

CEQA EXEMPTION JUSTIFICATION

DATE: 2/11/2026

TO: The Planning Commission of the City of Eureka

FROM: Caitlin Castellano, Development Services Deputy Director
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SUBJECT: California Environmental Quality Act (CEQA) exemption justification memo for a retail business at 500 Summer Street (APN 001-035-002)

Project Description & Setting

Project Description

The Applicant, Joseph Picton, proposes utilizing an approximately 0.74-acre property for the indoor and outdoor retail sale of prefabricated storage sheds (see **Figures 1-5**). Outdoor display and sales would be secondary to indoor retail use activities, which would occur within an existing approximately 5,000-square-foot(sf) single-story commercial building and include prefabricated sheds and related accessories. The proposed hours of operation would be Monday through Saturday, from 10:00 a.m. to 5:00 p.m. The Applicant anticipates that the business would employ up to two employees and accommodate up to four customers on site at any given time. The project would involve regular deliveries of prefabricated sheds and related materials, which would occur during normal business hours and utilize the existing street network. Access to the site for loading/unloading purposes would occur from the driveway off of Summer Street. A single off-street parking space for employees is proposed within the existing building and it is anticipated that customers would use existing on-street parking along Summer Street.

Site improvements proposed by the Applicant include the following:

- Removal of a 0.18-acre (~7,800-sf) nonconforming outdoor storage area allowing the use of the entire outdoor portion of the site for use as outdoor retail
- Removal of the barbwire from the existing six-foot-tall chain-link fence along the northern and eastern property boundaries
- Removal of the existing fencing on the boundary of the vision clearance area (VCA) at the corner of 5th and Summer Streets and installation of a new fence section along the western edge of the VCA
- Landscaping improvements along the northern and eastern property boundaries to enhance visual character, traffic safety, and the pedestrian environment
- Installation of wall mounted sign(s) on the existing building and a monument sign facing 5th Street
- Replacement of the outdoor lighting fixtures on the existing building with Dark Sky compliant fixtures (as applicable)
- Installation of six short-term bicycle parking spaces
- The addition of low-intensity accent lighting within the outdoor retail area

Some of the improvements proposed for the project would bring existing legal non-conforming site features into compliance with current standards related to outdoor lighting, outdoor storage, fencing, and the 5th and Summer intersection VCA.

Construction activities associated with the project would be minimal and, as noted above, limited to the modification of existing fencing, installation of landscaping and signage, and the replacement and addition of outdoor lighting fixtures.

Setting

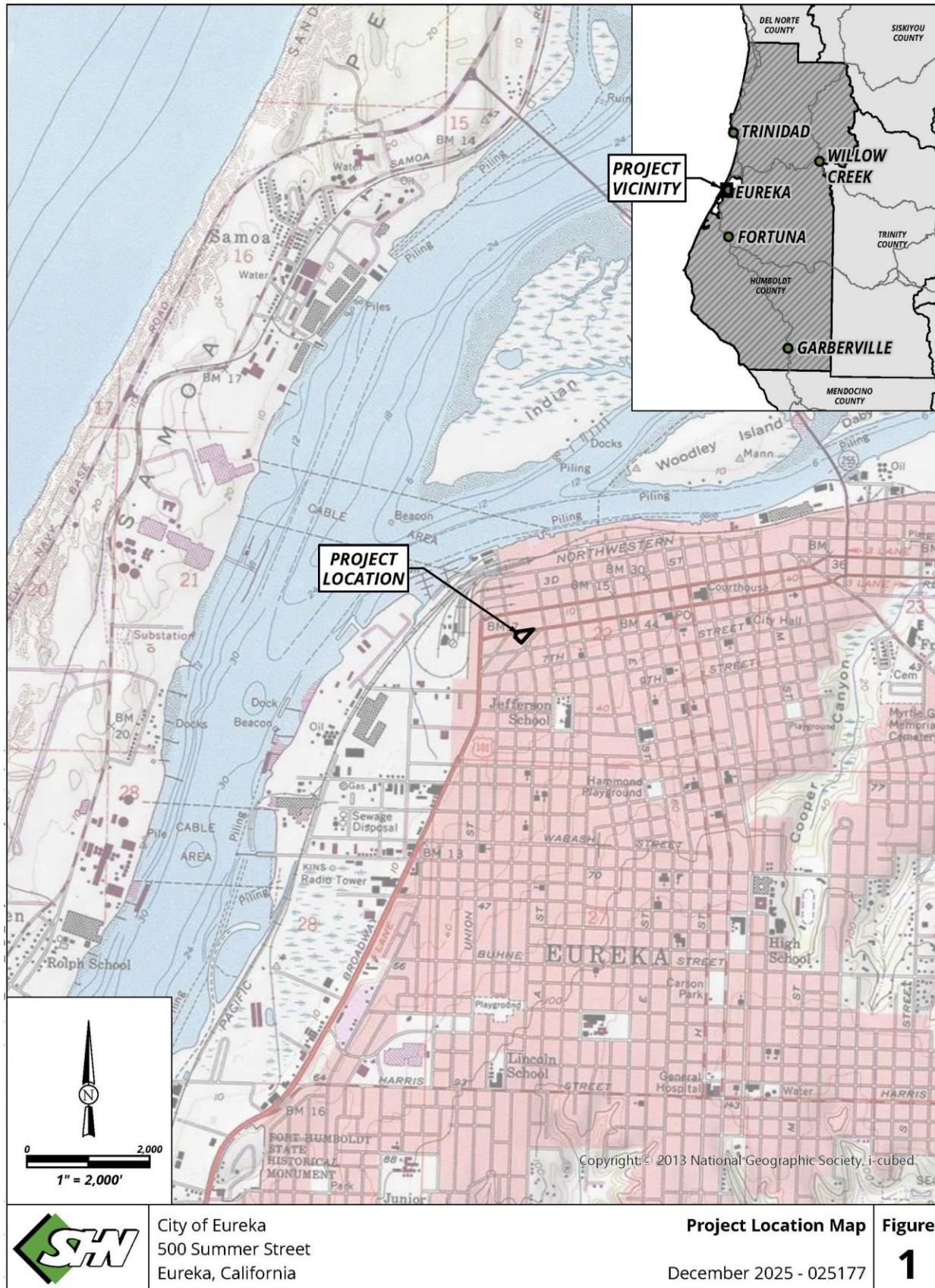
The flat, triangular project site is an underutilized, vacant commercial parcel that includes paved and gravel surfaces, an existing approximately 5,000-square-foot commercial building, chain-link fencing topped with barbed wire, and outdoor lighting (see **Figure 3**). The site is located in the Downtown Commercial Land Use Designation (DC Designation) and the Downtown West Zoning District (DW District), southwest of the Old Town National Historic District, south and east of the California Coastal Zone, and approximately one-quarter mile from the City's northern waterfront along Humboldt Bay.

The project site has approximately 300 feet of frontage along 5th Street (U.S. Highway 101 northbound) and approximately 300 feet of frontage along Summer Street. Pursuant to the City's 2040 General Plan Figure M-1 (City of Eureka, 2018a), the streets adjoining the property are classified major arterial, major collector, and local streets: US-101N/5th Street is designated a one-way northbound major arterial. California Street does not adjoin the property but is a classified as a major north-south collector that transitions to Summer Street just south of the property so the portion of Summer Street from California Street north to 5th Street is classified major collector and the remaining portion of Summer Street, from California Street south to 6th Street, is classified as a local street (see **Figure 2**, below). Vehicular access to the site is currently provided via a driveway on Summer Street; the existing driveway on 5th Street would not be used as part of the proposed project. The project site does not include designated/stripped off-street parking for the existing building.

The site occupies approximately one-third of a city block and is bordered by sidewalks and public streets on two sides, with commercial properties on the third side. Sanborn Fire Insurance Maps indicate that the site was developed with a gas-station and motel late 1930s, later expanded to a with a 28-unit motel and no gas-station in the early 1950s. Since that time, the site has continued to be used for commercial purposes.

The project site is identified in the State Water Resources Control Board's (SWRCB's) GeoTracker database as a previously investigated site with a closed case (NCRWQCB [Region I] Case No. 1THU543¹). Residual contamination is limited to the northern corner of the property near Summer and 5th Streets and is managed under existing regulatory requirements, representing an existing condition of the site.

¹ For complete site history, see the GeoTracker website:
https://geotracker.waterboards.ca.gov/profile_report?global_id=T0602300407



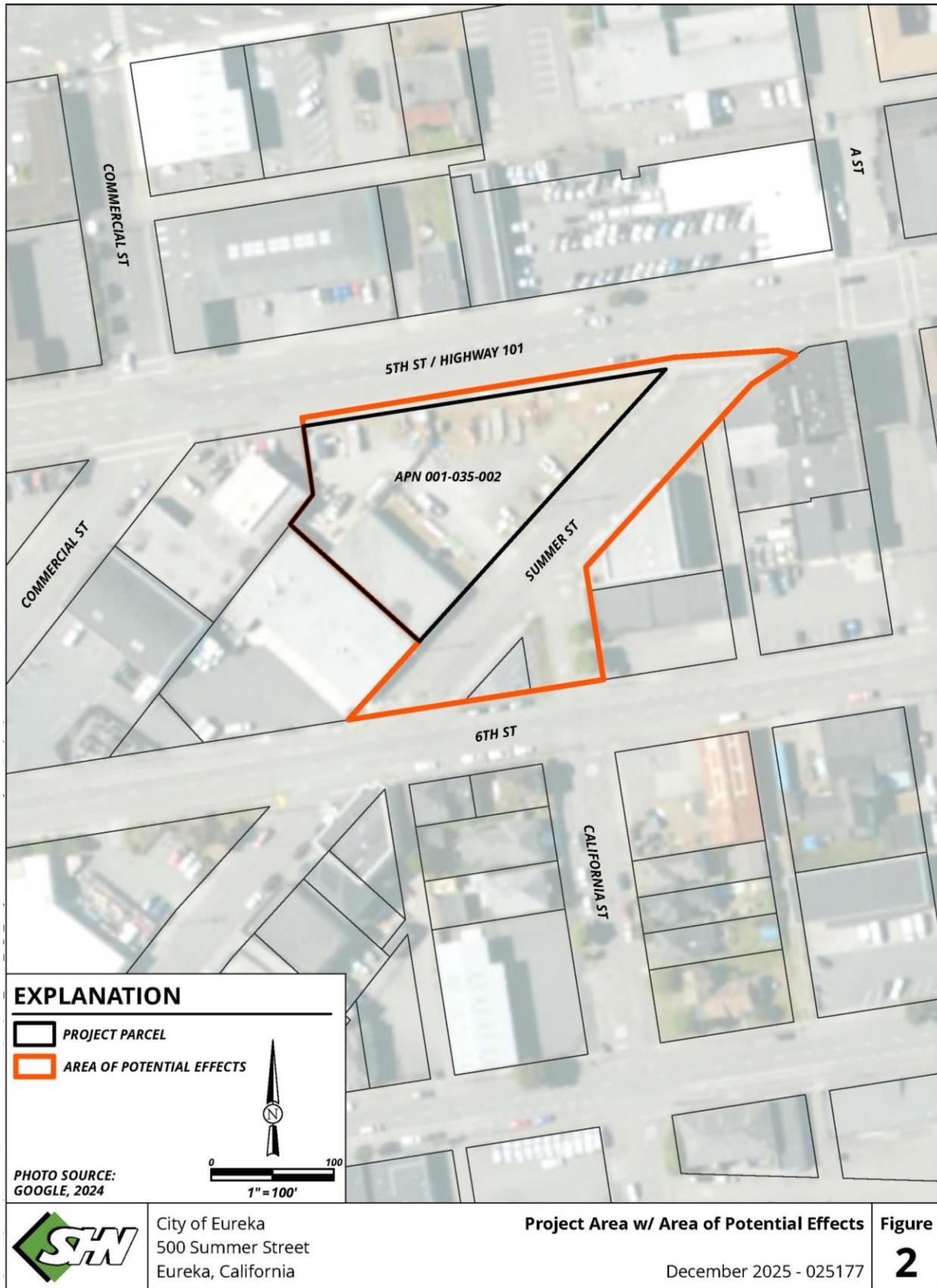


Figure 3: Project Site Photos



Photo 1: View of outdoor retail area looking northeast towards 5th Street



Photo 2: View of building and outdoor retail area looking west towards the intersection of Commercial and 5th Streets



