

**Initial Study &
Draft Mitigated Negative Declaration**

For the

**Sunset Terrace Multi-Family
Development**

Prepared by the:



**Amended and Adopted by the Planning
Commission
June 28, 2016**

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INITIAL STUDY and CHECKLIST

PROJECT: **Sunset Terrace Multi-Family Development**
LEAD AGENCY: City of Arcata Community Development Department
736 F Street
Arcata, CA 95521

LEAD AGENCY CONTACT PERSON:
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PROJECT LOCATION: Arcata, Humboldt County, CA

PROPERTY OWNERS: Kramer Properties, Inc.

GENERAL PLAN DESIGNATION: Residential – Medium Density

ZONING DESIGNATION: Residential – Medium Density with Planned Development and Special Considerations combining zones (RM:PD:SC).

ASSESSOR PARCEL NUMBER: 505-121-026

PROJECT SUMMARY

Kramer Properties, Inc. is pursuing entitlements for a multi-family development of 142 1-bedroom residential units on the south side of Sunset Avenue on the property known as 1301 Sunset Avenue. The property is 3.56 acres in size. The project includes the demolition of three (3) buildings associated with the former mill use on the site and the filling of ±575 sf 2-parameter wetlands which has mitigated on the City's property to the south at a greater than 1:1 ratio. All vehicular access to the units will be from the new Foster Avenue Extension along the south side and all required parking will be developed onsite. The development will utilize Low Impact Development (LID) features for drainage, landscaping and recreation facilities.

The proposed multi-family development will be nearly adjacent to the City's Shay Park with nearby access to the Class I Arcata Rail with Trail Connectivity Project (R-T) which generally follows the newly constructed Foster Avenue alignment through the area.

Archaeological, historic, noise, traffic, hazardous materials, biological, topographical and geotechnical analyses have been completed for two (2) other City projects in the immediate vicinity and updates and amendments as needed for this project as well. This Initial Study utilizes data and recommendations from these previous studies and environmental documents. A complete list of these documents is included in the Appendices section of this document.

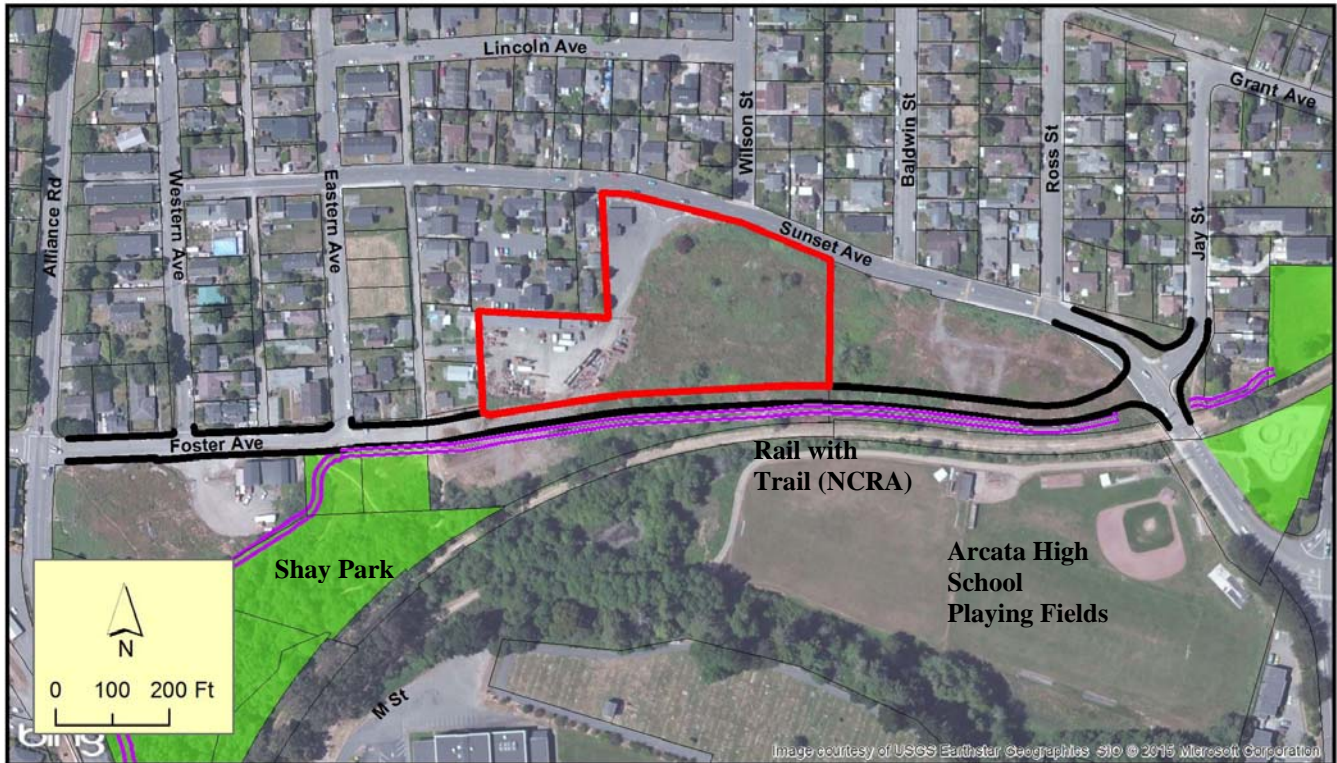


Figure 1 – Site Map – Assesor Parcel Number 505-121-026. This map shows the approved Foster Avenue Extension and Rail with Trail alignments in relation to the subject property

PROJECT OBJECTIVES

- To provide affordable, high-quality, multi-family housing for Arcata residents in a central location with easy access to transit and non-motorized modes of transportation.

PROJECT ELEMENTS

Housing – the parcels are currently planned and zoned Residential Medium-Density (RM). The Special Considerations (:SC) combining zone that was adopted by the City Council specifically for this property allows for the development of up to 142 1-bedroom residential units under a Type “A” Planned Development (:PD). This type of Planned Development Permit (PDP) requires no exceptions to the zoning district’s development standards. According to the City’s General Plan, there are 151 acres within City limits currently planned and zoned for high density residential development, or 3% of the City’s land area.

Multi-Modal Transportation – the site is adjacent to an Arcata & Mad River Transit System (AMRTS) bus stop, is ± 0.5 mile from Humboldt State University (HSU), less than 1.5 miles from downtown Arcata and less than 0.5 mile from the Westwood shopping center. It is also adjacent to the Arcata Rail with Trail, a Class I separated trail, that links the Sunset neighborhood to the north end of Humboldt Bay. The project includes bike storage shelters to encourage the use of alternative transportation modes.

Lot Coverage – The applicant has been challenged to meet the objectives of the :SC combining zone. The project meets the minimum landscaping and maximum lot coverage standards. Applicant proposes to use Low Impact Development (LID) features such as vegetated bioretention facilities to minimize offsite impacts from stormwater. The LID features are incorporated into landscaping and coverage requirements. The RM zoning district allows up to 60% lot coverage and lot coverage includes all impervious surfaces; permeable pavers and other materials commonly used for parking and vehicular use areas that are pervious do not count toward lot coverage. This is a critical component of the project given the relatively high density that has been identified by the City Council for this location and the City and State’s stringent requirements for stormwater retention.

