

DESIGN REVIEW COMMITTEE  
**STAFF REPORT**  
 January 10, 2024

<b>Title:</b>	Tuluwat Island Project Phase I
<b>Project:</b>	Design Review AA-23-0005
<b>Location:</b>	Tuluwat Island
<b>APNs:</b>	405-011-002, 405-011-010
<b>Applicant:</b>	Wiyot Tribe
<b>Property Owner:</b>	Wiyot Tribe
<b>Purpose/Use:</b>	Ceremonial structures and informational signage
<b>Application Date:</b>	December 19, 2023
<b>General Plan:</b>	NR – Natural Resources
<b>Zoning:</b>	NR – Natural Resources
<b>CEQA:</b>	Tuluwat Restoration Project Environmental Impact Report (EIR) (SCH# 2004122022)
<b>Staff Contact:</b>	Cristin Kenyon, AICP, Director of Development Services
<b>Recommendation:</b>	Hold a public hearing; and Adopt a resolution finding the project consistent with the previously adopted EIR and approving with conditions.
<b>Motion:</b>	<i>“I move the Design Review Committee adopt a resolution finding the project consistent with the previously adopted EIR and conditionally approving Phase I of the Tuluwat Island Project.”</i>

Figure 1: Location map



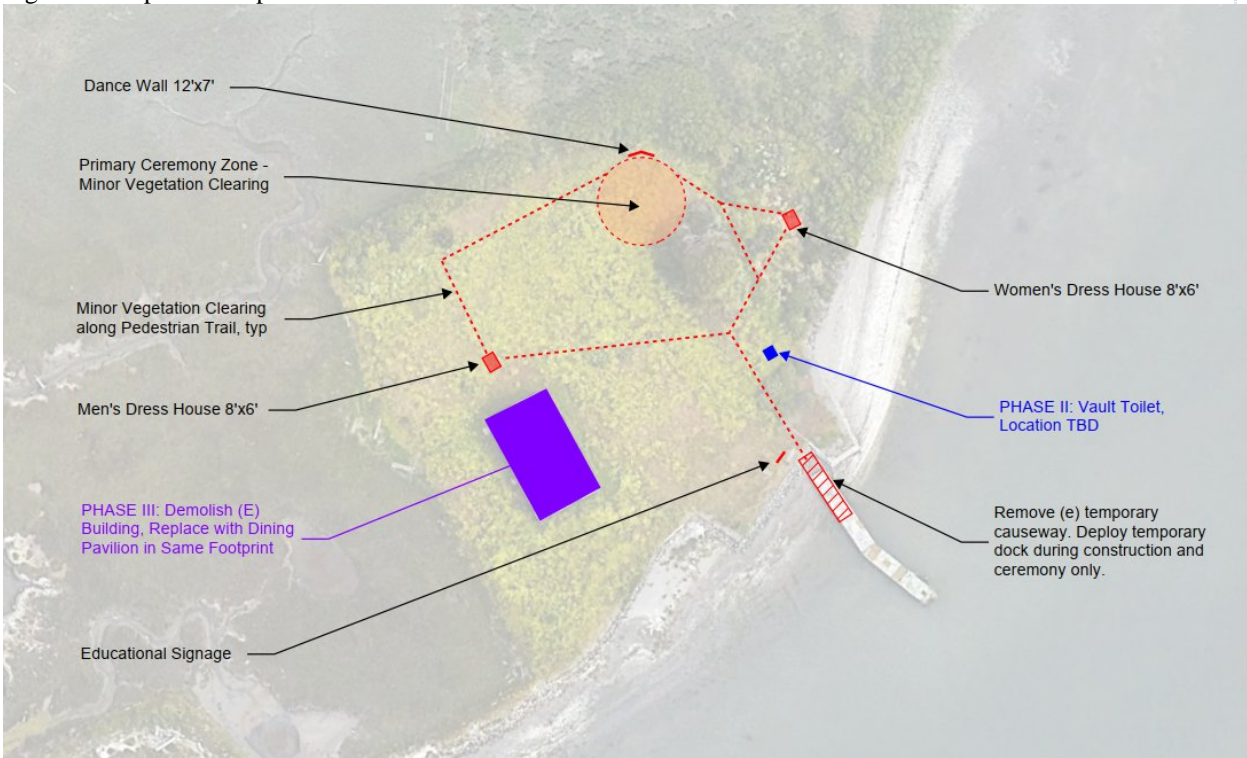
Figure 2: View of project site from Highway 255



