

Planning

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Office of Planning Research

State Clearinghouse

CEQA NOTICE OF EXEMPTION

To:

County Clerk

County of Humboldt

825 5th Street Eureka, CA 95501

FROM:

City of Eureka, Lead Agency

Development Services - Planning Kristen M. Goetz, Principal Planner

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PROJECT TITLE: C to F Parcels Surplus

PROJECT APPLICANT: City of Eureka Development Services - Planning

PROJECT LOCATION: Parcels located north of First Street, south of the Boardwalk, between C and F Streets.

PROJECT DESCRIPTION: The City of Eureka has declared three City-owned parcels as surplus land under the California Surplus Land Act. The parcels are located between C and F Streets, north of First Street and south of the Boardwalk. The declaration will facilitate development of housing on these parcels.

The City of Eureka's 2019-27 Housing Element requires the City release a Request for Proposal (RFP) to develop housing on 14 City-owned parcels. Pursuant to the Surplus Lands Act, in order to lease or sell City-owned property, the City must go through a process to declare the land as surplus land.

EXEMPTION FINDINGS: The City of Eureka, as Lead Agency has determined the decision to declare property surplus, and the subsequent lease or sale of surplus property is a "project" pursuant to the California Environmental Quality Act (CEQA). However, pursuant to CEQA Guidelines, Categorical Exemption 15312 (Class 12) exempts the sale of surplus property except when the property is located in an area of "Statewide, Regional, or Area wide significance" as described in CEQA Guidelines Section 15206. Section 15206 states projects located within the coastal zone for which an Environmental Impact Report (EIR) and not a Negative Declaration was prepared, are considered to be located within an area of Statewide, Regional or Area wide significance. The

parcels are located in the coastal zone, and the Housing Element which is precipitating the surplus of the property, was approved with an addendum to the 2040 General Plan EIR. However, under a Class 12 exemption, projects located within the coastal zone which used an EIR can still be determined exempt, provided the property does not have significant values for wildlife habitat or other environmental purposes, and the property to be sold [or leased] would qualify for an exemption under any other class of categorical exemption under the CEQA Guidelines.

Although the parcels are located adjacent to Humboldt Bay, they are currently vacant dirt lots, surrounded by urban uses, and therefore have no wildlife habitat value. Further, since upperfloor residential uses are conditionally permitted in the CW zone where the parcels are located, a Use Permit, and Coastal Development Permit, will be required to allow the future residential uses. A Class I (New Construction or Conversion of Small Structures) or a Class 32 (Infill Development Project) CEQA exemption will likely be applicable to future housing projects on the parcels. Therefore, the sale of the property is exempt from CEQA pursuant to Guidelines Section 15312.

The material supporting the above finding is on file with City of Eureka Development Services - Planning. Copies of the documents related to the evaluation of this project are available for review upon request at the City of Eureka, 531 K Street, Eureka, CA 95501.

Kristen M. Goetz

Principal Planner, City of Eureka

April 5, 2023

Date