PUBLIC AGENCIES WITH JURISDICTIONAL AUTHORITY

The City of Arcata is the CEQA lead agency for the proposed project and the only agency with regulatory authority over the development of the property.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. Please see the checklist beginning on page 3 for additional information.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry	<input type="checkbox"/>	Air Quality
<input type="checkbox"/>	Biological Resources	<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Geology/Soils
<input type="checkbox"/>	Greenhouse Gas Emissions	<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources	<input type="checkbox"/>	Noise
<input type="checkbox"/>	Population/Housing	<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation/Traffic	<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Mandatory Findings of Significance

DETERMINATION: On the basis of this initial evaluation:

<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and is exempt from environmental review pursuant to statutory and categorical exemptions.
<input type="checkbox"/>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
<input type="checkbox"/>	I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required

<i>Alyson Hunter</i>	Date: April 25, 2016
Signature:	
Printed Name: Alyson Hunter	For: City of Arcata

EVALUATION OF ENVIRONMENTAL IMPACTS:

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each questions. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
- 9) The analysis of each issue should identify:
 - a) the significance criteria or threshold used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significant.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AESTHETICS: Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			X	

Aesthetics.

a-b) **No Impact.** The development of up to 142 multi-family residential units on the subject property which is planned and zoned for such purposes and which is located at the intersection of two public roads and which will be served by public water and sewer, will not have an adverse effect on a scenic vista nor substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. None of these features exist on the site nor is there a state scenic highway within 50 miles of the City of Arcata. The project will have “No Impact” on scenic vistas or resources.

c-d) **Less Than Significant Impact.** (c) The site is currently developed with the former office of the Twin Parks Mill which is located in the northwest corner of the property adjacent to Sunset Avenue and a long wooden equipment shop/employee break room in the southwest corner. These structures are proposed to be demolished to make room for the proposed residential development. Any new development on a site which has been allowed to return to a semi-natural state after many years of disuse can be considered, by some, as a degradation of the existing visual character or quality of the site and its surroundings. However, given the former industrial mill uses on the site and the fact that the immediate environs are developed with a mix of residential use types already, Staff suggests that the proposed development will have a less than significant impact on the visual character or quality of the site and its surroundings.

(d) The proposed development will have a “Less Than Significant Impact” in terms of degrading the site and environs or creating a new source of glare or light that would adversely affect day or nighttime views in the area. In compliance with Chapter 5 of the City’s General Plan (Design Element), the proposed development will utilize standard multi-family lighting features that will be down-shielded, energy efficient and “night-sky” compliant in an effort to create a less than significant impact on nearby Environmentally Sensitive Habitat Areas (ESHAs) nighttime views in the area.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AGRICULTURE AND FOREST RESOURCES: 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?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g), timberland (as defined by PRC section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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 forestland to non-forest use?				X

Agriculture and Forest Resources.

a-e) **No Impact.** The subject parcels are not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (collectively “Farmland”), do not contain existing farming uses, are not zoned for agricultural or timberland uses, are not under Williamson Act contracts, and are not “Forests”. Hence the proposed development would not convert Farmland to non-agricultural use or result in the loss of forest land or conversion of forest land to non-forest use. The development of up to 142 residential units with appurtenant parking and landscaping would result in “No Impact” to agriculture and forest resources.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
AIR QUALITY: Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct Implementation of the applicable air quality plan?			X	
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X	
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?			X	
d) Expose sensitive receptors to substantial pollutant concentrations?			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?			X	

Air Quality.

a-e) **Less Than Significant Impact.** The project site is located within the North Coast Air Basin (NCAB) and the jurisdiction of the North Coastal Unified Air Quality Management District (NCUAQMD). The North Coast Air Basin currently meets all federal air quality standards; however, it has been designated as non-attainment (exceeds maximum limits) for California Ambient Air Quality Standards for particulate matter less than ten microns in size (PM₁₀). To address this, the NCUAQMD adopted a Particulate Matter Attainment Plan in 1995. This plan presents available information about the nature and causes of PM₁₀ standard exceedance, and identifies cost-effective control measures to reduce PM₁₀ emissions, to levels necessary to meet California Ambient Air Quality Standards.

The following Arcata General Plan Design Element policies are applicable to the proposed project:

- AQ-2a Implement land use measures to reduce vehicle trips, miles traveled, and air pollutant emissions.
- AQ-2b Implement transportation measures to reduce vehicle trips, miles traveled, and air pollutant emissions.
- AQ-2f Enforce air quality control measures and monitoring at construction sites.

The proposed project would generate construction emissions associated with mechanical clearing, grading, base laying, surface application, and construction activities. While the NCAB is in non-attainment for PM₁₀, the temporary nature of construction activities combined with implementation of standard NCUAQMD dust and CO₂ emission reduction measures during construction (e.g., watering of construction site, covering haul trucks, street sweeping haul routes, landscaping/covering freshly graded areas immediately after grading, etc.) would avoid significant impacts. In addition to the central location of the project, it will also be adjacent to a transit stop as well as a multi-use, ADA accessible trail through central Arcata. Although the project will introduce up to 142 new residential units with 1-bedroom each, the property’s central location and proximity to alternative modes will minimize vehicle miles traveled (VMT) to and from the new development. The proposed project would not obstruct implementation of the NCUAQMD Particulate Matter Attainment Plan, violate air quality standards, or contribute substantially to an existing or projected air quality violation. Additionally, the project is consistent with Arcata’s General Plan Air Quality Element.

As mentioned above, some of the project’s construction activities would likely temporarily increase PM₁₀ levels (e.g., exposing and moving soil can increase airborne particulate matter). The City of Arcata’s standard permit conditions regulate construction practices to avoid and minimize adverse effects on air quality. The proposed project will carry out the City’s standards and best management practices during the construction phase, and thereby minimize the project’s short-term PM₁₀ impacts to a non-significant level.

In the long term, the proposed project would not add any significant level of PM₁₀ emissions that would cause a cumulatively considerable net increase.

The proposed project is within 500' of Arcata High School, less than 1 mile from HSU and within ±3,000' of Arcata Elementary School (formerly Sunset School). However, there is no indication that the proposed project would not result in substantial air pollutant concentrations, and thus would not significantly impact these sensitive receptors.

The construction phase would include the paving of driving areas, which could include applying hot asphalt. The odor from hot asphalt may be objectionable to some. However, the odor impact would be both short-term and localized, and therefore would neither be persistent nor affect a substantial number of people.

