DRAFT INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION

FOSTER CLEAN POWER PROJECT
RECORD NO. PLN-2022-17922

Applicant:

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Lead Agency:

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1.0 INTRODUCTION

1.1 Project Overview

The proposed Foster Clean Power Project (Project) would construct, operate, and decommission a 7-megawatt photovoltaic (PV) solar power generation and battery storage facility consisting of solar photovoltaic (PV) module arrays, string inverters, and associated electrical conductors and equipment to produce and store electrical energy. The Project site is located immediately east of the City of Arcata in unincorporated Humboldt County on Assessor Parcel Number/Parcel ID(s): 505-151-012-000,506-231-019-000, and 506-231-022.

The purpose of this Project is to implement a locally based renewable energy generating facility, that would provide clean renewable electricity for the residents of Humboldt County. The Project would enhance and improve the resilience of the power grid and reduce local residents' reliance on carbon-based fuels while lowering greenhouse gas (GHG) emissions.

The Project area would be approximately 30 acres in size and actual ground disturbance would be minimal. The solar arrays would be mounted on a racking system attached to steel piles driven into the ground. Single axis tracking technology would be utilized to allow the modules to efficiently track the sun throughout the day and maximize the effectiveness of solar collection. The bottom edge of the solar arrays would be approximately a minimum of 1 foot above ground and the top edge of the solar arrays would be approximately 14 feet above ground at its greatest point.

The Project site has a long history of heavy industrial and agricultural use. The Project site was in agricultural (hay or livestock) production until Simpson Lumber Company constructed an industrial mill site in the late 1940's or early 1950's. The Project site has been modified many times with the addition of warehouses and lumber storage racks. Between 1988 and 1993, the storage racks were removed. The fields have since been graded and are currently used for agriculture. The existing greenhouses are used to grow flowers, while the fields have been used for both flowers and mixed row crops.

The predominant land uses in the vicinity of the Project include intensive commercial agricultural operations, with mixed commercial, agricultural, and residential uses in the vicinity. Development associated with the City of Arcata is located approximately 850 feet east of the Project.

1.2 Lead Agency Name and Address

Lead Agency Name:	Humboldt County Planning & Building Department
Lead Agency Address:	3015 H Street, Eureka, CA 95501
Contact Person:	Rodney Yandell, Senior Planner
Phone Number:	707-441-2622

1.3 Project Sponsor's Name and Address

Landowner
Arcata Land Company LLC
Attn: Lane Devries
3318 Foster Avenue
Arcata, CA 95521

Applicant
Renewable America LLC
Attn: Ardeshir Arian
4675 Stevens Creek Blvd, Ste 250
Santa Clara, CA 95051

1.4 Project Location

The Project is located immediately northwest of Foster Avenue at the intersection of Foster Avenue and Janes Road in unincorporated Humboldt County, California. The City of Arcata is located immediately southeast of the Project site on the southern side of Foster Avenue and to the east of the Project site (Figure A-1). The Project is located in Sections 19, 20, 29, and 30 of Township 6 North, Range 1 East, in the Arcata North 7.5-minute USGS quadrangle. The Project site is located approximately 2.9 miles east of the Pacific Ocean, at an elevation approximately 25 feet above sea level. The Project site is outside of the Coastal Zone, but within the City of Arcata Community Planning Area and City Sphere.

1.5 Assessor Parcels, Ownership, Zoning, and General Plan Designations

The assessor parcel numbers, ownership, County zoning and County General Plan land use designations for the Project site are shown in Table 1.1, below. Also, see Figures A-2 through A-5.

TABLE 1.1 ASSESSOR PARCELS, OWNERSHIP, ZONING AND GENERAL PLAN DESIGNATIONS

Legal Parcel	Current APN	Ownership	Zoning[1]	General Plan[2]	Proposed Solar Development
Parcel B	505-151-012-000	Arcata Land Company, LLC	MH-Q; AE; AG	AE	Yes
	506-231-019-000		MH-Q; AE	AE	Yes
	506-231-022-000		MH-Q	AE	Yes

Notes:
1. MH = Heavy Industrial; Q = Qualified Combining Zone; AE = Agriculture Exclusive; AG=Agriculture General.
2. AE = Agricultural Exclusive.

1.6 California Environmental Quality Act

The Project is subject to the requirements of the California Environmental Quality Act (CEQA). CEQA encourages lead agencies and applicants to modify their projects to avoid potentially significant adverse impacts (Public Resources Code Section 21080[c][2] and State CEQA Guidelines Section 15070[b] [2]).

The Lead Agency for the proposed Project is the County of Humboldt, per CEQA Guidelines Section 21067. Compliance with CEQA is being implemented through the Department of Planning

and Building. The purpose of this Initial Study (IS) is to provide a basis for determining whether to prepare an Environmental Impact Report (EIR), Negative Declaration, or Mitigated Negative Declaration (MND). This IS is intended to satisfy the requirements of CEQA (Public Resources Code, Div. 13, Sec 21000-21177) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387). The environmental checklist form contained in this document is based on Appendix G of the CEQA Guidelines. Based on the findings of the IS, a MND was prepared.

1.7 Agency Consultation

The California Department of Fish and Wildlife (CDFW) is a trustee agency under CEQA. CDFW was consulted and provided copies of the Biological Resources Assessment and Jurisdictional Waters Delineation Report for review and comment. Both reports were revised to address comments from CDFW, and the information has been incorporated into the IS/MND.

1.8 Tribal Consultation

In 2018, Archaeological Research and Supply Company prepared a Cultural Resources Investigation Report for the Arcata Land Company Property as part of the approved Cannabis Cultivation Project MND (updated June 2020). The Area of Potential Effect (APE) considered in that report overlaps the proposed Project site. The investigation included a records search through the California Historical Resources Information System's regional Northwest Center (NWIC), Native American Heritage Commission (NAHC) inquiry, coordination with local tribes, and pedestrian survey of the Site. In addition, representatives of the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and the Wiyot Tribe conducted a field visit with Archaeological Research and Supply Company in May 2018. In July 2022, Archaeological Research and Supply Company conducted a supplemental archaeological pedestrian survey of the proposed Project's APE and prepared an amendment to their 2018 report to support the cultural findings and analysis of the proposed Project.

On September 9, 2022, Humboldt County staff sent 10-day early consultation notifications to Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and the Wiyot Tribe. Blue Lake Rancheria responded on September 21, 2022, and the Wiyot Tribe responded on November 1. Both tribes indicated they were not aware of any tribal cultural resources on or immediately adjacent to the Project site, and therefore did not have immediate concerns. Both tribes recommended including procedures to address the inadvertent discovering of archaeological resources which have been incorporated into the MND. No responses from Bear River Band of Rohnerville Rancheria have been received to date.

On October 21, 2022, Humboldt County staff sent AB 52 referral letters to the tribes who have a cultural interest in the area, including the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, Cher-Ae Heights Indian Community of the Trinidad Rancheria, and the Wiyot Tribe. The Tribes did not accept the request.

2.0 PROJECT DESCRIPTION

Renewable America LLC (RNA) proposes to construct, operate, and decommission a two phased community-scale solar and energy storage project referred to as: Foster Clean Power A (Phase I) and Foster Clean Power B (Phase II).

Phase I would involve the construction of a 3-megawatt alternating current (MWac), photovoltaic (PV) solar energy facility with associated inverters, fencing, and access road. The access road for Phase I would be approximately 15 feet wide and have a total length of approximately 164 feet, approximately 73 feet of which would be a new road that connects Foster Avenue to an existing agricultural road located on the south and east perimeters of the Project site. An equipment pad, approximately 50 feet by 100 feet in size, would be constructed as part of Phase I to house the Project's electrical equipment, including inverters, transformers, AC switchgear, and PV system disconnect. Phase I would also include a 1.25-MW battery energy storage system, which would be located on the equipment pad. The Project footprint (fence line boundary) for Phase I would be approximately 12 acres in size (refer to Figure A-6).

Phase II would involve the construction of an additional 4-MWac PV solar energy facility immediately north of the Phase I site with an additional 3.75-MW battery energy storage system. The Project footprint (fence line boundary) for Phase II would be approximately 18 acres in size (refer to Figure A-7). Phase II would utilize the same equipment pad area identified for Phase I.

The Project is located on one legal parcel that that is comprised of three tax parcels that are collectively 84.42 acres (APN 505-151-012-000 at 20.33 acres, APN 506-231-019-000 at 22.76 acres, and 506-231-022-000 at 41.33 acres) of which approximately 30 acres would be developed for the Project. The Project would deliver power to Pacific Gas and Electric Company's (PG&E) existing distribution network via a primary service interconnection located on Foster Avenue. Access to the site is provided by Foster Avenue/Jackson Ranch Road. Regional Access to the site is provided by Highway 101.

The proposed Project has been designed to avoid existing easements and structures and with applicable setbacks shown on Figure A-6 and Figure A-7. The solar facility would be positioned on the property within previously tilled areas used for crop production. The Project site is comprised of heavily disturbed agricultural fields. The adjacent properties include agricultural and rural residential land uses (refer to the drone imagery provided in Figure A-13 through Figure A-18). In addition, the County recently approved a cannabis cultivation project immediately northwest and west of the proposed Project on land owned by the same landowner. The approved cannabis cultivation project facilities have not been constructed.

2.1 Solar Facility

The Project includes the development of a PV solar power generation facility that would generate 3 MW (Phase I, 12 acres) and 4 MW (Phase II, 18 acres) of alternating current. Rows of solar panel arrays oriented north to south would be installed within the two development areas on a single-

axis tracking system that would rotate from east to west throughout the day (approximately 50 degrees in each direction) (Figure A-11). The proposed solar arrays would have a maximum height of approximately 14 feet and a minimum ground clearance of 1 foot (Figure A-11). Each solar array row would be spaced approximately 10 to 12 feet apart. The tracking system would be installed on posts driven directly into the ground to a depth of approximately 6 feet (Figure A-11). If necessary due to soil conditions, the posts may be installed on small concrete foundations; however, such conditions are not anticipated. Power collection cables would be suspended from the tracking system in racks. Trenching to installed cables underground would be limited to areas where access must be maintained.

The specific dimensions and ground clearance requirements of the solar panels and tracking system would depend on the solar panel model that is selected at the time of construction. The final project design would be subject to review and approval by the Humboldt County Building Department.

2.2 Battery Storage and Electrical Equipment Facility

Phase I and Phase II of the Project would each include a 1.25-MW and 3.75-MW battery energy storage system, respectively, that would be consolidated with the Project's other electrical equipment on an approximate 50- by 100-foot equipment pad, including inverters, transformers, AC switchgear, and PV system disconnect. The battery units and other electrical equipment would be housed in containers secured to a concrete foundation (Figure A-6 and Figure A-7). An example of the anticipated battery unit is shown on Figure A-19. The battery units would be equipped with a liquid cooling system and a fire alarm system and would meet applicable state and federal electrical and fire code standards.

2.3 Distribution Interconnection

The Project would connect to PG&E's existing Arcata 1105 12-kilovolt distribution line that runs along Foster Avenue immediately south of the Project site and connects to the Arcata Substation located at the intersection of 6th Street and I Street, approximately 1.5 miles southeast of the Project. Facility attachments consisting of one or more poles may be installed between the Project's electrical equipment and the point of interconnection on the distribution system. The poles are expected to be either wood or light-duty steel and a similar height to existing distribution poles in the area (up to 75 feet). No distribution upgrades are anticipated; however, minor upgrades at or near the point of interconnection may be necessary.

2.4 Perimeter Fencing

The solar facility and associated electrical equipment would be encompassed by an approximately 6-foot-tall chain-link perimeter fence with three strands of barbed wire installed on top. Two separate areas would be fenced for Phases I and II. The fenced area for Phase I would be approximately 12 acres and the fenced area for Phase II would be approximately 18 acres. A diagram of the fencing profile is provided on Figure A-11.

2.5 Site Access

Access to the property and solar facilities would be achieved via an existing agricultural perimeter road and driveway that connects to Foster Avenue immediately northeast of Janes Road (approximately 832 feet). The driveway access entrance would be expanded to accommodate large delivery trucks and construction equipment. In addition, the existing agriculture road would be expanded if necessary to a minimum width of 15 feet. A new 15-foot-wide access road would be installed from the existing perimeter road to the proposed equipment pad location (approximately 264 feet). Access roads for the Project would not be paved.

2.6 Site Drainage and Stormwater Management

The Project would be designed to conform to existing topography and constructed in a manner that would minimize ground disturbance. Grading and the creation of impervious surfaces would be limited to the approximately 50-foot by 100-foot equipment pad (Figure A-6 and Figure A-7). The Project would maintain the existing site drainage patterns and would not result in a substantial increase in stormwater flow; therefore, an engineered site drainage system to collect or convey stormwater would not be required. Stormwater would continue to flow across the site in line with existing drainage patterns.

2.7 Night Lighting

Nighttime illumination is not expected from the proposed solar facility. Permanent lighting fixtures for the Project would be limited to those required by County, state, and federal building guidelines, and equipment requirements, or that may be necessary for security purposes. Any lighting fixtures that may be needed would be installed in a downward facing direction and shielded if necessary. No aviation safety lighting or other markings to meet Federal Aviation Administration requirements are anticipated because the Project site does not exceed 200 feet in height.

2.8 Construction

Construction Equipment and Workforce

Equipment that would be used during construction of the solar facility would include an excavator, pile driving machine, bobcat machine, forklift, pick-up trucks, line trucks, bucket trucks, flat-bed trucks, and other similar equipment. Up to approximately 20 workers would on-site during peak construction activities. Given the limited number of workers only a few pieces of equipment would operate and any given time. PG&E would facilitate the Project interconnection process where the Project would deliver power to the existing distribution network.

Grading and Excavation

The Project has been designed to conform with the existing topography and would be constructed in a manner that would minimize ground disturbance. Minimal site grading would occur at a few select areas where ongoing access and power collection facilities would be located. In addition, the Project would incorporate methods to minimize ground disturbance associated with installing cables, such as attaching cables to the tracking system instead of digging trenches. Where necessary, to stabilize the ground surface and establish a safe work surface, loose, unstable soils would be compacted and flattened at the start of construction.