Photo 3: View of Summer Street entrance looking north towards 5th Street



Photo 4: View of corner of 5th and Summer Street looking north

Figure 4: Site Plan

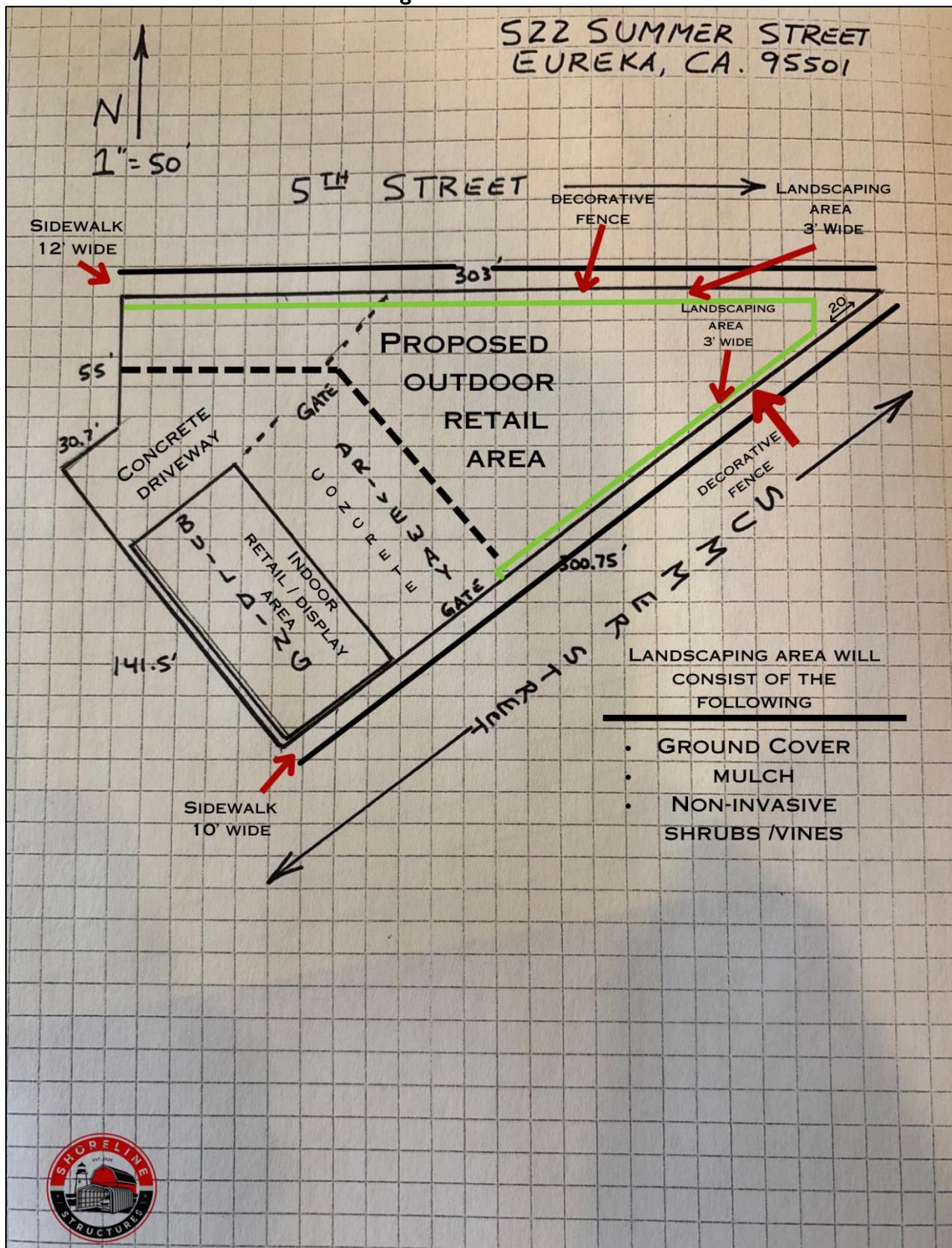
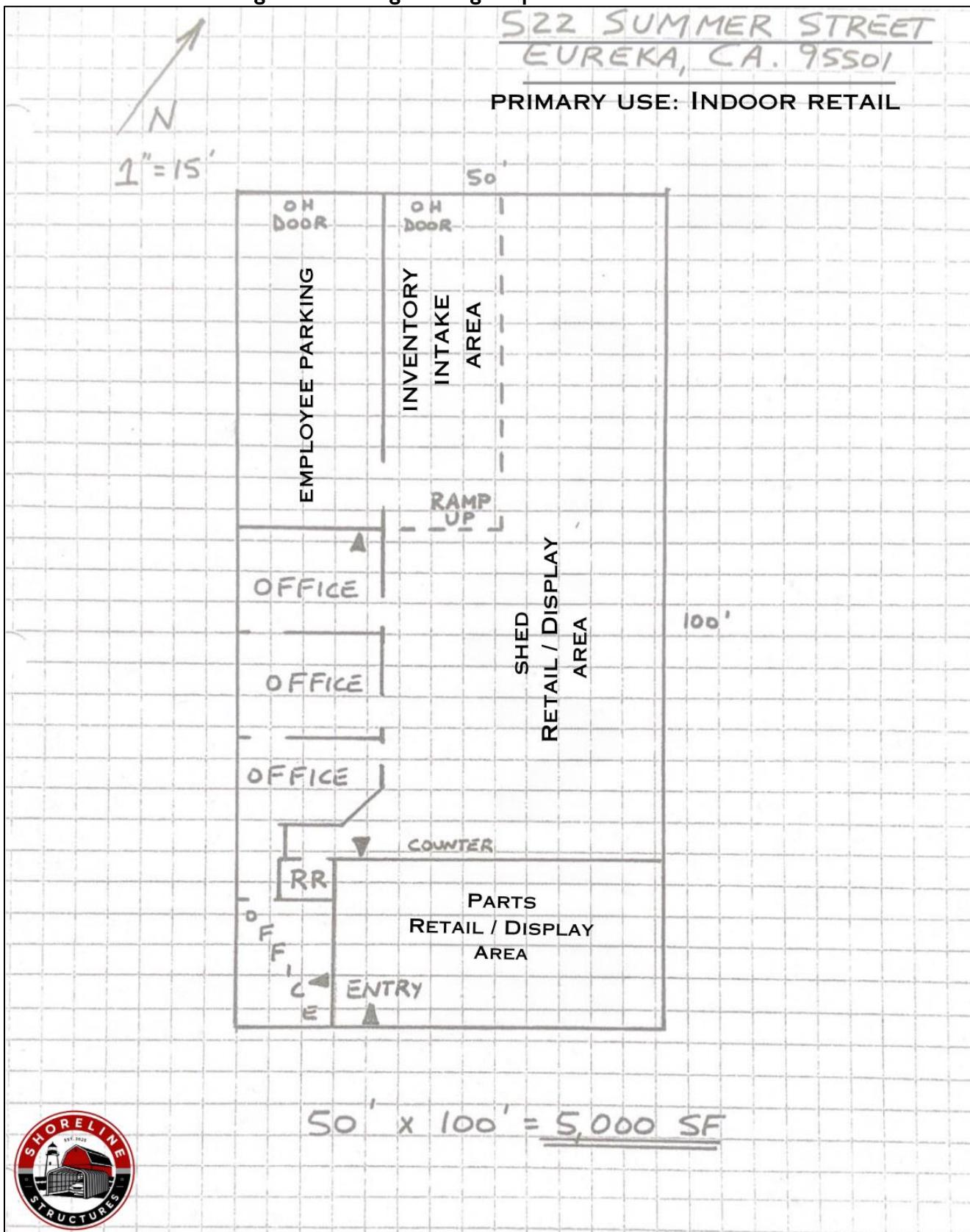


Figure 5: Existing Building Proposed Floor Plan



CEQA Guidelines §15183 Applicability

Overview of §15183 Exemption

CEQA §21083.3(b) and CEQA Guidelines §15183(a) mandate that projects which are consistent with the development density established by existing general plan policies for which an environmental impact report (EIR) was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site.

CEQA Guidelines §15183(b) specifies the examination of environmental effects shall be limited to those effects that:

- 1) are peculiar to the project or the parcel(s) on which the project would be located;
- 2) were not analyzed as significant effects in a prior EIR on the general plan with which the project is consistent;
- 3) are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan; or
- 4) are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

CEQA Guidelines §15183(c) further specifies that if an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, then an additional EIR need not be prepared for that project solely on the basis of that impact.

City of Eureka 2040 General Plan and EIR

The City's 2040 General Plan (GP) is a comprehensive, long-range planning document that establishes a roadmap for the long-term physical, social, and economic future of Eureka (City of Eureka, 2018a). It provides goals, policies, and programs to direct land use and development decisions, manage resources, deliver public services, and provide infrastructure within the City.

An EIR was certified for the GP on October 15, 2018, in conjunction with adoption of the GP (State Clearinghouse #2016102025; City of Eureka, 2018b). The 2040 General Plan EIR (GP EIR) comprehensively evaluated environmental impacts that would result from GP implementation, including information related to existing conditions, analyses of the types and magnitude of project-level and cumulative environmental impacts from planned growth and development ("buildout"), and feasible mitigation measures that could reduce or avoid environmental impacts.

As discussed in the relevant analysis sections in this document, the GP EIR identified significant and unavoidable impacts associated with GP implementation as follows:

- Increase in operational PM₁₀ emissions that exceed air district standards, and for which the air basin is in non-attainment;
- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of historic resources;

- Potentially significant direct and cumulative impacts by causing substantial changes in the significance of archaeological and tribal cultural resources, including human remains; and
- Unacceptable increase in vehicle miles travelled (VMT) that does not meet recommended reduction targets.

These impacts were identified at a programmatic level and were not found to be avoidable through the application of GP policies, uniformly applied development standards, or mitigation measures, and therefore remain significant and unavoidable at GP buildout.

With the exception of the Housing Element Update in 2022 and a few land use designation map amendments, no significant amendments have been made to the GP since the certification of the GP EIR.

Summary of Findings

The proposed project is consistent with the analysis performed for the GP EIR. Further, the GP EIR adequately anticipated and described the impacts of the project, identified applicable mitigation measures and performance standards, as well as policies and programs necessary to reduce project specific impacts.

A comprehensive environmental evaluation has been completed for the project as documented in the attached §15183 Exemption Checklist. This evaluation concludes that the project qualifies for an exemption from additional environmental review because it is consistent with the development density and use characteristics established by the GP, as analyzed by the GP EIR (State Clearinghouse #2016102025), and all required findings can be made.

In accordance with CEQA Guidelines §15183, the project qualifies for an exemption because the following findings can be made:

1. **The project is consistent with the development density established by existing zoning, community plan or general plan policies for which an EIR was certified.** The project site is located in the DC Land Use Designation under the GP and the DW Zoning District, which allow for retail commercial uses. The DC designation is “intended to have a high intensity urban form” and the DW District allows a maximum floor area ratio (FAR) of 6.0, allowing for up to approximately 193,000 square-feet (sf) of building floor area on the 0.74-acre project site (this equates to a 6-story building covering the entire site) (City of Eureka, 2018a). The proposed project will utilize the existing 5,000 square foot, one-story building for a retail business, which is consistent with the FAR standards applicable to the site. Additionally, the project is aligned with GP Policy LU-6.2, which encourages development of vacant infill properties and redevelopment/reuse of economically underutilized sites/buildings to accommodate new growth and internal densification prior to considering potential annexation (City of Eureka, 2018a).
2. **There are no project specific effects which are peculiar to the project or its site, and which the GP EIR Failed to analyze as significant effects.** The project site is developed with an existing commercial building similar to other properties in the surrounding area, which has been characterized by commercial development since the late 1930s. The project site

does not contain unique environmental features, and the proposed project would not result in any effects that are peculiar to the site or differ from those assumed under GP build out.

In addition, as explained further in the §15183 Exemption Checklist below, all potential environmental effects were adequately analyzed in the GP EIR. While the project site includes residual legacy contamination from past use of the northern portion of the property, this existing condition was assumed in the GP EIR's analysis of Downtown redevelopment. The proposed project would not result in new or more severe hazardous materials impacts beyond those analyzed at GP buildout and is subject to existing regulatory requirements.

- 3. There are no potentially significant off-site or cumulative impacts which the GP EIR failed to evaluate.** The GP EIR analyzes gradual buildout of the City over a 20-year period (through 2040), including the addition of up to 1,886 new residential dwelling units and up to 1.6 million square feet of nonresidential uses (City of Eureka, 2018b). The project is consistent with the intensity and use characteristics of the development considered by the GP EIR and will represent a small part of the forecasted growth for build-out of the GP. The GP EIR considered the incremental impacts of similar development in combination with other planned similar projects, and as explained further in the §15183 Exemption Checklist below, no potentially significant off-site or cumulative impacts have been identified which were not previously evaluated.
- 4. There is no substantial new information which results in more severe impacts than anticipated by the GP EIR.** As explained in the §15183 Exemption Checklist below, no new information has been identified which would result in a determination of a more severe impact than what had been anticipated by the GP EIR.
- 5. The project will undertake feasible mitigation measures, performance standards, policies, and programs specified in the GP EIR.** As explained in the §15183 Exemption Checklist below, the project is subject to applicable GP policies, performance standards, and/or programs specified in the GP EIR. These requirements will be implemented through project design, compliance with regulations and ordinances, and/or through project conditions of approval.

§15183 Exemption Checklist

I. Aesthetics

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	Less than Significant		✓	
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Less than Significant		✓	✓
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public view 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?	Less than Significant		✓	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Less than Significant		✓	

a) *Would the project have a substantial adverse effect on a scenic vista?*

Prior EIR Determination

The prior EIR determined impacts related to scenic vistas from implementation of the GP would be **less than significant** with compliance with GP policies and the City's development standards and permitting processes. The prior EIR specifically cited GP Policy LU-1.12, which aims to preserve Eureka's unique charm and character by applying design guidance that promotes attractive and well maintained development that carefully integrates the new with the best of the old, and GP Policy LU-1.16, which seeks to maintain and improve physical linkages from the community to the coastline, gulches, forests and Eureka's other distinct recreational resources where feasible in part by creating/preserving view corridors (City of Eureka, 2018a). According to the prior EIR, the GP would result in gradual physical changes that would be distributed broadly and incrementally over a 20-year period across the 16.4-square-mile City and would not constitute a substantial intensification or concentration of physical development (City of Eureka, 2018b).

Finding

The proposed project would be consistent with the type and intensity of development described by the GP. The project is subject to applicable design and development standards that implement GP Policy LU-1.12. Additionally, the proposed project would maintain physical linkages between the community and the coastline, gulches, forests, and

recreational resources, as it would occur on an underutilized infill site and would not involve development that would interfere with established view corridors. Accordingly, the project would preserve the City's view corridors consistent with GP Policy LU-1.16. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Prior EIR Determination

The prior EIR determined the GP did not include any areas within designated state scenic highways, and, therefore, did not adversely affect scenic resources within a state scenic highway (i.e., **no impact**).