For the reasons stated above, the proposed residential development will have a “Less Than Significant Impact” on air quality.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
BIOLOGICAL RESOURCES: Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			X	
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			X	
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?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
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?				X

Biological Resources.

a) - c) **Less Than Significant Impact.** – *Adjacent to the site*, there are: 1) 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; and 2) there is riparian

habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

However, the project has been designed to adhere to the setbacks established in Chapter 4 of the General Plan (Resource Conservation & Management Element) and Chapter 9.54 of the Land Use Code (LUC) pertaining to Resources Conservation. *No reduction to the established setbacks is proposed.* Site design includes Low Impact Development (LID) features to even further minimize offsite stormwater impacts to these nearby sensitive areas. Some examples of the LID features incorporated into the site design include, but are not limited to: bioretention facilities, permeable paving, tree planting and other landscaping. Furthermore, the City's grading and stormwater permits requires that BMPs be in place during construction activities to further reduce fugitive emissions from the site during ground disturbing activities. Given this discussion, the project will have a ***less than significant impact*** on the biological resources mentioned above.

b) The project includes filling a ±575 sf 2-parameter wetland, thus having a substantial adverse effect on a sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The disposition of this wetland and measures to mitigate the impact were addressed in the Mitigated Negative Declaration (MND) prepared and approved by the City of Arcata for its Foster Avenue Extension project (SCH 2009022098). This impact is being mitigated at a greater than 2:1 ratio as part of the City's new wetland mitigation site adjacent to the south side of Foster Avenue. No additional mitigation is required at this time.

d-f) ***No Impact.*** The project will not: 1) 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; 2) or conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; or 3) conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

As described above, the site is a former industrial mill site in an urbanized setting that is situated near an urban creek (Jolly Giant Creek). Although the wetland delineation and environmental assessments (NRM, Sept. 2008/W&K 2010) prepared for the nearby Foster Avenue Extension project showed that the area possesses *potential habitat* for several species listed as "Species of concern" or "Threatened" by the CA Dept of Fish & Wildlife (CDFW), or "federally threatened" by the US Fish & Wildlife Service (USFWS), none of these species were actually discovered in the project vicinity. The delineation recommends that construction of the Foster Avenue Extension occur in the dry season when potential impacts to aquatic species in the creek is less likely. The same recommendation is appropriate for this residential development and is a condition of approval for the project.

Existing Conditions & Sensitive Species

An Existing Conditions Report (LACO Assoc., June 2011) was prepared for this project. This report included a review of conditions for both the subject parcel (APN 505-021-026) as well as the City's larger residential property to the west on the southeast corner of Alliance Rd and Foster Ave. A review of the July 2014 CA Natural Diversity Databank (CDFW) indicates that there is habitat to support 39 plant and animal species of some status in the entire Arcata North USGS Quad.

Avian

As described in the City's Rail with Trail Connectivity Project MND (Arcata, Feb. 2013), the riparian habitat through Shay Park has a high potential for migratory bird use in addition to providing potential habitat for nesting birds, including the Black-capped Chickadee, a California Species of Special Concern.

Fishes

Jolly Giant Creek could potentially serve as migration corridors for fish, such as salmon, that move between salt and freshwater to complete their life history. With recent improvements at the McDaniel Slough complex of the Arcata March & Wildlife Sanctuary, it's possible that the following species may be utilizing Jolly Giant and Janes Creeks again for spawning and other life stages. There is no indication that Jolly Giant Creek, or species utilizing Jolly Giant Creek, would be impacted or harmed as a result of the residential development project as proposed, given the setback and BMPs in place.

Coho Salmon (*Oncorhynchus kisutch*): The Southern Oregon/Northern California coho salmon (Southern Oregon/Northern California ESU) was federally listed as a threatened species by NMFS (62 FR 33038; dated June 18, 1997) and is also listed as threatened by the State of California. The coho salmon was listed as threatened in the Southern Oregon/Northern California Coast Evolutionary Significant Unit (ESU), defined as all coho salmon naturally produced in streams between Cape Blanco in southern Oregon and Punta Gorda in northern California, Humboldt County. Coho salmon spawn in coastal streams in fall or winter, and remain in fresh water for about a year.

Chinook Salmon (*Oncorhynchus tshawytscha*): The California Coastal chinook salmon (Southern Oregon/California Coastal ESU) is listed by the Federal Government as a threatened species (64 FR 50393; September 16, 1999). The coastal chinook salmon was listed as threatened in the Southern Oregon/Northern California Coast Evolutionary Significant Unit (ESU). California coastal chinook salmon are a distinct population of chinook salmon that reside from Redwood Creek in Humboldt County, south through the Russian River in Sonoma County.

Steelhead (*Oncorhynchus mykiss*): The Northern California steelhead (Northern California ESU) is listed by the Federal Government as a threatened species within the "Northern California ESU" (FR 65:36074; August 7, 2000). This coastal steelhead ESU occupies river basins from Redwood Creek in Humboldt County, California to the Gualala River, inclusive (i.e. in Smith, Klamath, Trinity, Mad, and Eel Rivers and Redwood Creek). Generally, in this ESU, steelhead return to fresh water to spawn from August through June, spawn from December through April, with peak spawning in January in the larger basins, and late February and March in the smaller coastal basins.

A few additional sensitive but non-listed fish species may be present in the general vicinity, as follows:

Coastal Cutthroat Trout (*Oncorhynchous clarki clarki*): The Southern Oregon/California Coast ESU of coastal cutthroat trout was determined to be a Federal Candidate species by NMFS. In Vol.63, No. 55, p. 13832; March 23, 1998 of the Federal Register. This ESU of Coastal Cutthroat Trout includes populations of cutthroat trout from south of Cape Blanco to the southern extent of the subspecies' range near the Mattole River in California.

Green Sturgeon (*Acipenser medirostris*): The green sturgeon Northern Distinct Population Segment (DPS), north of and including the Eel River, is a Federal Species of Concern. The Southern DPS is listed as threatened (71 FR 17757, April 7, 2006). It is found in estuaries, lower reaches of large rivers, and salt or brackish waters off river mouths. Juveniles under 300 mm are not tolerant of salinity, and would not be expected to occur in Humboldt Bay.

Pacific eulachon (*Thalyichthys pacificus*, PT): This small, anadromous smelt has been proposed for federal threatened status (74 FR 10857, March 13, 2009). The species occurs from Alaska south to Humboldt Bay, where it has been found in the Bay and small tributary streams, and in the Mad River. At any given time most of their adult population would be expected to inhabit deeper waters beyond Humboldt Bay, and any fish present would most likely be active in the mid-water column.

Pacific Lamprey (*Lampetra tridentata*, SC): The Pacific lamprey, is a jawless fish that hatches in freshwater and spends its early life in the bottom sediments of rivers. Adults usually stay in the ocean near the shore, and then return to freshwater to spawn.

Existing Documentation

Winzler & Kelly (now GHD) prepared a Wetland Delineation and Habitat Mapping in July 2010 for the City's Rail with Trail project. That report concluded that *no sensitive animal species were observed within the proposed trail corridor during the field survey. The terrestrial habitats surrounding the trail corridor have limited potential to support special status animal species because of the proximity to Highway 101 and the ongoing noise, high level vehicular presence, and ongoing road maintenance activities. None of the special status terrestrial animal species from the region have been documented within the corridor and these species are not likely to occur because of the lack of suitable habitats.* This field survey would have been conducted nearly adjacent to the area to be developed on APN -026 which will not be developed because of restrictions involving onsite and nearby wetlands and riparian setbacks.

Existing Regulatory Setting

The City of Arcata's General Plan Resource and Conservation Element policies that apply to biological resources include, but are not limited to:

- RC-1a Maintain biological and ecological integrity.
- RC-1b Non-native plant and animal species.
- RC-1c Habitat value protection.
- RC-1d Sensitive habitat definition.
- RC-3a Requirement for wetland delineation and study.
- RC-3b Filling of wetlands.
- RC-3c Designation of Wetland Protection Areas (WPA).
- RC-3d Allowable Uses and activities in Wetland Protection Areas.
- RC-3f Review and approval of projects affecting Wetland Protection Areas.
- RC-3j Minimum mitigation requirements for wetland impacts.
- RC-3k Wetland functional capacity maintenance requirement.