Vegetation and Tree Removal

The proposed Project would occur within areas that have been primarily used for row crop production and are free of natural vegetation and trees; however, trees are located adjacent to the proposed Project and access road connection point along Foster Avenue (Figure A-13 through Figure A-18). The removal of a small number of trees is anticipated where the Project would interconnect into the existing distribution network on Foster Avenue (Figure A-20) as well as where an existing road would be expanded to establish the driveway that would connect to Foster Avenue (Figure A-13). Tree trimming may also be necessary along access routes and in the immediate area of Project facilities. Tree removal would be limited to the minimum necessary to maintain the vegetative buffer along Foster Avenue. Any necessary permits would be obtained from the County prior to tree removal, although the need for such permits is not anticipated.

Construction Access and Traffic

Access during construction would be provided via Foster Avenue. Vehicle and truck traffic associated with the construction of the Project would be dispersed over an approximately 4-month period. It is anticipated that the construction workforce would typically range between approximately 10 and 20 workers for the majority of the construction phase. During peak construction activities, it is conservatively estimated that up to 50 construction workers may be on-site and no more than 50 daily truck trips to transport material and equipment would occur. The estimated number of vehicle and truck trips per workday would typically range from approximately 10 to 20 trips per day, with brief periods of up to approximately 50 trips per day. At no point would the Project exceed 100 trips per day.

Construction Schedule

Construction of the Project would begin with the southern development area (Foster A, Phase I). The northern development area (Foster B, Phase II) would be constructed after Phase I is operational for approximately 2 years or more.

Construction would take approximately 4 months to complete in each development area. Construction in each area would begin following completion of the land use permit process and obtaining all other applicable permits and authorizations (i.e., Building Permit). Construction

activities would typically occur Monday through Friday, 8:00 a.m. to 5:00 p.m., or otherwise authorized by the County.

2.9 Operation and Maintenance

Operational Workforce and Hours of Operation

The proposed solar facility would operate 24 hours a day, 7 days a week, and year-round, with the exception of down time for scheduled maintenance. The facility would be unmanned and managed remotely with security surveillance. Regular staff presence during the operational period would not be required. Staff would be on-site periodically to inspect and maintain Project facilities and maintain vegetation. It is anticipated that approximately two staff members would visit the Project approximately four times per year for regularly scheduled inspections and maintenance. In case of damages or non-functional equipment requiring replacement or repair, an appropriate number of staff would be on site and necessary deliveries would be made to address the issues. The site is expected to have deliveries for equipment replacement once every 10 years with the exception of unexpected events.

Operational Water Use

The regular use of water is not anticipated for operation of the Project. It is anticipated that the PV panels would be dry cleaned approximately once a year using a dry-cleaning process. Under rare circumstances a minimal amount of water may be used to wash the solar panels. In the rare event that water is used to wash the panels, up to approximately 20,000 gallons could be needed per annual cleaning cycle and the water would be obtained from the permitted well on site. Any water runoff from washing activities would be captured on-site by percolating through the soils underlying the panels. Any water washing that may occur would not generate runoff.

Implementation of the Pollinator Habitat Program (refer to Section 2.11 below) is not anticipated to require the regular use of water and would be designed to minimize the use of water; however, the periodic use of water may be necessary to establish vegetation or to water it during extreme drought conditions in order to meet the Project's commitments to maintain vegetation within the site and continue agricultural activities. In the best-case scenario, if there is no major drought, the project would not require any water annually, but in the worst-case scenario (major drought period within the first few years of planting), the project could use up to approximately 814,500 gallons of water per year for the 30 acres. Nevertheless, the volume of water to maintain vegetation at the site will be significantly less than the amount used for historic agricultural activities.

2.10 Decommissioning

Both Phase I and Phase II would operate for approximately 35 years. At the end of the Project service life, the Project would be decommissioned. A Decommissioning Plan would be developed for the Project to ensure that the facility would be completely decommissioned and removed

from the property utilizing industry standards and emergent best practices at the time of decommissioning. The Decommissioning Plan would ensure the Project site would be returned to its pre-Project condition and continue to function as land suitable for agricultural use.

The Decommissioning Plan would be submitted to the Humboldt County Planning and Building Director prior to the issuance of Building Permits. The Decommissioning Plan would include: removal of all above and below ground improvements; restoration of the surface grade, placement of topsoil over all removed structures, revegetation and erosion control as deemed necessary by the Director; a timeframe for improvement removal and site restoration; an engineer's cost estimate for all aspects of the removal and restoration plan; an agreement signed by the property owner and operator that they take full responsibility to implement the Decommissioning Plan; a plan to comply with all state and federal requirements for reuse, recycling and/or disposal of potentially hazardous waste.

Most of the components of the solar facility are recyclable, and the ability to recycle parts is expected to increase over time. There are also substantial salvage values associated with many of the components through recondition, resell, and recycling programs. The electrical components and wire contain large amounts of copper and aluminum, the electrical equipment may be refurbished and reused, and the PV modules may be reused on other systems if they are determined to have substantial output upon decommissioning.

2.11 Pollinator Habitat Program

The proposed Project includes a Pollinator Habitat Program with the purpose of continuing agricultural activities at the site throughout the Project's operational period, maintaining the existing topsoil and seedbank, enhancing the biological diversity of the subject properties, and providing some benefits to neighboring agricultural production and crop yields by increasing pollinator activities.

Following construction, vegetation would be planted at the Project site to provide pollinator habitat within the unoccupied areas of the solar facility that do not need to be maintained free of vegetation for safety and access purposes. The total Project footprint is approximately 30 acres and approximately 80 percent (24 acres) would be maintained with pollinator vegetation for the life of the Project. Planting and maintaining vegetation within the site would have other environmental benefits by minimizing the area of exposed ground surface and reducing the potential for dust management and stormwater runoff.

A Pollinator Habitat Program Implementation Plan would be developed in coordination with Humboldt County and CDFW prior to obtaining a Building Permit. The plan would address the following:

- A site plan or map identifying areas where pollinator vegetation would be planted and where vegetation clearance is necessary for safety and access requirements.

- Appropriate native vegetation species that would be selected and planted to produce the desired pollinator activities. The seed mix and vegetation species would be selected by a qualified specialist and input from the County and CDFW would be incorporated. Species that require the minimum amount of water use and maintenance would be considered in addition to other goals.
- Responsibilities and necessary qualifications for those responsible for preparing and overseeing implementing the plan (i.e., botanist, landscape architect, or similar).
- Planting and maintenance procedures, including detailed on any supplemental watering that may be needed to establish the vegetation.
- Schedules for planting and maintenance for the life of the Project.
- Procedures to provide annual updates summarizing O&M activities, as well as measures taken to ensure the success of the pollinator habitat that would be provided to the County.
- Adaptive management procedures to make any necessary changes to the program when appropriate and in coordination with the County.
- Organic vegetation maintenance activities and restrictions on the use of herbicides and insecticides.

2.12 Impact Minimizing Design Features and Practices

The following design features and practices would be incorporated into the Project to avoid and minimize impacts on the environment:

- Avoid all environmentally sensitive areas with appropriate development setbacks.
- Select Project equipment and installation methods that would require minimal grading, excavation, and other forms of ground disturbance.
- Limit the creation of impervious ground surfaces to the electrical facility pad and other small areas where necessary.
- Maintain the Project site's existing topography and surface drainage patterns.
- Restore and stabilize all temporarily disturbed Project work areas following construction.
- Implement a Pollinator Habitat Program.
- Implement a Decommissioning Plan.

3.0 CEQA EVALUATION

3.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by the proposed Project and would involve at least one impact that is determined to be a "Potentially Significant Impact."

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

3.2 Determination

On the basis of this initial evaluation (to be completed by the Lead Agency on the basis of this initial evaluation):

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier

analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Signature Date

Humboldt County Planning and Building Department

Printed Name For

3.3 Earlier Analyses

Earlier analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 16063(c)(3)(D). In this case, the Humboldt County Planning & Building Department prepared an IS/MND for the Commercial Cannabis Outdoor Light-Deprivation and Mixed-Light Cultivation Project proposed by the Arcata Land Company, which is located on properties associated with and adjacent to the proposed solar Project (2020). In Resolution No. 21-76, the County Board of Supervisors ultimately approved the cannabis cultivation project for 5.7 acres of new mixed light cannabis cultivation with 30,000 square feet of propagation area with specific conditions of approval (COAs) (Humboldt County Board of Supervisors, 2021). COAs for the cannabis cultivation project that are applicable to the proposed solar Project site location are listed below, which include conditions from Attachment 1A, Section 1, of Resolution No. 21-76:

- COA 16. There shall be no development within the 20' wide PG&E easement shown on the Site and Utility Plan, Sheet C2.0 (Note 5.1) until it is approved by PG&E, or the easement has been extinguished.
- COA 17. If there needs to be any rearrangement of existing PG&E facilities on the property, the owner/applicant will bear the burden of that cost.
- COA 21. The applicant shall plant native tree species along the eastern boundaries of parcels 505-151-012 and 506-231-022 in order to establish a visual buffer between the project site and the neighborhoods to the east. The trees must be planted outside of the PG&E gas line easement that runs along said parcel boundaries. Native tree species selection is subject to the review and approval of the Planning and Building Department prior to planting.
- COA 27. The Applicant shall record a conservation and open space easement and/or organic farming easement over an area encompassing a 500-foot width from the eastern boundary of APN's 506-231-022 and 505-151-012.
- COA 28. The Applicant shall dedicate through an easement or fee ownership a strip of land running parallel to Foster Avenue along APN's 506-131-011, 505-151-005, 505-161-009 to the County of Humboldt and/or City of Arcata for the creation of a public trail for pedestrian and bicycle traffic. The strip of land shall be a minimum of 20 feet in width running the entire length of these APNs from the project site to Alliance Road.
- COA 29. The Applicant shall develop a solar power system to provide the entirety of the power needed to support all activities approved as part of this permit within 5 years of the date of approval.

Potential PG&E easements described in COAs 16 and 17 have either been factored into the Project site plan and/or will be addressed prior to issuance of a County Building Permit. Applicable PG&E easements will be avoided or modified, and any potentially conflicting utility lines would be relocated, if necessary, or the Project site plan would be revised.

The solar Project would not conflict with COA 21 because a building setback would be required for solar development from the eastern property boundary that would provide sufficient room to plant a visual tree buffer.

The solar Project would comply with COA 27 with implementation of the proposed Pollinator Habitat Program and the continuation of agricultural activities (refer to the discussion below in Section II. Agriculture and Forestry Resources).

COA 28 identifies a public trail easement that would be crossed by the proposed access driveway where an existing access driveway exists but would be expanded. The Project would not conflict with the public trail easement or future development of a public trail. In addition, the final design and construction of the Project driveway would be subject to County review and approval during the building permit process.

COA 29 directly relates to the proposed solar development that is a condition of development for the approved cannabis cultivation project; however, the proposed solar Project has independent utility and would deliver power to the existing energy grid regardless of the cannabis cultivation project's development. The solar Project would generate approximately 7 MW of power which is significantly more energy than the cannabis cultivation facility would use, and thus the Project would meet both the County's energy goals as well as the cannabis cultivation project's solar energy condition of approval.

Prior information and analysis from the MND prepared for the cannabis cultivation project has been incorporated into this MND to the extent applicable. In addition, the mitigation measures from the MND prepared for the cannabis cultivation project have been incorporated into the framework of mitigation measures identified for the proposed solar Project.

3.4 Evaluation of Environmental Impacts

The following checklist is taken from the Environmental Checklist Form presented in Appendix G of the CEQA Guidelines. The checklist is used to describe the impacts of the proposed Project and identify project-specific mitigation measures, as appropriate. For this checklist, the following designations are used:

- **Potentially Significant Impact:** An impact that could be significant, and for which no mitigation has been identified. If any potentially significant impacts are identified, an EIR must be prepared.
- **Less Than Significant with Mitigation Incorporated:** An impact that requires mitigation to reduce the impact to a less-than-significant level.
- **Less-Than-Significant Impact:** Any impact that would not be considered significant under CEQA relative to existing standards.
- **No Impact:** The Project would not have any impact.

Pursuant to Section 15063 of the California Environmental Quality Act Guidelines, a brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved. A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards.

I. Aesthetics

Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Discussion

Topic I(a) – No Impact. For purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the general public. In addition, some scenic vistas are officially designated by public agencies, or informally designated by tourist guides. A substantial adverse effect to such a scenic vista is one that degrades the view from a designated view spot. No governmentally designated scenic vistas or specific scenic view spots have been identified within the vicinity of the Project. Further, the Project site is not accessible to the public and is surrounded by privately-owned lands. Therefore, the Project would have no impact on a scenic vista.

Topic I(b) – No Impact. According to the California Scenic Highway Mapping System, there are no designated state scenic highways in Humboldt County. The nearest eligible scenic highway (as listed in Sections 263.1 through 263.8 of the California Streets and Highways Code) is approximately 1 mile west of State Route 1 (SR-1), meaning it has scenic values but has not been officially designated as a State Scenic Highway (Caltrans, 2017). In addition, the Project does not involve removal or damage to scenic resources such as trees, rock outcroppings, or historic buildings. Therefore, the Project would result in no impacts to scenic resources within a state scenic highway.

Topic I(c) – Less Than Significant Impact. Visual character or quality refers to the visual attributes of the elements in a landscape and the relationships between those elements. The predominant land uses in the vicinity of the Project include mixed commercial, agricultural, and scattered rural residential uses. The Project site has a long history of heavy industrial and agricultural use. The site was in agriculture (hay or livestock) production until Simpson Lumber Company constructed an industrial mill site in the late 1940's or early 1950's. The site has been modified many times with the addition of warehouses and lumber storage racks. Between 1988 and 1993, the storage racks were removed. The fields have since been graded and are currently used for agriculture.

The surrounding vicinity of the Project site is sparsely populated with approximately 18 residences located within 1,000 feet of the Project. The closest offsite residences are located across Foster Ave approximately 150 feet from the site. Another residence on Janes Road is located approximately 300 feet from the Project. All other residences are located approximately 400 feet or greater from the Project. Public views of the Project site are generally limited to areas along Foster Ave and 27th Street. A large vegetative buffer of tall trees generally screens views of the Project site and little of the Project site is visible from the closest viewing areas (refer to the figures and drone images in Appendix A). Views of the site along 27th Street would be approximately 800 feet or greater from the proposed development and additional vegetative buffer along the roadway would screen views south toward the site.