Finding

The proposed project is within the area evaluated by the GP and no scenic highways have been designated since the prior EIR was adopted (City of Eureka, 2018a). Therefore, the proposed project would not result in any new or substantially more severe environmental impacts.

c) Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Prior EIR Determination

The prior EIR determined impacts to visual character or quality would be **less than significant** with implementation of GP policies designed to protect and enhance the visual character and quality of the Plan Area, including GP Policy LU-1.12, which seeks to preserve Eureka's unique charm and character by applying design guidance that promotes attractive and well maintained development that carefully integrates the new with the best of the old; GP Policy LU-1.15, which encourages businesses and private land owners to take pride in and to maintain the public streetscape; and GP Policy LU-3.2, which supports public and private efforts to reinvest in, renovate and maintain existing commercial areas to improve aesthetic appearance, elevate community image, increase economic competitiveness, and integrate mixed uses (City of Eureka, 2018a). The prior EIR also indicated development under the GP would be subject to development and design standards and permitting processes which would ensure new development is of high visual quality and is compatible with the surrounding environment.

Finding

The proposed project would accommodate infill development consistent with the type and intensity of development described by the GP. The project is subject to applicable design and development standards (including standards for landscaping) consistent with, and implementing, GP Policy LU-1.12. In addition, the project includes improvements that enhance a safe, clean, and pedestrian-friendly streetscape, including fencing and landscaping along the public right-of-way, consistent with GP Policy LU-1.15. The project also supports private reinvestment and renovation of an existing underdeveloped commercial site, improving aesthetic appearance, enhancing community image, increasing

economic competitiveness, and integrating mixed uses, thereby aligning with and implementing GP Policy LU-3.2. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

d) *Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?*

Prior EIR Determination

The prior EIR concluded lighting impacts on day or nighttime views would be **less than significant** with GP Policy LU-1.13, which minimizes obtrusive light by limiting outdoor lighting that is misdirected, excessive, or unnecessary, and requires light for development to be directed downward to minimize spill-over onto adjacent properties and reduce vertical glare (City of Eureka, 2018a). Implementation of the GP was determined to result in minor increases in ambient light; however, the City is already urbanized and subject to substantial amounts of existing nighttime ambient light (City of Eureka, 2018a). As a result, the increase in light from new development under buildup of the GP would not significantly affect nighttime views of the sky.

Finding

The proposed project is located on an infill site that is partially developed and is consistent with the type and intensity of uses anticipated in the GP. All existing and proposed outdoor lighting associated with the project will be required to comply with the City's lighting standards, consistent with GP Policy LU-1.13. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

2. Agriculture and Forest Resources

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Less than Significant		✓	✓
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Less than Significant		✓	✓

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)), timberland (as defined by Public Resources Code §4526), or timberland zoned Timberland Production (as defined by Government Code §51104(g))?	Less than Significant		✓	✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?	Less than Significant		✓	✓
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?	Less than Significant		✓	✓

- a) *Would the project result in conversion of Important Farmland to non-agricultural use?*
- b) *Would the project conflict with zoning for agriculture, aquaculture-supporting, or timber uses?*
- c) *Would the project conflict with zoning for aquaculture-supporting uses?*
- d) *Would the project conflict with zoning for forest land or timber land?*
- e) *Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use, aquaculture-supporting uses to non-aquaculture-supporting uses, or conversion of forest land to non-forest use?*

Prior EIR Determination

The prior EIR concluded impacts to agriculture and timber resources would be **less than significant** with the implementation of GP policies, including, but not limited to, those calling for the protection and conservation of important farmland, and the conservation of existing zoning for agriculture and timber uses (Policies AG-1.7, AG-1.9, NR-3.1; City of Eureka, 2018a).

2(a) –(e) Findings

The project site is an urbanized parcel that has been developed and used for commercial purposes since the late 1940s. The proposed project would utilize an existing developed infill site for retail use, consistent with policies and implementation programs in the GP that encourage the reuse of existing urbanized properties. The project site is not zoned for agricultural or timber production and does not contain important agricultural land or

timberland. Consistent with the GP, the project would occur within an existing developed area and would avoid impacts to agricultural and forest resources.

Therefore, based on the project location and developed condition, the project is consistent with the GP, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

3. Air Quality

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
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:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	Less than Significant		✓	
b) Result in a cumulatively considerable net increase in any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Significant and Unavoidable		✓	
c) Expose sensitive receptors to substantial pollutant concentrations?	Less than Significant		✓	
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Less than Significant		✓	

a) ***Would the project conflict with or obstruct implementation of the applicable air quality plan?***

Prior EIR Determination

As discussed in the prior EIR, the City is in attainment of all federal and state ambient air quality standards, except for state 24-hour particulate matter (PM₁₀) levels, for which Humboldt County is currently designated as a non-attainment area and for which the North Coast Unified Air Quality Management District (NCUAQMD) prepared a draft PM₁₀ Attainment Plan in 1995. The PM₁₀ Attainment Plan identifies control strategies that can be implemented to bring PM₁₀ to within California standards, including transportation measures (e.g., public transit, ridesharing, and bicycle incentives, etc.), land use measures (infill development), and combustion measures (hearth/wood burning stove limitations) (NCUAQMD, 1995).

The prior EIR concluded impacts related to conflicting with or obstructing implementation of the PM₁₀ Attainment Plan would be **less than significant** with the implementation of GP policies that support implementation of the PM₁₀ Attainment Plan and other NCUAQMD regulations (City of Eureka, 2018b). These policies address issues including, but not limited

to, encouraging efficient land use patterns, promoting alternative modes of transportation, and reducing VMT (GP Policies LU-1.2, LU-1.3, LU-6.2, AQ-1.4, M-1.6, M-2.4, M-3.8, M-4.1, M-4.5; City of Eureka, 2018a).

Finding

The proposed project would comply with the PM₁₀ Attainment Plan measures and furthers a number of the GP policies that would reduce potential air quality impacts. The proposed project promotes compact commercial infill development through the adaptive reuse of an underutilized property, consistent with GP Policies LU-1.2, LU-1.3, LU-6.2, and M-1.6 (City of Eureka, 2018a). In addition, the project would support a pedestrian-friendly urban design through enhanced landscaping, support active transportation through installation of six new bicycle parking spaces, and support transit use by being located within a half mile of major transit stop and approximately 475 feet from an existing bus stop near the intersection of 7th and Summer Streets, thereby furthering GP Policies M-2.4, M-3.8, M-4.1, and M-4.5 (City of Eureka, 2018a). For all these reasons, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

Prior EIR Determination

As noted above, Humboldt County is non-attainment for the state PM₁₀ standard. The prior EIR determined implementation of the GP would have the potential to contribute to the continuing violation of the PM₁₀ emissions air quality standard and a cumulatively considerable net increase in PM₁₀ emissions, and these impacts from buildout under the GP would be significant and unavoidable.

Construction: As discussed in the prior EIR, construction-related emissions will arise from a variety of activities including grading, excavation, exhaust from construction equipment and employee vehicles, architectural coatings and asphalt paving (City of Eureka, 2018b). While the prior EIR concluded that buildout under the GP would result in violation of the PM₁₀ air quality standard and a cumulatively considerable net increase in PM₁₀, impacts related to construction were identified as being less than significant with the implementation of GP Policy AQ-1.3, which requires new discretionary developments to incorporate emission control measures that utilize best management practices (BMPs) and reduce emissions from construction activities, consistent with NCUAQMD requirements and State regulations (City of Eureka, 2018b).

Operation: As noted in the prior EIR, the increase in PM₁₀ emissions resulting from GP buildout would be predominantly attributable to woodstoves and fire places, as well as mobile sources resulting from a net increase in VMT. The prior EIR notes the GP includes a number of policies which would provide for modest reductions in VMT and associated PM₁₀ emissions including, but not limited to, policies supporting

efficient land use patterns, promoting alternative modes of transportation, and reducing VMT (Policies LU-1.2, LU-1.3, LU-6.2, AQ-1.4, M-1.6, M-2.4, M-3.8, M-4.1, M-4.5; City of Eureka, 2018b). Although the prior EIR anticipated these policies would reduce the generation of PM₁₀, there were no mitigation measures identified that would reduce impacts to a less-than-significant level.

Finding

The proposed project would accommodate development consistent with the type and intensity described by the GP and would implement applicable GP policies related to air quality and VMT reduction. The project will involve minimal construction activities, including installation of new landscaping along the public right-of-way, six bicycle parking spaces, wall-mounted signage, modification of the existing fencing, and replacement and addition of outdoor lighting. All construction activities will be required to adhere to standard dust control measures to reduce fugitive dust generation during excavation and earthmoving, consistent with GP Policy AQ-1.3. As described under Section 3(a) above, the proposed project furthers several GP policies by operating on an infill site that is directly adjacent to U.S. Highway 101 (5th Street) and within an established urban area with access to existing street and sidewalk infrastructure. These characteristics are consistent with GP policies identified in the prior EIR as reducing PM₁₀ emissions at a programmatic level and do not result in vehicle emissions beyond those anticipated at GP buildout. In addition, the project encourages adaptive reuse, which will reduce construction-related emissions and waste. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Prior EIR Determination

The prior EIR concluded impacts to sensitive receptors from pollutant concentrations from implementation of the GP would be **less than significant** with the implementation of rules and regulations of the NCUAQMD, California Air Resources Board (CARB), and GP policies including, but not limited to, those calling for reduction of localized points of concentrated emissions (Policy AQ-1.8), consultation with the NCUAQMD (Policy AQ-1.5), buffering of land uses that produce toxic or hazardous air pollutants (Policy AQ-1.6), and implementation of BMPs to reduce emissions from both construction and operational activities and minimize hazardous material use and waste generation (Policies AQ-1.3, HS-3.7; City of Eureka, 2018b).

Finding

The proposed project would accommodate development consistent with the type and intensity described by the GP and would implement applicable GP policies related to air quality.

Construction: Toxic air contaminant emissions associated with the proposed project would primarily consist of diesel particulate matter generated by vehicles and equipment during construction of the proposed site improvements. As discussed in the prior EIR, construction-related emissions under GP buildout would occur

intermittently and vary on a day-to-day and year-to-year basis; the same would apply to the proposed project. Due to the limited scale and duration of proposed construction activities, and the rapid dissipation of diesel particulate emissions with distance, it is not anticipated that sensitive receptors would be exposed to substantial diesel particulate concentrations due to construction activities. Additionally, CARB requires engine manufacturers to meet increasingly stringent exhaust emission standards (CARB, 2022). As a result, construction would be increasingly less likely to expose sensitive receptors to substantial emissions of toxic air contaminants as vehicle fleets are replaced.

Operation: The proposed project would result in the reuse of an existing commercial site which is along U.S. Highway 101 (5th Street) in close proximity to commercial operations where the largest source of pollutants/emissions is vehicle exhaust, and is not located near sensitive receptors such as schools, parks, or residential areas. Due to the location of the project site, type and size of the proposed business, and projected number of employees and patrons, it is not anticipated that the project would result in substantial pollutants/emissions from vehicle exhaust or other sources.

Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

d) *Would the project create objectionable odors affecting a substantial number of people?*

Prior EIR Determination

The prior EIR concluded impacts related to odors affecting a substantial number of people would be **less than significant** with the implementation of GP policies. Specifically, GP Policy AQ-1.6 addresses odor impacts by requiring buffering of uses, facilities, and operations that may produce toxic or hazardous air pollutants and/or odors (e.g., commercial and industrial uses, highways, etc.) to provide an adequate distance from sensitive receptors such as housing and schools, consistent with CARB recommendations (City of Eureka, 2018b).

The prior EIR also noted implementation of the GP may expose people to odors generated from the operation of diesel-powered construction equipment and/or asphalt paving during the construction period of individual projects (City of Eureka, 2018b). However, these odors would be short-term in nature and would not result in permanent impacts to surrounding land uses and would not affect a substantial number of people.

Finding

The project involves redevelopment of an existing commercial site for the retail sales of prefabricated sheds that is not expected to generate objectionable odors and other emissions. The project proposes development consistent with the type and intensity described by the GP and would implement applicable GP policies, including GP Policy AQ-1.6, which addresses odor impacts through buffering from sensitive receptors. Due to the location of the project site, type and size of the proposed business, and projected number of employees and patrons, it is not anticipated that the project would result in substantial odors affecting a substantial number of people. Therefore, the proposed project is

consistent with the GP and would not result in any new or substantially more severe environmental impacts.

4. Biological Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant		✓	
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact		✓	✓

- a) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?*
- b) Would the project 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 Wildlife or U.S. Fish and Wildlife Service?*
- c) Would the project 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) Would the project 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) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

Prior EIR Determination

The prior EIR analysis considered locations where potential development consistent with the land use designations of the GP could occur in known habitat types or in locations where species have been recorded to occur and assessed the potential for impacts from permitted activities on species' persistence or activities (foraging, nesting, estivating, or movement), or impacts to their habitats. The prior EIR concluded impacts to biological resources would be **less than significant** with the implementation of agency consultation (e.g., required consultation with the National Marine Fisheries Service, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife), applicable permitting requirements, and GP policies, including, but not limited to, those promoting the avoidance of sensitive habitat areas and provision of buffers around such areas, and those restricting development in areas of riparian habitat, sensitive natural communities, and wetlands (GP Policies NR-1.3, NR- 2.7, NR-3.1, and NR-3.3) (City of Eureka, 2018b).