The Resource Conservation & Management Element designates environmentally sensitive habitat areas (ESHAs) including Jacoby Creek, Jolly Giant Creek, Gannon Slough, Butcher's Slough, and the Arcata Marsh and Wildlife Sanctuary (Policy RC-1d). In addition to the policies above, the City's Land Use Code would apply to the proposed project (Municipal Code, Title 9, Article 5) including applicable policies on Wetland Conservation and Management (9.59.060) which protect existing wetlands areas and maintains a standard of 'no net loss' in area, function, and value.

Pursuant to Clean Water Act Section 404, a Section 404 Permit is required for any fill or dredging within jurisdictional wetlands or waters of the U.S. The COE has jurisdiction over wetlands which meet each or any of the three-wetland criteria (hydrology, soils, and vegetation) defined in the COE Wetlands Delineation Manual (Environmental Laboratory, 1987). The COE does not regulate wetland buffers, development adjacent to wetlands, or environmentally sensitive habitat areas (ESHAs). Additionally, such federally-permitted projects are subject to a 401-water quality certification from the RWQCB to minimize impacts to "Waters of the State." The Fish and Wildlife Service has jurisdiction over species listed as threatened or endangered under Section 9 of the Federal Endangered Species Act. CDFW and National Marine Fisheries Service (NMFS) have jurisdiction over species listed as threatened or endangered under California Fish and Game Code Section 2080. As the project does not include filling or dredging within jurisdictional wetlands or water of the U.S., nor any other type of wetland or riparian impact, it will not be required to obtain a Section 404 Permit from the COE.

In addition to the above state and federal requirements, biological resources within the coastal zone are subject to the California Coastal Act of 1976. The major components of the Coastal Act that pertain to the proposed project are the protection of wetlands and ESHAs. The California Coastal Commission regulates impacts to wetlands and ESHAs within the Coastal Zone. The project is not in the Coastal Zone.

Arcata General Plan Resource Conservation and Management Element policies define sensitive habitat areas (e.g. streams, creeks and wetlands) and limit activities adjacent to these areas, referred to as environmental buffer areas (EBA) (Policies RC-1, 2 and 3). Generally EBAs range from 50-100 feet. Construction and maintenance of foot trails for public access and outdoor recreation activities such as bird watching, hiking and similar activities are allowable uses within EBAs (Policies RC-2c and 3d).

Furthermore, Section 9.59.050.A of the LUC allows the Director (Planning or Environmental Services) to authorize variable EBA widths as per General Plan Policy RC-2b to accommodate unique site conditions as long as the total EBA is greater than the area under a fixed EBA width (ex. 100' x 100' = 10,000 sq. ft. is the minimum EBA). New development on APN -026 will be a minimum of 50' from sensitive habitat areas on the south side of the Foster Ave/Rail with Trail alignment and a minimum of 100' from Jolly Giant Creek. No reduction in setback is required.

A number of plans aimed at protecting and/or restoring watershed processes in order to preserve and enhance wildlife habitat, in particular salmon and steelhead habitat within the Humboldt Bay Area have been prepared including Humboldt Bay Salmon and Steelhead Conservation Plan (2005) and Humboldt Bay National Wildlife Refuge Complex, Draft Comprehensive Conservation Plan (January 2009). Based on the discussions above, the proposed project would not significantly impact the Humboldt Bay watershed or impact protected fish and wildlife species, and therefore would not conflict with any conservation plans.

The project will not substantially interfere 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; nor will it conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; nor will it conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, the City finds that the project will have *no impact* on these items.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X	
d) Disturb any human remains, including those interred outside of formal cemeteries?			X	

Cultural Resources.

Between the Roscoe & Associates 2010 Cultural Resources Assessment which covered the North Coast Railroad Authority (NCRA) railroad alignment to the south and the Eidsness 2008 Archaeological Survey Report (with Historical Property addendum in 2009) covering the Foster Avenue Extension, including the demolition of the former Twin Parks buildings on APN -026, it is the City’s opinion that the recommendations of those two (2) documents will suffice for this project as well.

a) - d) The project will have a *Less Than Significant Impact* on: a) the significance of a historical resource as defined in §15064.5; b) the significance of an archaeological resource pursuant to §15064.5; c) a unique paleontological resource or site or unique geologic feature; and d) any human remains, including those interred outside of formal cemeteries.

a) The Eidsness 2008 Archaeological Survey Report (with Historical Property addendum in 2009) assessed the buildings and concluded that, although they represent an important era in the City of Arcata’s lumbering past, they are not architecturally significant and no longer retain the integrity of location/place. For these reasons, they are not eligible for listing on the National or State Registers. They do, however, possess 2 of the 7 eligibility criteria for City of Arcata Landmark designation per §9.53.040 of the Land Use Code, but the author did not recommend nomination. All demolition requires a Design Review Permit (DRP) and a noticed public hearing before the City’s Historic & Design Review Commission (HDRC) to ensure that the activity does not destroy a potentially historic resource.



Structures to be demolished

b) Through historical photo interpretation, the Wiyot Tribe's Tribal Historic Preservation Officer (THPO), Janet Eidsness, identified a potentially "sensitive area" consisting of several former building/structure sites within the project area. The structures, as identified on a 1931 aerial photograph, consist of approximately 5,000 sf in aggregate. The vicinity of the four structures is especially sensitive for discrete buried historic refuse or trash deposits that may be present beneath or nearby (possibly in abandoned and backfilled sumps, privy pits, wells, or trash pits) and are directly associated with the Preston family from ca. 1870-1897. If present, concentrations of material remains (e.g., bottles, hardware, medicines, dinnerware, children's items, etc.) found to date to the period of significance (ca. 1870 or possibly earlier [1850] to 1897) would be associated with the Preston's tenure there and elucidate potentially significant information about the early EuroAmerican settlement at Union/Arcata.

In order to understand the potential impacts to resources from the early EuroArmerican settlements in Union/Arcata, specifically from the Preston family which had Native American connections, the THPO recommends trenching prior to any construction-related ground disturbance to more thoroughly survey the site and in an effort to avoid inadvertent discovery which could damage or destroy resources of concern.

On November 23, 2015, Bill Rich and Jamie Roscoe, two qualified local archaeologists, and a backhoe operator prepared 9 trenches as recommended by Janet Eidsness, Blue Lake THPO, observed the contents and found nothing of particular interest. The trenches were backfilled to original grade.

c) Between the two (2) reports referenced above, neither suggested that the site might have unique paleontological or geologic features that would be significantly impacted by the projects for which the sites were being reviewed.

d) An archaeological records search at the North West Information Center (NWIC) was conducted as part of the cultural resources investigation by Roscoe & Associates on the Rail with Trail alignment to the south. According to the records search, the trail alignment does not intersect known archaeological sites. However, there are six previously recorded archaeological sites within 0.5 miles, including two sites within 0.25 miles, of the project area. No new archaeological sites were found or identified during the cultural resources study (Roscoe & Associates, 2010). However, there would still be a potential to unearth archaeological resources, paleontological resources, and/or human remains during trail construction. The following Condition of Approval is included as a standard on all discretionary

approvals where ground disturbing activities will take place and where cultural resources may be encountered.