### **PROJECT SUMMARY**

The Wiyot Tribe proposes improvements to their ceremonial site on Tuluwat Island including construction of two dress houses, an informational signage board, and a temporary ceremonial wall; minor vegetation clearing for pedestrian trails and a ceremonial circle; and removal of an existing temporary dock causeway. The project site is within the upland area of Tuluwat Island, clustered with the existing Butler Building. The project is intended to support the Wiyot Tribe in the continuation of the World Renewal Ceremony and cultural restoration of Tuluwat island.

Figure 3: Proposed site plan



Architectural and Site Plan Review (a.k.a. Design Review) is required for the proposed project. A Coastal Development Permit will also be required and will be reviewed by the Coastal Commission (the project site is in the Commission's retained permitting jurisdiction). Ceremonial use of the project site was approved under Conditional Use Permit C-04-011 in 2008 (Attachment 4).

The current development represents Phase I of a multi-phase project. Phases II and III include installing a vault toilet and demolishing the existing Butler Building and replacing it with a dining pavilion in the same footprint. Because the design details have not yet been confirmed for Phases II and III, the current Design Review application is only for Phase I.

### **Phase 1 Project Details**

The two proposed dress houses will each be 48 square feet in size and 7-8 feet tall and will not be connected to utilities. The proposed signage will be a single- or double-sided sign board mounted on wooden posts with a maximum height of 8 feet, a maximum width of 6 feet, and a maximum depth of 3 feet (to allow for a small roof over the sign to protect it from the weather). The proposed temporary ceremonial wall will be 10-12 feet long and 7 feet tall, and will be put up and taken down before/after each ceremony and stored onsite in the Butler Building.

The proposed structures will be constructed onsite out of pre-prepared redwood planks and other natural materials using traditional Wiyot building methods. The structures will have only minimal wood post foundations with no concrete footings to minimize ground disturbance. Wiyot Tribe Cultural Monitors will be on site during construction. Site access and material unloading will occur via boat with some pedestrian access from Highway 255 during low tide only for construction and maintenance staff. All access during ceremonies will occur via boat.

Minor vegetation clearing (mowing) will occur to create a ceremonial circle and pedestrian paths between the circle, dress houses, and temporary dock. In total, approximately 1,000 square feet of ground cover will be mowed. The existing dock's causeway will be removed and instead the Wiyot Tribe will rely on a temporary dock that will only be deployed during construction and ceremonial use of the site.

### **DESIGN REVIEW ANALYSIS**

Site Plan and Architectural Review are required for construction of the proposed project, and in this case, the Design Review Committee has authority over the design review process. Pursuant to Eureka Municipal Code (EMC) §10-5.1801.1, Site Plan Review is intended to: 1) preserve the natural beauty of the City's site; 2) prevent the indiscriminate clearing of property and the destruction of trees and shrubs; 3) prevent excessive grading of hillsides and creation of drainage hazards; 4) ensure that structures are properly related to their sites and to surrounding sites and structures and to traffic circulation in the vicinity; and, 5) ensure that parking areas, walkways, and landscaping are arranged to accomplish the objectives of the zoning code. Pursuant to EMC §10-5.1801.2, the purpose of Architectural Review is to prevent the erection of structures that would be inharmonious with their surroundings or would have an adverse effect on the value of property or improvements in the vicinity.

Pursuant to EMC §10-5.1801 et seq., the Design Review Committee's review includes exterior design, materials, textures, and colors but does not include elements of the design that do not affect exterior appearance. The ugly, the inharmonious, the monotonous, and the hazardous shall be

barred, but originality in architecture and site planning shall not be suppressed. The Design Review Committee must recommend disapproval of drawings for a structure that would be inharmonious with surrounding development, but the Committee cannot require new structures duplicate an historic architectural style as a condition of approval.

