visitor-serving uses, including restaurants, museums, and specialty shopping destinations such as antique stores, art galleries, bookstores, and clothing boutiques. There are also some residential and office uses, and mixed-use development that contains office, residential, and retail uses on the north side of F Street Plaza. Individual structures housing retail uses are located to the southeast.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement. Indicate whether another agency is a responsible or trustee agency.)

Other approvals may be required from the following agencies:

- U.S. Army Corps of Engineers;
- National Marine Fisheries;
- California Coastal Commission, responsible agency;
- California Department of Fish and Game, trustee agency;

- North Coast Regional Water Quality Control Board, responsible agency;
- North Coast Unified Air Quality Management District, responsible agency; and
- Humboldt Bay Harbor Recreation and Conservation District, responsible agency.

Environmental Factors Potentially Affected

Topics that were determined to not have significant impacts as determined through the analyses in this Initial Study will not be looked at further in the EIR for this project. The analysis in this Initial Study determined that effects associated with Biological Resources; Geology, Soils, and Seismicity; Hazards and Hazardous Materials; and Noise would involve "Potentially Significant" impacts that would be reduced to "Less than Significant" with incorporation of mitigation measures. The mitigation measures identified in this Initial Study will be carried forward to the Mitigation Monitoring and Reporting Program which must be adopted in connection with project approval to ensure that mitigation measures are implemented.

The proposed project could potentially affect the environmental factor(s) checked below. The following pages present a more detailed checklist and discussion of each environmental factor.

☒ Aesthetics	☐ Agriculture and Forestry Resources	☒ Air Quality
☒ Biological Resources	☒ Cultural Resources	☒ Geology, Soils and Seismicity
☒ Greenhouse Gas Emissions	☒ Hazards and Hazardous Materials	☒ Hydrology and Water Quality
☒ Land Use and Land Use Planning	☐ Mineral Resources	☒ Noise
☐ Population and Housing	☐ Public Services	☐ Recreation
☒ Transportation and Traffic	☐ Utilities and Service Systems	☒ Mandatory Findings of Significance

DETERMINATION: (To be completed by Lead Agency)

On the basis of this initial study:

☐ 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, no further environmental documentation is required.

Signature

Date

Lisa D. Shikany
Printed Name

For

Environmental Checklist

Aesthetics

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
1. AESTHETICS — Would the project:				
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 daytime or nighttime views in the area?	☒	☐	☐	☐

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers whether the proposed project may have any significant effects 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 bright light that would detract from a project area that is otherwise generally dark at night or that is subject to artificial light.

Discussion

a) **Potentially Significant.** The Eureka Boardwalk runs the length of the waterfront on the northern edge of the project site. The Eureka Boardwalk provides views northward across Humboldt Bay to Woodley and Indian Islands, as well as to the Samoa Peninsula. Woodley and Indian Islands are considered scenic coastal areas of public importance according to the Eureka Municipal Code (156.054).

Due to the presence of the Feuerwerker Building on the project site, views from First Street to the Humboldt Bay through the project site are currently partially obstructed. With the construction of the proposed project, views from First Street across the project site would be affected, although public views of Humboldt Bay would continue to be available along the Eureka Boardwalk, and from First Street to the Bay down D and E Streets. This impact will be analyzed in the EIR.

b) **Less than Significant.** There are no officially designated California Scenic Highway segments in Humboldt County. Therefore, the project would not substantially damage scenic resources within a State scenic highway.

As stated above, the Eureka Municipal Code (156.054) designates specific coastal areas in the city as “scenic coastal areas.” The project site is not designated as a scenic coastal area.

The project site is generally of low visual quality and lacks visually significant geologic, hydrologic, vegetative or unique structural features. The project would have a less than significant impact on scenic resources.

c) **Potentially Significant.** With the exception of the Feuerwerker Building, the project site is characterized by graveled or sparsely vegetated vacant land. The warehouse building has been greatly modified and it is generally in poor condition. The proposed project would demolish the Feuerwerker Building (which will be discussed in detail in the *Cultural Resources* section of the EIR).

Surrounding the project site are the Eureka Boardwalk and Humboldt Bay to the north; parking lots, a public plaza, and two-story buildings to the east; vacant land and a public plaza to the west; and Old Town Eureka to the south—which is characterized by dense development of two- and three-story buildings on small lots built to the lot-line, interspersed with small surface parking lots.

Construction of the proposed project would change the visual character of the project site through demolition of the Feuerwerker Building, and construction of the four-story hotel building and the guest suite building, surrounded by surface parking lots and landscape and circulation spaces. The slender, somewhat rectangular hotel structure would be oriented perpendicular to the shoreline. The main entry is planned for the hotel’s east side, while the pool is along its west and retail fronts First Street on the south side. The extended stay guest suites would be located approximately 150 feet to the east of the main hotel.

The proposed project’s impact on the visual character of the project site and its environs will be analyzed in the EIR.

d) **Potentially Significant.** The proposed project would introduce new light and glare to a project site that does not contain existing sources of light because the Feuerworker Building is vacant. However, the amount of new light and glare would not be inconsistent with the existing light and glare in the vicinity of the project site, due to its location in Old Town Eureka.

The light and glare created by the proposed project would be typical of light and glare found in an urban environment. New sources of light would include interior building lights, street lights, security lighting, parking lot lighting, and landscape lighting. In addition, vehicles traveling in and parking at the project site would generate light and glare. The impact of light and glare will be analyzed in the EIR.

References

California Department of Transportation (Caltrans), "Officially Designated State Scenic Highways and Historic Parkways: Humboldt County," available online: http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm, accessed April 6, 2012.

Eureka Municipal Code, available online: http://www.ci.eureka.ca.gov/depts/cd/department_library.asp, accessed April 6, 2012.

Agricultural and Forest Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
2. AGRICULTURAL AND FOREST RESOURCES — 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 Department 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 forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. **Would the project:**				
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 by 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

a - e) **No Impact.** Humboldt County land is not mapped by the California Department of Conservation Farmland Mapping and Monitoring Program. Therefore, the project site is not designated as prime farmland, unique farmland, or farmland of statewide importance.

The project site is currently largely vacant, with the exception of the Feuerwerker Building and parking lot remnants. Because the site does not contain agricultural uses and is not zoned for such uses, the proposed project would not convert any prime farmland, unique farmland, or Farmland of Statewide Importance to non-agricultural use, nor would it result in the loss of forest land. Furthermore, the project would not conflict with existing zoning for agricultural land use or a Williamson Act contract, nor would it involve any changes to the environment that could result in the conversion of farmland or forest land. Thus, the proposed project would have no impacts to agricultural or forest resources or operations, and these impacts will not be analyzed in the EIR.

References

California Department of Conservation. Farmland Mapping and Monitoring Program, available online: http://redirect.conservation.ca.gov/DLRP/fmmp/product_page.asp. Accessed April 6, 2012.

City of Eureka Zoning Map, Available Online: http://www.eurekawebs.com/cityhall/commdevp/docs/zoning_map_24x36.pdf, accessed April 6, 2012.

Eureka Municipal Code, available online: http://www.ci.eureka.ca.gov/depts/cd/department_library.asp, accessed April 6, 2012.

Air Quality

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
3. 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:**				
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)?	☒	☐	☐	☐

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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

a-c) **Potentially Significant.** The project site is within the North Coast Unified Air Quality Management District (NCUAQMD), which is the regional agency empowered to regulate air pollution emissions from stationary sources in the Humboldt, Trinity, and Del Norte County portions of the North Coast Air Basin. NCUAQMD regulates air quality through its permit authority over most types of stationary emissions and through its planning and review activities. NCUAQMD does not have established CEQA significance criteria to determine the significance of impacts that would result from projects. However, the air basin is in non-attainment for the State PM_{10} standard and has formulated a Particulate Matter Attainment Plan, which adopts a number of control strategies for achieving particulate matter reduction.

Development of the proposed project could mobilize additional particulate matter, thereby violating the PM_{10} standard and exacerbating the nonattainment with the region's air quality management plan. Emissions could potentially result in a cumulative considerable increase in PM_{10}. The impacts will be analyzed in the EIR.

d) **Potentially Significant.** Construction and operational activities could expose sensitive receptors to substantial pollutant concentrations, principally PM_{10}, from fugitive dust sources. The EIR will analyze this impact.

e) **Less than Significant.** In general, the types of land use development that pose potential odor problems include wastewater treatment plants, refineries, landfills, composting facilities and transfer stations. These uses are not included as part of the proposed project, and the project would not place odor-sensitive uses, such as residences, near or adjacent to odor-generating uses. The impact would be less than significant, and this impact will not be further addressed in the EIR.

References

City of Eureka, *Marina Center Mixed Use Development Project Draft Environmental Impact Report*, November 2008.

Humboldt Bay Harbor Recreation & Conservation District, *Humboldt Bay Management Plan Draft Environmental Impact Report*, April 2006.