If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50 foot buffer of the discovery location. A qualified archaeologist, as well as the Tribal Historic Preservation Officers for the Bear River Band Rohnerville Rancheria, Blue Lake Rancheria, and Wiyot Tribe are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, develop a treatment plan in any instance where significant impacts cannot be avoided. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, groundstone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains to be Native American, the Native American Heritage Commission will then be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a know fault? Refer to Division of Mines and Geology Special Publication 42.			X	
ii) Strong seismic ground shaking?			X	
iii) Seismic-related ground failure, including liquefaction?			X	
iv) Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
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 onsite or offsite landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
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?			X	

Geology and Soils.

The following Arcata General Plan Public Safety Element policies apply to the proposed project:

- PS-2a Development within fault zone/surface rupture areas.
- PS-2b Mitigation of ground shaking hazards.
- PS-2c Mitigation of surface rupture and ground shaking hazards.

- PS-2d Requirement for and review of "Geotechnical Reports."
- PS-2g Earthquake-resistant building and infrastructure standards.
- PS-3b Grading standards for erosion and sedimentation control.
- PS-3e Geotechnical reports.

a) - e) **Less Than Significant Impact** – The proposed development may expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction. The project site is located outside the nearby area of moderate liquefaction. According to the General Plan Table PS-1 – The Geologic Hazard Land Use Matrix, the moderate liquefaction potential triggers an R1 engineering geologic report. Given that the project site is outside the moderate area, an R2 soils report is required. An R2 soils report was prepared by Pacific Affiliates (July, 2015) and reviewed and approved by the Building Official. Construction plans are required to adhere to this report and Building Permits will be reviewed to ensure compliance with this report's recommendations. The project site is located outside the nearby Alquist-Priolo Fault Zone.

Humboldt County is located within a seismically active region in which very large earthquakes are possible. Strong seismic shaking is a regional hazard, and is not particular to the project site. Because the proposed project would comply with California Building Code and local building codes which have been designed to allow structures to withstand strong seismic ground shaking. Because the project is conditioned to comply with the site-specific recommendations of the project's R2 report, impacts to persons or structures caused by substantial seismic ground shaking, seismic-related ground failure and liquefaction will be **less than significant**.

According to the City's Building Official, the site is not located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), which could create substantial risks to life or property. The subject site is relatively flat and well away from any significant slopes. There is no evidence of recent active landslides and the potential for slope stability hazard associated with the proposed project is considered negligible. The site is not subject to the City's Hillside Development Standards, and the City does not designate the site as a landslide hazard area (City of Arcata General Plan Figure PS-a, Hazards Map). The project will be connected to public water and sewer, both of which are already located in Foster Avenue so concerns about soils that may be incapable of supporting onsite septic systems are moot.

The City requires that all construction activities include the implementation and maintenance of erosion control measures during construction and implementation of the project. Construction activities that would potentially disturb soil include: removing vegetation, digging, moving and filling ground material, and moving heavy equipment on site. During the project's construction phase, the City would practice and/or enforce temporary erosion control measures on all disturbed areas. After construction, the City would implement permanent erosion control and other LID measures as necessary. All disturbed areas would be re-vegetated with native, non-invasive species or non-persistent hybrids that would serve to stabilize site conditions. For the duration of the project, the City would follow applicable erosion control measures as defined in the City's Land Use Code and Best Management Practices (BMP) Manual. Implementing these measures would avoid substantial erosion or topsoil loss. For the reasons stated above, there would be **less than significant impact** in terms of landslides, substantial erosion or loss of topsoil or soils that may not be able to support septic systems.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Greenhouse Gas Emissions.

a, b) There is no indication that the demolition and wetland fill required to prepare the site for the development of up to 142 multi-family residential units on a centrally-located property that has been planned and zoned for such uses will either generate significant GHG emissions or conflict with any GHG reduction plans or policies to a significant extent.

This section discusses greenhouse gas emissions and sea level rise resulting from global climate change, and qualitatively assesses the impacts of the proposed project on global climate change.

Greenhouse Gas Emissions. In 2002, the California legislature declared that global climate change was a matter of increasing concern for the state’s public health and environment, and enacted laws requiring the state Air Resources Board (ARB) to control GHG emissions from motor vehicles (Health & Safety Code §32018.5 et seq.). CEQA Guidelines define greenhouse gases to include carbon dioxide (CO₂), nitrous oxide (N₂O), hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. The California Global Warming Solutions Act of 2006 (Assembly Bill 32) definitively established the state’s climate change policy and set GHG reduction targets (Health & Safety Code §38500 et seq.). The State set its target at reducing greenhouse gases to 1990 levels by 2020.

According to *Recommendations by the Association of Environmental Professionals on How to Analyze GHG Emissions and Global Climate change in CEQA Documents* (March 5, 2007), an individual project does not generate enough GHG emissions to significantly influence global climate change. Rather, global climate change is a cumulative impact. This means that a project may participate in a potential impact through its incremental contribution combined with the contributions of all other sources of GHG. In assessing cumulative impacts, it must be determined if a project’s incremental effect is “cumulatively considerable.” (CEQA Guidelines §15064(i)(1) and §15130).

In 2011, the CEQA Guidelines Section 15064.4 Appendix G was modified to include thresholds of significance for Greenhouse Gases. The project would have potential significant impacts if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment;

- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases

Due to the nature of the proposed project (centrally-located multi-family), the City has determined that it is appropriate to assess potential GHG impacts qualitatively – as allowed by CEQA Guidelines §15064.4(a)2.

There are two ways that the proposed project could produce GHGs: 1) during fuel combustion while the project is being constructed; and 2) operational emissions from utilities associated with the apartments and property management (irrigation for landscaping, path lighting, water, gas and electricity used by tenants, laundry etc.) and vehicles used by those who live onsite or visit tenants. Construction GHG emissions include emissions produced as a result of material processing, emissions produced by onsite construction equipment, and emissions arising from traffic delays due to construction. The proposed project would be under various stages of construction for one or more years but the construction-related greenhouse gas emissions would be short-term. Therefore, the project construction phase would not significantly increase greenhouse emissions.

Utility impacts will result from the use of natural gas for heating and the production of electricity used in daily residential activity. Outdoor lighting will be regulated under Section 9.30.070 of the LUC and will be of a wattage suitable to meet the requirements of the Humboldt County Regional Pedestrian Plan. Lastly, the project will be required to meet the new California Energy Code for construction efficiency.

The project's central location close to HSU, shopping, the Rail with Trail and downtown Arcata and its adjacency to an existing AMRTS bus stop will contribute positively to State and City efforts to reduce greenhouse gas emissions by providing alternative modes of transportation. These attributes have the potential to minimize motorized-vehicle trips and vehicle miles traveled (VMT), which would, in turn, minimize greenhouse gas emissions. Based on these findings the overall the project would have *no impact*.

Climate Change and Sea Level Rise. The 2012 California Emergency Management Agency and the California Natural Resources Agency (CNRA) published *California Adaptation Planning Guide – Defining Local and Regional Impacts –(July 2012)* identifying climate change impacts (temperature, precipitation, sea level rise, intensification of coastal storms, ocean acidification, and wind) that will affect a wide range of community structures, functions, and populations. The Guide states “seasonal precipitation patterns, including the timing, intensity, and form of precipitation, are projected to change. Precipitation differs from temperature in that it has greater spatial variability and is more difficult to predict. Climate models demonstrate less consistency in projecting the amount and timing of precipitation and rain vs. snowfall patterns (IPCC, 2007; CNRA, 2009). Potential environmental impacts of these changes include coastal flooding/ inundation, loss of coastal ecosystems, coastal erosion, shifts in ocean conditions (pH, salinity, etc.), and salt water intrusion (CNRA, 2009). Given that the site is over 1.5 miles from the shore of Arcata Bay, the threat of damages caused directly by SLR is minimal.