The proposed structures will be small and clustered with the existing Butler Building on the upland mound, minimizing visual clutter and environmental impact. They will be constructed out of natural materials using traditional Wiyot building methods and will have minimal wood post foundations to minimize disturbance of the underlying shell mound. The structures will help visually convey the site's cultural identity as the Wiyot Center of the World. As sited and designed, the proposed structures will be harmonious with their surroundings and will preserve and enhance the beauty of Tuluwat Island.

Figure 4: Rendering of proposed developed as viewed from the Samoa Bridge



## **ENVIRONMENTAL ASSESSMENT**

The Wiyot Tribe and their ancestors have inhabited the land around Humboldt Bay and Tuluwat Island for over 1,000 years. Tuluwat Village, located on the northeast side of Tuluwat Island, is a National Historic Landmark and the site of the annual Wiyot Tribe's World Renewal Ceremony. This centuries old tradition ended abruptly on February 26, 1860, when European settlers went to Tuluwat Island and massacred Wiyot inhabitants and visitors who had gathered for the ceremony.

A ship repair yard was operated at the site from approximately 1870-1990 and resulted in elevated levels of PCP, several metals, dioxin, and other constituents. In 2000, the Wiyot Tribe purchased 1.5 acres of the site, and in 2004, the City of Eureka deeded the adjacent 39 acres to the Wiyot Tribe (and another 200+ acres in 2019). The Wiyot Tribe then secured funding, environmental review and permits and began work on the Tuluwat Restoration Project, which involves cleanup and remediation of contamination, protection of sensitive cultural and ecological resources, and reestablishment of the Tuluwat Village World Renewal Ceremony.

The City of Eureka Planning Commission, as Lead Agency, 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). In concert with the Final EIR certification, the Planning Commission also adopted a Mitigation, Monitoring and Reporting Program and a Statement of Overriding Considerations. Mitigation measures are related to cultural resources, transportation, biological resources, hydrology and water quality, air quality, geologic

hazards, lighting, noise, hazardous materials, and recreation and open space. The Statement of Overriding Considerations discusses unmitigated impacts due to lack of adequate emergency access for emergency services, as well as for tsunami evacuation.

Construction of ceremonial buildings and interpretive signage, clearing of vegetation for trails and a ceremonial circle, and removal of the temporary dock causeway were 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. The proposed development will be required to comply with the 2008 EIR's mitigation measures (Attachment 3). A condition has been added to the Design Review approval alerting the applicant of the need to carry out the proposed development consistent with applicable EIR mitigation measures.

EIR documents can be viewed here: <https://transfer.eurekaca.gov:5252/sharing/nQxNJvN8l>

**Referral Comments**

California Department of Fish and Wildlife Staff provided verbal comments requesting avoidance and minimization measures for potential impacts to resident and migratory birds and rare plants resulting from proposed vegetation clearing. These comments will be forwarded to the Coastal Commission for incorporation into the Coastal Development Permit (CDP) conditions of approval, and a condition has been added to the Design Review approval alerting the applicant of the need to obtain the CDP prior to project implementation.

Given the open contamination cleanup case associated with the site, the Humboldt County Division of Environmental Health, Hazardous Materials Unit requested the applicant contact the California Regional Water Quality Control Board, North Coast Region prior to any ground disturbance, and requested that all hazardous waste be characterized and disposed of properly, as required by EIR mitigation measures.

Building, Public Works, Police, and PG&E responded indicating they have no comments.

**CONCLUSION**

Based on the analysis above, the proposed Tuluwat Island Phase I Project is sited and designed to be harmonious with the surroundings. The Project will preserve and enhance the beauty of Tuluwat Island, and as conditioned is not ugly, inharmonious, monotonous, or hazardous, and will not be detrimental to property or improvements in the vicinity.

**STAFF CONTACT**

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**DOCUMENTS ATTACHED**

Attachment 1: Design Review Committee Resolution .....	pages 6-7
Attachment 2: Applicant submitted material .....	pages 8-10
Attachment 3: EIR Mitigation Monitoring and Reporting Program.....	pages 11-48
Attachment 4: Conditional Use Permit C-04-011.....	pages 49-74