North Coast Unified Air Quality Management District, website: http://www.ncuaqmd.org/index.php, accessed April 11, 2012.

Biological Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
4. BIOLOGICAL RESOURCES — Would the project:				
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, 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 a 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

a) **Less than Significant with Mitigation.** Project demolition and construction activities have the potential to directly and indirectly affect sensitive biological resources in the project area. Potential effects are limited to the disruption of nesting birds on the project site and in the surrounding environment; the disruption of roosting bats on the project site within the building slated for demolition; and the temporary displacement of foraging birds due to construction noise. No special-status species (state or federal threatened or endangered species or California Species of Special Concern) are known to occur on the project site (CDFG, 2012), but special-status birds occur in and around Humboldt Bay. The temporary displacement of common and special-status foraging birds would be considered adverse but not significant, while disruption to roosting special-status bats and nesting special-status birds could be a significant impact. The proposed project would be constructed on land and would not impact special-status fish in Humboldt Bay (e.g., green sturgeon (*Acipenser medirostris*), coho salmon (*Oncorhynchus kisutch*), and chinook salmon (*Oncorhynchus tshawytscha*)).

The project site is developed or disturbed, and any habitat on the site is of limited wildlife value. With the exception of the abandoned buildings, past biological surveys of the project site have characterized the site as devoid of significant biological habitat or wetlands, with the vegetation assemblage being part of the California annual grassland/ruderal series (Theiss, 1994, *and* Winzler and Kelly, 1997 *in* ESA, 1998). A review of current satellite imagery and a general visual inspection of the site indicates that this characterization is still valid. However, despite the project site's limited wildlife value, it could still support common nesting birds such as killdeer (*Charadrius vociferous*) in sparsely-vegetated areas, various sparrows (*Passeridae* family) and similar birds among low shrubs, and birds commonly found in urban areas, such as American robin (*Turdus migratorius*) and house finch (*Carpodacus mexicanus*), in the abandoned onsite buildings. The potential for encountering nesting birds is reduced due to the general lack of foraging habitat in the vicinity, but if nesting birds were present during construction then project activities could cause nest abandonment and/or nest failure. Nesting birds are protected by the Migratory Bird Treaty Act, among other laws, and nest abandonment and/or failure would be a significant impact. Implementation of **Mitigation Measure BIO-1** would reduce potential impacts on nesting birds to a less-than-significant level.

> **Mitigation Measure BIO-1:** The City will ensure that the project sponsor performs re-construction nesting bird surveys if construction activities occur during the breeding season. The bird breeding season varies geographically, but is usually cautiously interpreted by the California Department of Fish and Game as occurring from April 1 through August 31. If construction activities occur between

September 1 and March 31, then no pre-construction survey for nesting birds will be required. If construction activities begin prior to April 1 and continue without cessation, then no pre-construction survey for nesting birds will be required. However, pre-construction surveys for nesting birds will be required in the following circumstances:

- If construction activities begin between April 1 and August 31.
- Whenever construction activities cease for 14 consecutive days during the breeding season.

Any and all ground disturbance, including but not limited to the staging of equipment, the stockpiling of materials, grubbing, and grading activities, constitutes "construction activities".

Based on the results of nesting bird surveys, a pre-construction clearance is valid for two weeks from the survey date. The survey shall be conducted by a qualified biologist and the area shall include (1) the project site; (2) for passerines, all accessible areas of suitable habitat within 250 feet of the project boundary; and (3) for raptors, all accessible areas of suitable habitat within 500 feet of the project boundary. If nesting birds are identified on the project site or within the applicable 250- and 500-foot buffers, the results shall be reported to the California Department of Fish and Game. Ensuing work restrictions and construction buffers shall be coordinated with the California Department of Fish and Game.

The project site is within the range of Townsend's big-eared bat (*Corynorhinus townsendii*), a California Species of Special Concern that utilizes buildings, among other habitats, for general roosting and maternity roosting. Noise and disturbance associated with project activities, primarily building demolition, could result in significant impacts on Townsend's big-eared bat, including death of individuals and/or disturbance of a wintering roost or a nursery roost. Implementation of **Mitigation Measure BIO-2** would reduce potential impacts on Townsend's big-eared bat to a less-than-significant level.

Mitigation Measure BIO-2: Prior to demolition, the City will ensure that the project sponsor has performed a bat survey of the onsite abandoned building. Protocol shall be as follows:

- Consult a qualified biologist to inventory the project site using standard, accepted methods described in the Townsend's Big-eared Bat Conservation Assessment and Conservation Strategy (Pierson et al., 1999).
- Assess the Feuerworker Building in spring, summer, and fall to determine the presence or absence of bats before beginning any project activities that may have an impact on the bats as determined by a qualified biologist.
- If no Townsend's big-eared bats are found during the survey(s), no additional mitigation is required.
- If Townsend's western big-eared bats are found during the survey(s), appropriate exclusion devices approved by CDFG & USFWS would be installed by a qualified bat biologist. Once the bats have been excluded, demolition may occur.

- If a nursery roost of Townsend's big-eared bats is found, demolition would not take place until the end of the nursery season in August. After the nursery season has concluded, exclusion devices will be placed by a qualified bat biologist in accordance with CDFG and USFWS. Once the bats have been excluded, demolition may occur.

Drainage of the site would be provided by vegetative swales between parking bays, permeable pavement, treated drain inlets, and potentially a new outfall at E Street into Humboldt Bay. If a new outfall at D Street and/or upsized outfall at E Street is required for stormwater drainage of the site (to be discussed in the Hydrology and Water Quality section of the EIR) it would require removal and replacement of the rock slope protection along the bay margin under the Boardwalk. Work to install a new and/or larger outfall would occur above the mean high tide line during low tide (i.e. no in-water construction would occur), thereby avoiding direct impacts to aquatic resources. The outfall work would not have any indirect significant impact on aquatic biological resources as the proposed project would be required to prepare and implement a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP must include specifications for Best Management Practices (BMPs). BMPs are measures that are undertaken to control degradation of surface water by preventing soil erosion or the discharge of pollutants. The SWPPP must describe measures to prevent or control runoff after construction is complete and identify procedures for inspecting and maintaining facilities or other project elements. Implementation of the SWPPP would prevent any reduction in water quality that could result in significant impacts on aquatic special-status species.

b) **No Impact.** The project site consists largely of parking lot remnants and does not support riparian habitat or other sensitive natural community. No impact would occur.

c) **No Impact.** The project site does not support wetlands, and no impact would occur.

d) **Less than Significant.** The project site does not provide a wildlife movement corridor for ground animals because the Eureka Boardwalk rungs the length of the waterfront on the northern edge of the project site, separating it from Humboldt Bay, and the land is heavily developed for approximately a mile or more in any direction with few empty parcels or greenbelts. Landscape features such as shorelines do tend to funnel bird movement, and avians may follow the Eureka Boardwalk shoreline. However, construction of the proposed project would not change the character of the shoreline or frustrate avian movement. Therefore, even if the Eureka Boardwalk shoreline does provide a wildlife movement corridor for avians, the impact of the proposed project would be less than significant.

e) **No Impact.** The proposed project would not conflict with local policies or ordinances protecting biological resources. *Title XV: Land Use* of the City of Eureka Municipal Code (City of Eureka, 2012) and *Section 6: Natural Resources* of the City of Eureka General Plan (City of Eureka, 1998) were reviewed and analyzed relative to the project's proposed activities. As stated in *Title XV* of the Municipal Code, environmentally

sensitive habitat areas are defined as waters and associated riparian habitats, wetlands and estuaries, and graded or farmed wetlands. The project site would not include construction within such an area. Regarding Section 6 of the *General Plan*, policies within this document that are applicable to waterfront areas generally relate to habitat and wetland protection. As stated above, habitat remnants at the project site are of limited wildlife value. No impact would occur.

f) **No Impact.** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, as no such plan governs the project area. No impact would occur.

References

California Department of Fish and Game. 2012. California Natural Diversity Database (CNDDB) and Rarefind 4. Online databases accessed April 30, 2012.

City of Eureka. 1998. City of Eureka General Plan. Certified by the California Coastal Commission on September 9, 1998.

City of Eureka. 2012. Eureka Municipal Code. Online version, current through Ordinance 780-C.S. passed on February 21, 2012. Accessed April 30, 2012.

Environmental Science Associates. 1998. Administrative Draft Environmental Impact Report for the Eureka Fisherman's Wharf Project. June 8, 1998.

Pierson, E. D., M. C. Wackenhut, J. S. Altenbach, P. Bradley, P. Call, D. L. Genter, C. E. Harris, B. L. Keller, B. Lengus, L. Lewis, B. Luce, K. W. Navo, J. M. Perkins, S. Smith, and L. Welch. 1999. Species conservation assessment and strategy for Townsend's big-eared bat (*Corynorhinus townsendii townsendii* and *Corynorhinus townsendii pallescens*). Idaho Conservation Effort, Idaho Department of Fish and Game, Boise, Idaho.