For the reasons stated above, there is no indication that the project as proposed and designed would have a significant impact on either the production of GHG emissions or in terms of conflicts with plans or policies in place to reduce GHG emissions.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
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?			X	
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			X	
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			X	
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Hazards and Hazardous Materials.

a) - d) **Less Than Significant Impact.** The proposed project consists of the development of up to 142 one-bedroom residential units. Other than the temporary use of oil, diesel, asphalt, paints, and other materials typical of construction activities, the project would not transport, use, dispose of, emit or release hazardous materials, and thus would not create a significant hazard to the public associated with these materials. Furthermore, building permits require standard BMPs to prevent fugitive emissions of hazardous materials from the construction site. The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.

However, the subject property is a former mill site with the potential to have contaminants and pollutants onsite. Given this history, the Department required that subsurface investigations occur to determine the presence and/or extent of pollutants on the site. Investigations were performed on several separate locations on APN -026. A Subsurface Investigation Report (W&K (GHD), July 2008) was prepared utilizing data from test pits directly within and immediately adjacent to the most active parts of the property where machinery, vehicles and heavy equipment with fuel, solvents and other potentially hazardous materials were stored. The W&K study concluded that, although several different potentially toxic chemical components were discovered, they were all at levels below residential restrictions. The study also concluded that *groundwater sampling performed during this assessment confirms that the chemical constituents tested for do not appear to have impacted groundwater and are not high enough to be considered a concern to the health and safety of workers or the public. It does not appear that further assessment of groundwater is necessary.* Furthermore, other soil samples (dioxins/furans) were well below regulatory screening levels for unrestricted (residential) land use.

The site is not included on the Cal EPA Cortese List (Government Code Section 65962.5) administered by the Department of Toxic Substances Control nor is it on the State Water Resources Control Board’s GeoTracker system. For these reasons, the project will have a **Less Than Significant Impact** with regard to the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, hazardous materials or aviation hazards.

e) – h) **No Impact.** The proposed development is not located within an airport land use plan, within two miles of a public airport or public use airport, or within the vicinity of a private airstrip. In addition, the project would not include new structures which could potentially represent a hazard to aviation. Thus, the project would not have the potential to result in airport-related safety hazards for people residing or working in the project area, nor would it interfere with any emergency response plan, nor would it expose people or structures to significant risk of loss, injury or death involving wildland fire. The project site is located in an urban setting and within three miles or less of the AFD’s Downtown Arcata Fire Station located at 631 9th Street. The site is not within a State Responsibility Area (SRA) for fire protection, does not occur within an area of steep slopes or forest, and would not result in the intermixing of residences with wildlands.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements?			X	
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through stream or river course alteration, in a manner which would result in			X	

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
substantial erosion or siltation onsite or offsite?				
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding onsite or offsite?			X	
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard Area 1 as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?			X	
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?			X	
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?			X	
j) Inundation by seiche, tsunami, or mudflow?			X	

Hydrology and Water Quality.

a) - j) **Less Than Significant Impact.** To protect water quality, the City applies a number of programs and practices to all new development projects that would directly or indirectly discharge runoff into storm drains, creeks, streams, rivers, the ocean, or other receiving water bodies in the City. These programs and practices provide a framework of appropriate measures and feasible “best management practices” (BMPs) for protecting water quality. The City implements these policies through the Arcata General Plan, Land Use Code, and the City’s BMP Manual which includes provisions to minimize potential pollutants entering the waterways and gives guidance for City facilities and activities with identified pollutant sources. Because the proposed project would be required to adhere to these requirements, and because the project would not generate or discharge wastewater or industrial flows to wetlands, creeks, waters of the U.S., or Humboldt Bay, the project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade water quality. The following is the list of City documents used to oversee development activities:

- City of Arcata Storm Water Management Program (SWMP; 2003);
- City of Arcata Stormwater Best Management Practices (BMP Manual, part of the City’s adopted SWMP; 2003);
- City of Arcata Storm Water Ordinance (Ord. 1319; this comprehensive ordinance is
- The City’s mechanism to enforce water quality standards; 2001); and
- City of Arcata Grading, Erosion and Sediment Control Code (Ord. 1255)

The property is not within a 100-year flood hazard area and is outside the Matthews Dam inundation area so the proposed project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam nor from inundation by seiche, tsunami, or mudflow.

All development in the City of Arcata is required to conform to the stormwater regulations in the Municipal Code as well as the City’s Statewide MS4 Permit authorized and regulated by the RWQCB. Site development will include Low Impact Development (LID) paving, landscaping and recreational and open space features including, but not limited to, grassy swales, pervious pavement, rain gardens, minimal hardscape, etc. These features contribute to increased infiltration and reduced offsite runoff impacts. The applicant’s engineer has prepared a Stormwater Information Sheet (Humboldt LID Stormwater Manual v1.0) for City review and approval. The project includes standard conditions of approval requiring adherence to the MS4 Permit and Citywide stormwater standards. The Information Sheet indicates that 58.9% of the site will be “covered” or impervious for the purposes of lot coverage in the RM zoning district. The RM zoning district allows up to 60% lot coverage.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Land Use and Planning.

a - c) **No Impact.** The proposed project consists of a multi-family residential project of the density allowed by the land use designation and zoning district within which the site lies. The zoning includes the Planned Development (PD) and Special Considerations (:SC) overlays to allow for flexibility in terms of the development standards of the Residential Medium Density (RM) zoning district and, specifically, to develop the site with up to 142 1-bedroom units under a Type “A” PDP. The project requires a PDP and large Design Review (DR). No exceptions are requested.

The City does not have a habitat conservation plan or a natural community conservation plan that would apply to any part of the proposed project site. The City does have the “Arcata Creeks Management Plan” (1991) which guides “management of creeks that flow through Arcata in order to provide the fullest realization of the creeks’ beneficial uses.” The project is designed to comply with all City policies, codes, and plans, which includes supporting and complying with the “Arcata Creeks Management Plan.”

Given these factors, the project will not physically divide an established community, conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for

the purpose of avoiding or mitigating an environmental effect, nor will it conflict with any applicable habitat conservation plan or natural community conservation plan. Therefore, *no impact* would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
MINERAL RESOURCES: Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
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?				X

Mineral Resources.

a) - b) *No Impact*. No mineral resources and no mineral resource extraction currently occurs within any part of the proposed development area. The proposed demolition, wetland fill and subsequent multi-family development would not affect the availability of a known mineral resource that would be of value to the region, nor would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a specific, general plan or other land use plan. Therefore, *no impact* would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
NOISE: Would the project:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
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 expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

Noise.

a) - d) **Less Than Significant Impact.** During the construction phase, earth-moving, compacting and other site preparation activities will likely expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance or other applicable standard of other agencies; generate groundborne vibration or groundborne noise; the level of vibration or noise would not exceed levels typically associated with residential construction. These activities would be temporary, during the initial stage of construction. Construction activities would temporarily increase ambient noise levels, mainly from heavy equipment and construction-related truck traffic, hydraulic or pneumatic-powered equipment. The temporary use of heavy equipment for earth moving, grading and compaction, paving, and hauling can be expected. The construction phase would increase localized truck trips to transport materials and equipment to and from the site. Construction-related noise would be unavoidable; however, its temporary and intermittent nature would moderate in terms of its environmental impact. The proposed project would comply with all applicable City policies to abate construction-related noise impacts. General Plan Policy N-5d which requires limiting construction activity to the hours of 8 a.m. and 7 p.m. Monday through Friday, and between 9 a.m. and 7 p.m. on Saturdays, and Policy N-5e which requires that all construction equipment be maintained in good working order and fitted with factory approved mufflers. The proposed multi-family project will not include heavy industrial activities, blasting, or other activities that could create a permanent source of excessive groundborne noise levels or vibration. Therefore, a **less than significant impact** would occur.

e - f) **No Impact.** The project site is not located within 2 miles of a public airport or in the vicinity of a private airstrip, and thus would not expose people working or residing in the area due to excessive noise levels. **No impact** would occur.