The height of the solar panels would change throughout the day as they move to track the sun's position. Their maximum height position would be up to approximately 14 feet when the sun is closest to the eastern and western horizons. The relatively low profile of the solar panels would not be noticeable due to distance and partial or complete visual screening. A portion of the proposed solar panels and other supporting infrastructure may be visible to some viewers at nearby residences within 1,000 feet and travelers on adjacent roadways; however, the visibility of such structures would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. Impacts would be less than significant.

Topic I(d) – Less Than Significant Impact. The Project would not add or create substantial new sources of light or glare. The solar PV panels function by absorbing radiation rather than reflecting radiation. Solar PV panels are constructed of dark-colored materials and covered with anti-reflective coatings to minimize optical reflection. Reflection from PV panels is typically comparable to, or less than, reflection from water surfaces and building windows. The potential for glare associated with reflection from the PV panels would be minimal during the day and the facility would not be lighted at night. No nighttime glare would occur as a result of the Project. Therefore, the Project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area and a less than significant impact would occur.

II. Agriculture and Forestry 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 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:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non- agricultural use?	☐	☒	☐	☐
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined 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?	☐	☒	☐	☐

Discussion

Topic II(a) – Less Than Significant with Mitigation Incorporated. The Farmland Mapping and Monitoring Program has not been completed for Humboldt County, therefore there has been no designation of the Project site by the Department of Conservation as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (California Department of Conservation, 2022). Instead, the farmland classifications are based on modern soil surveys produced by the U.S. Natural Resources Conservation Service (NRCS). Humboldt County currently is conducting an NRCS countywide soil survey; however, the survey has not been completed. According to the County's Web GIS Map, the proposed Project area is mapped as containing prime agricultural soil (Fe2) (Humboldt County Planning & Building Department, 2022).

The Project site is heavily disturbed from previous mill operations and is currently managed for agricultural production. Surface soils on the site have been imported or graded from other areas of the property over time. The site's hydrology has been altered over time by drainage ditches constructed around the perimeter of the old industrial lumber rack and mills' footprint. Vegetative species on the site primarily consist of non-native grass and forb species.

The Project has the potential to occupy up to approximately 30 acres of land designated as Prime Agriculture Soils within the Project site; however, grading would be limited to few select areas where ongoing access and power collection facilities would be located. The Project would not result in the permanent conversion of land to non-agricultural use because topsoil and the existing drainage patterns would be retained, and the Project would be decommissioned after a period of approximately 35 years. Construction of the Project would involve minimal ground disturbance and creation of impervious surfaces (approximately 5,000 square feet), and the posts for the solar panel tracking system would be driven into the ground without significant ground disturbance or alteration to the existing drainage patterns. The underlying land and soil conditions would not be permanently altered, and the Project site would be restored after decommissioning so it would be available for agriculture use as it is currently. In addition, a Pollinator Habitat Program would be implemented as part of the Project to ensure agricultural land uses would continue at the Project site throughout the operational period. A Pollinator Habitat Program Implementation Plan would be developed in coordination with the County and CDFW as described in Section 2.11. Vegetation would be planted and maintained within the solar facility site for the life of the Project, which would have some benefit to agricultural activities and crop yields in the Project vicinity.

In order to ensure consistency with General Plan Policy AG-P6, MM AG-1 would be required to develop and implement an Agricultural Management Plan for the Project. The Agricultural Management Plan would define the types of agricultural activities that must continue at the Project site and would be compatible with the proposed solar development, operation, and maintenance activities. This may include but not be limited to, grazing and the keeping of honeybees. The plan would be subject to County review and approval to ensure consistency with General Plan Policy AG-P6.

While the proposed solar facility would occupy agricultural land, the solar energy facility would be compatible with agricultural land uses and implementation of the Pollinator Habitat Program, Agricultural Management Plan, and Decommissioning Plan would ensure agricultural uses of the Project site would continue and agricultural land uses at the site would not be permanently changed. Impacts would be less than significant with mitigation incorporated.

> **MM AG-1: Agriculture Management Plan.** To maintain consistency with General Plan Policy AG-P6, to prevent a net reduction in land base and agricultural production, the Project sponsor shall maintain continual operation of agricultural uses on the property. Such agricultural uses may include but are not limited to grazing and the keeping of honeybees. Prior to issuance of a certificate of occupancy for the Project, the applicant shall submit the Agricultural Management Plan to the County of Humboldt Planning Director, summarizing the types and duration of agricultural uses as well as operator information for the property. The Agriculture Management Plan shall be subject to review by the Planning Director to confirm the effectiveness of the agricultural operations.

Topic II(b) – No impact. The General Plan identifies solar facilities as a compatible use on lands designated as Agricultural Exclusive (AE). The Project site is also zoned as AE with the northern portion zoned as Heavy Industrial with a Qualified Combining Zone (MH-Q). Utilities and energy facilities, which includes solar energy facilities, are a compatible use in this designation (Humboldt County General Plan, Table 4-G.). The subject properties are not subject to a Williamson Act contract. The Project would also be subject to a county use permit, and the County's issuance of a use permit would ensure the Project does not conflict with zoning. Therefore, no impacts would occur.

Topic II(c-d) – No impact. The Project site is not identified as forest land (as defined in PRC section 12220[g]) or timberland (as defined by PRC section 4526) and is not zoned Timberland Production (as defined by Government Code section 51104[g]). According to the Humboldt County environmental resource maps, the area on which the solar panels would be installed contains no sensitive woodland or forested areas. Therefore, the Project would not result in the conversion of forest land and would not conflict with forest land, timberland, or Timberland Production zoning, and no impact would occur.

Topic II(e) – Less Than Significant with Mitigation Incorporated. The County (through its General Plan and Zoning Ordinance) allows for utility and energy facility land uses through application and approval of a Use Permit. The temporary nature of the Use Permit for a solar facility does not require the permanent conversion of agriculture lands, nor requires significant new infrastructure of development to service the Project site. As discussed for Topic II(a) above, the implementation of the Agriculture Management Plan and proposed Pollinator Habitat Program would ensure continued agriculture uses on the property and consistency with General Plan Policy AG-P6. Due to the type and duration of the proposed use of the site, continuation of agriculture activities, and implementation of the Pollinator Habitat Program, the Project would not create development impacts that would further lead to agriculture conversion of surrounding properties. Furthermore, the proposed Project does not propose to rezone or subdivide any

agricultural lands. With implementation of MM AG-1, the Project would result in a less than significant impacts associated with farmland conversion.

III. Air Quality

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. 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?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐
e. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐

Discussion

Topic III(a-b) – Less Than Significant Impact. The Project is located in Humboldt County, which is in the North Coast Air Basin that includes all of Humboldt, Del Norte, Trinity, and Mendocino counties, as well as a portion of Sonoma County. The North Coast Unified Air Quality Management District (NCUAQMD) is one of three air districts responsible for overseeing compliance with State and Federal laws, regulations, and programs within the North Coast Air Basin. NCUAQMD includes Del Norte, Humboldt, and Trinity Counties. Ambient air quality standards have been established at both the State and federal level. The area is listed as "attainment" or "unclassified" for all the federal and state ambient air quality standards except for the state 24-hour particulate matter of 10 microns or less (PM10) standard in Humboldt County only. The District has not exceeded the federal annual standard for particulate matter in recent years (North Coast Unified Air Quality Management District (NCUAQMD), 2022).

Humboldt County is listed as “attainment” or “unclassified” for all federal and state ambient air quality standards except the state 24-hour standard for PM10, for which Humboldt County is designated “nonattainment.” PM10 air emissions include chemical emissions and other inhalable particulate matter with an aerodynamic diameter of less than 10 microns. PM10 emissions include smoke from wood stoves, airborne salts, diesel exhaust, and other particulate matter

naturally generated by ocean surf. Primary sources of particulate matter include on-road vehicles (engine exhaust and dust from paved and unpaved roads), open burning of vegetation (both residential and commercial), residential wood stoves, and stationary industrial sources (factories). In 1995, the NCUAQMD conducted a study to identify the major contributors of PM10, which is summarized in the draft report entitled Particulate Matter PM10 Attainment Plan. According to the NCUAQMD website, this report should be used cautiously as it is not a document that is required in order for the NCUAQMD to come into attainment for the state standard. Cars and trucks and other vehicles are considered a source of particulate matter within the district. Fugitive emissions as a result of vehicular traffic on unpaved roadways are the largest source of particulate matter emissions within the district.

In determining whether a project has significant air quality impacts on the environment, planners typically apply their local air district's thresholds of significance to projects in the review process. However, the NCUAQMD has not formally adopted significance thresholds, but rather utilizes the Best Available Control Technology emission rates for stationary sources as defined and listed in the Air District's Rule 110 - New Source Review and Prevention of Significant Deterioration. The NCUAQMD does not currently have any thresholds for toxics but recommends the use of the latest version of the California Air Pollution Control Officers Association's "Health Risk Assessments for Proposed Land Use Project" to evaluate and reduce air pollution impacts from new development. The proposed Project does not meet the screening criteria for a land use project that would require a Health Risk Assessment.

Air quality impacts for the proposed Project are associated with typical construction-related activities. The Project would involve a short construction period (approximately 4 months each for Phase I and II) and utilizes a few vehicles and pieces of equipment at any given time. The Project would be constructed in a manner that would minimize ground disturbance and the potential for dust generation. Based on knowledge of emissions from similar projects (ACV Airport Microgrid Project and the Hatchery Road Solar Project), a calculation of estimated emissions is not necessary in order to conclude with certainty that the Project would have a less than significant impact on increases of any criteria pollutants and would not result in cumulatively considerable net increases of any criteria pollutants. The Project would be consistent with the NCUAQMD's PM10 Attainment Plan as the Project is located in an generally developed area, does not include the operation of woodstoves or hearths, and would not emit PM10 at levels that would exceed the NCUAQMD's threshold of 15 tons per year. This Project would not conflict with or obstruct implementation of the NCUAQMD's air quality objectives or standards or contribute in a substantive way to a non-attainment of air quality objectives in the Project area air basin.

The Project is subject to the NCUAQMD's Rule 104, Section D, for fugitive dust emissions. Pursuant to Rule 104, no person shall allow handling, transporting, or open storage of materials in such a manner which allows or may allow unnecessary amounts of particulate matter to become airborne. Further, reasonable precautions shall be taken to prevent particulate matter from becoming airborne, including:

- Covering open bodied trucks when used for transporting materials likely to give rise to airborne dust.
- The use of water or chemicals for control of dust in the demolition of existing buildings or structures, construction operations, the grading of roads or the clearing of land.
- The application of asphalt, oil, water or suitable chemicals on dirt roads, materials stockpiles, and other surfaces which can give rise to airborne dusts.
- The prompt removal of earth or other track-out material from paved streets onto which earth or other material has been transported by trucking or earth moving equipment, erosion by water, or other means.

The Project would not conflict with or obstruct implementation of an air quality plan or result in cumulatively considerable increases of criteria pollutants. Impacts would be less than significant.

Topic III(c-d) – Less Than Significant Impact. The Project site is located approximately 600 feet north of the Fuente Nueva Charter School & Mad River Montessori Preschool campus which are adjacent to Saint Mary Roman Catholic Church on Janes Road. The areas surrounding the Project site is sparsely populated with approximately 18 residences located within 1,000 feet of the Project site. The closest offsite residences are located across Foster Ave approximately 150 feet from the site. Another residence on Janes Road is located approximately 300 feet from the Project site. All other residences are located approximately 400 feet or greater from the Project.

Air emissions associated with the Project are limited to construction-related emissions, which are minor and of limited duration, and do not present a significant exposure concern. Emissions from construction-related vehicles and equipment would dissipate into the atmosphere before they could expose people working or residing in the area to substantial pollutants. Impacts would be less than significant.

Topic III(e) – Less Than Significant Impact. Construction of the Project may result in minor, temporary, nuisance odors associated with construction activities. These odors would not persist after Project construction. Impacts would be less than significant.

IV. Biological Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	☐	☐	☐	☒
c. Have a substantial adverse effect on state or federally protected wetlands (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 Conservation Community Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

Discussion

Overview. SHN conducted a Biological Resources Assessment (BRA) in 2020 for the adjacent cannabis cultivation project. TransTerra conducted an additional BRA in 2022 to evaluate potential environmental effects of the proposed Project. Both BRAs consisted of literature reviews and field observations and studies to identify potential sensitive biological resources that

may occur within the Project area. The findings of the BRAs were consistent. A copy of the TransTerra BRA is provided in Appendix B and the key findings are provided in the following sections. CDFW reviewed the draft BRA and provided comments that have been incorporated into the final BRA and mitigation measures for biological resources.

Special-Status Plant Species

A total of 72 special-status plant species were determined to be regionally occurring based on the results of the literature review. Of the special-status plant species reported in the region, 66 plant species were determined to have a low or no potential to occur in the study area, and the remaining 6 species were determined to have a moderate or high potential to occur. Species with a moderate potential for occurrence within the study area are described below:

Harlequin lotus *(Hosackia gracilis)* is a perennial herb in the Fabaceae family. It is neither State nor federally listed but has a California Rare Plant Rank (CRPR) of 4.2 and a heritage rank of G4/S3. Its elevation range is reported from 0 to 700 meters above sea level. Within its range state-wide, its blooming period is reported as March through July. This species is reported from wetlands, roadsides, and a variety of habitats from coastal scrub to coniferous forests. Although suitable habitat may exist within the study area for this species, it was not detected.

Marsh pea *(Lathyrus palustris)* is a perennial herb in the Fabaceae family. It is neither State nor federally listed but has a CRPR of 2B.2 and a heritage rank of G5/S2. Its elevation range is reported from 2 to 140 meters above sea level. Within its range state-wide, its blooming period is reported as March through August. This species is reported from bogs, fens, lower montane coniferous forest, marsh, swamp, coastal prairie, and coastal scrub. Although suitable habitat may exist within the study area for this species, it was not detected.

Howell's montia *(Montia howellii)* is an annual herb in the Montiaceae family. It is neither State nor federally listed but has a CRPR of 2B.2 and a heritage rank of G3G4/S2. Its elevation range is reported from 0 to 835 meters above sea level. Within its range state-wide, its blooming period is reported as March through May. This species is reported from meadows and seeps, north coast coniferous forests, vernal pools, vernally mesic sites, and sometimes roadsides. Although suitable habitat may exist within the study area for this species, it was not detected. A thorough search of this species was conducted during the April 7, 2022 site visit by TransTerra.