Cultural Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
5. CULTURAL RESOURCES — Would the project:				
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.

Discussion

a) **Potentially Significant.** A substantial adverse change includes the physical demolition, destruction, relocation, or alteration of the cultural or historic resource. The proposed project includes the demolition of the Feuerwerker Building, commonly referred to as the Co-op building, which is a contributor to the Old Town National Register Historic District. The EIR will analyze the proposed project's impacts to historical resources and identify applicable mitigation measures.

b, d) **Potentially Significant.** The proposed project site is not in an area where known archaeological resources or human remains have been located. However, there exists the possibility that undiscovered resources may be encountered during demolition or construction activities. The EIR will address the project's potential to cause significant impacts to archaeological resources or human remains and identify appropriate mitigation measures.

c) **Less than Significant.** Paleontological resources are the fossilized evidence of past life found in the geologic record. Rock formations that are considered of paleontological sensitivity are those rock units that have yielded significant vertebrate or invertebrate fossil remains. This includes, but is not limited to, sedimentary rock units that contain significant paleontological resources anywhere within its geographic extent. The project site is underlain by varying amounts of unconsolidated fill, bay mud, and older alluvial granular deposits. These are surface deposits that are not considered fossil-bearing rock units. Therefore, the project site is not likely yield significant paleontological remains. The impact would be less than significant, and this impact will not be further discussed in the EIR.

References

City of Eureka, *Eureka Fisherman's Wharf Draft Environmental Impact Report*, June 8, 1998.

Geology, Soils, and Seismicity

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
6. GEOLOGY, SOILS, AND SEISMICITY — Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
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 movement 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

a.i) **Less than Significant.** No active or potentially active faults are known to traverse through the project site. However, a number of known active faults are known to traverse

the region surrounding the project site, and earthquake and ground shaking in the Eureka area are unavoidable. The nearest active fault is the Little Salmon Fault, located about 1.2 miles south of the project site. In addition, the project site is within 35 miles of the Cascadian Subduction Zone, where the oceanic crust of the Gorda and Juan de Fuca plates are being subjected beneath the continental crust of the North American Plate. As the project site is not located in a fault zone nor is it located on or immediately adjacent to an active fault, fault rupture hazards associated with the proposed project are considered less than significant. This impact will not be further discussed in the EIR.

a.ii and a.iii, c) **Less than Significant with Mitigation.** As indicated above, the City of Eureka is located in a seismically active region. The project site is underlain by various amounts of unconsolidated fill (8 to 10 feet thick), bay mud (9 to 14 feet thick), and sand material (16 to 20 feet thick). The project site could experience a range of ground shaking effects during an earthquake on one of the aforementioned faults or another regional fault. Seismic shaking of this intensity can also trigger ground failures caused by liquefaction, potentially resulting in foundation damage, disruption of utility service and roadway damage.[1]

A geotechnical investigation of the project site prepared for a previous iteration of the project concluded that the project site could be developed, provided that recommended actions are followed. This general conclusion remains applicable to the current project. However, a new geotechnical report must be prepared to review and potentially revise the previous investigation's specific project recommendations in light of the revised site plan. Seismic design criteria must also conform to engineering recommendations in accordance with the seismic requirements of the 2010 California Building Code (Title 24) additions. Compliance with the requirements and incorporation of **Mitigation Measure GEO-1** would ensure that impacts would be less than significant.

> **Mitigation Measure GEO**: The proposed project will comply with requirements of the most recent California Building Code which include the completion of a site-specific, design-level geotechnical report that examines and assesses the potential for the proposed project to be subject to ground shaking, liquefaction, and other seismic hazards associated with the occurrence of a maximum credible earthquake anticipated to affect the Eureka region. The project-specific geotechnical report will include specific measures to address these hazards including, at a minimum, measures for the design and construction of foundations, underground utilities, and paved areas. These specific measures will meet or exceed the requirements set in the most recent California Building Code. The project sponsor will implement the specific recommendations included in the project-specific geotechnical report as part of the project.

a.iv) **Less than Significant.** The project site is not located on or adjacent to a hillside or other steep slope. The project site and surrounding topography is flat. Landslide- or mudslide-

[1] Liquefaction is the process by which saturated, loose, fine-grained, granular, soil, like sand, behaves like a dense fluid when subjected to prolonged shaking during an earthquake.

related impacts would be less than significant, and this issue will not be further discussed in the EIR.

b) **Less than Significant.** The relatively flat topography of the project site reduces the potential for erosion during and after construction of the proposed project. However, redevelopment of the project site could involve grading and trenching, which could expose soils to erosion. The proposed project site exceeds one acre in size, and in accordance with the State Water Resources Control Board requirements, the project would be required to comply with federal National Pollutant Discharge Elimination System (NPDES) requirements. As fully described in *Hydrology and Water Quality*, Section 9, the project sponsor would be required as part of the project to develop and implement a Stormwater Pollution Prevention Plan (SWPPP) in order to minimize potential erosion and subsequent sedimentation of stormwater runoff. This SWPPP would be required to include Best Management Practices (BMPs) to control erosion associated with grading, trenching, and other ground surface-disturbing activities. Erosion impacts would be less than significant, and this topic will not be discussed in the EIR.

d) **Less than Significant.** During the geotechnical investigation, clay soil of high plasticity was encountered within the subsurface soil. However, it was found at depths greater than 10 feet below the existing ground surface. As such, the risk of adverse consequences to the proposed project's foundations from expansive soils is considered low, and the impact would be less than significant. This impact will not be further analyzed in the EIR.

e) **No Impact.** The proposed project would connect to existing city utilities for wastewater disposal. The project would not include septic tanks or other alternative wastewater disposal systems. There would be no impact, and this topic will not be discussed in the EIR.

References

SHN Consulting Engineers & Geologists, Inc., *Geotechnical Investigation Report: Eureka Pier Building*, October 2003.

Greenhouse Gas Emissions

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
7. GREENHOUSE GAS EMISSIONS — Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐

THRESHOLDS OF SIGNIFICANCE: This initial study considers to what degree the project would contribute to greenhouse gas emissions and global warming.

Discussion

a–b) **Potentially Significant.** The proposed project would generate both direct and indirect greenhouse gas (GHG) emissions that may have a significant impact on the environment. The project's construction would result in a number of truck trips and equipment usage, which would directly produce emissions. In addition, ongoing operations would emit greenhouse gases through several activities, including heating / cooling, and vehicle usage. Potential increases in GHG emissions and any conflicts with applicable plans, policies or regulations will be analyzed in more detail in the EIR to determine the significance of potential impacts.

Hazards and Hazardous Materials

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
8. HAZARDS AND HAZARDOUS MATERIALS — Would the project:				
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?	☐	☒	☐	☐
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?	☐	☐	☐	☒

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
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 areas 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 associated with 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

a, d) **Less than Significant with Mitigation.** The construction of the proposed project would require grading and other ground-disturbing activities. These construction activities could potentially disturb hazardous materials in the subsurface soils, if present. The project site is currently mostly vacant with the exception of the Feuerwerker's Building where past uses of hazardous materials are unknown. In addition, neighboring sites may have released hazardous materials that have migrated onto the project site.

A review of available environmental databases for sites with known releases of hazardous materials was conducted for this analysis. The Envirostor and Geotracker databases provide information about the location of documented hazardous materials release sites. According to these databases, the project site is not listed, but some surrounding sites are shown as having documented releases of hazardous materials. There are three sites located in the immediate vicinity of the project site that could potentially have had an effect on underlying soil and groundwater quality at the project site. The first site is the Old Coal Gas Plant located at First and C streets where there was a reported release of heating oil or fuel oil. The current status of the case is listed as inactive which could indicate that the level of contamination is not very substantial or that the full extent of lateral and vertical extent of contamination has not been determined. The City of Eureka site located at 133 Waterfront Drive also reported a release of heating oil or fuel oil, but this case has been closed indicating no further threat to human health or the environment

remains. Based on the presence of these past releases, especially the Old Coal Gas Plant which is located in a presumed upgradient direction, there is a potential to encounter contaminated soils or groundwater during ground breaking activities during construction. With implementation of **Mitigation Measure HAZ-1**, the potential impact would be reduced to less than significant levels.

Demolition of the Feuerwerker's Building could potentially disturb hazardous building materials such as asbestos containing materials, lead-based paint, and PCBs that were common in older structures. If not appropriately identified and abated these hazardous materials could become airborne and present a potential threat to human health and the environment. However, there are existing laws and ordinances that require that all identification, abatement and disposal of hazardous building materials are conducted in a manner which minimize the potential exposure to the environment or adversely affect human health. These regulations include the requirement for a demolition permit from the City Building Department, which must include a Letter of Acknowledgement for Asbestos Clearance from the North Coast Air Quality Management District, as required by Mitigation Measure HAZ-2. Therefore, with adherence to local and state regulations, this potential impact would be reduced to less than significant levels and will not be further analyzed in the EIR.