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

Population and Housing.

a) **Less Than Significant Impact.** The development of up to 142 1-bedroom multi-family residential units on the 3.56 acre property will add substantial growth in the immediate area, but the site has been planned and zoned for medium density residential development since prior to the adoption of the General Plan in 2000 and the Land Use Code in 2008. The :PD overlay was adopted in the 1970s and the :SC overlay specifying the bedroom layout, higher density and Type “A” PDP was adopted in 2008 and renewed in the 2014 update of the City’s Housing Element. Lastly, the Traffic Impact Study (TIS) prepared for the Foster Avenue Extension (SHN, February 2009) indicates that at full General Plan

build-out in 2020, the Foster/Alliance intersection will operate at Level of Service (LOS) C or better for future volumes.

b - c) **No Impact.** As there is currently no housing on the site, no people or housing will be displaced as a result of the project. Therefore, **no impact** would occur.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
PUBLIC SERVICES: Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?			X	
d) Parks?			X	
e) Other public facilities?			X	

Public Services.

a) - e) Emergency response and evacuation in the project area is the responsibility of the APD located at 736 F Street, and the AVFD located at 631 9th Street and 3235 Janes Road. These provide critical emergency response services and serve as the community’s primary response agencies under the City’s Emergency Response Plan. Both the APD and AVFD are part of the multiagency Standardized Emergency Management System emergency response network. In addition, a California Highway Patrol (CHP) office is located at 255 East Samoa Boulevard and regularly provides back-up services to APD within city limits and serves as the primary emergency responders along the Highway 101 corridor. The Humboldt County Sheriff’s Office also serves the Highway 101 Corridor and HSU Police offer partner law enforcement services as well.

The site is <500 ft from Arcata High School and less than ½ mile from Arcata Elementary School. There is no indication that either of these schools would not be able to accommodate any students that may inhabit this development. It is presumed that the majority of the residents will be students or staff at HSU which is located just over ½ mile from the property. The development is required to meet minimum standards for landscaping, private open space, and on-site recreation, but residents will also likely utilize public parks, including the City’s Shay Park adjacent to the south property line of the site.

Lastly, the project will be conditioned on the payment of recreation fees in accordance with the Arcata Recreation Fee for New Construction Ordinance as described in Section 9.70.050 of the LUC. The fee is based on the valuation of the units being constructed and is collected prior to issuance of building permits. Although there may be an increase in demand for some services, the overall impact to fire and police services, parks and schools would be **less than significant**.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
RECREATION:				
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?			X	
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

Recreation.

a) - b) *Less Than Significant Impact.* The addition of 142 1-bedroom multi-family residential units has the potential to increase the need for recreational facilities within the neighborhood. Fortunately, as mentioned in the Public Services section above, onsite recreational areas are proposed for the site as well as private individual open space which will conform to the minimum requirements of the City’s Land Use Code (LUC). Additionally, the development is adjacent to the Rail with Trail, a Class I non-motorized trail linking Sunset Avenue to Samoa Blvd and eventually to the Arcata Marsh complex.

The project will be conditioned on the payment of recreation fees in accordance with the Arcata Recreation Fee for New Construction Ordinance as described in Section 9.70.050 of the LUC. The fee is based on the valuation of the units being constructed and is collected prior to issuance of building permits.

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.		X		
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		X		
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?			X	

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	
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Transportation/Traffic.

a) – b) *Less Than Significant Impact with Mitigation Incorporated.* Unless mitigation is incorporated, the project could conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Furthermore, unless mitigation is incorporated, the project could conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

The addition of 142 1-bedroom residential units to any neighborhood is likely to have some type of impact on traffic volumes and intersection operations within the vicinity of the development. In this case, the project is one of five (5) large projects in the larger neighborhood. Because this project was first in line and closest to its completion of the City’s discretionary permit process, the City agreed to allowing the traffic consultant to prepare a Memo (W-Trans Sunset Terrace Traffic Analysis (traffic analysis), April 7, 2016) that not only addresses this project’s impacts to the identified intersections and road segments, but also provide recommendations to mitigate these impacts to both vehicular and non-vehicular users of the system. The traffic analysis recommends the following measures be in place prior to issuance of a Certificate of Occupancy for the Sunset Terrace apartments:

1. The Alliance Road approaches shall be restriped to provide a southbound left-turn lane and through/right-turn lane and the northbound approach modified to provide a right-turn lane and left-turn/through lane;
2. A raised crossing like a speed table or other device marked for pedestrian crossing, with appropriate signage in both directions, shall be developed from the project across Foster Avenue connecting to the Rail with Trail and Shay Park. The exact location shall be determined by the City Engineer. Visibility and speeds shall be taken into consideration; and
3. A pedestrian pathway shall be provided within the Sunset Terrace project that connects Sunset Avenue to Foster Avenue. The exact location and suitable materials shall be determined by the City Engineer.

Although not suggested as a mitigation measure in the traffic analysis, the development of a northbound left-turn lane on LK Wood and Sunset Avenue was identified as an interim measure that would greatly improve existing operations at that intersection. The applicant has agreed to develop this improvement and will work with Humboldt State Facilities staff on achieving this goal. The roadway is actually owned by HSU which has ultimate control over activities and improvements that occur there.

e) - f) *Less Than Significant Impact.* There is no indication that the proposed residential development will result in: changes in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks; substantially increase hazards due to a design feature or incompatible uses; or inadequate emergency access or conflict with adopted policies, plans, or programs

regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

All vehicular traffic associated with the proposed development will access the site via the new Foster Avenue Extension, a 20' wide arterial with 4' and 6' bike lanes on either side of the travel lanes. The new road will be classified as an arterial and is intended to reduce the through traffic currently utilizing Sunset Avenue. The Rail with Trail, a 10' wide Class I separated multi-use path, is located immediately adjacent to the south side of Foster Avenue and provides a separated non-motorized link from Sunset Avenue to Samoa Blvd and eventually to the Arcata Marsh & Wildlife Sanctuary to the south and linking to the future Bay Trail.