Maple-leaved checkerbloom *(Sidalcea malachroides)* is a perennial herb in the Malvaceae family. It is neither State nor federally listed but has a CRPR of 4.2 and a heritage rank of G3/S3. Its elevation range is reported from 0 to 730 meters above sea level. Within its range state-wide, its blooming period is reported as March through August. This species is reported from woodlands, clearings near the coast, and often in disturbed areas. Although suitable habitat may exist within the study area for this species, it was not detected.

Siskiyou checkerbloom *(Sidalcea malviflora* ssp. *patula)* is a perennial herb in the Malvaceae family. It is neither State nor federally listed but has a CRPR of 1B.2 and a heritage rank of

G5T2/S2. Its elevation range is reported from 5 to 1,255 meters above sea level. Within its range state-wide, its blooming period is reported as May through August. This species is reported from coastal bluff scrub, coastal prairie, roadcuts and north coast coniferous forests. Although suitable habitat may exist within the study area for this species, it was not detected.

Coast checkerbloom *(Sidalcea oregana* ssp*. eximia)* is a perennial herb in the Malvaceae family. It is neither State nor federally listed but has a CRPR of 1B.2 and a heritage rank of G5T1/S1. Its elevation range is reported from 5 to 1,805 meters above sea level. Within its range state-wide, its blooming period is reported as June through August. This species is reported from meadows, seeps, low montane conifer forests, and in gravelly soil. Although suitable habitat may exist within the study area for this species, it was not detected.

Special-Status Animal Species

Based on a review of special-status animal species, 66 special-status animal species have been reported with the potential to occur in the region. Due to the minimal natural, undisturbed vegetation or water resources within the study area, many of the regionally occurring special-status species are not likely to utilize the Project due to lack of suitable habitat. Of the 66 special-status animal species potentially occurring in the region, 51 animal species are considered to have a no or low potential to occur at the Project site and 15 species have a moderate to high potential to occur. Species with a moderate or high potential for occurrence within the study area are described below. Field investigations particularly focused on determining presence or potential use of the study area by these species.

Amphibians

Northern red-legged frog (*Rana aurora*) is an amphibian in the Ranidae family. Reported habitats include Klamath and north coast flowing waters and riparian forests, usually near dense riparian cover. It is generally found near permanent water but is sometimes found far from water in damp woods and meadows during the non-breeding season (May to November). The species is not federally or state listed but is a CDFW Species of Special Concern. Suitable dispersal habitat for this species exists within and around the wetland identified in the study area and potential breeding habitat exists in the drainage along the western boundary of the study area, although it was not detected.

Birds

Cooper's hawk (*Accipiter cooperii*) occurs in woodlands, riparian forest, chiefly of open, interrupted, or marginal type. Nest sites are mainly in riparian growths of deciduous trees, such as in canyon bottoms on river floodplains, as well as live oaks. This species builds stick platform nests lined with bark in crotches of riparian deciduous trees and second-growth conifers near streams. The species is not federally or state listed but is on the CDFW Watchlist. Foraging habitat for this species exists in the study area and adjacent to the study area, although it was not detected.

Sharp-shinned hawk (*Accipiter striatus*) can be found in ponderosa pine, black oak, riparian deciduous, mixed conifer, Jeffrey pine habitats, and prefers riparian areas. North-facing slopes with plucking perches are critical requirements. Nests are usually within 275 feet of water. The species is not federally or state listed but is on the CDFW Watchlist. Foraging habitat for this species exists in the study area and adjacent to the study area, although the species was not detected.

Great egret (*Ardea alba*) is a colonial nester in large trees. Rookery sites are located near marshes, tidal flats, irrigated pastures, and margins of rivers and lakes. This species is most often found foraging around water, including wet fields and grassy meadows near water. The species is not federally or state listed but is classified as Sensitive by CDFW. Potential foraging habitat exists for this species within the study area during the wet season, although the species was not detected.

Great blue heron (*Ardea herodias*) is a colonial nester in tall trees, cliffsides, and sequestered spots on marshes. Rookery sites are located in close proximity to foraging areas such as marshes, lake margins, tidal flats, rivers and streams, wet meadows. This species is most often found foraging near or in water, or in grassy fields near water. The species is not federally, or state listed but is classified as Sensitive by CDFW. Potential foraging habitat exists for this species within the study area during the wet season, although the species was not detected.

Short-eared owl (*Asio flammeus*) lives in large, open areas with low vegetation including grasslands, savannah, marshes, and agricultural areas. They can be seen during the day and make their nests on the ground. The species is not federally, or state listed but is a CDFW Species of Special Concern. Suitable foraging and potential nesting habitat exist for this species within the study area, although the species was not detected.

Vaux's swift (*Chaetura vauxi*) typically nests in tree cavities and forages in the air over streams and standing water that support invertebrates. The species is not federally, or state listed but is a CDFW Species of Special Concern. Potential aerial foraging habitat exists within the study area for this species, although the species was not detected.

Northern harrier (*Circus cyaneus*) is most common in large undisturbed tracts of wetlands and grasslands with low, thick vegetation during the breeding season. In winter, they use a wider range of habitat types with low vegetation including sand dunes, deserts, pastures, and croplands. The species is not federally, or state listed but is a CDFW Species of Special Concern. Winter foraging habitat exists for this species within the study area, although the species was not detected.

Snowy egret (*Egretta thula*) nests in colonies in isolated areas, often near water. They forage in marshes and estuaries, grassy ponds, pools, and wet fields. The species is not federally, or state listed or ranked by CDFW. Potential foraging habitat exists for this species within the study area during the wet season, although the species was not detected.

White-tailed kite (*Elanus leucurus*) can be found in foothills, valleys, and river bottomlands and marshes. They typically use open grasslands for foraging and nest in densely topped trees. The species is not federally, or state listed but is a CDFW Fully Protected species. Potential foraging habitat exists for this species in the study area and nesting habitat adjacent to the study area, although the species was not detected.

Merlin (*Falco columbarius*) nests near forest openings near water and forages typically for smaller birds in the air in open areas. The species is not federally, or state listed but is a CDFW Watchlist species. Foraging habitat exists for this species within the study area, although the species was not detected.

American peregrine falcon (*Falco peregrinus anatum*) occupies wetlands, lakes, rivers, or other water; on cliffs, banks, dunes, and human-made structures. Nest consists of a scrape or a depression or ledge in an open site. The species was delisted from the federal and state ESA but is a CDFW Fully Protected species. Potential foraging habitat exists within the study area for this species, although the species was not detected.

Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*) live in grasslands, meadows, and cultivated fields, as well as coastal scrub and estuaries. The species is not federally, or state listed but is a CDFW Species of Special Concern. Foraging and nesting habitat exists for this species within the study area, although the species was not detected.

Insects

Western bumble bee (*Bombus occidentalis*) is an insect in the Apidae family. This species was once common and widespread but has declined precipitously from central California to southern British Columbia, perhaps from disease. The species is not federally, or state listed but is a CDFW Sensitive species. There is suitable foraging and nesting habitat available for this species within the study area, although the species was not detected.

Obscure bumblebee (*Bombus calignosus*) lives in along coastal areas of the western states in underground burrows or above ground in abandoned bird nests. The species is not federally, or state listed but is a CDFW Sensitive species. There is suitable foraging and nesting habitat available for this species within the study area, although the species was not detected.

Fish, Mammals, Mollusks, and Reptiles

None of the fish, mammals, mollusks, or reptile species identified during the literature review are considered to have a moderate or high potential to occur within the Project area due to the lack of suitable habitat available within the study area.

Sensitive Natural Vegetation Communities

Sensitive natural vegetation communities are habitats that are generally defined by vegetation type and geographical location and are increasingly restricted in abundance and distribution. Recognition of natural communities is an ecosystem-based approach to maintaining biodiversity in California. Holland-type natural communities are habitat for numerous special-status plant and

animal species. CDFW no longer updates their tracking of Holland-type natural communities and has since standardized alliance and association-level vegetation nomenclature for California to comply with the National Vegetation Classification System. High quality occurrences of natural communities with heritage ranks of 3 or lower are considered by CDFW to be significant resources and fall under the CEQA Guidelines for addressing impacts. No sensitive natural communities were found within the study area.

Aquatic Resources

The majority of study area was previously delineated for wetlands and other aquatic resources by SHN in 2020 for the approved cannabis cultivation project; however, portions of the study area where proposed solar development would occur were not included (SHN, 2020b). On July 27 and August 4, 2022, TransTerra conducted a delineation of wetlands and other aquatic resources with the remaining portions of the study area to obtain full site coverage. The complete TransTerra BRA report is provided in Appendix B (TransTerra, 2022a). Two seasonal wetlands were delineated in the Project study area (SW-1 and SW-2). No other wetlands, aquatic resources, or riparian habitat was observed in the study area.

Nesting Bird Habitat

There is limited nesting habitat for birds within the study area. Some species, such as western meadowlark (*Sturnella neglecta*), may nest in tall grasses. Multiple raptor pellets were observed under the tree line and along the access road on the northern boundary of the study area. These are likely the result of raptors foraging and roosting in the trees along that area. The planted tree line along the southern property boundary consisting of Eucalyptus (*Eucalyptus polyanthemos*) and Western red cedar (*Thuja plicata*) may provide nesting habitat. A large group of Canada geese (*Branta canadensis*) were observed foraging throughout the study area.

Wildlife Movement Corridors

Watercourses and their associated riparian zones are likely the primary wildlife movement corridors due to their complex structure, providing cover and hiding places from predators, and the extensive connectivity to other habitats the riparian zones typically provide. Additionally, wildlife may use existing roads and trails that provide corridors between patches of vegetation. There are no significant wildlife movement corridors within the parcel, although some animals, especially nocturnal mammals may use the existing and proposed roadways as movement corridors.

Designated Critical Habitat

The USFWS's Critical Habitat Portal was reviewed for habitat within or adjacent to the study area that may be designated as critical for species listed under the FESA. The closest designated critical habitat is for the Tidewater Goby (*Eucyclogobius newberryi*), which is located approximately 1 mile west of the study area at Mad River Slough.

Invasive Species

Non-native species are often introduced to an area, whether intentionally or unintentionally, by human activities and can have a detrimental effect on native species. The non-native species may be considered invasive if they have no natural predators or other controls in the environment that prevent them from spreading freely and out-competing native species, particularly sensitive species with particular habitat requirements that may change drastically due to the spread of the invasive species. Project activities within an area have the potential to introduce or exacerbate existing invasive species issues. Invasive species were documented within the study area during field investigations and recorded in Table A-5 of the BRA (Appendix B). The study area undergoes frequent disturbance related to the ongoing agricultural activities. Due to these activities and the existing establishment of invasive species populations, invasive species are expected to remain prevalent.

Topic IV(a) – Less Than Significant with Mitigation Incorporated. The Project site is heavily disturbed and actively managed for agricultural production. No special-status plants or animals were observed during site visits. Several special-status species have the potential to occur in the study area based on the available habitat. Further, the surrounding landscape may provide suitable habitat for animals that are able to move outside of the Project area. Based on the results of the BRA, potentially significant impacts on biological resources would be less than significant with implementation of MM BR-1 (nesting bird surveys), MM BR-2 (Northern red-legged frog surveys), and MM BR-3 (protection of aquatic resources) identified below.

> **MM BR-1: Preconstruction Nesting Bird Surveys.** Construction-related vegetation removal should occur between September and February, which is outside the typical nesting bird season (February through September). If Project-related vegetation removal must occur during the breeding season, a preconstruction nesting bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a suitable no-disturbance buffer zone shall be established by a qualified biologist and determined based on species, nest location, line of sight from the Project area, type of planned construction activity, and potential for nest disturbance. Within the buffer zone, no construction shall take place until the chicks have fledged or the biologist determines that the nest is no longer active. In the event that any active nests are discovered, CDFW would be consulted and provided an opportunity to comment on the proposed avoidance buffer distances and protection measures proposed by the qualified biologist.
>
> **MM BR-2: Preconstruction Northern Red-Legged Frog Clearance Surveys.** Project construction should occur between May and November, which is outside the breeding season for northern red-legged frog. If construction activities must occur during the breeding season (November to May), preconstruction surveys shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If northern red-legged frogs are detected during the breeding season, CDFW will be consulted to determine either a suitable buffer distance or other protective measures.

MM BR-3: Protection of Aquatic Resources. The Project area does contain potential "waters of the United States", including wetlands protected under the CWA and potential "waters of the state" under the jurisdiction of the RWQCB and CDFW; however, the Project would avoid such waters and a 50-foot setback would be implemented in accordance with the County's Streamside Management Area Ordinance to ensure waters would not be indirectly impacted by any site disturbance related to development of the Project.

In the event that aquatic resources cannot be completely avoided due to unforeseen circumstances, the necessary permit authorizations would be obtained from USACE, CDFW, RWQCB, and/or the County. Appropriate protection measures would be implemented in coordination with the applicable jurisdictional agencies to ensure any such impacts are minor and adequately mitigated and permitted in accordance with all Federal, State, and Local regulations. Such protection measures may include, but are not limited to, the following:

- Avoiding any work within the water features during wet periods.
- Installing fencing and or flagging to avoid the features.
- Installing stabilization materials.
- Implementing best management practices to manage the potential for erosion, sedimentation, or inadvertent damage.

Topic IV(b) – No Impact. Sensitive natural communities are habitats that are generally defined by vegetation type and geographical location and are increasingly restricted in abundance and distribution. Recognition of natural communities is an ecosystem-based approach to maintaining biodiversity in California. High quality occurrences of natural communities with heritage ranks of three (3) or lower are considered by CDFW to be significant resources and fall under the CEQA guidelines for addressing impacts. No sensitive natural communities were identified within the Project area. Thus, the Project would have no impact on any sensitive natural community identified in local or regional plans, policies, or regulations.

Topic IV(c) – Less Than Significant with Mitigation Incorporated. SHN (2020) and TransTerra (2022a) conducted a delineation of wetlands and other aquatic resources within the Project area Two seasonal wetlands were delineated in the Project area (SW-1 and SW-2). No other wetlands, aquatic resources, or riparian habitat was observed in the study area. The Project has been designed to avoid direct impacts to the wetlands. In addition, a 50-foot setback buffer has been implemented pursuant to the Humboldt County's Streamside Management Area Ordinance. No Project features would be installed within the 50-foot wetland setback. Because direct impacts to the wetlands would be avoided, and the need for permits from the USACE, RWQCB, CDFW, and/or County are not anticipated; however, the potential for minor project refinements and the need for permits could arise due to unforeseen circumstances. MM BR-3 identified under Topic IV(a) would be implemented to ensure potential impacts on aquatic resources would be less than significant.