> **Mitigation Measure HAZ-1**: The project sponsor will prepare and implement a soil management plan prepared by a qualified professional to identify construction controls for the potential to encounter contaminated soils or groundwater. Construction controls would include the preparation of a health and safety plan. The health and safety plan will include at a minimum, a summary of any known or suspected contaminants at the site, a copy of the Material Data Safety Sheets for each contaminant, a description of required personal protective equipment to be worn by site workers, protocol for the discovery of any suspected contaminated materials during excavation, a map of the nearest emergency medical facility, and emergency contact information including agency notification requirements. If encountered during grading activities, the project sponsor will segregate, cover, and adequately characterize excavated soils that show evidence of potential contamination to determine whether it can be reused onsite or if it requires offsite disposal as a hazardous or non-hazardous waste at a regulated facility. The potentially contaminated soils will be handled, stored and transported offsite to a regulated disposal facility (if required) according to the Soil Management Plan prepared for the site and all applicable regulations for the appropriate classification. Sampling and analysis of soils will be accomplished in accordance with the requirements of the disposal facility.
>
> **Mitigation Measure HAZ-2:** The project sponsor will obtain the proper demolish permits, including an asbestos clearance permit, for hazardous materials encountered during demolition of existing structures. Further, the project sponsor will dispose of hazardous materials in the manner applicable to the particular hazardous material encountered. This includes, for example, any as yet identified asbestos-coated materials and buried underground storage tanks that may be present at the site.

b) **Less than Significant.** Construction at the site would involve quantities of paints, solvents, oil and grease, and petroleum hydrocarbons. Compliance with hazardous materials Best Management Practices would reduce potential impacts from spills or leaks associated with construction hazardous materials to a less-than-significant level. Following construction, hazardous materials storage, use, and disposal at the project site would be limited to minor quantities of pesticides and herbicides associated with landscape maintenance, and petroleum hydrocarbons, solvents or other minor quantities of hazardous materials associated with building maintenance.

Potential explosion or hazardous substance releases during or after project construction would not be considered likely. The impact would be less than significant, and this topic will not be further analyzed in the EIR.

c) **Less than Significant.** The closest school to the project site is Alder Grove Charter School, which is about 0.5 miles to the east. In addition, as noted in preceding discussion, the proposed project would not handle or dispose of significant hazardous materials that would be a potential threat to the public, including any schools in the area. The impact would be less than significant, and this topic will not be further analyzed in the EIR.

e) **No Impact.** The project site is located more than two miles from the Eureka Municipal Airport, which is located on the north spit, to the southwest of the project site. The project site is more than two miles west of Murray Field. The proposed project would not result in a safety hazard for people working or residing in the project area. This impact will not be further discussed in the EIR.

f) **No Impact.** The project site is not located in the vicinity of a private airstrip. This issue will not be discussed in the EIR.

g) **Less than Significant.** Although the proposed project would place hotel rooms in proximity to the waterfront, it would not close any roads or otherwise interfere with adopted emergency response or evacuation plans. Emergency vehicle access would be available via six site ingress/egress points and associated access ways that have been shown to be accessible for larger emergency vehicles (e.g. fire engines). An encroachment permit would be required for any street closures that could occur during construction. The permit would include requirements the City determined would be necessary to address impacts to emergency response as a result of the street closure. The impact would be less than significant, and this issue will not be discussed in the EIR.

h) **No Impact.** The project site is not within or near wildlands or other forested areas. There would be no impact related to risk of loss, injury or death involving wildland fires. This impact will not be further discussed in the EIR.

References

City of Eureka, *Eureka Fisherman's Wharf Draft Environmental Impact Report*, June 8, 1998.

DTSC, Hazardous Waste and Substances Site ("Cortese") List, available online: http://www.calepa.ca.gov/sitecleanup/corteselist/SectionA.htm, accessed April 11, 2012.

State Water Resources Control Board (SWRCB), Geotracker Database, http://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=1st+and+D+street%2C+Eureka+CA, accessed April 20, 2012.

Hydrology and Water Quality

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
9. HYDROLOGY AND WATER QUALITY — Would the project:				
a) Violate any water quality standards or waste discharge requirements?	☒	☐	☐	☐
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 a site or area through the alteration of the course of a stream or river, or by other means, in a manner that would result in substantial erosion or siltation on- or off-site?	☒	☐	☐	☐
d) Substantially alter the existing drainage pattern of a site or area through the alteration of the course of a stream or river, or by other means, substantially increase the rate or amount of surface runoff in a manner that 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 or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☒	☐	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☒	☐
j) Expose people or structures to a significant risk of loss, injury or death involving 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

a-f, h) **Potentially Significant**. The proposed project could result in potential water quality impacts during construction phases. The Focused EIR will address onsite drainage and the fact that the site is within the 100-year tidal floodplain. The project site is not located within a 100-year tidal flood hazard zone as delineated by the Federal Emergency Management Agency (FEMA, 1986). Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, and grading activities could result in increased erosion and sedimentation, which could produce contaminated stormwater runoff, a major contributor to the degradation of water quality.

Stormwater discharges from construction activities on one acre or more are regulated by the RWQCB and are subject to the permitting requirements of the NPDES General Permit for Discharges of Stormwater Runoff Associated with Construction Activity (General Construction Permit). The General Construction Permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) for construction activities. The SWPPP must be prepared before construction begins, and in certain cases, before demolition begins. The SWPPP must include specifications for Best Management Practices (BMPs) that would need to be implemented during project construction. BMPs are measures that are undertaken to control degradation of surface water by preventing soil erosion or the discharge of pollutants from the construction area. The SWPPP must describe measures to prevent or control runoff after construction is complete and identify procedures for inspecting and maintaining facilities or other project elements. This issue will be addressed further in the Focused EIR. It is expected that mitigation measures, if needed, would reduce any potential impacts to less-than-significant levels.

i) **No Impact.** The project site is not located downstream of a dam or reservoir. Therefore, potential flooding as a result of dam failure is not anticipated. No impact would occur.

j) **Potentially Significant.** Seiche and tsunamis are short duration, earthquake-generated water waves in large enclosed bodies of water and the open ocean, respectively. The extent and severity of a seiche would be dependent upon ground motions and fault offset from nearby active faults. The project site is located in adjacent to Humboldt Bay, which

has known seismic activity as part of the Pacific Rim. Therefore, the Focused EIR will address the risk of damage due to seiche or tsunami waves.

g) **Less than Significant.** The project does not propose any housing.

References

Federal Emergency Management Agency (FEMA), 1986. *Flood Insurance Rate Map (FIRM), City of Eureka, California, Humboldt County, Panel 5 of 10*, June 17, 1986.

Land Use and Land Use Planning

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
10. LAND USE AND LAND USE PLANNING — Would the project:				
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, public, and quasi-public facilities; (c) conflict with applicable environmental plans and protection measures enforced by regulatory agencies that have jurisdiction over the project, such as habitat conservation plans or a natural community conservation plan.

Discussion

a) **Less than Significant.** The project site is located within the coastal zone and is surrounded by Humboldt Bay and the Eureka Boardwalk to the north, vacant lots and a public plaza to the west; a mix of vacant lots, commercial uses, a public plaza, and surface parking lots to the east; and Old Town Eureka to the south. Old Town Eureka is characterized by a mix of commercial retail, office, and residential uses on small lots, interspersed with surface parking lots.

The proposed project would result in construction of a new hotel on an existing lot. The project site is currently underutilized and vacant with exception of the Feuerwerker

Building. Although the project would result in new uses and buildings on the project site, these new buildings would not divide an established community. To the contrary, they would activate the site and promote connection between the Eureka Boardwalk to the north, and First Street and Old Town to the south of the project site. The project would not result in the construction of a physical barrier across an existing corridor, as it would maintain connectivity between First Street and the Boardwalk with public accessways. Therefore, this impact would be less than significant. This issue will not be discussed in the EIR.

b) **Less than Significant.** The proposed project would not conflict with the Local Coastal Program, General Plan, or Zoning Ordinance.

Local Coastal Program: The Local Coastal Program (LCP) is the foundational policy document for areas of the city located in the coastal zone. It establishes farsighted policy that forms the basis for and defines the framework by which the city's physical and economic resources in the coastal zone are to be developed, managed, and used. The Local Coastal Program is divided into two components. The first component is the Land Use Plan, which is basically the General Plan for the coastal zone. It outlines the existing conditions, permitted uses, and policies needed to achieve the goals of the Coastal Act and includes the general plan land use map. The second component of the Local Coastal Program is the Implementation Plan, which includes zoning regulations and the zoning map for land in the coastal zone, and specific coastal zone ordinances necessary to implement the policies of the Land Use Plan.

