

RESOLUTION NO. 2024-xx

A RESOLUTION OF THE DESIGN REVIEW COMMITTEE OF THE CITY OF EUREKA CONDITIONALLY APPROVING PHASE 1 OF THE WIYOT TRIBE'S TULUWAT ISLAND PROJECT

WHEREAS, the Wiyot Tribe has requested approval of Phase I of a three phase project to construct two dress houses, an informational signage board, and a temporary ceremonial wall; establish pedestrian trails and a ceremonial circle; and remove an existing temporary dock causeway at their existing ceremonial site on Tuluwat Island; and

WHEREAS, the project site is designated and zoned Natural Resources (NR), and ceremonial use of the site was authorized under Conditional Use Permit No. C-04-011 in 2008; and

WHEREAS, pursuant to Eureka Municipal Code (EMC) Section 10-5.2421(b), because the project involves structural development associated with a conditional use, Site Plan and Architectural Review (a.k.a. Design Review) is required; and

WHEREAS, because the proposed project involves development in the Coastal Zone, the project also requires a Coastal Development Permit (CDP); because the project is located in the Coastal Commission's retained permitting jurisdiction, the CDP will be processed separately by the Coastal Commission pursuant to the California Coastal Act; and

WHEREAS, the Design Review approval is a discretionary action subject to environmental review in accordance with the California Environmental Quality Act (CEQA); and

WHEREAS, the City of Eureka adopted an Environmental Impact Report (EIR) for the Tuluwat Restoration Project on April 14, 2008 (SCH #2004122022) in compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the current project (Phase 1), including the construction of ceremonial buildings and interpretive signage, clearing of vegetation for trails and a ceremonial circle, and removal of the temporary dock causeway, was anticipated and included in the project description of the 2008 EIR for the Tuluwat Restoration Project, and none of the conditions described in CEQA Guidelines 15162 calling for preparation of a subsequent EIR have occurred; and

WHEREAS, the Design Review Committee of the City of Eureka did hold a duly noticed public hearing at City Hall in the City of Eureka on January 10, 2024 at 9:00 a.m. via Zoom and in person in the Council Chamber to consider the application; and

WHEREAS, the Design Review Committee of the City of Eureka has reviewed the subject application in accordance with EMC Title 10, Chapter 5, Article 18, Section 10-5.1801 et seq., and after due consideration of all testimony, evidence, and reports offered at the public hearing, does hereby find and determine the proposed development is not ugly, inharmonious, monotonous or hazardous, and will not have an adverse effect on the value of property or improvements in

the vicinity.

WHEREAS, in the opinion of the Design Review Committee of the City of Eureka, the proposed application should be approved subject to the following conditions:

- a. Implementation of the MMRP. Where applicable to the current development, the mitigation measures described in the Mitigation Monitoring and Reporting Program (MMRP) for the Tuluwat Restoration Project shall be followed for all pre-construction, construction, and post-construction activities.
- b. Adherence to CUP No. C-04-011. The current development shall be implemented consistent with the conditions of approval of Conditional Use Permit No. C-04-011.
- c. State and Federal Permits. Any necessary State and Federal permits or authorizations shall be obtained prior to commencement of construction of relevant components of the project, including but not limited to Coastal Development Permit authorization by the California Coastal Commission.

NOW THEREFORE, BE IT RESOLVED the Design Review Committee of the City of Eureka does hereby approve the application, subject to the conditions listed above.

PASSED, APPROVED AND ADOPTED by the Design Review of the City of Eureka in the County of Humboldt, State of California, on the 10th day of January, 2024, by the following vote:

AYES: COMMITTEE MEMBER
NOES: COMMITTEE MEMBER
ABSENT: COMMITTEE MEMBER
ABSTAIN: COMMITTEE MEMBER

Kassidy Banducci, Chair,
Design Review Committee

Attest:

Caitlin Castellano, Executive Secretary