Topic IV(d) – Less Than Significant Impact. No significant wildlife movement corridors were identified within the Project area; however, the movement of wildlife within and around the Project area may occur as described in the BRA prepared by TransTerra. As a result, the Project would not interfere substantially with movement of native resident or migratory wildlife species or with established native resident or migratory wildlife corridors. Impacts would be less than significant impact.

Topic IV(e) – Less Than Significant Impact with Mitigation Incorporated. The Project does would not conflict with local policies or ordinances protecting biological resources. As described under Topic IV(c), the Project has been designed to comply with the County's Streamside Management Area Ordinance and MM BR-3 would be implemented to ensure compliance and any subsequent permits that may become necessary are obtained from the County. Impacts would be less than significant after mitigation.

The Project has the potential to require the removal of a few trees located along Foster Ave near where a driveway would be constructed, and the Project would interconnect to the existing PG&E transmission network (see Figure A-6 and Figure A-7). A photograph identifying trees that may be removed along Foster Ave is shown on Figure A-20. Final tree removal details would be determined during final design and subject to review by the County prior to issuance of the Building Permit. The Project would comply with all applicable tree protection ordinances and obtain any necessary permits prior to tree removal. Impacts would be less than significant.

Topic IV(f) – No Impact. The Project is located on private property. According to the U.S. Fish and Wildlife Service Environmental Conservation Online System, the Project site is not located within the boundaries of a Habitat Conservation Plan. Habitat conservation plans in Humboldt County primarily apply to forest lands and include: (1) Green Diamond Resource Company California Timberlands & Northern Spotted Owl (formerly Simpson Timber Company); (2) Humboldt Redwood Company (formerly Pacific Lumber, Headwaters); and (3) Regli Estates. According to the CDFW's website, the Project site is also not located in the boundaries of a Natural Community Conservation Plan. Existing Natural Community Conservation Plans for Humboldt County include the Green Diamond and Humboldt Redwoods Company (previously Pacific Lumber Company) Habitat Conservation Plans. Therefore, the Project would not conflict with any other local policies or ordinances protecting biological resources or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved plan applicable to the Project area, and no impact would occur.

V. Cultural Resources

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☒	☐	☐
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c. Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

Discussion

Topic IV(a-c) – Less Than Significant Impact with Mitigation Incorporated. In 2018, Archaeological Research and Supply Company prepared a Cultural Resources Investigation Report for the Arcata Land Company Property as part of the approved Cannabis Cultivation Project MND (updated June 2020). The Area of Potential Effect (APE) considered in that report overlaps the proposed Project site. The investigation included a records search through the California Historical Resources Information System's regional Northwest Center (NWIC), Native American Heritage Commission (NAHC) inquiry, coordination with local tribes, and pedestrian survey of the Site. In addition, representatives of the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, and the Wiyot Tribe conducted a field visit with Archaeological Research and Supply Company in May 2018. In July 2022, Archaeological Research and Supply Company conducted a supplemental archaeological pedestrian survey of the proposed Project's APE and prepared an amendment to their 2018 report to support the cultural findings and analysis of the proposed Project. Additional information regarding tribal consultation is provided in Section 1.9.

No prehistoric resources were identified within the Project area, but one 1920-50s era historic trash scatter was identified. The cultural resources study, as amended for the Project, concludes that the Project would not impact significant historic or prehistoric archaeological resources so long as (1) the historic site boundary is avoided through implementation of a 25-foot buffer where potentially damaging equipment should be excluded, and (2) archaeological monitoring occurs during any excavation within 100 feet of the site boundary. The Project has been designed to avoid solar development within 25 feet of the site boundary. MM CR-1 would be implemented to ensure archeological monitoring occurs within 100 feet of the site boundary. Impacts would be less than significant after mitigation.

> **MM CR-1: Archaeological Monitoring.** Archaeological monitoring by a qualified archaeologist shall occur during all excavation (if any) within 100 feet of the 1920-50s era

historic resource identified in the Cultural Resources Investigation Report. If archaeological artifacts are encountered, work shall cease in the vicinity of the find and the Inadvertent Discovery Protocols described in MM CR-2 shall be implemented. Discovered materials shall be evaluated for significance and treatment in accordance with all State and Federal guidelines, and the procedures specified in MM CR-2.

The Project would include limited ground disturbance and areas of excavation; therefore, the potential for encountering buried archaeological resources would be low. Although unlikely, the Project still has some potential to encounter previously unidentified archaeological resources during excavation activities. To address the unlikely event that buried archaeological resource deposits are discovered during Project activities, (and consistent with §8304(d) of CDFA regulations) MM CR-2 would be implemented, which defines procedures that would be followed if suspected archaeological resources are discovered. Impacts on previously unidentified cultural resources would be less than significant after mitigation.

MM CR-2: Inadvertent Discovery Protocols for Archaeological Resources. If suspected archaeological resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact would be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, Wiyot Tribe, and any other tribe that may be identified by the NAHC as traditionally or culturally affiliated with the Project area. The professional archaeological resource consultant, Tribes, and County officials would coordinate provide an assessment of the find and determine the significance and recommend next steps.

If human remains are discovered during Project activities, work would stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.

VI. Energy

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

Topic VI(a-b) – Less Than Significant Impact. The Project as proposed is the construction and operation of a renewable solar facility. After construction, there would be no full-time employees required to operate the Project. Furthermore, as discussed in the Section III. Air Quality, Humboldt County is working on development of a Climate Action Plan. Energy would be consumed during the operational phase of the Project; however, once constructed, the facility would not require typical energy consuming infrastructure such as building heating and cooling, lighting, appliances, and electronics. The proposed facility of renewable energy solar panels is estimated to generate annual electric production of approximately 7 MW that would be delivered to PG&E's existing electrical distribution system.

Compliance with the California Building Code and Best Management Practices would further reduce emissions and ensure no overall environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during operation. Therefore, these impacts would be considered less than significant.

VII. Geology and Soils

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause 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 direct or indirect 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?	☐	☐	☐	☒

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Discussion

Overview. The Project is located in the "Arcata Bottoms," a broad alluvial plain at the northern end of Humboldt Bay. Published geologic maps of the region indicate that native materials at the site consist of Quaternary aged alluvium (Kelley, 1984). Alluvium on the Arcata Bottoms is described as unconsolidated coarse- to fine-grained sand and silt, with gravel in channel areas; the alluvium may locally interfinger with marine terrace deposits. At least some of the alluvium on the Arcata Bottoms is inferred to be Holocene in age and appears to reflect deposition by the Mad River following the most recent sea level low stand.

Three soil types are mapped on the parcel including the USDA classification of Arlynda (133), Jollygiant (127), and Dungan (210). Arlynda soils are mapped along and through the drainage that flows northeast to southwest from the lower-central portion of the field to the access road and are considered hydric soils. The drainage along the access road on the southwest border of the property determined by SHN to be a wetland is mapped as Jollygiant soils. Areas towards the southeast and northwest of the drainage are mapped as Dungan soils. Soil classification was not confirmed during this study. Soils are likely impacted by agricultural activities such as plowing and tilling.

The Project is not located within an Alquist-Priolo Earthquake Fault Zone. There are no active faults mapped within the Project area and it is not within an Earthquake Fault Zone as mapped by the California Geological Survey (California Department of Conservation, 2021).

All construction projects are subject to the seismic safety standards in the California Building Code. The County's geologic hazards regulations are provided in Humboldt County Code, Title III (Land Use Development), Division 3 (Building Regulations), Chapter 6 (Geologic Hazards). Potential seismic hazards include surface fault rupture, liquefaction, and landsliding.

Topic VII(a.i-a.ii) – Less Than Significant Impact. While the Project is not located within an Alquist-Priolo fault hazard zone, earthquakes on active faults in the region have the capacity to produce a range of ground shaking intensities in the Project area (California Department of Conservation, 2021). Ground shaking may affect areas hundreds of miles distant from an earthquake's epicenter. Some degree of ground motion resulting from seismic activity in the region could occur during the long-term operation of the Project; however, all new Project facilities would be required to meet the requirements of California Building Code, which addresses seismic requirements. The State of California provides minimum standards for building design through the California Building Code (CBC; California Code of Regulations Title 24). Where no other building codes apply, CBC Chapter 29 regulates excavation, foundations, and retaining

walls. The CBC applies to building design and construction in the State and is based on the federal Uniform Building Code (UBC), used widely throughout the country. The CBC has been modified for California conditions with numerous more detailed and/or more stringent regulations. Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The Code identifies seismic factors that must be considered in structural design. Any structures proposed as part of the Project are required to be constructed in accordance with the California Building Code and comply with County building permit requirements. Therefore, any potential impacts associated with earthquake faults and strong seismic ground shaking would be less than significant.

Topic VII(a.iii) – Less Than Significant Impact. Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong earthquake shaking results in temporary, fluid-like behavior of the soil. Soil liquefaction causes ground failure that can damage roads, pipelines, underground cables, and buildings with shallow foundations. According to the Humboldt County Web GIS system, the Project site is in an area subject to potential liquefaction. The County's Building Regulations address potential soil stability hazards by requiring soils reports and site-specific engineering, as necessary, prior to issuance of building permits. In addition, the California Building Code provides soil classification guidelines for expansive soils. Proposed structures to be located on expansive soils, require special design considerations prior to permit. Based on conformance to County and state building requirements, the Project would not expose people or structures to potential substantial adverse effects related to seismic-related ground failure, including liquefaction, and a less than significant impact would occur.

Topic VII(a.iv) – No Impact. According to the Humboldt County Web GIS system, no historic landslides are designated in or near the Project area (Humboldt County Planning & Building Department, 2022). The Project parcels and immediately surrounding area are designated with a stability rating of 0 (relatively stable). Therefore, the Project would not expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides. No impact would occur.

Topic VII(b) – Less Than Significant Impact. The Project would involve minimal ground disturbance and excavation that could result in erosion. Standard best management practices to manage erosion would be implemented if and where necessary. Topsoil would be retained, and the Project site would be revegetated after construction as part of the Pollinator Habitat Program (refer to Section 2.11). The potential for soil erosion impacts would be less than significant.

Topic VII(c) – Less Than Significant Impact. According to the Humboldt County Web GIS system, no historic landslides are designated in or near the Project area; however, the Project site is in an area of potential liquefaction (Humboldt County Planning & Building Department, 2022). The Project parcels and immediately surrounding area are designated with a stability rating of 0 (relatively stable). The Project Site is essentially flat, with little topographic variation. In addition, new structures would be required to comply with the County's Building Regulations and

California Building Code which provide special considerations and requirements to ensure stability of soils. Therefore, the Project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and a less than significant impact would occur.

Topic VII(d) – No Impact. Expansive soils possess a "shrink-swell" characteristic. Shrink/swell potential is the relative change in volume to be expected with changes in moisture content, that is, the extent to which the soil shrinks as it dries out or swells when it gets wet. No expansive soils have been identified on the Project site; therefore, no impact is expected.

Topic VII(e) – No Impact. The Project does not involve placement of septic tanks or alternative disposal systems.

Topic VII(f) – Less Than Significant Impact with Mitigation Incorporated. No unique paleontological or geologic features are known to exist on the Project Site. However, MM GEO-1 is included to address the unlikely event that buried paleontological resources are discovered during Project activities. Impacts would be less than significant after mitigation.

> **Mitigation Measure GEO-1: Inadvertent Discovery Protocol for Paleontological Resources.** In the event that paleontological resources are discovered, work shall be stopped within 100 feet of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.

VIII. Greenhouse Gas Emissions

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

Overview. Section 15064.4 of the CEQA guidelines specifies how the significance of impacts from greenhouse gas (GHG) emissions is to be determined. The Lead Agency is to make a good faith effort to describe, calculate, or estimate the amount of GHG emissions that would result from a project. The Lead Agency is also to consider the following factors when accessing the impacts of the GHG emissions on the environment:

- Extent to which the project may increase or reduce GHG emissions, relative to the existing environmental setting
- Whether the project emissions exceed a threshold of significance that the Lead Agency determines applies to the project
- Extent to which the project complies with regulations adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions

Global climate change is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere. The primary GHGs contributing to global climate change are carbon dioxide, methane, nitrous oxide, and fluorinated compounds. These gases allow visible and ultraviolet light from the sun to pass through the atmosphere but prevent heat from escaping back out into space. Among the potential consequences of global climate change are rising sea levels and adverse impacts to water supply, water quality, agriculture, forestry, and ecosystems. In addition, global climate change may increase electricity demand for cooling, decrease the availability of hydroelectric power, and affect regional air quality and public health.

In California, the largest emitter of GHGs is the transportation sector, followed by electricity generation. Carbon dioxide, methane, and nitrous oxide emissions are byproducts of fossil fuel combustion. GHG emissions are typically reported as carbon dioxide equivalents (CO_2e) to account for the fact that different GHGs have different potentials to retain infrared radiation in the atmosphere and contribute to the greenhouse effect. The Project site is within the jurisdiction of the North Coast Unified Air Quality Management District (NCUAQMD) which has

not yet identified recommended GHG significance thresholds for the evaluation of development subject to CEQA review.

Topic VIII(a-b) – Less Than Significant Impact. Project construction activities could result in a small, temporary increase in GHG emissions, including exhaust emissions from on-road trucks, worker commute vehicles, and off-road heavy-duty equipment (assuming these vehicles and equipment would not otherwise be operating). The proposed Project is consistent with the Goals and Policies of the County's General Plan contained in Chapter 12 of the Energy Element (i.e., Goal E-G3 and Policy E-P13) by providing a reliable source of locally based renewable energy. The energy generated by the Project would enhance and improve the resilience of the energy grid by providing approximately 7 MW of clean renewable energy per year in Humboldt County. This Project would further reduce the existing reliance on carbon-based fuels and lower GHG emissions, both of which are stated as broader community goals and objectives. Reducing GHG emissions is one of the primary goals of the Humboldt County Climate Action Plan.