4(a) –(e) Findings

The proposed project would occur on an underutilized property containing an existing commercial building and would incorporate new landscaping consisting of low-maintenance, low water-use native plants along the public right-of-way, consistent with GP Policy NR-2.7.. The project site is located along U.S. Highway 101 (5th Street), has been developed for urban uses since the late 1940s, and does not contain, nor is it adjacent to, sensitive habitat areas such as streams, gulches, or wetlands (see **Figures 1-3**). Outdoor lighting associated with the project would be required to comply with the City's applicable lighting standards, which minimize light spill and glare and are protective of migratory bird species.

Therefore, based on the project location and compliance with applicable GP policies and development standards, including policies protecting sensitive habitats and biological resources (e.g., Policies NR-1.3, NR- 2.7, NR-3.1, and NR-3.3), the proposed project is consistent with the GP, and would not result in any new or more severe impacts, including

off-site and cumulative impacts, beyond those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

f) *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

Prior EIR Determination

The prior EIR determined the GP would have **no impact** on the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan because no Habitat Conservation Plans or Natural Community Conservation Plans applied to any part of the City.

Finding

The proposed project is within the City and no Habitat Conservation Plan or Natural Community Conservation Plan has been adopted since the prior EIR was adopted. Therefore, the proposed project would not result in any new or substantially more severe environmental impacts.

5. Cultural Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Significant and Unavoidable		✓	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Significant and Unavoidable		✓	
c) Disturb any human remains, including those interred outside of formal cemeteries?	Significant and Unavoidable		✓	

a) *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?*

Prior EIR Determination

The prior EIR determined implementation of the GP could cause a substantial adverse change in the significance of a historical resource. The City includes hundreds of historic resources that are listed on or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, and/or the City's Local Register of Historic Places, including numerous resources in the Old Town Historic District, the Clark Addition, and other neighborhoods throughout the City (including the Eddy Tract, which partially overlaps the Plan Area). Development under the GP could lead to the demolition of historic or potentially significant historic buildings and structures (City of Eureka, 2018b).

The GP includes measures and incentives aimed to preserve both publicly and privately owned historic and cultural resources, such as Goal HCP-1 and its associated policies that identify the City's responsibilities with regards to staff and preservation programs within the City and provide the means for preservation, including enforcement of applicable laws and regulations and maintenance and treatment of resources (City of Eureka, 2018a). Additionally, GP Policy HCP-1.4 directly reduces the probability of demolition by requiring the City to consider demolition of historic resources as a last resort, to be permitted only if rehabilitation is not feasible, and where demolition is necessary to protect health, safety, and welfare, or the public benefit (City of Eureka, 2018a).

The GP policies, as well as the Historic Preservation Ordinance (EMC Chapter 157; City of Eureka, 2025a), encourage the preservation of the City's historic resources. These policies and regulations reduce the likelihood that a historic resource will be demolished. However, a plan-level analysis cannot account for all circumstances, and compliance with federal, state, and local regulations does not guarantee that a historic resource will not be demolished. Therefore, the prior EIR concluded this impact would be **significant and unavoidable**, as well as a significant cumulative impact.

Finding

The proposed project site is not on the Local Register of Historic Places, the California Register of Historical Resources, or the National Register of Historic Places and is located just outside of the Old Town National Historic District (City of Eureka, 2025b; CSP-OHP, 2024; USDI-NPS, 1991). The site has been used for commercial uses since the late 1940s and contains no buildings or structures with the potential to be considered historic. Additionally, the project proposes using the existing building on the property for commercial use and would not result in the demolition of any structures. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 or a tribal cultural resource as defined in Public Resources Code Section 21704 or disturb human remains, including those interred outside of formal cemeteries?*
- c) Disturb any human remains, including those interred outside of formal cemeteries?*

Prior EIR Determination

The prior EIR concluded implementation of the GP could cause a substantial adverse change in the significance of archeological resource, tribal cultural resource, or human remains. The City is considered sensitive for the presence of subsurface prehistoric, Native American, and historic-period cultural resources and human remains, and construction ground disturbance resulting from buildout under the GP has the potential to expose previously unrecorded resources (City of Eureka, 2018b). The GP includes policies and implementation programs designed to identify and protect archaeological and tribal cultural resources that could be adversely affected by development activities, including GP Policy HCP-2.7, which requires discretionary development projects to be designed to avoid potential impacts to significant archaeological and cultural resources

whenever feasible; Policy HCP-2.1, which aims to identify, protect, and preserve significant archaeological sites and conduct good-faith government-to-government consultation with local tribes to identify and protect tribal Cultural Resources; and Policy HCP-2.9, which facilitates consultation with local tribes, governments, and landowners to protect tribal cultural resources (City of Eureka, 2018a). However, the prior EIR acknowledged that at the plan level, there remains the potential for ground-disturbing construction activities to inadvertently damage or destroy archaeological resources, tribal cultural resources, or human remains. Therefore, the prior EIR determined this impact would be **significant and unavoidable**, as well as a significant cumulative impact.

5(b) –(c) Findings

The project site has been used for commercial uses since the late 1930s and includes no buildings or structures that could be historic. However, there could be buried historic resources, archaeological resources, and/or human remains, and although construction ground disturbance is anticipated to be minimal, it has the potential to expose previously unrecorded resources. Consistent with GP Policy HCP-2.5, and in response to comments received from three area tribes, the Applicant will be required, as a condition of approval, to comply with the City's standard inadvertent discovery protocol during ground-disturbing activities.

As previously discussed, the prior EIR concludes that impacts to historic resources, archaeological resources, and human remains would be significant and unavoidable under full GP buildup (City of Eureka, 2018b). Although these impacts are identified as significant and unavoidable, the proposed project will undergo discretionary review. With implementation of GP Policy HCP-2.5 and the requests of local tribes to adhere to the City's inadvertent discovery protocol, the project is consistent with the GP and would not result in any new or more severe impacts, including off-site or cumulative impacts, beyond those analyzed in the GP EIR. Accordingly, no additional environmental analysis or mitigation is required.

6. Energy Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than Significant		✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than Significant		✓	

- a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, or conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*
- b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Prior EIR Determination

The prior EIR determined the GP would not result in wasteful, inefficient, or unnecessary consumption of energy resources, nor conflict with or obstruct a state or local plan for renewable energy or energy efficiency. The prior EIR asserted that future development associated with the GP would primarily occur in, adjacent to, or in the vicinity of existing developed urban areas, allowing for the logical extension and utilization of existing utilities; and any changes related to energy demand under the proposed GP buildout would likely be gradual, intermittent, and widespread across the City (City of Eureka, 2018b). The prior EIR concluded impacts to energy resources would be **less than significant** with implementation of GP policies including, but not limited to, those calling for energy conservation and energy conserving land use practices, incorporation of energy efficient practices into the design process for both private and public buildings, and encouragement of installation of renewable energy systems and facilities (GP Policies U-5.1 through U-5.7, U-5.9, U-5.11; City of Eureka, 2018b).

6(a) –(b) Findings

The project proposes the retail sales of prefabricated sheds and would occur on an underutilized commercial property, accommodating commercial activity consistent with the type and intensity envisioned by the GP. The project would rely on existing utilities and public services and would not require extension of new energy infrastructure. Due to the small scale and nature of the proposed use, the project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation.

Should building permits be required for project-related improvements—such as electrical work (e.g., new or modified lighting), structural modifications, mechanical systems, or other alterations that trigger applicability of the California Energy Code (Title 24)—the Applicant would comply with applicable GP policies and state and local energy codes related to renewable energy, energy conservation, and overall energy efficiency. Therefore, the proposed project is consistent with the GP, and would not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the GP EIR. Accordingly, no additional analysis or mitigation is required.

7. Geology and Soils

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, strong seismic ground shaking, seismic related ground failure, including liquefaction, or landslides?	Less than Significant		✓	
b) Result in substantial soil erosion or the loss of topsoil?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	No impact		✓	✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant		✓	

a) *Would the project 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?*

- c) *Would the project 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) *Would the project 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?*

Prior EIR Determination

The prior EIR concluded impacts related to geology and soils would be **less than significant** with the implementation of building codes, geotechnical and seismic design standards, and GP policies, including, but not limited to, GP Policy HS-1.3 which encourages property owners to seismically retrofit buildings that do not meet current building and safety code requirements, and Policy HS-1.7 which addresses the protection of paleontological resources through inadvertent discovery protocol (City of Eureka, 2018b).

As discussed in the prior EIR, there are no active faults within city limits as determined by California Geological Survey mapping, and therefore no impact related to fault rupture (CDC, 2025). However, there is a potential for strong to very strong intensity ground shaking within the City from a large regional earthquake (City of Eureka, 2018b). The GP results in new land uses and development being located in portions of the City where strong ground-shaking could result in liquefaction, differential settlement, and structural damage (City of Eureka, 2018a). These risks are most likely to occur in areas where the soils contain muds and sands.

As outlined in the prior EIR, the State of California provides minimum standards for building design through the California Building Code (CBC). Specific minimum seismic safety and structural design requirements are set forth in CBC Chapter 16. The CBC and local building code require structural elements of projects to undergo appropriate design-level geotechnical evaluations prior to final design and construction, and implementation of any resulting measures to address seismic and geologic hazards consistent with the CBC and local building code.

7(a), (c)– (d)Findings

The proposed project would accommodate development consistent with the type and intensity described by the GP. The project proposes to use the existing building on the site and involve minor site improvements; therefore, no new habitable structures that would be potentially subject to geologic hazards are proposed. Should Building Permits be required for tenant improvements or other site modifications, the Applicant would be required to comply with the CBC and local building codes. Accordingly, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

- b) *Would the project result in substantial soil erosion or the loss of topsoil?*

Prior EIR Determination

The prior EIR concluded impacts related to soil erosion and topsoil will be **less than significant** with implementation of local and state regulations requiring erosion and sediment control during construction and land disturbance activities. GP Policy NR-1.5,

requires the implementation of Best Management Practices (BMPs) to minimize erosion, sedimentation, and water quality degradation (City of Eureka, 2018a). Additionally, State and Local regulations require construction projects to prepare and implement either a Stormwater Pollution Prevention Plan (SWPPP; for projects disturbing one or more acres of land) or an Erosion and Sediment Control Plan (for projects that disturb less than one acre but involve over 50 cubic yards of earthwork).

Finding

The project is located on a 0.74-acre site and includes minor ground-disturbing activities associated with the installation of new landscaping along the public right-of-way, fence modifications, and outdoor lighting. Ground disturbance is not anticipated to exceed 50 cubic yards. However, should project-related activities involve 50 cubic yards or more of ground disturbance, the Applicant would be required, as part of the applicable Building Permit process, to obtain and comply with the City's Construction Site Erosion Control requirements, including preparation and implementation of an erosion and sediment control plan, consistent with EMC Chapter 150, §150.200 et seq.; City of Eureka, 2025a). Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

e) *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

Prior EIR Determination

The prior EIR identified **no impact** related to septic tanks or alternative wastewater disposal systems, since development within the City is required to connect to the City's wastewater collection and treatment (i.e., sewer) system pursuant to GP Policy U-2.5 (City of Eureka, 2018b).

Finding

The project site is currently connected to the City's sewer system via sewer laterals connected to sewer conveyance infrastructure adjacent to the site, and would not be permitted to use septic or other alternative disposal systems. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

f) *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

Prior EIR Determination

The prior EIR concluded impacts to paleontological resources would be **less than significant** with the implementation of GP Policy HS-1.7, which requires the protection of paleontological resources through inadvertent discovery protocols (City of Eureka, 2018a).

Finding

The proposed project would accommodate development consistent with the type and intensity described by the GP. In compliance with GP Policy HS-1.7, as requested by a local tribe during the referrals period, the Applicant will be conditioned to follow the City's standard inadvertent discovery protocol for paleontological resources during ground-disturbing construction activity. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

8. Greenhouse Gas Emissions

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than Significant		✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant		✓	

- a) ***Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***
- b) ***Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

Prior EIR Determination

The prior EIR concluded impacts related to greenhouse gas (GHG) emissions would be **less than significant** with the implementation of NCUAQMD and state regulations and GP policies including, but not limited to, those requiring incorporation of BMPs for reducing emissions in project construction and operation; promoting efficient land use patterns and walkable, infill development; promoting transit and other less carbon-intensive modes of transportation; and encouraging waste reduction, energy and water conservation, energy efficiency, and renewable energy facilities (Policies AQ-1.2, AQ-1.3, AQ-1.4, LU-1.2, LU-1.3, LU-6.2, M-1.1, M-1.2, M-1.3, M-1.6, M-1.7, M-2.4, M-3.5, M-3.8, M-3.9, M-4.1, M-4.2, M-4.5, U-5.1, U-5.2, U-5.3, U-5.4, U-5.5, U-5.6). The prior EIR also concluded that with implementation of these measures, buildup under the GP would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions (City of Eureka, 2018b).

8(a)–(b)Findings

The proposed project involves adaptive reuse of an existing commercial site and would accommodate development consistent with the type and intensity described in the GP. The project is located within an established urban area and would rely on existing

infrastructure and services, consistent with GP policies encouraging infill development and efficient land use patterns (e.g., Policies LU-1.2, LU-1.3, LU-6.2, and M-1.6).

The site is served by existing pedestrian infrastructure and public transit, including an existing bus stop approximately 475 feet from the site, near the intersection of 7th and Summer Streets and a major transit stop within one-half mile. The availability of transit service supports opportunities for reduced vehicle trips and is consistent with GP Policies M-2.4 and M-4.5, which promote access to transit and reduced reliance on single-occupant vehicle travel as part of the City's greenhouse gas reduction strategy. The Applicant will also be required to provide short-term bicycle parking as part of the discretionary CUP approval process, consistent with GP Policy M-3.8, which supports multimodal access to commercial uses.