The site is located within the urban core of the City bounded on two sides by public streets, one collector and one arterial. Given the property's central location, the opportunity for a reduction in VMT is assumed to be significant. For this reason, it is unlikely that impacts to the City's circulation patterns will be significant. There is currently a bus stop on Foster Avenue opposite Western Avenue, approximately 400' from the western boundary of the subject parcel. The City does not have a congestion management program, travel demand measures, or other standards established by the county

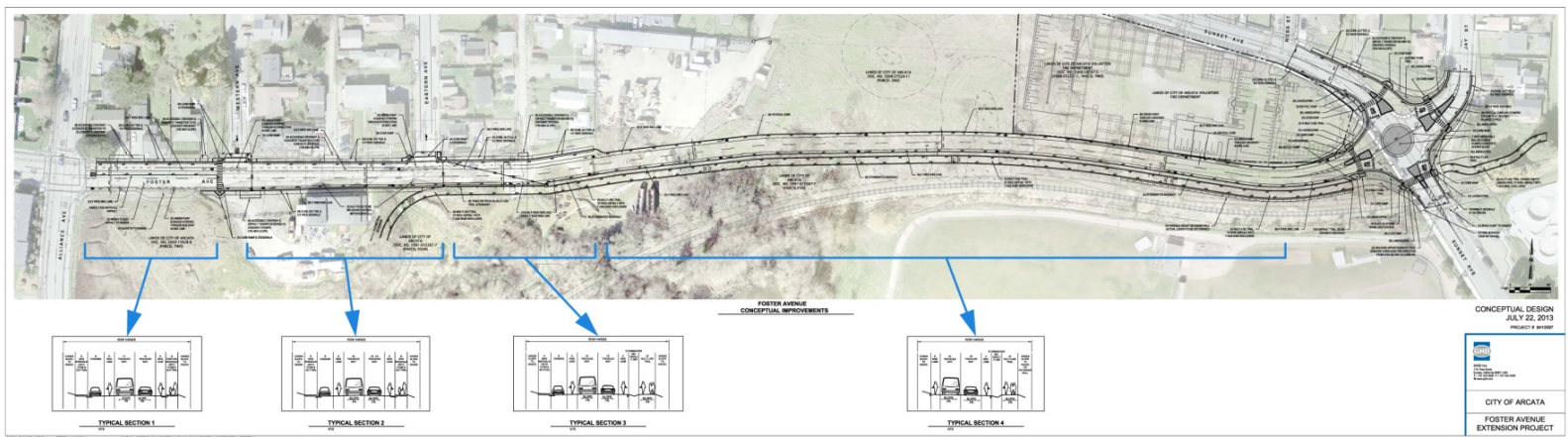


Figure 2 – Foster Ave. Extension and Rail with Trail Improvements

congestion management agency for designated roads or highways, but we do have level of service standards. The TIS prepared for the Foster Avenue Extension (SHN, February 2009) indicates that at full buildout in 2020, the subject intersection will be operating at LOS C or better which comports to the City's projected LOS as depicted in General Plan Table T-2.

When considering the new residential development, the bike lanes and sidewalk that will be incorporated into the new Foster extension, the central location of the site to schools, shopping and the civic center of the City, as well as to the US 101/Sunset Avenue interchange, the City believes that the project will not significantly impact the performance of the circulation system, even taking into account all modes of transportation including mass transit and non-motorized travel, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit.

c)– d) **No Impact.** The project will not result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks nor will it

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Issues and Supporting Information	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) 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?			X	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

Utilities and Service Systems.

d), f), g) **No Impact.** The City has sufficient water supplies and landfill capacity to serve the proposed multi-family development and to comply with federal, state and local statutes and regulations related to solid waste. Therefore, **no impact** to these services would occur.

a), b), c), e) **Less Than Significant Impact.** Although new wastewater facilities will not be required as a result of the project, all residential projects are required to pay a sewer and water connection fee in order to offset the impact that new development puts on the City's water delivery and wastewater treatment infrastructure. Furthermore, as part of its wetland mitigation needs associated with the development of the Foster Avenue Extension, the City has developed a wetland feature on the City-owned property between the Rail with Trail and Jolly Giant Creek. As part of the escrow agreement with the developer, the City has allocated 25% of this wetland mitigation area for their use to meet the City's LUC stormwater requirements. The remainder of the detention needs must be addressed onsite in compliance with the City's MS4 Permit through the RWQCB. The need for stormwater management may result in a reduced number of dwelling units below the 142 established by the :SC overlay zone. Stormwater/MS4 documentation has been submitted for review and approval by the Building Official and all development

shall adhere to the recommendations of the document or be modified as needed. This has been included as a standard condition of approval.

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

Mandatory Findings of Significance.

a), b) **Less Than Significant Impact.** The development of a high-density residential development on a property planned and zoned for such uses, with access to arterial roads, public transit and water and sewer and that adheres to the City’s setback requirements from the adjacent creeks and wetlands will have a **less than significant impact**, either individually or cumulatively, on habitat, plant and animal communities and historical resources.

c) **No Impact.** There is no evidence in the record that the project as proposed and conditioned will have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

MITIGATION MEASURES, MONITORING, AND REPORTING PROGRAM

Potential Impact	Mitigation Measure	Implementation	Respons. Party	Monitoring
<u>Transportation/Traffic</u> Will the project: a) Conflict with an applicable plan, ordinance or policy establishing	1. The Alliance Road approaches at Foster Avenue shall be restriped to provide a southbound left-turn lane and through/ right-turn lane and the northbound approach modified to provide a right-turn lane and left-	Prior to issuance of Certificate of Occupancy	Community Development and Engineering Depts. (all work within the road ROW)	At time of completion of road improvements

<p>measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation systems, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit</p> <p>OR</p> <p>b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?</p>	<p>turn/through lane;</p> <p>2. A raised crossing like a speed table or other device marked for pedestrian crossing with appropriate signage in both directions shall be developed from the project across Foster Avenue connecting to the Rail with Trail and Shay Park. The exact location shall be determined by the City Engineer. Visibility and speeds shall be taken into consideration; and</p> <p>3. A pedestrian pathway or sidewalk shall be provided within the Sunset Terrace project that connects Sunset Avenue to Foster Avenue. The exact location and suitable materials shall be determined by the City Engineer.</p>		<p>requires an encroach. permit)</p>	
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REFERENCES

City of Arcata. *General Plan (2000) and Land Use Code (2008)*. www.cityofarcata.org

City of Arcata, 2006a. *Community Greenhouse Gas Reduction Plan*. August 2006.
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City of Arcata, 2006b. *Update Greenhouse Gas Inventory*. <http://www.cityofarcata.org/document-center?fid=1827>

City of Arcata, 2010. *Pedestrian & Bicycle Master Plan*. Department of Public Works.
<http://www.cityofarcata.org/document-center?fid=1846>

Project Information: Maps, project description, conceptual drawings

R2 Soils Report (Pacific Affiliates, July 2015)

Rail with Trail - Wetland Delineation (Winzler & Kelly (GHD), July 2010)

Twin Parks (Upper & Lower) - Existing Conditions Report (LACO, June 2011)

Foster Ave. - Phase I & II Environmental Site Assessment (SHN, July 1995)

Foster Ave. - Wetland Delineation (NRM, Sep. 2008)

Rail with Trail - Historical Resources Evaluation Report (JRP Historical Consulting LLC, Jan. 2014)

Foster Ave. - Traffic Impact Analysis (SHN, February 2009)

Cultural Resources Assessment (Roscoe & Associates, 2010)

Archaeological Survey Report (Eidsness, 2008) and Historical Property Addendum (Eidsness, 2009)