The Project is a low-impact development that does not require municipal water or sewer service. The Project would not generate any traffic and once built, requires very little ongoing maintenance. Operation of the facility would generate minimal vehicle trips and a negligible increase in GHG emissions. The only potential emissions from the Project would result during the short construction period (approximately 4 months each for Phase I and II). Construction-related emissions resulting from the proposed Project are expected to be similar to two recent solar projects in Humboldt County, which include the ACV Airport Microgrid Project and the Hatchery Road Solar Project. Impacts associated with GHG construction-related emissions for these projects were determined to be less than significant. The proposed Project would result in similar construction emissions compared to these other two solar projects and would therefore also result in less than significant impacts during construction.

The proposed solar facility is a zero-emission electricity source, and the Project would result in a substantial net decrease in GHG emissions over time by serving as an alternative source for fossil-fuel based power. This Project directly aligns with federal, state, and local plans that aim to reduce GHG emissions through alternative power supplies. Based on the low construction emissions anticipated and the operational benefits of reducing GHG emissions, the Project would not have a significant impact through GHG generation, or conflict with an applicable plan, policy or regulation for GHG reduction.

IX. Hazards and Hazardous Materials

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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 or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Discussion

Topic IX(a-b) – Less Than Significant Impact. Construction activities would involve the use of hazardous materials, such as fuels and lubricants. These materials are commonly used during construction, would be used in small quantities, and are not acutely hazardous. Numerous laws and regulations ensure the safe transportation, use, storage, and disposal of hazardous materials. For example, Caltrans and the California Highway Patrol regulate the transportation of hazardous materials and wastes, including container types and packaging requirements, as well as licensing and training for truck operators, chemical handlers, and hazardous waste haulers. The construction contract would include standard provisions for the safe handling of hazardous materials and spill prevention control and countermeasures.

Worker safety regulations cover hazards related to the prevention of exposure to hazardous materials and a release to the environment from hazardous materials use. The California Division of Occupational Safety and Health (Cal-OSHA) also enforces hazard communication program regulations, which contain worker safety training and hazard information requirements, such as procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees.

The hazardous materials associated with pad-mounted transformers are used in small quantities. Maintenance of on-site pad-mounted transformers is a standard practice with established protocols. Similarly, batteries would be enclosed in secured containers and maintenance of batteries would be performed according to manufacturer specifications depending on the model of batteries selected for the Project.

Topic IX(c) – Less Than Significant Impact. The Project site is located approximately 600 feet north of the Fuente Nueva Charter School and Mad River Montessori Preschool campus which is adjacent to Saint Mary Roman Catholic Church on Janes Road. In addition, the Coastal Grove Charter School is located approximately 0.25 mile south of the Project site. As stated in Section III. Air Quality and Section VIII. Greenhouse Gas Emissions, the Project would not emit significant emissions that may be hazardous and would result in a net reduction in GHG emissions over time. The Project would involve the construction and operation of a solar energy facility and would not result in other emissions or involve the handling of hazardous or hazardous or acutely hazardous materials, substances, or waste. Impacts would be less than significant.

Topic IX(d) – No Impact. The State's Hazardous Waste and Substances Sites List (Cortese List, Government Code Section 65962.5) identifies sites with leaking underground fuel tanks, hazardous waste facilities subject to corrective actions, solid waste disposal facilities from which there is a known migration of hazardous waste, and other sites where environmental releases have occurred (California Environmental Protection Agency, 2022).

Review of information available on the State Water Resources Control Board (SWRCB) Geotracker and Department of Toxic Substances Control Envirostor (consistent with §8102(q) of

CDFA regulations) websites indicates that there are no open cases on the Project site involving impacted soil or groundwater from Leaking Underground Storage Tanks (LUSTs) or other sources (California State Water Resource Control Board, 2022; Department of Toxic Substances Control, 2022). There is an open case (Simpson Timber Company; T0602393409) identified at the former mill site on the adjacent properties north of the proposed Project site. The case summary on the SWRCB Geotracker website describes remediation of soil and water at the former mill site in 1997, with current case status identified as "Open – Verification Monitoring."

A Phase I Environmental Site Assessment was completed for the approved Cannabis Cultivation Project Site in June 2015, which identified the aforementioned Simpson Timber Company known environmental condition, but did not identify any environmental issues warranting additional investigation. In addition, a Phase I Environmental Site Assessment was also completed for the proposed Project site in October 2022 (Ninyo & Moore) (provided in Appendix E). The results were consistent with the findings of the 2015 report; hazardous contamination of the Project site was not identified; and no further investigation was recommended. Accordingly, the Project is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment, and no impact would occur.

Topic IX(e) – No Impact. The Project is not within two miles of a public airport. California Redwood Coast – Humboldt County Airport is approximately 5.5 miles to the north and Murray Field Airport is approximately 5.3 miles to the south. Therefore, the Project would not result in a safety hazard for people residing or working in the Project area. No impact would occur.

Topic IX(f) – No Impact. No physical change to the environment would occur as a result of the Project that would interfere with emergency response or evacuation. The Project would be required to meet Humboldt County Road and Street Standards for the proposed access and driveway and subject to review as part of County's permitting process. Therefore, the Project would not obstruct emergency vehicle access, or conflict with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

The Project site is accessed by existing encroachments/roads off of Foster Avenue and 27th Street. As such, the Project would not impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan, and no impact would occur.

Topic IX(g) – Less Than Significant Impact. The Project is located in an area of low Fire Hazard Rating and within the Arcata Fire Protection District. The Project area, and surroundings, are comprised of developed agricultural and scattered rural residential with no significant vegetation or trees. The access roads would be maintained in a state such that they are free of vegetation during times of activity. Fuels and other potentially flammable chemicals may be used temporarily during construction and maintenance activities but would not be stored for long periods. The Project would involve the installation of electrical infrastructure as well as a battery storage facility as described in Section 2.2. Standard fire safety considerations for the energy infrastructure and the battery storage facility would be incorporated into the final Project design

to meet current California Department of Forestry, California Building Code, and Humboldt County building requirements for fire safety. Implementation applicable fire safety standards would be subject to review and approval by the County during the building permit review process; therefore, impacts would be less than significant.

X. Hydrology and Water Quality

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) 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; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

Discussion

Overview. While Project grading would be limited to a few select areas, a grading plan would be developed during the design phase of the Project if more than one acre of grading becomes necessary. The grading plan would determine the extent of the disturbed soil area. If this area exceeds one acre, coverage under the SWRCB's General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ, as amended) would be obtained. The Construction General Permit requires the development of a Storm Water Pollution Prevention Plan (SWPPP) by a certified Qualified SWPPP Developer. The SWPPP identifies appropriate erosion control measures and other Best Management Practices (BMPs). If this area is more than one acre, an Erosion and Sediment Control Plan would be developed in accordance with Humboldt County Code Section 331-14(h)(6)(D) (California State Water Resources Control Board, 2009).

In addition to construction-related stormwater management, the Project would need to comply with the Humboldt County Low Impact Development (LID) Stormwater Manual which addresses post-construction stormwater conditions (Humboldt County Code, Section 337-13). LID is a site development strategy that prevents chemical pollution of stormwater and maintains or reproduces the runoff characteristics that existed prior to development. Basic principles of LID include minimizing contact between pollutants and stormwater, retaining natural areas, minimizing new impervious surfaces, incorporating measures to promote storage and infiltration of stormwater, and treating runoff that leaves the site. LID is implemented largely through site design, site civil engineering, and landscaping. The specific compliance requirements for LID would be determined during the final design phase.

Topic X(a) – Less Than Significant Impact. Construction activities necessary to construct the Project would be conducted in accordance with either the SWRCB Construction General Permit or the County construction Stormwater Quality Management and Discharge Control Ordinance. Appropriate stormwater BMPs, including erosion, sediment, and non-stormwater controls would be implemented to protect water quality at all times throughout construction. Implementation of BMPs and erosion and sediment control measures would reduce potential water quality impacts during construction activities to a less-than-significant level. As a result, the potential impact on water quality during construction and operation would be less than significant.

Topic X(b) – Less Than Significant Impact. The Project will source water for irrigation of the proposed pollinator habitat and cleaning the solar panels (if needed) from a permitted well on site that yields approximately 400 gallons of water per minute. The well is located within the Mad River Lowland Subbasin. The subbasin is not subject to the Sustainable Groundwater Management Act (SGMA) and the basin prioritization is very low (https://groundwaterexchange.org/basin/mad-river-valley-lowland). According to California Department of Water Resources California's Groundwater Bulletin 118 (California Department of Water Resources, 2020)), the subbasin has no known groundwater management plans, groundwater ordinances, or basin adjudications. Storage for the subbasin is estimated at 25,000 acre-feet. Estimates of groundwater extraction are based on a survey conducted by the California

Department of Water Resources in 1996. The survey included land use and sources of water. Estimates of groundwater extraction for agricultural and municipal/industrial uses are 6,300 and 35 acre-feet respectively. Deep percolation from applied water is estimated to be 1,400 acre-feet. Groundwater recharge occurs from percolation from the Mad River and small tributary creeks in the foothills to the east of Arcata and deep percolation to floodplain deposits from precipitation and applied water. The Hookton Formation is likely recharged by rainfall in the upland recharge areas east of Arcata (DWR 1973). Some water also moves laterally into the alluvium from adjacent formations and some moves upward from leakage due to differences in pressure between the alluvium and underlying formations.

The well has been historically used for agriculture on the property. The historic use is estimated at up to 60 acre-feet (19,551,060 gal) per year. The well is currently permitted to supply up to 36 acre-feet (11,730,636 gal) of water per year to the Arcata Land Company, LLC cannabis cultivation project on APN 506-231-021. The rare use of the well for irrigating the proposed pollinator habitat during drought conditions (814,500-gal max annually) and the rare use of water for cleaning the proposed solar panels (20,000-gal max annually) would result in a 7% increase of water currently permitted to be sourced from the well. As a result, combined annual water withdrawal from the well would be less than 65% of what was historically withdrawn (up to 60-acre feet annually). The proposed project will result in a decrease in the amount of historic annual water use and would therefore lessen the impact on the groundwater table over the environmental baseline. Additionally, the Project would be designed to maintain on-site infiltration of stormwater, which benefits groundwater recharge.

Topic X(c.i-c.iv) – Less Than Significant Impact. Maintaining existing drainage patterns would be one of the design goals for the grading plan. New impervious surfaces would be minimal and site soils are expected to have sufficient infiltration capacity to avoid any off-site flooding. The Project would be required to comply with provisions of the LID Stormwater Manual to ensure no off-site siltation or erosion. Foundation requirements for the Project are minimal and do not require grading or significant cut or fill. The 50- by 100-foot equipment pad is the only anticipated foundation and impervious surface that would be created. Steel piles installed to support the solar arrays would be driven into the ground and the need for cement foundations is not anticipated. In rare circumstances, small cement foundations to support the steel piles may be necessary on a limited basis due to soil conditions. The steel piles and any foundations would not require significant ground disturbance or create substantial impervious surfaces. These factors support the conclusion that the Project would not cause substantial erosion, sedimentation, or flooding by altering existing drainage patterns, and would not contribute to an exceedance of stormwater drainage systems, nor provide substantial additional sources of polluted runoff. Impacts would be less than significant.

Topic X(d) – No Impact. The Project is not located near a large body of water capable of producing a seiche and is not located in a tsunami inundation area. In addition, according to an October 30, 1997, Letter of Map Amendment from the Federal Emergency Management Agency (FEMA), the Project site is not located in a Special Flood Hazard Area, that is the area that would be inundated by a flood having a one percent chance of being equaled or exceeded in any given year (See

Appendix D, FEMA Letter of Map Amendment). As a result, the Project would have no impact from release of pollutants due to inundation from seiche, tsunami, or floods.

Topic X(e) – No Impact. The Project would not result in substantial increased stormwater run-off and would not result in impacts to groundwater. As the Project would result in minimal grading or subsurface disturbance, there would be no other potential causes of substantial degradation of water quality. As discussed under Topic X(a) above, the Project would be required to comply with state and local construction permit standards. No impact would occur.

XI. Land Use and Planning

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☒	☐	☐

Discussion

Topic XI(a) – No Impact. The Project is situated on an unimproved grassland used for agricultural purposes and does not have the potential to divide an established community. Although there are nearby residences, the Project site is not adjacent to an urban growth area or within an existing community.

Topic XI(b) – Less Than Significant Impact with Mitigation Incorporated. The General Plan designation for the Project properties is Agricultural Exclusive (AE) (Figure A-4). The General Plan's Land Use Element allows for utilities and energy facilities within the AE land use designation such as the proposed solar facilities (General Plan, Table 4-G). The zoning for the Project properties is a mix of Heavy Industrial/Qualified Combining Zone (MH/Q), Agriculture Exclusive (AE), and Agriculture General (AG) (Figure A-5). The Project is required to obtain a Conditional Use Permit for the construction of a solar facility within the AE and AG zones. The Project would not require permanent rezoning and would be designed to meet all of the County's conditions of approval to ensure consistency with the County's zoning ordinance and land use policies.

The Project is also consistent the goals and policies of the County's General Plan contained in Chapter 12 of the Energy Element (i.e., Goal E-G3 and Policy E-P13) because it would provide a reliable source of locally based renewable energy. The energy generated by the Project would be available for local consumption via the Redwood Coast Energy Authority (RCEA), Humboldt County's Community Choice Aggregator (CCA). The Project would generate approximately 7 MW of renewable energy in Humboldt County and reduce the local communities' reliance on carbon-based fuels and lower GHG emissions, both of which are stated as broader community goals and objectives. Reducing GHG emissions is one of the primary goals of the Humboldt County Climate Action Plan. Furthermore, as discussed in Section II. Agriculture and Forestry Resources above, the Project can be considered consistent with General Plan Policy AG-P6: Agricultural Land Conversion - No Net Loss, if certain findings can be made including no feasible alternatives and an overriding public interest. These findings also require mitigation to prevent a net reduction in agricultural land base and agricultural production.