The prior EIR analyzed GHG emissions associated with construction and operation of up to 1.6 million square feet of new non-residential uses and creating 1,886 additional housing units in the City by 2040 (City of Eureka, 2018b). The GHG emissions that would be generated by the proposed project are within the scope of those analyzed in the prior EIR because the project is consistent with the overall non-residential growth projections in the prior EIR. The project would be subject to applicable GP policies and state and local regulations that reduce GHG emissions, including California Building Efficiency Standards (Title 24), as applicable.

Therefore, the proposed project is consistent with the GP and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, nor would it result in any new or substantially more severe environmental impacts beyond those analyzed in the prior EIR.

9. Hazards and Hazardous Materials

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than Significant		✓	
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?	Less than Significant		✓	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than Significant		✓	

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than Significant		✓	
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?	Less than Significant		✓	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant		✓	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant		✓	

- a) *Would the project create a significant hazard to the public or the environment through the routine transport, use, disposal, or release of hazardous materials?*
- b) *Would the project 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?*

Prior EIR Determination

The prior EIR determined impacts from implementation of the GP related to the routine transport, use, disposal, or release of hazardous materials would be **less than significant** with the implementation of federal, state, and local laws governing transportation, handling, and disposal of hazardous materials and GP policies, including policies under GP Goal HS-3 (Safe production, use, storage, transport, treatment, and disposal of hazardous materials and hazardous waste) (City of Eureka, 2018b).

9(a)–(b) Findings

The proposed project would accommodate development consistent with the type and intensity described by the GP. The project proposes the sale of prefabricated storage sheds and will not be expected to handle or store any hazardous materials other than those for routine commercial use. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Prior EIR Determination

The prior EIR indicated many projects associated with the GP would likely be located within one-quarter mile of one or more schools and construction and operation of these projects could include the use of hazardous materials. However, as discussed under a) above, the prior EIR determined impacts would be **less than significant** due to required compliance with the numerous laws and regulations that govern the transportation, use, handling, and disposal of hazardous materials (City of Eureka, 2018b).

Finding

The project site is not located within one-quarter mile of an existing or proposed school. The nearest school, Alder Grove Charter School at 714 F Street, is approximately one-half mile from the project site. The project proposes the sale of prefabricated sheds and is not expected to handle or store hazardous materials beyond those associated with routine commercial use and would be required to comply with all applicable laws and regulations. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

d) Would the project be located on a site that 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?

Prior EIR Determination

The prior EIR found that, although both active and closed hazardous material investigation and cleanup sites are located within city limits, impacts related to projects being located on sites with soil and/or groundwater contamination would be **less than significant** through implementation of GP Goal HS-3 and associated policies which require soil and groundwater contamination assessments and remediation consistent with county, regional, state, and federal regulations (GP Policies HS-3.2, HS-3.3, HS-3.4, and HS-3.7) (City of Eureka, 2018a).

Finding

The northeast portion of the proposed project site (at the corner of 5th and Summer Streets) contains a closed Leaking Underground Storage Tank (LUST) cleanup site that received a Remedial Action Completion Certification in December 2004. According to the file information available on the SWRCB Geotracker website, the underground storage tanks were removed and petroleum hydrocarbon contamination in soil and groundwater was delineated and addressed as part of the cleanup process(SWRCB, 2025). A sensitive receptor survey prepared for the site found no potential pathways for contamination migration or human or ecological receptors within the affected area of contamination, and remaining contamination was determined to be below grade and contained at the northeast portion of the site and under the sidewalk. As a result, it was concluded that no threat to human health during normal surface activities is anticipated (LACO, 2004).

As part of certification of the site remediation, a Contingency Plan for Subsurface Work was prepared for any future ground-disturbing activity to protect the health and safety of site workers, resident occupants, and the environment (LACO, 2004). Measures recommended by the Contingency Plan include, but are not limited to:

- Notification to the Humboldt County Division of Environmental Health (HCDEH) at least five days prior to any anticipated work in the identified areas of contamination.
- Preparation of a site-specific safety and health plan for the specific work to be conducted in the identified areas of contamination.
- Subsurface work should be undertaken by personnel or contractors who have completed the standard OSHA 40-hour hazardous materials operations and emergency response (HAZWOPER) training or, if necessary, an eight-hour refresher training update within the last year.
- If hydrocarbon odors are detected (a smell of heating or diesel oil) during work in the identified areas of contamination, all work shall cease until the site can be monitored by qualified personnel who have completed the required OSHA training and have the appropriate gas detection equipment to monitor the air quality.
- In the event that petroleum hydrocarbon fuel contaminated soil is made accessible during future site subsurface or excavation work, it shall be excavated under the direction of qualified personnel to the extent possible. Small quantities of contaminated soil (less than 2 cubic yards) will be contained within secured 55-gallon drums for proper disposal. Larger quantities of contaminated soil will be stockpiled on-site or, with HCDEH approval, hauled off for immediate disposal. If soil is stockpiled on-site, the stockpile (underlain and covered with 10 mil plastic) shall be enclosed with a 6-foot minimum height hurricane-rated fencing to limit access to, and contact by, the public, until it can be characterized and disposed of as approved by HCDEH.
- If contaminated soil is hauled and disposed of off-site, it shall be done with prior HCDEH notification and approval and to qualified waste sites by a licensed hauler. Copies of manifests and weigh tickets will be provided to HCDEH.

The proposed project involves minimal ground disturbance associated with the installation of new landscaping along the public right-of-way, fence modifications, and outdoor lighting. In-ground landscaping is required as part of the CUP process along the 5th Street and Summer Street frontages and would occur outside of the area of residual contamination. Consistent with Water Board requirements, no in-ground landscaping or irrigation is proposed within the northeast portion of the site where the former underground storage tank was located and residual contamination remains below grade. Landscaping in this area will be limited to raised planters, xeriscaping, or other non-invasive methods

designed to avoid subsurface disturbance and prevent mobilization of residual contamination.

The Applicant's CUP will be conditioned to require implementation of the approved Contingency Plan for Subsurface Work (LACO, 2004) during any future ground-disturbing activity related to the proposed project improvements. With implementation of these requirements, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

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?*

Prior EIR Determination

The prior EIR determined impacts related to airport noise would be **less than significant**. Murray Field and Samoa Field Airports are the only airports located within two miles of the City. The prior EIR discussed how Murray Field has an Airport Land Use Compatibility Plan (ALUCP), and per the requirements of the ALUCP, new non-conforming land uses or major new development projects would be subject to review for compatibility by the County's Airport Land Use Commission (City of Eureka, 2018b). By law, the Commission is vested with the legal authority to require modification of proposed projects that could conflict with safe and efficient airport operations. At the time of GP adoption, the Samoa Field Airport did not have an adopted ALUCP, but, according to the prior EIR, the airstrip is oriented in a north-south direction, and approach and departure flight paths do not occur overpopulated areas. As a result, the prior EIR determined development associated with the GP would not place people or structures in such a manner as to create a safety hazard or excessive noise exposure (City of Eureka, 2018b).

Finding

Both airports are located more than two miles from the project site. The closest airport, Samoa Field Airport, is located approximately 2.3 miles to the southwest, while Murray Field Airport is located approximately 2.9 miles to the east. Since the adoption of the GP, the ALUCP has been updated and the new ALUCP covers both Samoa Field and Murray Field Airports (ESA, 2021). According to Humboldt County's ALUCP, the project site is located outside of Airport Influence Area for both airports; therefore, the proposed project does not need to be referred to the County's Airport Land Use Commission for review and approval (Humboldt County, 2025). As a result, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

f) *Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

Prior EIR Determination

The prior EIR determined impacts related to interference with an adopted emergency response or evacuation plan would be **less than significant** with implementation of GP

Policies HS-4.1 (Emergency Services Planning), HS-4.2 (Emergency and Disaster Preparedness), HS-4.5 (Evacuation Routes), and HS-4.7 (Emergency Access) that require the City to ensure emergency planning and designated safe evacuation routes, and require projects to provide adequate road standards, driveway widths, and road clearances around structures consistent with local and state requirements to ensure adequate emergency access (City of Eureka, 2018b).

Finding

The proposed project does not include new development or an increase in residential units or population. The project consists of tenant improvements and site enhancements to an existing commercial site and would not alter emergency access, evacuation routes, or emergency response conditions. Therefore, the project would not impair the implementation of an adopted emergency evacuation or emergency response plan, is consistent with the GP, and would not result in any new or substantially more severe environmental impacts.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Prior EIR Determination

The prior EIR acknowledged that portions of the City are located within moderate to high fire hazard severity zones, but concluded impacts related to exposing people and structures to wildland fires would be **less than significant**, with compliance with all applicable fire protection and prevention regulations specified in the California Fire Code, Hazardous Materials Transportation regulations, and Cal/OSHA regulations; and with implementation of GP Policies HS-4.7 (Emergency Access) and 4.10 (Wildland Fire Preparedness) (City of Eureka, 2018b).

Finding

The project site is located in an urbanized area of the City along U.S. Highway 101 (5th Street) and is not located in a high or moderate fire hazard severity zone as mapped by Figure 3.7-3 in the prior EIR (City of Eureka, 2018b). The proposed project promotes infill development and reuse of existing buildings and infrastructure, which reduces exposure to fire hazards associated with peripheral growth in areas with higher wildfire risk. The project would be required to comply with all applicable fire protection and prevention regulations should any site or building improvements require a Building Permit. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

10. Hydrology and Water Quality

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant		✓	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than Significant		✓	
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?	Less than Significant		✓	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Less than Significant		✓	
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?	Less than Significant		✓	
iv. Impede or redirect flood flows?	Less than Significant		✓	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than Significant		✓	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant		✓	

- a) *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade water quality?*
- e) *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Prior EIR Determination

The prior EIR concluded impacts related to violations of water quality standards and waste discharge requirements would be **less than significant** due to existing regulatory requirements (the National Pollutant Discharge Elimination System [NPDES] Construction General Permit, the City's MS4 Permit, etc.) and GP goals and policies including Policies NR-1.5, which aims to implement Best Management Practices (BMPs) to minimize erosion, sedimentation, and water quality degradation resulting from construction of new impervious surfaces; and Policy NR-1.6, which seeks to ensure adherence to stormwater pollution prevention measures (City of Eureka, 2018b). See Section 10(b) below for a discussion of groundwater management.

10(a), (e) Findings

The proposed project would accommodate development consistent with the type and intensity described by the GP. Construction activity associated with the project would be minimal and would not disturb one acre or more of land, and is not anticipated to involve more than 50 cubic yards of earthwork, or create or replace 2,500 square feet or more of impervious surface. As a result, the project would not be required to prepare a SWPPP, an Erosion and Sediment Control Plan, or a post-construction Stormwater Control Plan under the City's MS4 Permit. Ground disturbance is not anticipated to exceed 50 cubic yards. However, should project-related activities involve 50 cubic yards or more of ground disturbance, the Applicant would be required, as part of the applicable Building Permit process, to obtain and comply with the City's Construction Site Erosion Control requirements, including preparation and implementation of an erosion and sediment control plan, consistent with EMC Chapter 150, §150.200 et seq.; City of Eureka, 2025a). Landscaping improvements proposed along the public right-of-way would be designed to minimize erosion and stormwater runoff and would not substantially alter existing drainage patterns. Because the project would not substantially alter existing drainage patterns or generate additional stormwater runoff, it would not result in any new or substantially more severe environmental impacts than those analyzed in the prior EIR. See Section 10(b) below for a discussion of groundwater management.

b) *Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater basin?*

Prior EIR Determination

The prior EIR concluded the GP buildout would result in **less than significant** impacts to groundwater supplies and groundwater recharge. The prior EIR concluded impacts would be less than significant due to existing policies, laws, and regulations protecting critical groundwater supplies, including the Humboldt Bay Municipal Water District (HBMWD) Groundwater Management Plan, and due to GP policies including, but not limited to, those addressing protecting groundwater quantity and quality (Policy U-1.4), preserving important groundwater recharge areas (Policy NR-1.2), preventing groundwater contamination from septic systems and onsite disposal of toxic substances (Policy NR-1.11), and encouraging installation of pervious pavement and surfaces (Policy NR-1.7). Additionally, the prior EIR discussed how the GP policies of directing growth towards

densification within existing urban areas would help minimize potential expansion of impervious surfaces (City of Eureka, 2018b).

As discussed in the prior EIR, the City has a water right to 8.0 million gallons per day (MGD) from the Mad River; the HBMWD supplies this water to the City (City of Eureka, 2018b). The HBMWD draws water from the unconfined Holocene River Channel Deposits aquifer at a depth of 60 to 90 feet below the bed of the Mad River through Ranney wells situated in or in close proximity to the Mad River (City of Eureka, 2018b). Water is extracted from this aquifer instead of directly from the river since percolation through surface ground layers help to naturally filter water and improve quality of the drinking water supply (City of Eureka, 2018b). The amount of water supplied to the City under existing conditions is less than one percent of the annual yield of the Mad River. The HBMWD Groundwater Management Plan indicates that groundwater recharge is achieved by inundation of the recharge areas in the Mad River channel through the District's operation of Matthews Dam and Ruth Lake. As a result, additional development within the City would not have a direct impact on the volume of groundwater available to HBMWD. Additionally, the HBMWD has indicated that there is sufficient supply for currently forecasted development. Furthermore, the HBMWD is required to comply with the applicable requirements intended to protect and preserve groundwater and groundwater recharge including its Groundwater Management Plan.