The proposed project is consistent with the LCP, as it would develop a visitor severing use in the Core Area, specifically along the Boardwalk which promotes public access and open space on the waterfront (Policy 1.D.5). Further, the proposed project would include right-of-way easements for pedestrian and bicycle access through the site from First Street along D and E Streets to the Boardwalk (Policies 1.D.2, 1.D.6, 1.G.3, and 5.B.1).

The project site is adjacent to Humboldt Bay, an environmentally sensitive habitat area (ESHA). The project would be subject to LCP policies that require a 100 foot buffer between an ESHA and project development. The Focused EIR will demonstrate that a reduced buffer width is consistent with the LCP. Some of the factors that support this consistency determination include interposing boardwalk structure and the redevelopment in-fill nature of the project, light from the project being confined to the project site, and the employment of BMPs to address the potential for construction debris to enter the bay. Water quality issues from project construction as well as operation will be discussed further in the Focused EIR to ensure that project impacts due to site proximity to the Bay would be reduced to less than significant levels.

General Plan: According to the General Plan, the project site is located in an area designated for Core – Waterfront Commercial (C-WFC) uses. Hotels, motels, visitor-serving developments, commercial recreation facilities, and commercial fishing industry

facilities are permissible primary uses in these areas. Secondary uses permissible include offices, multiple-family units, public works projects, and warehouses. The proposed project's hotel use would be consistent with the General Plan requirements.

Zoning Ordinance: The project site falls within a Waterfront Commercial (CW) Zoning District. Among other purposes, CW Districts are included in the zoning regulations to encourage the development of recreational and visitor-serving uses, as well as to encourage and maintain coastal-dependent and coastal-related uses. The hotel would be consistent with these purposes and are permitted used in accordance with Zoning Code Section 156.072 (C).

Regarding height and bulk, floor area ratio in CW Districts is limited to 250 percent of the site area, and the maximum building height is 100 feet. The proposed project would include a total floor area of 66,090 square feet on the 100,410 square feet of land on the three existing Assessor's Parcels, for a total FAR of about 66 percent. The tallest proposed building would have a maximum height of about 47 feet.

The proposed project would have a less than significant impact related to conflict with adopted plans and policies. This issue will not be discussed in the EIR.

c) **No Impact.** There are no habitat conservation plans or natural community conservation plans that would be applicable to the project site. This issue will not be discussed in the EIR.

References

California Department of Fish and Game, California Natural Community Conservation Plans Map, 2010, available online: http://www.dfg.ca.gov/habcon/nccp/, accessed April 6, 2012.

City of Eureka, Web Mapping Application, available online: http://www.ci.eureka.ca.gov/civica/filebank/blobdload.asp?BlobID=6057, accessed April 6, 2012.

Eureka Municipal Code, available online: http://www.ci.eureka.ca.gov/depts/cd/department_library.asp, accessed April 6, 2012.

U.S. Fish and Wildlife Service, Conservation Plans and Agreements Database, available online: http://ecos.fws.gov/conserv_plans/PlanReportSelect?region=8&type=HCP, accessed April 6, 2012.

Mineral Resources

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
11. MINERAL RESOURCES — Would the project:				
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

a, b) **No Impact.** The proposed project would not result in the loss of a known mineral resource that would be otherwise be available to the state or region. As described in the project description, the proposed project would involve construction of a hotel and maritime infrastructure on a currently vacant and underutilized project site. The proposed project would not require quarrying, mining, dredging, or extraction of locally important mineral resources on site, nor would it substantially deplete any nonrenewable natural resource. Furthermore, the project site is not designated by the General Plan or other land use plans as a locally-important mineral recovery site. Therefore, the project would have no impact on mineral resources, and these impacts will not be discussed in the EIR.

References

California Department of Conservation, *Aggregate Availability in California: Fifty-Year Aggregate Demand Compared to Permitted Aggregate Resources*, California Geologic Survey, December 2006.

Noise

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporation	Less Than Significant Impact	No Impact
12. NOISE — Would the project:				
a) Result in exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
b) Result in exposure of persons to, or generation of, excessive groundborne vibration or groundborne 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 area, or, where such a plan has not been adopted, in an area within two miles of a public airport or public use airport, would the project expose people residing or working in the area to excessive noise levels?	☐	☐	☐	☒
f) For a project located in 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

a) **Less than Significant with Mitigation.** Some land uses are considered more sensitive to ambient noise levels than others, due to the amount of noise exposure (in terms of both exposure duration and insulation from noise and vibration) and the types of activities typically involved. Residences, motels and hotels, schools, libraries, churches, hospitals, nursing homes, auditoriums, and parks and other outdoor recreation areas generally are more sensitive to noise and vibration than are commercial and industrial land uses. The nearest sensitive land uses are residential units in two-story buildings located south across First Street, within 75 feet of the project site.

The City of Eureka General Plan contains guidelines for determining the compatibility of various land uses with different noise environments. The Health and Safety Element recognizes that some land uses are more sensitive to ambient noise levels than others, due to the amount of noise exposure (in terms of both exposure duration and insulation from noise) and the types of activities typically involved. For hotel land uses, the General Plan performance standards indicate that an outdoor noise environment of less than DNL 60 is considered feasible, a noise environment between DNL 60 to 75 dBA is considered

"probably feasible," and a noise environment greater than DNL 75 dBA is considered "usually not feasible."

Modeling of traffic noise indicates that the roadside noise level on First Street is approximately 66.8 dBA. Short-term noise monitoring at the northwest side of the project site, approximately 60.4 feet north of First Street. The lower noise level 25 feet into the interior of the project site is consistent with the attenuation of noise over distance. Because roadway traffic on First Street is the predominant ongoing noise source in the area, average hourly noise level during a peak traffic hour is roughly equivalent to the DNL. As such, the existing outdoor noise levels on the project site are considered normally acceptable for hotel uses and would not expose individuals on the project site to unacceptable noise levels.

The mitigation measures described below would ensure that the proposed project would be consistent with the California Noise Insulation Standards so that sensitive receptors would not be exposed to excessive ambient noise levels, and would comply with the City's noise performance standards and maximum allowable noise exposure levels. The impact would be less than significant with mitigation, and this topic will not be further discussed in the EIR.

> **Mitigation Measure NOI-1:** If necessary to comply with the interior noise requirements of the State and achieve an acceptable interior noise level, noise reduction in the form of sound-rated assemblies (i.e., windows, exterior doors, and walls) will be incorporated into project building design, based upon recommendations of a qualified acoustical engineer. Final recommendations for sound-rated assemblies will depend on the specific building designs and layout of buildings on the site and will be determined by the acoustical engineer during the design phase. Specific consideration will be given to window size: degree of sound insulation of exterior walls, which can be increased through staggered- or double-studs; multiple layers of gypsum board; and incorporation of resilient channels.

b) **Less than Significant with Mitigation.** There are no adopted State or local policies or standards for ground-borne vibration. The average person is quite sensitive to ground motion, and levels as low as 0.50 mm/s (0.02 inches/sec) can be detected by the human body when background noise and vibration levels are low. Vibration intensity is expressed as Peak Particle Velocity (PPV), which is simply the maximum speed that the ground moves while it temporarily shakes. Since ground-shaking speeds are very small, PPV is measured in inches per second (inches/sec.) The Federal Railway Administration (FRA) and the Federal Transit Administration (FTA) have published guidance relative to vibration impacts. According to the FRA, fragile buildings can be exposed to ground-borne vibration (PPV) levels of 0.5 inches/sec without experiencing structural damage (FRA, 2005). Caltrans does recommend that extreme care be taken when sustained pile driving occurs within 25 feet of any building, or within 50 to 100 feet of a historic building or a building in poor condition (Caltrans, 2002).

There are no known activities that would be associated with the operations of the proposed project that would result in excessive ground-borne vibration. However, ground-borne vibration from construction activities that involve "impact tools," especially pile driving, could produce detectable vibration at sensitive receptors unless proper mitigation is followed. The mitigation measures described below would decrease the vibration and/or impacts associated with impact equipment, such as the pre-drilling of piles, to a less-than-significant level. This topic will not be further discussed in the EIR.

Mitigation Measure NOI-2: To mitigate the noise generated by pile driving and other heavy construction techniques, the following measures shall be implemented by the project sponsor and the contractors:

1. The number of pile drivers shall be doubled to reduce the overall time that people are exposed to the noise.
2. Pile driving shall be restricted to weekdays during the hours of 9:00 AM to 5:00 PM, with no pile driving to occur on weekends or holidays.
3. Prior to the commencement of pile driving or other high noise generating construction techniques, the contractor shall provide written notification to the potentially affected residents within 300 feet of the project site boundary. The written notice shall be provided at least 72 hours prior to the start of pile driving or other high noise generating construction techniques, and shall indicate the dates and times during which such activity is expected to occur.

c) **Less than Significant.** Ambient noise levels in the vicinity of the project site are typical of urban areas. The ambient noise is dominated by vehicular traffic, including trucks, cars, and emergency vehicles. Generally, traffic must double on adjacent streets in order to produce a noticeable increase in noise levels. Although traffic volumes would increase in the immediate project vicinity, it is not anticipated that these volumes would double on any nearby streets as a result of the proposed project; therefore, substantial increases in traffic noise levels would not be anticipated in the project area. Impacts related to ambient noise levels will not be analyzed further in the EIR.

d) **Less than Significant with Mitigation.** Future noise levels related to construction within and adjacent to the project site would fluctuate depending on the particular type, number, and duration of uses of various pieces of construction equipment. Construction activities could involve excavation, grading, demolition, drilling, pile driving, trenching, earth movement, and vehicle travel to and from the project site. Typical noise levels at 50 feet range from 80 dBA, Leq for a backhoe to 101 dBA, Leq for a pile driver.