The Project is a low-impact development that does not require municipal water or sewer service. The Project would not generate any long-term traffic and once built, requires very little ongoing maintenance. The Project, while a solar facility, is a compatible use but is not agriculture and a loss of production would result as the land would not be suitable for a continuation of the same level of agricultural activities. While decommissioning and restoration of the site is proposed at the end of its useful life, the Project would occupy the site for up to 35 years. To mitigate for a net loss in agricultural land base and production suitable land or easements could be acquired as provided by General Plan Policy AG-P6. Alternatively, measures could be instituted (as is proposed by the Project) to ensure ongoing agricultural uses on the property. Such agricultural uses may include but are not limited to grazing and the keeping of honeybees. To ensure the ongoing agricultural operations are viable, MM AG-1 would require development and implementation of an Agricultural Management Plan which would be submitted to the Humboldt County Planning Department for review and approval prior to the issuance of a Building Permit. In addition, implementation of the Decommissioning Plan would ensure that restoration of the Project site occurs and there is no permanent loss or conversion of any agricultural lands.

Although the Project has been designed to result in no permanent “net loss” of agricultural land with implementation of the proposed Pollinator Habitat Program and Decommissioning Plan, the required Agricultural Management Plan per MM AG-1 would ensure agricultural activities continue. As a result, the Project’s impacts related to land use and zoning conflicts would be less than significant with this mitigation incorporated.

XII. Mineral Resources

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

Discussion

Topic XII(a-b) – No Impact. The Project Site is not classified as a Mineral Resource Zone (e.g., MRZ-2) by the State Geologist, and does not contain any known locally important mineral resources. Implementation of the Project would not result in the loss of availability of a known mineral resource, would not result in the loss of availability of a locally important mineral resource recovery site, and no impact would occur.

XIII. Noise

Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
b. Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

Discussion

Topic XIII(a) – Less Than Significant Impact. Ambient (background) noise levels at the Project site are affected by transient (short-term) noise events associated with existing land use activities in the vicinity. During construction, which is expected to last approximately 4 months, earth moving equipment would be utilized for clearing, grubbing, and grading where necessary, and a vibratory pile driver would be used to set the array piles. A truck mounted drill rig would be used to predrill holes for the array posts. A small rubber track mounted pile driving machine would be utilized to install the array posts. This equipment produces noise of approximately 100 decibels at a distance of 50 feet. Driving of the posts for the solar array is expected to take approximately 3 weeks to complete in total and would be conducted during weekdays and normal construction hours. Due to the predrilling of the post holes, the overall ambient noise level is expected to be lower than it would be if predrilling did not occur. As such, predrilling would enable a quicker and less disruptive installation period overall. The nearest sensitive receptor, a private residence, is located approximately 150 feet south of the proposed Project boundary. Construction-generated noise levels drop off at a rate of about 6 dBA per doubling of the distance between the source and receptor. At a distance 150 feet, the noise generated by the installation of array posts would attenuate and decibel levels are predicted to be approximately 90 decibels without any buffer or intervening objects; however, a thick vegetive buffer along Foster Avenue separates the closest receptors and the Project site which would act as a significant sound barrier and reduce sound levels that reach the residences by approximately 10 dBA. Noise levels of up to approximately 80

dBA may reach the closest residents along Foster Avenue for a few days while driving of the posts occurs along the southern boundary. During operation, the inverters and transformers at the equipment site would generate a low-level noise (less than 70 decibels at one meter).

Noises generated by the proposed Project would result in temporary noise increases, lasting only the duration of construction. Humboldt County does not currently have ordinances that address construction noise. The noise associated with facility operations is negligible and would not result in a substantial permanent increase in ambient noise above existing levels. The highest noise levels generated by the Project would result from the short-term use of heavy equipment and vibratory pile driving machinery during construction activities; however, increases in noise levels would be temporary and limited to daytime hours, and would not persist after the Project is constructed. Impacts would be less than significant.

Topic XIII(b) – Less Than Significant Impact. The operation of solar utilities is not typically associated with groundborne vibration, but construction may cause temporary noise and vibration. Construction activities would require the use of heavy equipment, drill rig truck, forklift, and pile driving to install the solar array posts. Some groundborne noise and vibration could occur during construction, primarily during driving of the steel support posts into the ground. Noise levels are a function of the distance between noise source and sensitive receptors and would also vary based on the type of pile driver, the depth of the pile, and soil conditions (Caltrans, 2013). Vibrations and noise would attenuate with increasing distance. Although rare, construction-induced vibrations have the potential to be structurally damaging to buildings located adjacent to the construction site. While the small rubber-track mounted machine designed specifically for this purpose is unlikely to generate substantial ground-borne vibration that might exceed standard vibration thresholds, it is possible this activity could cause a nuisance condition for nearby residences.

Ground-borne vibration is typically measured by using “peak particle velocity” (ppv). Caltrans (2013) cites a study by the American Association of State Highway and Transportation Officials (AASHTO) which identifies maximum vibration levels for preventing damage to structures from intermittent construction or maintenance activities. The maximum vibration levels are 0.2-0.3 in/sec ppv for residential buildings with plastered walls, and 0.4-0.5 in/sec ppv for residential buildings in good repair with gypsum board walls. Furthermore, the construction process would be relatively short-term compared to the lifetime of the solar installation. Sources of vibration would not exist during Project operations, and no impact is expected.

At a distance of approximately 150 feet, the closest residences could experience some level of groundborne vibration or noise for brief periods when the piles are installed along the southern boundary of the Project site. Such impacts would not exceed thresholds that that could result in structure damage, but the activity could cause a temporary nuisance. Pile driving activities along the southern boundary of the Project site would be limited to a few days. Based on the above, the proposed Project would not cause excessive groundborne vibration or groundborne noise levels, and the impact is expected to be less than significant. The proposed Project would be

required to be consistent with the Humboldt County General Plan Noise Element for construction activities and would be limited to applicable policies and standards for acceptable noise levels. Impacts would be less than significant.

Topic XIII(c) – No Impact. The Project is not situated within the jurisdiction of the Humboldt County Airports Land Use Compatibility Plan.

XIV. Population and Housing

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial unplanned 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 people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

Topic XIV(a-b) – No Impact. The Project would not directly induce population growth because it proposes no residential development. It would not indirectly induce population growth because it would not increase roadway capacity, nor would it extend public roads or other infrastructure into previously undeveloped areas. Further, the Project involves no displacement of existing housing or people, as neither occur on the Project site. Because the Project would not result in population growth in the area, does not involve the creation of, or necessity for, new housing, and would not displace existing housing or people, no impact related to population and housing would occur.

XV. Public Services

Would the project result in substantial adverse physical impacts associated with the provisions of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Fire protection?	☐	☐	☒	☐
b. Police protection?	☐	☐	☐	☒
c. Schools?	☐	☐	☐	☒
d. Parks?	☐	☐	☐	☒
e. Other Public Facilities?	☐	☐	☐	☒

Discussion

Topic XV(a) – Less Than Significant Impact. The Project is located in an area of low Fire Hazard Rating and within the Arcata Fire Protection District. The Project area, and surroundings, are comprised of developed agricultural and scattered rural residential with no significant vegetation or trees. The access roads would be maintained in a state such that they are free of vegetation during times of activity. Small amounts of fuels and other potentially flammable chemicals that may be used would be stored appropriately. In addition, the Project would be subject to fire safety building standards as part of the Building Permit process. Based on the nature of the Project and its location, it is not anticipated that the Project would result in a significant increase in the number of calls-for-service related to fire. As such, the Project would not result in the need for new or physically altered fire protection facilities, and a less than significant impact would occur.

Topic XV(b) – No Impact. The Project would include standard security measures for solar energy facilities including a barbed wire fence and gate that would remain located. There are no security concerns associated with the proposed solar facility that would result in a need for additional law enforcement services.

Topic XV(c-e) – No Impact. Since the Project does not propose residential development and would not significantly increase the population in the Arcata area, the Project would not create

a need for new schools, increase any school population, or increase the demand for public parks or other public facilities such as public health facilities and libraries. As a result, no impact would occur.

XVI. Recreation

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

Discussion

Topic XVI(a-b) – No Impact. As previously described, the Project does not involve the creation of new housing and would not result in population growth in the area. Similarly, new recreational facilities are not proposed as part of the Project and the demand for such facilities would not increase with implementation of the Project. A 20-foot-wide public trail easement is located along the northern side of Foster Avenue within APNs 506-131-011, 505-151-005, 505-161-009, which is described in COA 28 for the approved cannabis cultivation project (refer to Section 3.3). The Project driveway would cross the trail easement but would not involve the construction or expansion of the trail. Therefore, because the Project would not result in any increase in the use of, or demand for, parks or recreation facilities, no impact related to recreation would occur.

XVII. Transportation

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

Discussion

Topic XVII(a-b) – Less Than Significant Impact. The Project would not conflict with transportation regulations or result in substantial traffic increases. There would be a small increase in vehicle trips generated during construction activities (up to approximately 50 trips per day during peak construction periods), ending once the approximately 4-month construction period is complete for each Project phase. Periodic maintenance of the panels is expected to generate less trips per day than any typical land uses including single-family residences and/or agriculture uses. Infrequent inspection activities and as needed maintenance would not result in a substantial permanent increase in vehicle miles traveled (VMT) or conflict with CEQA Guidelines section 15064.3 (California Government Legislature, 2022). Impacts would be less than significant.

Topic XVII(c) – Less Than Significant Impact. The Project would involve the expansion of existing road that connects the Project site to Foster Avenue to establish a driveway and primary access point for all Project construction and operational activities. The driveway would connect Foster Avenue in a similar location and manner as the existing driveway, but the width would be expanded, and the surface would be stabilized to support heavy equipment and all-weather access. The final design and construction of the driveway would be subject to County review and approval during the permit process, which would ensure the Project driveway would not result in roadway or transportation hazards. Impacts would be less than significant.

Topic XVII(d) – Less Than Significant Impact. The Project could require brief lane closures and or/traffic control near the driveway entrance on Foster Avenue when large vehicles entered the site, such as when flatbed trucks deliver materials or when the driveway is constructed. Brief lane

closures may also be required when establishing the overhead interconnection along Foster Avenue which would also occur near the Project driveway. Applicable County Encroachment Permits and Building Permits would be obtained prior to any lane closures, and appropriate traffic control procedures would be followed in accordance with County permit requirements to ensure public safety. The Project would not restrict access to emergency service providers, even during the brief lane closures and traffic controls that would be implemented. Impacts would be less than significant.

XVIII. Tribal Cultural Resources

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

Topic XVIII(a-b) – Less Than Significant Impact with Mitigation Incorporated. Tribal coordination and AB 52 consultation for the Project and the prior Cannabis Cultivation MND is described in Section 1.9. Native American tribes that are traditionally and culturally affiliated with the Project area have not identified tribal cultural resources within or in the immediate vicinity of the Project. In addition, no prehistoric archaeological resources that may be considered tribal cultural resources were encountered during archeological surveys conducted for the prior cannabis cultivation project or the proposed Project. Impacts on tribal cultural resources are not anticipated because none have been identified.

As described under Topic V(a-c), the Project would include limited ground disturbance and areas of excavation; therefore, the potential for encountering buried archaeological resources that may be considered tribal cultural resources would be low. Although unlikely, the Project still has some potential to encounter previously unidentified archaeological resources during excavation activities that could be considered tribal cultural resources by Native American Tribes. To address the unlikely event that buried archeological resource deposits are discovered during Project activities, MM CR-2 would be implemented which defines procedures that would be followed if

suspected archaeological resources are discovered, including coordinating with Native American Tribes. Impacts on previously unidentified tribal cultural resources would be less than significant after mitigation.

XIX. Utilities and Service Systems

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☐	☐	☐	☒
c. Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructures, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

Topic XIX(a-b) – No Impact. The Project would not result in generation of wastewater requiring treatment. Given that no wastewater would be generated by the proposed Project, the Project would not exceed wastewater treatment requirements of the Regional Water Quality Control Board and would not result in a significant impact on the environment relative to wastewater discharge. The need for stormwater facilities is not anticipated because the Project proposes minimal grading and impervious surfaces, and to retain the existing drainage pattern of the site; however, if any stormwater facilities are required by the County, they would be constructed to meet all County design requirements in order to obtain a building permit. The Project does not require municipal water.

Topic XIX(c) – No Impact. The Project would not result in new or increased wastewater from the site that would be sent to any wastewater facility. Portable toilets would be used during work activities at the Project site but no direct connections to the County's wastewater or sanitation facilities are proposed.

Topic XIX(d-e) – Less Than Significant Impact. The Project would generate low to moderate levels of waste during construction and decommissioning activities, but such waste generation would occur over short periods and would not be sustained. The Project would generate very low amounts of sustained waste generation during operation and maintenance activities. During construction, construction debris and wastes would be collected and stored onsite and recycled and disposed of at an approved facility. During operations, waste would not be stored on site. When maintenance activities are required, any debris or waste generated would be taken offsite once maintenance is complete to be recycled or disposed of appropriately. During decommissioning, all Project facilities would be removed from the Project site and recycled or disposed of in an appropriate waste or recycling facility. The Project would follow all applicable waste management regulations, and would not result in conflicts with federal, state, or local waste management policies or programs. Impacts would be less than significant.

XX. Wildfire

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☒	☐
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

Discussion

Topic XX(a) – No Impact. No physical change to the environment would occur as a result of the Project that would impair an adopted emergency response plan or emergency evacuation plan. The Project site is accessed by existing encroachments/roads off of Foster Avenue and 27th Street. As such, the Project would not impair the implementation of, or physically interfere with an adopted emergency response plan or emergency evacuation plan. No impact would occur.

Topic XX(b-d) – Less Than Significant Impact. The Project is located within a Local Responsibility Area (Arcata Fire Protection District) and outside of mapped fire hazard severity zones (e.g., moderate, high, or very high). Since the Project is not within a State Responsibility Area or on lands with a very high hazard severity zone, the Project would not result in impacts associated with wildfire according the CEQA Appendix G significance criteria. Further, the Project area, and surroundings, are comprised of developed agricultural and scattered rural residential with no significant vegetation or trees. The access roads would be maintained in a state such that they are free of vegetation during times of activity. The Project would be constructed following standard fire safety requirements applicable to public and worker safety as well as solar energy production and battery storage. The Project would not exacerbate wildfire risks or associated

impacts based on the Appendix G significance criteria; however, the Project would involve the installation of electrical generation facilities, energy storage batteries, and overhead distribution interconnection lines. There is a low potential for such equipment to fail in a manner that results in the ignition of wildfires or for objects to come into contact with energized electrical lines and equipment; however, such incidents are known to occur. As discussed in Section IX. Hazards and Hazardous Materials, the Project would be designed to meet all federal, state, and local electrical code and safety standards which would ensure appropriate safety precautions are taken to prevent the potential for equipment failure and the Project resulting in a wildfire, including other potential post-fire impacts that may result from a wildfire. Impacts would be less than significant.