Finding

The proposed project consists of the reuse of an existing underutilized commercial site within an existing urban area and is consistent with the type and intensity of development anticipated by the GP, as well as applicable regulations and GP policies. Much of the project site is already paved or developed, is served by the City's municipal water supply system, and would not rely on groundwater or interfere with groundwater recharge. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

c.i-iii) Would the project substantially alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, or by other means, in a manner which would result in substantial erosion or siltation on- or off-site or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Prior EIR Determination

The prior EIR determined impacts related to changes in drainage patterns would be **less than significant** due to the existing previously-altered condition of the City's drainage system, and with implementation of GP policies designed to prevent alterations to natural drainage systems, including GP Policy NR-1.3, which seeks to preserve undeveloped non-urban areas such as gulches and other drainage areas; Policy NR-1.5, which requires implementation of BMPs to minimize erosion and sedimentation from construction of

new imperious surfaces; Policy NR-1.9, which requires incorporation of all feasible BMPs for any project that involves substantial alterations to rivers and streams; Policy U-3.4, which calls for maintaining the use of natural stormwater drainage systems; and Policy U-3.12, which encourages new projects to minimize impervious surfaces and maintain natural site drainage conditions (City of Eureka, 2018b). The prior EIR acknowledged implementation of the GP has the potential to increase impervious surfaces which in turn could alter drainage patterns and increase stormwater runoff, but concluded this potential increase in impervious area would be minimized as the GP focuses on increasing development density within already developed areas (City of Eureka, 2018b).

Finding

The proposed project will accommodate development consistent with the type and intensity described by the GP, minimizing increases in impervious surfaces by utilizing an already developed site. The project site is within the Eureka Plain Watershed, and is almost entirely within the West Side Eureka sub-watershed, which is highly urbanized with limited natural drainage features (City of Eureka, 2018a). The project site has been developed since the 1940s for commercial uses and is located within an urban landscape with drainage patterns altered through historic grading and paving.

As discussed in other sections, construction projects throughout the City, including the proposed project, are required to prepare and implement either a SWPPP for projects disturbing one acre or more, or an Erosion and Sediment Control Plan for projects disturbing less than one acre but involving more than 50 cubic yards of earthwork. In addition, projects that create or replace 2,500 square feet or more of impervious surface are regulated under the City's MS4 Permit and must prepare a post-construction Stormwater Control Plan to ensure stormwater runoff is managed in accordance with the Humboldt Low Impact Development Stormwater Manual for the life of the development. The proposed project would not disturb more than 1 acre or create or replace 2,500 square feet or more of impervious surface and, therefore, would not be subject to the Construction General Permit or MS4 Permit requirements. Ground disturbance is not anticipated to exceed 50 cubic yards. However, should project-related activities involve 50 cubic yards or more of ground disturbance, the Applicant would be required, as part of the applicable Building Permit process, to obtain and comply with the City's Construction Site Erosion Control requirements (EMC Chapter 150, §150.200 et seq.; City of Eureka, 2025a). Due to the limited potential for the project to alter drainage patterns or increase stormwater runoff, the project is not expected to result in any new or more severe impacts related to drainage or stormwater runoff beyond those analyzed in the prior EIR. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

c.iv) Would the project place housing or other improvements within a 100-year flood hazard zone as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard map or impede or redirect flood flows?

Prior EIR Determination

The prior EIR concluded impacts related to placing improvements within a flood hazard zone or impeding or redirecting flood flows would be **less than significant** due to the City's development review process and GP policies including Policy HS-2.1, which prohibits the construction of new land uses within the 100-year floodplain unless the structure and subsequent road access is elevated above the base flood elevation; and Policy HS-2.4, which ensures the determination of what constitutes the 100-year floodplain is based on the most recent flood hazard data available from regional, state and federal sources (City of Eureka, 2018b).

Finding

The Federal Emergency Management Agency (FEMA) released updated Flood Insurance Rate Maps for the City of Eureka in 2017. Based on these maps, the project site is located outside the 100-year flood hazard area (FEMA, 2017; elevations referenced to NAVD88). Because the project is outside the 100-year flood zone, development associated with the project would be consistent with applicable regulations and GP policies and would further GP Goal HS-2, which seeks to reduce the risk of loss of life, injury, property damage, and economic and social disruption resulting from flood hazards. Therefore, the proposed project would not result in any new or substantially more severe environmental impacts.

d) *Would the project expose people or structures to a significant loss, injury or death from flooding due to levee failure, sea level rise, or inundation by seiche, or tsunami?*

Prior EIR Determination

The prior EIR concluded impacts related to exposure of people or structures to levee failure, sea level rise, or inundation by seiche or tsunami would be **less than significant** with adherence to GP policies discussed below.

Levee Failures: The prior EIR discussed how most of the Humboldt Bay shoreline is artificial and is highly vulnerable to breaching or being overtopped, and thus maintaining and shoring up shoreline protective devices such as levees is necessary to providing an adequate level of flood protection through at least 2050 (City of Eureka, 2018b). The prior EIR referenced as mitigation GP Policy HS-2.2, which calls for maintaining and enlarging existing flood protection structures; and GP Policy HS-1.2, which calls for ensuring that new development does not contribute to shoreline erosion (City of Eureka, 2018b).

Sea Level Rise: The prior EIR discussed how portions of the City would be inundated under a 100-year high water event with sea level rise. The prior EIR referenced as mitigation GP Policy SL-1.1, which call for maintaining and enlarging existing flood protection structures; Policy SL-1.2, which calls for design of shoreline protective structures to achieve multiple objectives including shoreline stability, connection to public access systems, and ensuring limited impact to costal resources and aesthetics; Policy SL-1.4, which calls for raising structures located in areas that are not protected from coastal flooding; and Policy SL-1.10, which calls for abandoning developed areas if it is determined that it is no longer feasible to construct and maintain shoreline

structures to provide protection from the effects of sea-level rise (City of Eureka, 2018b).

Seiches: The prior EIR discussed how geologic-induced seiche events are not widely documented in Humboldt Bay. The prior EIR referenced GP Policy HS-2.2, which calls for maintaining and enlarging existing flood protection structures; and Policy SL-1.11, which calls for encouraging innovative solutions to reduce damage from peak tidal and storm events (City of Eureka, 2018b).

Tsunamis: The prior EIR discussed how the City is vulnerable to tsunamis, and cites GP Policy HS-4.4, which aims to continue the City's tsunami awareness program to minimize the risk of potential damage caused by a tsunami (City of Eureka, 2018a).

Finding

The project site is located outside the City's Coastal Zone and proposes the reuse of an existing underutilized commercial infill site for retail use. Site elevations range from approximately 10 to 13 feet above mean sea level. The project site is located more than 1,500 feet from the Humboldt Bay shoreline along Waterfront Drive, which is largely armored with rock slope protection (City of Eureka, 2025b). Because the project is outside the Coastal Zone, development associated with the project would be consistent with applicable regulations and GP policies and would further GP objectives related to hazards such as levee failure, sea level rise, and seiches, which seek to reduce the risk of loss of life, injury, property damage, and economic and social disruption.

The project site is located within a tsunami hazard zone (CGS, 2025); however, higher ground located outside of the tsunami hazard zone is within approximately 500 feet of the project site, or an estimated five-minute walk or less, near the southeast corner of 7th and California Streets (City of Eureka, 2025b). As a condition of approval of the CUP, the Applicant will be required to prepare and post a tsunami evacuation plan /signage on site, consistent with the City's tsunami awareness program and GP Policy HS-4.4, which is intended to minimize potential risks associated with tsunami hazards.

As described above, the proposed project would accommodate development consistent with the type and intensity described by the GP and consistent with applicable GP policies. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

11. Land Use and Planning

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Physically divide an established community?	Less than Significant		✓	

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
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?	Less than Significant		✓	

a) *Would the project physically divide an established community?*

Prior EIR Determination

The prior EIR concluded impacts related to physically dividing an established community would be **less than significant** because the GP was designed as a cohesive plan that builds upon existing neighborhoods and developed areas, targeting new development primarily in infill areas. In making this conclusion, the prior EIR referenced GP policies promoting a compact pattern of mixed land uses, growth through infill, and development of high-density housing in proximity to jobs, services and infrastructure (Policies LU-1.2, LU-3.1, and LU-6.2; City of Eureka, 2018b).

Finding

The proposed project will be consistent with the type, location, and intensity of uses described by the GP. The proposed project is consistent with and furthers the GP policies mentioned above, supporting a compact pattern of land uses that radiates out from the City's Core Area, using land for commercial use to meet the needs of the community, and capturing local and visitor spending by being located along U.S. Highway 101 (5th Street). The project promotes the reuse of an economically underutilized site and building, thereby accommodating new growth and internal intensification and contributing to the City's economic objectives without dividing an established community. Therefore, the project is consistent with the GP, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

b) *Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect?*

Prior EIR Determination

The prior EIR concluded impacts would be **less than significant** because the GP was designed to reflect local and regional principles and strategies to reduce potential impacts to the environment, and includes policies to ensure its implementation is consistent and compatible with applicable land use plans, policies, and regulations of agencies with jurisdiction over the City and adjacent lands. The prior EIR specifically identifies GP Policy LU-1.3 which supports development that affords benefits to all segments of the community including developing underutilized parcels and reusing dilapidated buildings;

Policy LU-1.9 which supports economic investment in and incentives for improvements to existing buildings and sites including facade improvements, new paint and signage, retrofitting, adaptive reuse, and upgraded landscaping and paving; and Policy LU-6.8 which directs the City to review, comment, and coordinate on plans and projects of overlapping and neighboring agencies to ensure compatibility with the GP, and to ensure impacts are mitigated (City of Eureka, 2018b).

Finding

The proposed project would accommodate development consistent with the type and intensity envisioned by the GP. The project site is located within the DC designation, which is intended to support a mix of retail, restaurant, lodging, entertainment, cultural, visitor-serving, office, and upper-floor residential uses and to function as the City's traditional business and cultural center. The DC designation is intended to have a high-intensity urban form, retain and enhance Eureka's identity and historic character, and promote a vibrant pedestrian environment.

The proposed use of the site for retail sales of prefabricated sheds is consistent with the mix of commercial uses anticipated in the Downtown Commercial designation and represents the continued use of an existing developed commercial site. The project would not conflict with the purpose or intent of the DC designation because it would maintain an active retail use in a downtown commercial area, contribute to the range of commercial activities anticipated for the City's traditional business center, and incorporate frontage and landscaping improvements along 5th Street and Summer Street that support a pedestrian-oriented urban environment.

The project would not conflict with any adopted land use plan, policy, or regulation of an agency with jurisdiction over the project that was adopted for the purpose of avoiding or mitigating an environmental effect. The City coordinated with relevant agencies, including the SWRCB and local tribes, through the project referral process to ensure potential environmental concerns and impacts were identified and addressed through project design and conditions of approval, as applicable. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

12. Mineral Resources

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No impact		✓	✓

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
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?	No impact		✓	✓

- a) *Would the project 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) *Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local GP, specific plan, or other land use plan?*

Prior EIR Determination

The prior EIR concluded **no impacts** to mineral resources including, but not limited to, loss of availability of a known mineral resource that would be of value to the region and residents of the state, and loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan (City of Eureka, 2018b). As outlined in the prior EIR, California Geological Survey classifies the regional significance of mineral resources in accordance with the California Surface Mining and Reclamation Act of 1975 (Public Resources Code §§2710-2796), and California Geological Survey has not designated any Mineral Resource Zones in the City, indicating the City is not considered an area of importance when it comes to mineral resources. In addition, there are no current mining operations and limited available area for mining operations within the City (City of Eureka, 2018b).

12(a)– (b)Findings

No Mineral Resource Zones have been designated or mining operations commenced within the City since the adoption of the prior EIR. The project would utilize an existing commercial site located along U.S. Highway 101 (5th Street) and has no potential to impact the availability of mineral resources. Therefore, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

13. Noise

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Result in 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?	Less than Significant		✓	
b) Result in generation of excessive groundborne vibration or noise levels?	Less than Significant		✓	
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?	Less than Significant		✓	

a) *Would the project result in 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 GP or noise ordinance, or applicable standards of other agencies?*

Prior EIR Determination

The prior EIR concludes that impacts from noise generated by construction and operation of future development under the GP buildout will be **less than significant** in compliance with the GP policies noted below (City of Eureka, 2018b).

Construction: The primary source of temporary noise from implementation of the GP would be from construction. However, construction noise is a major source of temporary noise within the City and would have continued to be so regardless of buildout under the GP. The Noise Element of the GP contains Policy N-1.13, Construction Noise, which limits construction noise to the hours of 7:00 a.m. to 7:00 p.m. when construction activities occur within 500 feet of a sensitive land use (City of Eureka, 2018a). The prior EIR determined that compliance with GP Policy N-1.13 would ensure that impacts associated with construction activities would be less than significant (City of Eureka, 2018b).

Operation: The prior EIR acknowledge that buildout of the GP would add noise-producing uses, such as commercial and industrial uses, that increase noise exposure at existing or proposed noise-sensitive uses in the vicinity. However, the prior EIR determined that the GP contains goals and policies to ensure that noise impacts on

noise-sensitive uses would be less than significant. This includes GP Policy N-1.3, Land Use Compatibility, which requires the consideration of new development with the existing noise environment when reviewing discretionary proposals; and Policy N-1.5, New Stationary Noise Sources, which requires new stationary noise sources (e.g., HVAC units, loading docks, generators, etc.) to reduce noise impacts to noise-sensitive uses when the noise from that source alone exceeds exterior levels specified in the GP Noise Element. Based on the requirements of GP Policies N-1.3 and N-1.5, the prior EIR determined impacts associated with stationary noise sources would be less than significant (City of Eureka, 2018b).