The nearest sensitive receptors to the preferred project site are residences to the south across First Street, about 50 feet from the project site.

Noise from construction activities generally attenuates at a rate of 6 to 7.5 dBA per doubling of distance from the noise source. The project sponsor estimates that construction activities would involve pile driving for approximately three work weeks.

In addition, noise from activities that involve "impact tools," especially pile driving, could produce detectable noise in excess of General Plan standards at sensitive receptors unless proper mitigation is followed. Mitigation measures described below would decrease the noise associated with impact equipment, such as the pre-drilling of piles.

Construction activities associated with the proposed project would be temporary in nature and less than significant with incorporation of the mitigation measures, below. This topic will not be further discussed in the EIR.

Mitigation Measure NOI-3: Short-term noise impacts shall be reduced through implementation of the following measures: limiting the hours of construction; proper muffling and maintenance of equipment; prohibition of unnecessary idling; noise shielding of stationary equipment and location of such equipment away from sensitive receptors; selection of quiet equipment; and designation of a 'noise disturbance coordinator' to respond to noise complaints. These measures are described in further detail below.

1. *Construction Scheduling*. Limit noise-generating construction activities to 7:00 AM to 7:00 PM on weekdays, 9:00 AM to 5:00 PM on Saturdays, with no noise-generating construction to occur on Sundays or holidays.
2. *Construction Equipment Mufflers and Maintenance*. Properly muffle and maintain all construction equipment powered by internal combustion engines.
3. *Idling Prohibitions*. Prohibit unnecessary idling of internal combustion engines.
4. *Equipment Location and Shielding*. Locate all stationary noise-generating construction equipment such as air compressors as far as practicable from existing nearby residences.
5. *Quiet Equipment Selection*. Select quiet construction equipment, particularly air compressors, whenever possible. (Fit motorized equipment with proper mufflers in good working order.) Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for project construction will be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust will be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves will be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, will be used whenever feasible.
6. *Noise Disturbance Coordinator*. Designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator will determine the cause of any noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures warranted to correct the

problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site.

e) **No Impact.** The project site is located more than two miles from the Eureka Municipal Airport, which is located on the north spit, to the southwest of the project site. The project is more than two miles west of Murray Field. Therefore, the project would not expose people residing or working within two miles of an airport to excessive noise levels. This impact will not be further discussed in the EIR.

f) **No Impact.** The project site is not located in the vicinity of a private airstrip. This issue will not be discussed in the EIR.

References

California Department of Transportation (Caltrans), *Transportation Related Earthborne Vibrations* (Caltrans Experiences). Technical Advisory, Vibration TAV-02-01-R9601. February 20, 2002.

City of Eureka, *City of Eureka General Plan*, adopted February 1997, amended through April 2008.

Federal Rail Administration (FRA), *High Speed Ground Transportation Noise and Vibration Impact Assessment*. Final, 2005.

Federal Transit Administration (FTA), *Transit Noise and Vibration Impact Assessment*, 2006.

Population and Housing

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
13. POPULATION AND HOUSING — Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b) Displace substantial numbers of existing housing units, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

THRESHOLDS OF SIGNIFICANCE: This Initial Study considers to what degree the proposed project would result in, or contributes to, population growth, displacement of housing units, demolition or removal of existing housing units, or any project-related displacement of people from occupied housing.

Discussion

a) **Less than Significant.** In general, a project would be considered growth-inducing if its implementation would result in substantial population increases and/or new development that might not occur if the project were not approved and implemented. The project site is located in Humboldt County Census Tract 1, which had a population of 4,731 and included 106 housing units in 2010. The resident population within this census tract is comparable to that of adjacent tracts, which is attributable to the generally consistent density of residential development in the City of Eureka. The total city population is estimated to be 27,191.

The proposed project would not result in new residential population at the project site. Therefore, it would not directly induce population growth. The total number of workers anticipated to be employed at the project site is 35 full-time equivalent employees. These workers would be expected to be drawn from the City of Eureka and the surrounded communities. The increase in employment would not be of magnitude that would influence a substantial number of people to move to the project vicinity or to the City of Eureka.

The proposed project would include extension of water and sewer service lines to the project buildings. These lines would be intended to serve the project site only, and they would not aid in the development of nearby properties to the extent that substantial population growth could occur.

Given that the proposed project would not introduce any residential units to the project site or expand any existing infrastructure beyond the project site boundaries, it would not induce substantial population growth, and this impact would be considered less than significant, and it will not be further analyzed in the EIR.

b, c) **No Impact.** The project site is vacant and does not contain any residential structures. In addition, there are no known unauthorized houseless transients living at the site. Thus, implementation of the proposed project would not displace any onsite dwelling units or displace substantial numbers of people, necessitating the construction of replacement housing. These impacts will not be further analyzed in the EIR.

References

David Paul Rosen and Associates, *Commercial Development Linkage Fee Analysis, City of Oakland*, September 13, 2001.

U.S. Census Bureau, 2010 Census Tract Reference Map: Humboldt County, CA, available online: http://www2.census.gov/geo/maps/dc10map/tract/st06_ca/c06023_humboldt/DC10CT_C06023_001.pdf, accessed April 6, 2012.

U.S. Census Bureau, 2010, American Factfinder, available online: http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml, accessed April 6, 2012.

U.S. Census Bureau, 2010, Eureka (city) California Quick Facts, available online: http://quickfacts.census.gov/qfd/states/06/0623042.html, accessed April 6, 2012.

Public Services

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
14. PUBLIC SERVICES — Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of, or the need for, new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

THRESHOLDS OF SIGNIFICANCE: 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.

Discussion

a.i) **Less than Significant.** Humboldt Bay Fire (HBF), a Eureka Fire Department (EFD) / Humboldt Fire District #1 (HFD) partnership, provides fire protection and emergency medical response services in the City of Eureka and the greater Eureka community. HBF would provide these services to the project site. There are five active Humboldt Bay Fire stations. The EFD headquarters station is located at 533 C Street, 0.3 miles south of the project site. This station houses one engine, one ladder truck, a hazardous materials unit, and administrative offices. Fire Station 3, at 2905 Ocean Avenue, is equipped with one engine and one truck. Fire Station 4, at 1016 Myrtle Avenue, is equipped with one engine and one state Office of Emergency Services engine. HFD Station 11, at 3455 Harris, is equipped with two engines, a water tender, and administrative offices. Station 12, at 755 Herrick, is equipped with two engines.

Humboldt Bay Fire is staffed with one chief, two assistant chiefs, six battalion chiefs, two fire prevention officers, 49 firefighters, 3 administrative assistants, and 25 trained

volunteers. One assistant chief and battalion chief are assigned full time to the Fire Prevention Bureau.

In 2011, the EFD responded to 3,213 calls for service. Of these calls, approximately 61 percent were calls for medical aid and rescue, 5 percent were for fires, and the remaining calls were related to calls for automatic/mutual aid, hazardous materials, good intent calls, etc. During the same year HFD responded to 1,654 calls for service.

In addition to fire protection services, HBF provides first response to medical emergencies. Paramedic and patient transport services are provided by City Ambulance of Eureka who transport to St. Joseph's Hospital at 2700 Dolbeer Street. All of the HBF's sworn personnel are trained to the Emergency Medical Technician I level with defibrillator and intubation certification. HBF provides part time paramedical services from Stations 11 and 12 with eight paramedics.

The proposed project would increase the demand for fire protection services and emergency response services within the City of Eureka. For medical and similar emergencies the project site would be served primarily from the Headquarters Station at 533 C Street. Fire emergencies would require commitment of up to all available HBF resources with potential mutual aid from neighboring jurisdictions.

The proposed project would not require the construction of any new or physically altered facilities.

The proposed project would be required to comply with the California Building Code and California Fire Code to assure installation of adequate fire protection measures in new buildings that are designed to reduce the impact of fires, including fire department access, fire sprinklers, standpipes, firewall protection, fire hydrants, fire alarm system, and other requirements. As part of the project, new onsite infrastructure would be constructed to serve the project site, but no new facilities would be required off-site. HBF would be involved in the review of project plans, and the project applicant would be required to incorporate HBF's conditions into the final project designs, as well as provide special equipment should it be required to serve the proposed project. HBF would undertake annual inspections of the hotel property pursuant to California Health and Safety Code Section 13146.2.