XXI. Mandatory Findings of Significance

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to substantially 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, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☒	☐	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒

Discussion

Topic XX(a) – Less Than Significant Impact with Mitigation Incorporated. All potential impacts to the environment were evaluated as part of the analysis in this document, including potential impacts to habitat for fish or wildlife species, rare or endangered plants and animals, and cultural resources. Where impacts were determined to be potentially significant, mitigation measures have been imposed to reduce those impacts to less than significant levels. Accordingly, with incorporation of the mitigation measures imposed throughout this document, the Project would not substantially degrade the quality of the environment. Impacts would be less than significant after mitigation.

Topic XX(b) – Less Than Significant Impact with Mitigation Incorporated. The following is a list of currently proposed or recently approved projects within a 1-mile radius of the Project site, based on information provided by Humboldt County as well as information obtained from the City of Arcata's planning website:

- **Arcata Land Company, LLC (County of Humboldt – approved):** 5.7 acres of new mixed light cannabis cultivation with 30,000 square feet of propagation area on a 38.8-acre parcel (2920 Foster Avenue/APN 506-231-021, 505-151-011, and 505-151-012). Water would be supplied by an existing well. A maximum of 80 employees are anticipated.
- **Ryan Simas (County of Humboldt – pending):** 10,000 square feet of new mixed-light commercial cannabis cultivation and 4,000 square feet of new indoor commercial cannabis cultivation on a 48.74-acre parcel (3203 Upper Bay Road/APN 507-161-006). Water source and employee count unknown at this time.
- **WE Investment Properties (County of Humboldt – pending):** New 130,680 square-foot indoor commercial cannabis operation and 30,000 square-foot commercial cannabis nursery on a 9.69-acre parcel (2730 Foster Avenue/APN 506-231-012). Water would be supplied by rainwater catchment and an existing well. A maximum of 61 employees are anticipated.
- **New Cingular Wireless PCS (County of Humboldt – approved):** New 120-foot tall, freestanding faux water tower, to be located on a concrete foundation and with ground-mounted equipment on a 12.35-acre parcel (2420 Foster Avenue/APN 505-151-006). The tower would be able to host up to four different wireless carriers with equipment mounted inside the water tank area.
- **PWM, Inc (County of Humboldt – approved):** New 130-foot-tall freestanding lattice tower, to be located on a concrete foundation and with ground-mounted equipment on a 26.99-acre parcel (2920 Foster Avenue/APN 506-231-020). The tower would be able to host up to four different wireless carriers.
- **Creek Side Mixed Occupancy Residential Annexation Project (City of Arcata – approved):** The project proposes to include a mix of occupancy and types of housing on land proposed to be annexed into the city. The project would also require a General Plan amendment and Land Use Code amendment to establish land use and zoning on the annexed property, a Minor Subdivision, and a Planned Development Permit. In addition, the project owner would enter a Development Agreement with the City to pay certain fees for traffic impacts, wastewater treatment impacts, and water storage impacts.
- **Arcata Gateway Area Plan (City of Arcata – pending):** The Gateway Area Plan encompasses a 106-acre area of land that was once used mostly for industrial purposes located within 1/10 of a mile of downtown Arcata. The Plan will establish streamlined permitting for projects in the urban core and strengthen policy, programs, and organizational capacity to protect working forests, agricultural lands, open space, and natural resource lands surrounding the City.
- **Strategic Infill Redevelopment Program (City of Arcata – pending):** The redevelopment plan aims to align the City's policies with the needs of the community and available resources, so Arcata's housing and economic development needs can be met in the future by prioritizing infill development. The program proposes to create a new vision statement for the City and a new set of strategic programs to implement over the next 20 years. Create a well-balanced housing infill development program that meets Arcata's current and future housing needs. Ensure the continued preservation of working forestland to the

east and agricultural bottomlands to the west of the City by concentrating development in and around downtown Arcata.

- **General Plan Updates (City of Arcata – pending):** The plan will update and amend the City's existing General Plan, including a new General Plan Element (the Gateway Area Plan) to encourage infill development in the Arcata Gateway Area, in accordance with State Bill (SB) 375 and California Government Code (CGC) Section 65302. Together these documents will be called the "Arcata General Plan 2045." The Arcata General Plan 2045 will also update the goals, policies, and implementation programs that articulate the vision for the City's long-term physical and economic development, while preserving open space areas and enhancing the quality of life for Arcata residents.
- **Open Door Community Health Clinic (City of Arcata – under construction):** The project proposes to construct a new consolidated health center (the "Arcata Community Health Center") west of the intersection of Foster and Sunset Avenues. The facility would allow Open Door to provide services in a modern and efficient building, designed specifically for providing medical health services, and will also create the opportunity for re-use of two centrally located lots in the heart of Arcata.
- **Sorrel Place/Isackson's Affordable Housing Project (City of Arcata – construction completed):** The project is an infill affordable housing complex located on a portion of the block contained by 6th and 7th Streets and I and J Streets, a large commercial lot near Arcata's downtown area. The project subdivided the property in to two separate parcels. The previous commercial uses on Lot 1 will remain while Lot 2 was developed with a four-story building (approximately 45 feet) that contain 43 income restricted residential units and a manager's unit. New utilities, sidewalks, driveway access, landscaping, playground, parking, and private and public open space areas are included on site.
- **30th St – Yurok Indian Housing Authority Housing Project (City of Arcata – construction completed):** The project includes 36 units of affordable housing in addition to several bike lanes, safe and accessible walkways, a one-mile active transportation multi-use trail and a pedestrian bridge that connects tribal members and Arcata residents to surrounding neighborhoods and amenities.
- **Local Coastal Program (City of Arcata – pending):** The Arcata Community Development Department is updating its 1989 Local Coastal Program. The Program regulates all development within the Coastal Zone which makes up about one-third of the City. The update includes potential changes to the downtown commercial district and some residential areas and considers issues such as agricultural resources, coastal access, industrial development, sea level rise and other coastal hazards, and wetlands and other environmentally sensitive areas.
- **Westwood Gardens Apartment Complex (City of Arcata – approved):** City of Arcata Planned Development Permit amendment to develop 102 new, one bedroom dwelling units about 416 square feet in size on a 4.5-acre project site known as the Westwood Garden Apartments. The site is currently developed with 60 dwelling units. The infill housing improvements include new or revised access, parking, laundry, solid waste, walkways, utilities, lighting, stormwater, and landscaping. Site development includes the removal of 21 trees: 10 trees greater than 16 inches in diameter (DBH); and 11 trees less

than 16 inches in DBH. Janes Creek/McDaniel Slough is in the southern portion of the parcel about 0.7 acres in size. No development except for riparian enhancement is proposed within the 100-year flood zone and Janes Creek riparian area. Exceptions to the amount of private recreation area and yard setbacks are requested.

The Project would not have impacts that are individually limited, but cumulatively considerable. Potentially significant impacts associated with the Project are discussed in applicable sections of the MND for agriculture, biological resources, cultural resources, paleontological resources, and land use planning. The Project's design features, and mitigation measures identified in the MND would eliminate or reduce all impacts to a less-than-significant levels, and there are no impacts that would be cumulatively considerable. Pursuant to CEQA case law, "When there is no substantial evidence of any individual potentially significant effect by a project under review, the lead agency may reasonably conclude the effects of the Project would not be cumulatively considerable." (L*eonoff v. Monterey County Bd. of Supervisors* [1990] 222 Cal.App.3d 1337, 1358; S*ierra Club v. West Side Irrigation Dist*. [2005] 128 Cal.App.4th 690, 701-702; *Hines v. California Coastal Comm'n* [2010] 186 Cal.App.4th 830, 858.). Therefore, impacts would be less than significant.

Topic XX(c) – No Impact. The Project's potential to result in environmental effects that could adversely affect human beings, either directly or indirectly, has been discussed throughout this document. There are no instances where the proposed Project has the potential to result in substantial direct or indirect adverse effects to human beings.

3.5 Conclusions

The results of the CEQA evaluation found that the Project would result in potentially significant adverse impacts for agriculture, biological resources, cultural resources, paleontological resources, and land use planning, and that all impacts would be avoided or reduced to less-than-significant levels with implementation of the Project's proposed design features and mitigation measures identified in the MND. A complete list of the mitigation measures is provided in Section 4.

4.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation measures were incorporated into conditions of Project approval. Table 4.1 below is a Mitigation Monitoring and Reporting Program (MMRP) that identifies Project mitigation measures by topic as well as monitoring and/or reporting requirements to ensure their implementation.

TABLE 4.1 MITIGATION MONITORING AND REPORTING PROGRAM

Environmental Factor	Mitigation Measure	Implementation Responsibility	Monitoring/ Reporting Responsibility	Timing
Agriculture and Forestry Resources & Land Use and Planning	**MM AG-1: Agriculture Management Plan.** To maintain consistency with General Plan Policy AG-P6, to prevent a net reduction in land base and agricultural production, the Project sponsor shall maintain continual operation of agricultural uses on the property. Such agricultural uses may include but are not limited to grazing and the keeping of honeybees. Prior to issuance of a certificate of occupancy for the Project, the applicant shall submit the Agricultural Management Plan to the County of Humboldt Planning Director, summarizing the types and duration of agricultural uses as well as operator information for the property. The Agriculture Management Plan shall be subject to review by the Planning Director to confirm the effectiveness of the agricultural operations.	Project Sponsor/County of Humboldt	County of Humboldt	Prior to Construction
Biological Resources	**MM BR-1: Preconstruction Nesting Bird Surveys.** Construction-related vegetation removal should occur between September and February, which is outside the typical nesting bird season (February through September). If Project-related vegetation removal must occur during the breeding season, a preconstruction nesting bird survey shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If active nests are found, a suitable no-disturbance buffer zone shall be established by a qualified biologist and determined based on species, nest location, line of sight from the Project area, type of planned construction activity, and potential for nest disturbance. Within the buffer zone, no construction shall take place until the chicks have fledged or the biologist determines that the nest is no longer active. In the event that any active nests are discovered, CDFW would be consulted and provided an opportunity to comment on the proposed avoidance buffer distances and protection measures proposed by the qualified biologist.	Project Sponsor	County of Humboldt	Prior to Construction

Environmental Factor	Mitigation Measure	Implementation Responsibility	Monitoring/ Reporting Responsibility	Timing
Biological Resources	**MM BR-2: Preconstruction Northern Red-Legged Frog Clearance Surveys.** Project construction should occur between May and November, which is outside the breeding season for northern red-legged frog. If construction activities must occur during the breeding season (November to May), preconstruction surveys shall be conducted by a qualified biologist no more than two weeks prior to Project activities. If northern red-legged frogs are detected during the breeding season, CDFW would be consulted to determine either a suitable buffer distance or other protective measures.	Project Sponsor	County of Humboldt	Prior to Construction
Biological Resources	**MM BR-3: Protection of Aquatic Resources.** The Project area does contain potential "waters of the United States", including wetlands protected under the CWA and potential "waters of the state" under the jurisdiction of the RWQCB and CDFW; however, the Project would avoid such waters and a 50-foot setback would be implemented in accordance with the County's Streamside Management Area Ordinance to ensure waters would not be indirectly impacted by any site disturbance related to development of the Project. In the event that aquatic resources cannot be completely avoided due to unforeseen circumstances, the necessary permit authorizations would be obtained from USACE, CDFW, RWQCB, and/or the County. Appropriate protection measures would be implemented in coordination with the applicable jurisdictional agencies to ensure any such impacts are minor and adequately mitigated and permitted in accordance with all Federal, State, and Local regulations. Such protection measures may include, but are not limited to, the following: • Avoiding any work within the water features during	Project Sponsor	County of Humboldt	Prior to Construction

Environmental Factor	Mitigation Measure	Implementation Responsibility	Monitoring/ Reporting Responsibility	Timing
	wet periods. • Installing fencing and or flagging to avoid the features. • Installing stabilization materials. • Implementing best management practices to manage the potential for erosion, sedimentation, or inadvertent damage.			
Cultural Resources	**MM CR-1: Archaeological Monitoring.** Archaeological monitoring by a qualified archaeologist shall occur during all excavation (if any) within 100 feet of the 1920-50s era historic resource identified in the Cultural Resources Investigation Report. If archaeological artifacts are encountered, work shall cease in the vicinity of the find and the Inadvertent Discovery Protocols described in MM CR-2 shall be implemented. Discovered materials shall be evaluated for significance and treatment in accordance with all State and Federal guidelines, and the procedures specified in MM CR-2.	Project Sponsor	County of Humboldt	During Construction
Cultural Resources & Tribal Cultural Resources	**MM CR-2: Inadvertent Discovery Protocols for Archaeological Resources.** If suspected archaeological resources, such as lithic materials or ground stone, historic debris, building foundations, or bone are discovered during Project activities, work shall be stopped within 100 feet of the discovery. Contact would be made to the County, a professional archaeologist and representatives from the Blue Lake Rancheria, Bear River Band of Rohnerville Rancheria, Wiyot Tribe, and any other tribe that may be identified by the NAHC as traditionally or culturally affiliated with the Project area. The professional archaeological resource consultant, Tribes, and County officials would coordinate provide an assessment of the find and determine the significance and recommend next steps.	Project Sponsor	County of Humboldt	During Construction

Environmental Factor	Mitigation Measure	Implementation Responsibility	Monitoring/ Reporting Responsibility	Timing
	If human remains are discovered during Project activities, work would stop at the discovery location, within 100 feet, and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County coroner would be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the NAHC (Public Resources Code, Section 5097). The coroner would contact the NAHC. The descendants or most likely descendants of the deceased would be contacted, and work would not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98.			
Geology and Soils	**MM GEO-1: Inadvertent Discovery Protocol for Paleontological Resources.** In the event that paleontological resources are discovered, work shall be stopped within 100 feet of the discovery and a qualified paleontologist shall be notified. The paleontologist shall document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in State CEQA Guidelines Section 15064.5. If fossilized materials are discovered during construction, excavations within 100 feet of the find shall be temporarily halted or diverted until the discovery is examined by a qualified paleontologist. The paleontologist shall notify the appropriate agency to determine procedures that would be followed before construction is allowed to resume at the location of the find.	Project Sponsor	County of Humboldt	During Construction

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