The prior EIR identified on-road traffic associated with full buildout of the GP as the primary source that would contribute to the cumulative noise environment (City of Eureka, 2018b). Based on traffic noise projections, the prior EIR determined traffic noise in the City would remain essentially unchanged from existing conditions under GP buildout (none of the roadways that the prior EIR analyzed would exceed a 3 dB increase with GP buildout, which is considered barely perceptible to the average human being). Therefore, the prior EIR concluded that the increase in vehicular traffic along roadways associated with the GP would not result in significant impacts (City of Eureka, 2018b).

Finding

The proposed project would accommodate development consistent with the type and intensity described by the GP and would involve only limited sources of noise. Temporary noise would occur during construction associated with minor site improvements, such as installation of landscaping along the public right-of-way, fence modifications, lighting, and signage, and would be subject to the City's construction noise limits, consistent with GP Policy N-1.13.

Operational noise associated with the project would primarily consist of intermittent vehicle noise from customer activity and delivery trucks associated with the retail sale and delivery of prefabricated sheds. The project would utilize an existing commercial building and site and does not propose new stationary noise sources, such as mechanical equipment or generators, that would otherwise be subject to GP Policy N-1.5.

The project site is located along a major arterial roadway (Highway 101/5th Street) and is already characterized by elevated ambient traffic noise, and its location may contribute to a reduced per capita VMT and associated traffic noise. Consistent with GP Policy N-1.3, the proposed commercial use is compatible with the existing noise environment and would not introduce noise-sensitive uses or noise-generating activities that would result in a substantial increase in ambient noise levels. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Prior EIR Determination

The prior EIR determined implementation of the GP would not result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels with the implementation of GP Policy N-1.14, which requires assessments of vibration potential when projects are proposed in the vicinity of sensitive receptors, historic buildings, and archaeological sites, and requires that all feasible mitigation measures be implemented to ensure no damage would occur. The prior EIR concluded compliance with this policy would minimize the impacts related to vibration to **less than significant** (City of Eureka, 2018b).

Finding

The proposed project would accommodate development consistent with the type and intensity envisioned by the GP. Construction activities would be limited and would include installation of new landscaping along the public right-of-way, wall-mounted signage, and outdoor lighting, and the modification of existing fencing. Based on the minimal nature of the proposed improvements to the site, it is not anticipated that project construction activity would result in excessive groundborne vibration or groundborne noise levels. The proposed retail use would generate customer activity and regular deliveries; however, the project site is not located near sensitive receptors and is situated along U.S. Highway 101 (5th Street), an area characterized by elevated ambient traffic noise levels. As a result, the project would not generate groundborne vibration or noise levels beyond those already analyzed in the prior EIR. Therefore, the project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

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?*

Prior EIR Determination

The prior EIR identified the Murray Field and Samoa Field Airports as the only airports located within two miles of City limits, and concluded impacts related to exposure to excessive noise levels resulting from proximity to these airports would be **less than significant** due to the lack of sensitive land uses proposed within the airports' 65 Community Noise Equivalent Level (CNEL) contours (City of Eureka, 2018b).

Finding

Both airports near the City are located more than two miles from the project site. The closest airport, Samoa Field Airport, is located approximately 2.3 miles to the southwest, while Murray Field Airport is located approximately 2.9 miles to the east. The project site is well outside the airport noise contours identified in Figure N-1 of the GP (City of Eureka, 2018a). Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

14. Population and Housing

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
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)?	Less than Significant		✓	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant		✓	✓

a) *Would the project 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)?*

Prior EIR Determination

The prior EIR analyzed the impact of creating 1,886 additional housing units in the city and up to 1.6 million square feet of nonresidential uses, and determined there would be a **less than significant** impact, in part because growth would occur gradually over a 20-year period and would be distributed broadly and incrementally across the City, and because anticipated growth is not considered substantial in comparison to the existing population levels (City of Eureka, 2018b).

Finding

The project proposes the retail sales of prefabricated sheds on an underutilized commercial site and would not require the extension of roads or other infrastructure that could be growth inducing. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

b) *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Prior EIR Determination

The prior EIR concluded impacts related to displacement of existing people and housing would be **less than significant** with the implementation of GP policies including, but not limited to, GP Policy LU-1.2, calling for a compact pattern of mixed land uses radiating out from the Core Area and other commercial/employment areas; and Policy LU-6.2, promoting development of vacant infill properties and redevelopment/reuse of economically underutilized sites and buildings (City of Eureka, 2018b).

Finding

The project would not displace existing residents or housing, as it would utilize an existing commercial site for the retail sales of prefabricated sheds. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

15. Public Services

	2040 GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire Protection?	Less than Significant		✓	
Police protection?	Less than Significant		✓	
Schools?	Less than Significant		✓	
Parks?	Less than Significant		✓	
Other public facilities?	Less than Significant		✓	

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:*

Fire and police protection?

Prior EIR Determination

The City is served by Humboldt Bay Fire and the Eureka Police Department. The prior EIR concluded impacts to fire and police protection services would be **less than significant** under the GP with implementation of GP policies, including, but not limited to, those designed to protect and enhance fire protection resources and ensure adequate fire

facility standards, ISO ratings, and response times (Policies CS-2.1, CS-2.2, CS-2.3, CS-2.4); and those designed to protect and enhance law enforcement funding, services, staffing, facilities, equipment, and response times (Policies CS-1.1, CS-1.3, CS-1.4, CS-1.5, CS-1.6) (City of Eureka, 2018b). In addition, the prior EIR determined future growth and development over the course of 20 years would potentially generate the need for new fire and police facilities, vehicles, equipment, and additional personnel to maintain adequate response times; however, this would not result in substantial impacts to fire and police protection services, as changes would be gradual and distributed broadly and incrementally (City of Eureka, 2018b).

Finding

The proposed project is consistent with the growth assumptions underlying the prior EIR since it proposes retail use on an existing commercial site. The project site is located in close proximity to existing public safety facilities, including Humboldt Bay Fire Station at 533 C Street and the Eureka Police Department Headquarters at 604 C Street, both within 0.25 miles of the site (City of Eureka, 2025b). Given the project's limited size and nature, it would not be expected to increase demand for fire or police services in a manner that would require new or physically altered governmental facilities or result in increased response times.

If a Building Permit is required for any tenant improvements or site modifications, the applicant would be required to comply with applicable Building and Fire Code requirements, and such improvements would be reviewed and inspected by the City's Building Department and Humboldt Bay Fire, as applicable, to ensure that any potential issues related to public safety are adequately addressed. Consistent with GP Policy CS-1.8, the project was referred to the Eureka Police Department as part of the discretionary CUP review process, and no comments or concerns related to public safety or service capacity were identified.

As analyzed in the prior EIR, buildout of the GP could result in the need for additional public safety facilities, personnel, and equipment over time; however, such effects were determined to be less than significant due to their gradual and incremental nature (City of Eureka, 2018b). Due to the limited scope of the proposed commercial use, the project would not contribute to the need for new or expanded fire or police facilities beyond what was analyzed at the GP level. Therefore, the proposed project is consistent with the GP, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

Schools?

Prior EIR Determination

The Eureka City School District provides services to most of the City. The prior EIR concludes impacts to the School District will be **less than significant** with a modest, gradual, and broadly distributed program of physical development and implementation of GP policies, including, but not limited to, those designed to protect and enhance

educational resources (Policies CS-3.1, CS-3.2, CS-3.3, CS-3.4, CS-3.5) (City of Eureka, 2018b).

Finding

The proposed project involves the use of an existing commercial site for the retail sales of prefabricated sheds, which is consistent with the growth assumptions analyzed in the prior EIR. The project is located on an underutilized site, does not propose the creation of new housing that would generate school-aged children, and would not conflict with GP Policies CS-3.1 through CS-3.5. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

Parks and other public facilities?

Prior EIR Determination

The prior EIR concludes impacts to parks and other public facilities will be **less than significant** with implementation of GP policies, including, but not limited to, policies related to parks and open space (Policies PR-1.1 and PR-1.2), libraries (Policies CS-4.1, CS-4.2, CS-4.3), the Sequoia Park Zoo (Policy PR-1.12) and community centers (Policy AC-2.9) (City of Eureka, 2018a). The prior EIR specified that neighborhood parks should have a ratio of park space to population of 1 acre per 1,000 persons and for community parks, the prior EIR specified a ratio of 3 acres per 1,000 residents (City of Eureka, 2018b). Based on the existing population of about 27,226 residents at the time of the prior EIR, the ratio of community and neighborhood park space to residents was approximately 4.9 acres per 1,000 residents; therefore, the prior EIR concluded no additional parks and recreational facilities would be required to be developed as a result of implementation of the GP, even with the estimated 3,683 net new residents under full GP buildout (City of Eureka, 2018b).

Finding

The proposed project would accommodate development consistent with the type and intensity described by the GP and does not include the development of additional residential units. As such, the project would not result in additional residents that would use parks or other population-serving public facilities, such as libraries, museums, visitor centers, or community facilities.. The prior EIR concludes that no additional park facilities will be required to be developed to accommodate the projected buildout in the GP (City of Eureka, 2018b). Therefore, the project is consistent with the GP and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

16. Recreation

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Increase the use of existing 52neighbourhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than Significant		✓	
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than Significant		✓	

a) Would the project 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?

Prior EIR Determination

The prior EIR determined the GP would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of a facility would occur or be accelerated. As described in Section 15(a) above, the current ratio of community and neighborhood park space to residents is 4.9 acres per 1,000 residents, well above the recommended 1 acre per 1,000 persons for neighborhood parks and 3 acres per 1,000 residents for community parks (City of Eureka, 2018b). The prior EIR determined the anticipated 3,683 net new residents in the City by 2040 under GP buildout would utilize the existing 133 acres of neighborhood and community parks, and no additional parks and recreation facilities would be required to maintain minimum ratios of park space to residents (City of Eureka, 2018b). Because of the modest, gradual, and broadly distributed program of physical development that is projected to occur under the GP, combined with policies designed to protect and enhance parks and recreational resources such as GP Policies PR-1.1 and PR-1.2, the prior EIR concluded that impacts to parks and recreational resources would be **less than significant** (City of Eureka, 2018b).

16(a)– (b) Findings

The proposed project involves the use of an existing commercial site for the retail sales of prefabricated sheds, which is consistent with the growth assumptions analyzed in the prior EIR. As such, the project would not result in additional residents that would use or increase the demand for recreational facilities in the city. Therefore, the project is consistent with the GP, and would not result in any new or more severe impacts, including

off-site and cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

17. Transportation

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than Significant		✓	
b) Conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?	Significant and Unavoidable		✓	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant		✓	
d) Result in inadequate emergency access?	Less than Significant		✓	

a) *Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?*

Prior EIR Determination

The prior EIR concluded that this impact would be **less than significant** under GP buildout with the implementation of GP policies intended to address potential impacts on alternative modes of transport and mobility, such as pedestrian circulation, bicycle paths, and transit (City of Eureka, 2018b). The policies that address potential transportation impacts include safety and mobility-related policies M-1.6, M-1.7, and M-1.9, pedestrian and bicyclist related policies M-3.8, and transit operations and accessibility related policies M-2.4 and M-4.5 (City of Eureka, 2018a). Additionally, the GP's overall concept of infill and densification within and around the City's Core Area would serve to enhance opportunities for development that is compact, walkable, and transit-friendly (Policy M-1.6) (City of Eureka, 2018a).

Finding

The proposed project would accommodate commercial reuse of an underutilized site consistent with the type and intensity of development anticipated by the GP and applicable circulation and mobility policies.

The project would not alter the existing roadway network, access points, or circulation patterns and would utilize existing public streets, sidewalks, and transit infrastructure.

Pedestrian conditions along the public right-of-way would be improved through required landscaping and other design features, such as removal of barbed wire from existing perimeter fencing and addition of accent lighting, and short-term bicycle parking will be required as a condition of approval under the CUP consistent with GP Policy M-3.8, which supports pedestrian-oriented design and facilities. The project site is located within an established urban area with access to existing transit service, consistent at a programmatic level with GP Policies M-2.4 and M-4.5, which support transit accessibility and integration with land use patterns.

The project is also consistent with GP Policies M-1.6, M-1.7, and M-1.9, which emphasize compact development patterns, safety, and efficient use of the existing circulation system within developed areas. The project would not conflict with any adopted circulation plans, policies, or ordinances addressing transit, roadways, bicycle, or pedestrian facilities.

For all these reasons, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

b) Would the project conflict or be inconsistent with CEQA Guidelines §15064.3, subdivision (b)?

Prior EIR Determination

The prior EIR concludes that although the GP contains a number of policies that are directed towards lessening impacts from vehicle miles traveled (VMT), per-capita VMT is projected to decrease only slightly over the next 20 years. As such, the prior EIR concludes that VMT impacts under GP buildup would be **significant and unavoidable** (City of Eureka, 2018b).

Finding

As discussed previously, the proposed project involves the reuse of an existing underutilized commercial site, consistent with policies and implementation programs in the GP that encourage infill development and site/building reuse. As concluded in the GP, the City of Eureka is largely built out, with few developable sites remaining; therefore, the City seeks to promote the use of vacant and underutilized parcels across all zoning districts (City of Eureka, 2018a).

Pursuant to CEQA Guidelines §15064.3(b)(1), projects located within one-half mile of a major transit stop are presumed to result in a less-than-significant transportation impact. The project site is located within one-half mile of a major transit stop located near the intersection of 3rd and H Streets. The site is also located approximately 475 feet from an existing bus stop near the intersection of 7th and Summer Streets, which further promotes transit use. The project would utilize existing roadway, sidewalk, and transit infrastructure within an established urban area and would not introduce land uses or intensity beyond those contemplated in the GP and analyzed in the prior EIR.

Additionally, the site is located in a regional commercial center (City of Eureka) along a major thoroughfare (U.S. Highway 101/5th Street), which provides convenient access to the business for customers already traveling to Eureka for other goods and services.