Given the project site is within an area served by existing fire protection and emergency medical responders, and given the project would comply with all required fire department reviews, the impact would be less than significant. This impact will not be further analyzed in the EIR.

a.ii) **Less than Significant.** The Eureka Police Department (EPD) provides police protection services in Eureka and would serve the project site. The EPD is headquartered at 604 C

Street, which is about 0.3 miles south of the project site. The EPD is allocated 52 sworn officers with a current staffing of 50, and has a current staff of 26 civilians.

The Patrol Section of EPD is staffed by 6 sergeants and 24 field officers. It is responsible for the 18 square miles inside the city limits. This section, with the assistance of PSO's (part of the civilian staff) responded to over 78,350 calls for service in 2011, resulting in approximately 4,500 arrests, 10,050 crime reports, and 600 traffic collision reports. The EPD also maintains police annexes, one of which is located in Old Town at Third and E Streets. The Old Town officer—a member of the Patrol Section—uses this annex as his main office during the course of regular patrols and provision of service.

Although the project site is mostly vacant, it still generates police calls generally associated with transient activity. Construction of the hotel is anticipated to actually have a positive effect on illegal activities occurring on the site, as well as in Old Town in general. Given the project is located in an area with existing police services, currently generates a demand for police services, and it is anticipated to have a positive effect on the future need for such services. As such, it can be reasonably concluded that the project would not substantially affect police protection to the extent that new facilities would be required, the construction of which would cause significant environmental effects. The impact would be less than significant, and the EIR will not include this topic.

a.iii) **Less than Significant.** The project site is within the Eureka City Unified School District, which operates four elementary schools, one middle school, one high school, and four alternative schools. For the first time in several years, Eureka City Unified School District schools have experienced a steady decline in enrollment. There were about 4,148 students enrolled (Education.com, 2012).

The proposed project would not increase the number of residential units in the City of Eureka; therefore, it would not directly increase student population. In addition, employees for the proposed project would be expected to already live in the City of Eureka or surrounding area. Although it is possible that some of the employees of the proposed project could move to the City of Eureka from other areas, thereby generating additional student enrollment at local schools, this increased enrollment would not be expected to substantially affect school capacity. This topic will not be further discussed in the EIR.

a.iv) **Less than Significant.** The discussion of project effects on parks is addressed in Section 15, Recreation. As stated there, the proposed project would not increase the use of parks or open spaces such that substantial deterioration of recreational facilities would be expected to occur. Also, although the project would include the construction of recreational facilities, impacts related to that construction would be less than significant. This topic will not be analyzed in the EIR.

a.v) **Less than Significant.** Given that the proposed project would not directly increase residential population in the City of Eureka, and given that it would increase local employment by 36 people, the proposed project is not expected to substantially affect demand for other public facilities. This impact will not be discussed in the EIR.

References

City Ambulance, web site: http://cityambulance.com/Ambulance.htm, accessed April 13, 2012.

City of Eureka Fire Department, web site: http://www.ci.eureka.ca.gov/depts/fire/default.asp, accessed April 10, 2012.

City of Eureka Fire Department, Applications for Firefighter, available online: http://cityambulance.com/Ambulance.htm, accessed April 13, 2012.

Education.com: Eureka City Unified School District, available online: http://www.education.com/schoolfinder/us/california/district/eureka-city-unified-school-district/, accessed April 13, 2012.

Eureka Police Department, website: http://www.ci.eureka.ca.gov/depts/police/default.asp, accessed April 13, 2012.

Humboldt Bay Fire, personal communication from Rusty Goodlive to Lisa Shikany, Eureka Community Development Department, September 4, 2012.

Humboldt County Fire Chiefs Association, Incident Report Form for 2010, available online: http://www.ci.eureka.ca.gov/civica/filebank/blobdload.asp?BlobID=7040, accessed April 10, 2012.

Recreation

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
15. RECREATION — Would the project:				
a) increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facilities would occur or be accelerated?	☐	☐	☒	☐
b) include recreational facilities or require the construction or expansion of recreational facilities that 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

a) **Less than Significant.** Within the City of Eureka there are approximately 148 acres of neighborhood and community parks, as well as other recreational facilities, such as golf courses, the Adorni Recreation Center, youth centers, the Elk River Wildlife Area, the Del Norte Street Pier, the Woodley Island Marina boat ramps, marshes, and plazas. According to the Eureka General Plan, the City has a goal of a neighborhood park ratio of 1 acre per 1,000 residents, and a community park ratio of 3 acres per 1,000 residents. Based on an existing population of about 27,191, the ratio of community and neighborhood park space to residents is approximately 5.42 acres per 1,000 residents. In addition, the City of Eureka is located along California's north coast and is in proximity to several national and state parks. These parks include Redwood National Park, Six Rivers National Forest, Humboldt Bay National Wildlife Refuge, Patrick's Point State Park, and Humboldt Redwoods State Park. Together, these parks provide tens of thousands of acres of public recreation land.

The project site is bordered by the Eureka Boardwalk on the north side and the C Street Plaza on the west. This boardwalk and plaza could be considered a passive open space.

The proposed project would not directly increase residential population in the City of Eureka, but it would increase worker population in the Old Town area. The proposed project would increase the daytime employee population of the project site by up to 36 people. These 36 people, who could potentially access the parks and open spaces in the project vicinity on breaks and before or after work, would not increase the use of existing parks such that substantial physical deterioration would occur or be accelerated. The impact would be less than significant, and this topic will not be further analyzed in the EIR.

b) **Less than Significant.** The proposed hotel project would include construction of a private swimming pool and associated landscaped courtyard. As a component of the hotel project, the impacts associated with the construction of the pool and courtyard are discussed in other sections of this Initial Study, including impacts to aesthetics, air quality and greenhouse gases, and cultural resources. However, the construction of the recreational components of the proposed project would not, in and of themselves, result in significant impacts. The construction of recreational facilities included in the proposed project would result in a less than significant impact, and this topic will not be discussed in the EIR.

References

City of Eureka, *City of Eureka General Plan*, Adopted February 1997, amended through April 2008.

David Paul Rosen and Associates, *Commercial Development Linkage Fee Analysis, City of Oakland*, September 13, 2001.

State of California, Department of Finance, *E-5 City/County Population and Housing Estimates, 1/1/2011*, available online: http://www.dof.ca.gov/research/demographic/reports/estimates/e-5/2011-20/view.php, accessed April 13, 2012.

Transportation/Traffic

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
16. TRANSPORTATION/TRAFFIC — Would the project:				
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 a design feature (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

a) **Potentially Significant.** The proposed project would result in an increase in traffic that could affect the surrounding regional and local circulation system. This potential impact will be analyzed in detail in the EIR.

b) **Potentially Significant.** The Level of Service (LOS) standards established by the Humboldt County Association of Governments (the congestion management agency) and documented Regional Transportation Plan (RTP) is intended to regulate long-term traffic impacts due to future development. As stated above in Criterion a), the proposed project would be expected to generate a change in vehicle trips that could conflict with the County's RTP. This impact will be analyzed in detail in the EIR.

c) **No Impact.** The nearest airport to the project site is Murray Field, located approximately 3 miles east of the site. The proposed project would not interfere with airspace due to the type of the planned use (a hotel), and size and height of the development. Furthermore, the proposed project would not change air traffic patterns, increase air traffic levels, or result in a change in location that would result in substantial safety risks. Therefore, the proposed project would cause no impact related to this criterion.

d) **Potentially Significant.** As described in the response to Criterion a), the proposed project would result in an influx of traffic along adjacent roadways that could result in traffic safety hazards to current users of these roadways, including bicyclists and pedestrians. Furthermore, the design and layout of the proposed project could result in adverse effects related to onsite circulation and pedestrian safety. This potential impact will be evaluated in detail in the EIR.

e) **Potentially Significant.** The proposed project would be located within a developed area comprised of a traditional street grid system that would allow multiple access points to the project site for emergency vehicles. However, potential impacts to emergency services and the adequacy of emergency access will be analyzed in detail in the EIR.

f) **Potentially Significant.** Due to the nature of the project area, there are bus stops, designated bicycle lanes, and pedestrian facilities (e.g., sidewalks, crosswalks) that exist on, or along roadways likely to be used by project-related vehicles. Furthermore, the increase in traffic associated with proposed project could result in adverse effects to the performance of transit, bicycle, and pedestrian facilities, and to users of such facilities. Although the proposed project would be required to adhere to the goals and policies of the City of Eureka, this potential impact will be analyzed in detail in the EIR.

Utilities and Service Systems

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
17. UTILITIES AND SERVICE SYSTEMS — Would the project:				
a) Conflict with wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporation*	*Less Than Significant Impact*	*No Impact*
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 sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐
e) Result in a determination by the wastewater treatment provider that would serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐
g) Comply with 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

a, b, e) **Less than Significant.** The City of Eureka owns and operates the Elk River Wastewater Treatment Plant (WWTP), and provides wastewater collection, conveyance, treatment, and disposal services within City Limits. The Elk River WWTP, located in the southwest portion of the City, adjacent to the Humboldt Bay shoreline, serves a population of approximately 44,128. It receives wastewater flows from the City of Eureka, as well as flows from the greater Eureka area served by Humboldt Community Services District. Currently permitted flows are as follows: average dry weather flow is 5.24 mgd; peak dry weather treatment capacity is 8.6 mgd; peak wet weather treatment capacity is 12 mgd; peak wet weather hydraulic capacity is 32 mgd. This means that secondary treatment is provided for all flows up to 12 mgd, while flows between 12 and 32 mgd receive only primary treatment.[2] During periods when flow exceeds the 32 mgd hydraulic capacity, excess flow can be directed to a 13-acre freshwater holding marsh and pumped back into the storage ponds once flows subside. The Elk River WWTP discharges et ebb tide into Humboldt Bay via a 48-inch pipeline. The Elk River WWTP operates in accordance with

[2] Secondary treatment involves removal of organic matter using biological and chemical processes. This is a higher level of treatment than primary treatment, which is removal of floating and settleable solids using physical operations such as screening and sedimentation.

North Coast Regional Water Control Board National Pollutant Discharge Elimination System (NPDES) permit requirements. Results of the Wastewater Facilities Plan update in 2009 projected that the WWTP will continue to meet effluent limits for the next 20-year period at historic and current population growth rate.

The project site would be served by the City's sewer system. The proposed project would generate approximately 23,000 gallons of wastewater per day or about 8.4 million gallons per year, based on the assumption that wastewater generation would be approximately 95 percent of water demand. This would comprise approximately 0.4 percent of the Elk River WWTP current average dry weather flow. The amount of wastewater anticipated by the proposed project would be incremental and would not be expected to exceed the wastewater treatment requirements of the Regional Water Quality Control Board. Furthermore, other than extending the existing infrastructure to the project site, no additional wastewater treatment facilities would need to be constructed to accommodate the proposed project. For these reasons, the project's impact with respect to wastewater treatment and the sanitary sewer system would be less than significant, and no further analysis will be included in the project EIR.

b, d) **Less than Significant.** The Humboldt Bay Municipal Water District (Water District) is a wholesale water agency that supplies water to the cities of Eureka, Arcata and Blue Lake, as well as Community Service Districts serving a number of unincorporated areas within the greater Humboldt Bay area. The Water District serves a total population of about 87,600.

The Water District's supply capacity is determined by its water rights and existing facilities. It has a supply capacity of 75 mgd, provided by the Water District's wells and other water supply sources such as Ruth Lake. The City of Eureka maintains its own water rights of 5.16 mgd, and the deliveries from the District to the City are considered to be deliveries of the City's water in addition to the District's 75 mgd supply capacity.

According to the General Plan, the City's demand is approximately 3.3 mgd. The proposed project would generate a demand of approximately 24,200 gallons per day,[3] which would represent less than 0.8 percent of the City's existing demand. Since the projected water demand is anticipated to be a small percentage relative to the City's total demand, it is anticipated that no new facilities would need to be constructed as a result of this project. Therefore, the project's impact on water supply would be less than significant, and no further analysis will be included in the project EIR.

c) **Less than Significant.** The storm drainage system in the City of Eureka includes a combination of above-ground gutter flows and underground storm drain piping that ultimately discharge into Humboldt Bay. The proposed project site is located in a

[3] Water demand estimates are based upon average water use data presented in the CalRecycle "Green Lodging in California" web page, and assumes that water demand for retail uses would be approximately 218 gallons per day per room.

developed area, and the proposed project would connect to the existing storm drainage system. The proposed project would be required to comply with the City's requirements that detention/siltation basins that would limit new runoff to pre-development stormwater flows be provided for development that would increase storm drainage runoff in a 10-year storm event more than one cubic foot per second, and to use BMPs to eliminate potential adverse impacts to water quality associated with new development. Additionally, the proposed project would be required to comply with the City's Storm Water Quality Management and Discharge Ordinance, which includes a Best BMPs for Construction Activities section that requires implementation of BMPs for sites disturbing greater than 1 acre of soil. BMPs are further described in Section 9, Hydrology and Water Quality. Compliance with city requirements would reduce potential impacts to stormwater runoff quantity or quality less than significant, and no further analysis will be included in the project EIR.

f-g) **Less than Significant.** The City of Eureka gradually increased diversion of solid waste from landfills over the previous decades, from 33 percent in 1995 to 45 percent in 2007.

On June 3, 2008, the Eureka City Council voted unanimously to amend Eureka's existing Solid Waste ordinance to enable a mandatory/universal garbage and recycling collection program in Eureka. The ordinance was adopted to assist the City in meeting State recycling/waste diversion mandates and reducing illegal disposal and public health concerns in Eureka.

Beginning with reporting year 2007 jurisdiction annual reports, diversion rates are no longer determined. With the passage of SB 1016, the Per Capita Disposal Measurement System, only per capita disposal rates are measured. For 2007 and subsequent years, CalRecycle compares reported disposal tons to population to calculate per capita disposal expressed in pounds/person/day (PPD). For 2010, Eureka set a goal of diverting 9.5 PPD per resident and 9.5 PPD per employee. The City diverted 5.9 PPD per resident and 10.0 PPD per employee, thereby partially meeting its targets.

The City of Eureka contracts with the Recology Humboldt County to provide solid waste collection and curbside recycling for residential and commercial uses in Eureka. The company collects and transports commercial and residential solid waste to the Humboldt Waste Management Authority (HWMA) Hawthorne Street transfer station at 1059 West Hawthorn Street. The HWMA then transports the solid waste for disposal. The City of Eureka disposed of a total of 19,959 tons of solid waste in 2010, 19,776 tons of which was disposed of at the Anderson Landfill in Shasta County.

The Anderson Landfill is located at 18703 Cambridge Road in the City of Anderson. As of 2008, the Anderson Landfill has a daily permitted disposal of about 1,850 tons/day, and a remaining capacity of about 12 million tons. The Anderson Landfill is not expected to close until 2055.

The proposed project would generate waste through both construction and operation phases.

According to the project's Construction and Demolition (C&D) Waste Management Specification, a minimum of 75 percent of total project waste should be diverted from the landfill. Prior to the start of demolition, the contractor will prepare a C&D Waste Management Plan and submit the plan to the project architect for approval. The plan would indicate how the contractor would recover 75 percent of waste, including scheduling, a list of facilities to receive recycled materials, a listing of disposal facilities, and potential issues in which compliance with plan requirements may not apply or be possible. This C&D Plan would ensure that the project would comply with all applicable regulations for construction waste.

Regarding waste generated from project operations, using a conservative estimate of 4 pounds of waste generation per hotel room per day, the proposed project would generate 0.22 tons of waste per day (4 lbs. per room * 110 rooms / 2,000 lbs / ton), or 80 tons of waste per year. Assuming an average occupancy rate of 57 percent, as indicated by the project sponsor, total waste would be 45.6 tons per year. These approximately 46 tons would represent a 0.22 percent increase in the total annual waste sent to Anderson Landfill. It would not be expected to substantially affect capacity. In addition, this solid waste would be an incremental addition to the total waste stream and would not result in non-compliance with solid waste regulations.

The project would result in less-than-significant impacts to landfill capacity and compliance with solid waste regulations.

References

California Regional Water Quality Control Board (RWQCB), North Coast Region, Order No. R1-2009-0033, NPDES No. CA 0024449, Waste Discharge Requirements for the City of Eureka, Greater Eureka Area Elk River Wastewater Treatment Facility, adopted June 4, 2009.

CalRecycle website: http://www.calrecycle.ca.gov/LGCentral/Reports/DRS/Origin/FacSummary.aspx, accessed April 13, 2012.

CalReycle "Estimated Solid Waste Generation Rates for Service Establishments," website: http://www.calrecycle.ca.gov/wastechar/wastegenrates/Service.htm, accessed April 13, 2012.

CalRecycle, Green Lodging in California, website: http://www.calrecycle.ca.gov/epp/greenlodging/, accessed June 6, 2012.

Humboldt Bay Municipal Water District, *Urban Water Management Plan 2010*, prepared June 2011.

JAG Architects, *Construction and Demolition Waste Management Specification*, no date.

Mandatory Findings of Significance

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

Discussion

a) **Potentially Significant.** The EIR will address the aesthetic and cultural impacts of the physical changes of the proposed project, including the demolition of the Feuerwerker Building. The EIR will also analyze the projects' impacts to transportation, air quality, and greenhouse gases.

b) **Potentially Significant.** Cumulative impacts will be addressed in the EIR.

c) **Less than Significant.** Substantial adverse effects on human beings, either directly or indirectly, are not expected from the project and this issue will not be discussed in the EIR.

References

Project drawings.