For these reasons, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

- c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*
- d) Would the project result in inadequate emergency access?*

Prior EIR Determination

The prior EIR concluded transportation impacts from inadequate emergency access and from increased hazards due to geometric design features or incompatible uses would be **less than significant** with the implementation of engineering and design standards, and GP policies, including, but not limited to, those addressing Complete Streets directives (Policies M-1.1 through M-1.9), design standards (Policy M-2.5), improved circulation for pedestrians and bicyclists (Policies M-3.1 through M-3.12), and enhancement in goods movement (Policies M-7.1 through M-7.3) (City of Eureka, 2018b). According to the prior EIR, changes associated with the GP would result in nominal changes to traffic operation and delays, and in some cases traffic operations would improve and delays would decrease, providing improved timeliness for emergency access (City of Eureka, 2018b).

17(c)– (d)Findings

The project site has been used for commercial purposes since the 1940s and would continue to utilize the existing street network, which was designed to meet standard engineering and design requirements for adequate circulation and emergency access. Site access would be provided from Summer Street, and the existing driveway along 5th Street would not be used for access as it is blocked by existing fencing and the Applicant has no plans to remove fencing to utilize it. The proposed project includes minor site improvements, such as modifications to existing fencing and the installation of landscaping along the public right-of-way. These improvements were reviewed by the City's Public Works and Engineering Departments through the CUP referral process and were found not to restrict emergency access. Additionally, the Applicant will be required to modify the existing fencing at the corner of U.S. Highway 101/5th Street and Summer Street to meet the City's VCA requirements, which will improve visibility for drivers at this intersection. For these reasons, the proposed project is consistent with the GP and would not result in any new or substantially more severe environmental impacts.

18. Tribal Cultural Resources

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code §5020.1(k)?	Significant and Unavoidable		✓	
b) Cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of the Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	Significant and Unavoidable		✓	

- a) *Cause a substantial adverse change in the significance of a tribal cultural resource listed or eligible for listing in the California Register of Historic Resources, or in a local register of historic resources as defined in Public Resources Code §5020.1(k)?*
- b) *Cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to the criteria set forth in subdivision (c) of the Public Resources Code §5024.1? In applying the criteria set forth in subdivision (c) of the Public Resources Code §5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.*

Prior EIR Determination

The prior EIR notes that given the long history of prehistoric and historic-period human occupation, the City is considered sensitive for the presence of subsurface prehistoric, Native American, and historic-period cultural resources and human remains. The prior EIR concludes impacts to tribal cultural resources are **significant and unavoidable** under GP buildout because there are no feasible or practical policies or mitigation measures available to ensure tribal cultural resources are not destroyed inadvertently or when projects are allowed without discretionary review ("by-right") (City of Eureka, 2018b).

As part of the GP and prior EIR process, the City consulted with Native American tribes, providing local tribes the opportunity to participate in local land use decisions and to protect,

or mitigate impacts to cultural places. The City and tribal representatives agreed to continue consultation and the GP includes policies to identify and protect tribal cultural resources that could be adversely affected by development activities (City of Eureka, 2018a). These include, but are not limited to, consultation with local tribes to identify and protect tribal cultural resources (Policy HCP-2.1) and requirements for implementing an inadvertent discovery protocol and construction monitoring (Policy HCP-2.5).

18(a)–(b) Findings

The project site is covered with paved and gravel surfaces and a 5,000 square foot building, and no known tribal cultural resources have been identified on the site. However, as acknowledged in the prior EIR, ground-disturbing activities anywhere within the City have the potential to encounter previously unrecorded tribal cultural resources. The project requires discretionary City review for the CUP. As part of the project review process, the application was referred to local tribes, and comments were received requesting the implementation of protocols for inadvertent archaeological discoveries be implemented during any ground-disturbing activities. In response, the CUP will include a condition of approval requiring the Applicant adhere to and implement the City's standard inadvertent discovery procedures, consistent with GP Policy HCP-2.5.

As discussed in the prior EIR, impacts to tribal cultural resources were identified as significant and unavoidable under full buildout of the GP due to the potential for inadvertent discovery. The proposed project does not introduce new or different site conditions, development intensity, or mechanisms of impact beyond those analyzed in the prior EIR. With discretionary review, tribal referrals, and implementation of the inadvertent discovery condition requested by the tribes, the project would not result in any new or more severe impacts, including off-site or cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

19. Utilities and Service Systems

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than Significant		✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than Significant		✓	

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
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?	Less than Significant		✓	
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than Significant		✓	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Less than Significant		✓	

- a) *Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electrical power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*
- b) *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*
- c) *Would the project 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?*

Prior EIR Determination

The prior EIR concludes that impacts related to utility infrastructure generated by future development under the GP buildout will be **less than significant** in compliance with the GP policies noted below and other applicable regulatory requirements. The potential for significant environmental effects from the relocation or construction of new or expanded utility infrastructure is analyzed in the relevant resource-specific sections of the prior EIR.

Water: The prior EIR concluded impacts related to water supply and the relocation or construction of new or expanded water facilities would be less than significant given the capacity of the City's water source and with the incorporation of GP policies calling for the continued provision of high-quality water through a cost-effective distribution system (Policy U-1.1); regular review and updating of the City's Urban Water Management Plan and capital improvement plans (Policy U-1.2); and collaboration with federal, state, and local water agencies and providers to create and enhance long-term water conservation programs (Policy U-1.7) (City of Eureka, 2018b).

The prior EIR states that 1,886 additional dwelling units and 1.6 million square feet of new nonresidential uses are projected to be developed within the City during the GP planning period, and it is expected demand for water will continue to increase with projected population and job growth (City of Eureka, 2018b). The City is one of several Public Water Systems reliant on the HBMWD for water service. The City's average annual daily system demand is roughly 4.0 MGD, while HBMWD has existing water supply sufficient to provide 17.9 MGD to domestic water customers (City of Eureka, 2018b). According to the prior EIR, HBMWD has indicated there is sufficient supply to service existing water demand and accommodate new water demand at the full, 20 year expected build-out under the GP both in normal and multiple dry years (City of Eureka, 2018b).

Wastewater: The prior EIR concluded impacts related to wastewater treatment capacity and the relocation or construction of new or expanded wastewater treatment facilities would be less than significant due to the capacity of the City's wastewater treatment plant (WWTP) and with the incorporation of GP policies calling on the City to ensure sufficient wastewater system capacity to meet the needs of industrial, agricultural, and other high-impact users (Policy E-5.7); to maintain and improve the City's wastewater collection and treatment system capacity for all segments of the community to satisfy dry and wet weather conditions while also detecting and correcting infiltration/inflow issues (Policy U-2.1); and to regularly review and update the City's Sewer System Management Plan and other wastewater planning tools and capital improvement plans to ensure adequate wastewater collection, treatment, infrastructure, maintenance, rehabilitation, and funding (Policy U-2.2) (City of Eureka, 2018b).

The prior EIR states that 1,886 additional dwelling units and 1.6 million square feet of new nonresidential uses are projected to be developed within the City during the GP planning period, and it is expected demand for wastewater treatment will continue to increase with projected population and job growth (City of Eureka, 2018b). The City owns and operates a wastewater collection and treatment system that collects and conveys between 1.6 and 1.8 billion gallons of wastewater per year (City of Eureka, 2018b). According to the prior EIR, the City's WWTP was designed and permitted to treat an average dry weather flow (ADWF) of 8.6 MGD and is currently reporting an ADWF of 3.6 MGD (City of Eureka, 2018b). In addition, as noted in the prior EIR, the WWTP was designed so that its treatment capacity could be increased in the future to accommodate both the City's planned growth within its sphere of influence and Humboldt Community Services District's growth in the future (City of Eureka, 2018b).

Stormwater: As described in the prior EIR, the City manages and maintains the existing stormwater drainage system with stormwater flowing by gravity through piping to numerous discharge points along Humboldt Bay, sloughs, and drainages in and around the City. The City currently holds an NPDES stormwater permit issued by the North Coast Regional Water Quality Control Board and has an adopted Storm Water Management Plan (SWMP), as required for the Federal Storm Water Phase II Final Rule Permit. The SWMP describes certain BMPs the City is required to implement.

As discussed in the prior EIR, the City would continue to update its SWMP, and as such, would remain in compliance with the implementation of its NPDES permit. The prior EIR determined impacts on the stormwater drainage system from implementation of the GP will be modest, gradual, and broadly distributed based on any physical development that would occur.

The prior EIR concluded impacts to the stormwater system would be less than significant with implementation of GP goals and policies designed to protect utilities and service systems, including creation of a comprehensive stormwater collection and conveyance system (Goal U-3), provision of adequate infrastructure for the City's stormwater drainage system (Policy U-3.1), and regular review and update of the Storm Drain Master Plan (Policy U-3.2; City of Eureka, 2018b).

19(a)– (c) Findings

The proposed project is consistent with the type and intensity of development assumed under the GP and would utilize existing utility systems serving the site.. The project proposes to reuse an existing underutilized commercial site for a low-intensity retail use (sales of prefabricated sheds) that would place a limited demand on water, wastewater, stormwater, electrical power, natural gas, and telecommunications services.

While the prior EIR did not analyze electrical power, natural gas, or telecommunications facilities as standalone checklist items, it evaluated utility infrastructure capacity and system-wide impacts associated with full GP buildout. The project would not require the relocation or construction of new or expanded utility facilities beyond those anticipated at the programmatic level.

Therefore, the proposed project would not result in any new or substantially more severe environmental impacts related to utilities or service systems than those analyzed in the prior EIR.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, 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?*

Prior EIR Determination

The prior EIR concluded impacts related to solid waste would be **less than significant** with sufficient capacity at the Dry Creek landfill facility, continued implementation of waste diversion programs, and implementation of GP policies related to solid waste, including, but not limited to, those focused on increasing waste diversion rates (Policies U-4.3 and U-4.5). As discussed in the prior EIR, solid waste that cannot be recycled or composted is exported to the Dry Creek Landfill in White City, Oregon, which holds a Title V Operating permit. The Dry Creek Landfill accepts approximately 900 tons of solid waste per day and has an operational life projected to exceed 100 years. The prior EIR analyzed solid waste generation under buildout of the GP and concluded estimated solid waste

would likely be of minimum burden on the permitted capacity of the landfill (City of Eureka, 2018b).

19(d)– (e) Findings

The proposed project is consistent with the growth assumptions underlying the prior EIR and would generate solid waste within the range anticipated under buildout of the GP. As analyzed in the prior EIR, the Dry Creek Landfill has adequate permitted capacity to accommodate the solid waste disposal needs.. The Applicant would be required to comply with applicable federal, state, and local solid waste management and diversion requirements, including the provision of adequate space for solid waste, recycling, and compost collection, as applicable and as required by City standards. With compliance with these requirements, the proposed project would not impair solid waste reduction goals or exceed the capacity of local or regional solid waste infrastructure. Therefore, the proposed project is consistent with the GP and would not result in a new or substantially more severe environmental impacts.

20. Wildfire

	GP EIR Impact Conclusions	New Significant Impact Not Addressed in EIR	Impact Adequately Addressed in EIR	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	
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?	Less than Significant		✓	

a) *Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?*

- b) Would the project 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) Would the project 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) Would the project 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?*

Prior EIR Determination

The prior EIR concludes impacts related to wildfires will be **less than significant** with the implementation of the California Fire Code, Hazardous Materials Transportation regulations, Cal/OSHA regulations and GP policies, including, but not limited to, policies requiring adequate emergency access and wildfire preparedness (Policies HS-4.7 and HS-4.10; City of Eureka, 2018b).

20(a)–(d) Findings

The California Department of Forestry and Fire Protection maps identify fire hazard severity zones in state (SRA) and local (LRA) responsibility areas for fire protection. The SRA does not extend into City limits. The LRA fire severity map designates some areas within the City limits as moderate to high fire hazard severity zones. As shown on GP EIR Figure 3.7-3, the project site is not located in one of these moderate or high fire hazard severity zones (City of Eureka, 2018b). Since the project site is not located within an SRA or a very high fire hazard severity zone, there will be a limited potential for impacts related to wildfires.

Therefore, based on the project location, the project is consistent with the GP, and will not result in any new or more severe impacts, including off-site and cumulative impacts, than those analyzed in the prior EIR. Accordingly, no additional analysis or mitigation is required.

Acronyms

ADWF	Average Dry Weather Flow
ALUCP	Airport Land Use Compatibility Plan
APN	Assessor Parcel Number
BMPs	Best Management Practices
CARB	California Air Resources Board
CBC	California Building Code
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CNEL	Community Noise Equivalent Level
CSP-OHP	California State Parks - Office of Historic Preservation
CUP	Conditional Use Permit
dB	Decibel
DC Designation	Downtown Commercial Land Use Designation
DW District	Downtown West Zoning District
EIR	Environmental Impact Report
EMC	Eureka Municipal Code
ESA	Endangered Species Act
GHG	Greenhouse Gas
GP	General Plan
HBMWD	Humboldt Bay Municipal Water District
HCDEH	Humboldt County Division of Environmental Health
HVAC	Heating, Ventilation, and Air Conditioning
ISO	Insurance Services Office
LRA	Local Responsibility Area
MGD	Million Gallons Per Day
MS4 Permit	Small Municipal Separate Storm Sewer System
NCUAQMD	North Coast Unified Air Quality Management District
NPDES	The National Pollutant Discharge Elimination System
PM ₁₀	Particulate Matter (that is 10 micrometers and smaller in size)
SRA	State Responsibility Areas
SWMP	Storm Water Management Plan
VMT	Vehicle Miles Traveled
WWTP	Wastewater Treatment Plant

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