NOTE: Color copies of maps are available at the Commission's website www.coastal.ca.gov - Public Meetings

EXHIBIT NO. 6

APPLICATION NO.

HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)

LOCAL COASTAL PLAN AMENDMENT (1 of 88)

COUNTY OF HUMBOLDT

AGENDA ITEM NO.
K-1

For the meeting of: October 27, 2009

DATE: October 19, 2009

TO: Board of Supervisors

FROM: Kirk Girard, Director of Community Development Services

SUBJECT: Continued Public Hearing on the **Samoa Town Master Plan General Plan Amendment** (Local Coastal Plan Amendment)/Zone Reclassification/Urban Limit Line Extension Ordinances and Resolutions; File No. APN 401-021-29; Case No: GPA-02-01/ZR-02-02 **Continued from October 20, 2009**

RECOMMENDATION(S):

That the Board of Supervisors:

1. Open the public hearing in the manner prescribed by law, and receive staff report and public testimony.
2. Deliberate on the project as necessary.
3. Close the public hearing.

(Recommendations continued next page)

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DEC 15 2009
CALIFORNIA
COASTAL COMMISSION

Prepared by: Michael E. Wheeler
Michael E. Wheeler, Senior Planner

CAO Approval: _____

REVIEW:
Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
_____ Consent
_____ Departmental
X Public Hearing
_____ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. 2008 02 26

Meeting of: February 26, 2008

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor Neely
Seconded by Supervisor Lovelace
And unanimously carried by those members present,
The Board hereby adopts the recommended action contained in this report.

Dated: October 27, 2009
Kathy Hayes, Clerk of the Board
By: Vicki Warren

Recommendations continued from previous page...

4. Approve revised resolutions and ordinances (Attachment A, Attachment C and Attachment D) to be submitted to the California Coastal Commission for amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)). The resolutions and ordinances adopt a proposed land use map for the Samoa town site by reconfiguring the boundary lines as shown on the proposed Samoa Town Master Plan land use map (Attachment A, Exhibit A-1). The revised resolutions also address text amendments to the HBAP that add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the HBAP, amend Section 3.17.B.3 of the HBAP to add a requirement that a tsunami risk assessment be conducted for future subdivisions and development projects that could result in three (3) or more additional dwelling units within a potential tsunami run-up area (Attachment A, Exhibit A-2), and map the urban limit line extension around the Samoa town site (Attachment A, Exhibit A-3).

5. Introduce the ordinance by title, waive the first reading, and approve the adoption of Ordinance No. ____ amending Section 311-7 of the Humboldt County Code. The proposed rezoning would amend the zoning for the approximate 171.1-acre making up 6 parcels of the Samoa town site by designating the boundary lines of the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), NR, Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones. The zoning amendment will not become effective until final approval and certification by the Coastal Commission of the proposed Local Coastal Plan Amendment.

6. Introduce the ordinance by title, waive the first reading, and approve the adoption of Ordinance No. _____ amending Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures. The zoning amendment will not become effective until the Coastal Commission has certified the proposed Local Coastal Plan Amendment.

7. Adopt a Revised Resolution of Transmittal to the Coastal Commission for the proposed amendment of the Local Coastal Plan and transmit the Local Coastal Program amendments to the HBAP land use plan and implementing zoning maps to the California Coastal Commission for certification in accordance with the Coastal Act.

8. Direct the Clerk of the Board to give notice of the decision to the applicant, to the Assessor's Office and any other interested party.

SOURCE OF FUNDING:

Source of Funding is Current Planning Trust #3697. The applicant has paid a deposit for costs associated with processing the application. The applicant is responsible for paying all fees for services rendered.

DISCUSSION:

SUMMARY

Your Board approved the Samoa Town Master Plan General Plan Amendment and Zone Reclassification and certified the Final Environmental Impact Statement for the project on February 26, 2008. Subsequently, a Local Coastal Plan Amendment application for the project was submitted to the California Coastal Commission. Coastal Commission staff has asked for specific minor revisions in the resolutions of approval and ordinances to be consistent with their review and approval process. The changes they have requested include the following:

- Revision of the Resolution Making the Findings: Resolved Item 10, change "recommends approval" to "approves." Note: final approval remains subject to Coastal Commission approval and certification of the Local Coastal Plan amendment.
- Revision of the Resolution Making the Findings: Further Resolved Item 2, add exhibits which identify text and map changes, eliminate interpretation of Environmentally Sensitive Habitat Areas (ESHAs), and add reference to establishment of the urban limit line. Note: precise delineation of the ESHAs would be deferred until the Coastal Development Permit/Final Map review stages.

Also the urban limit line was more precisely mapped based on feedback from Coastal Commission staff.

- Ordinances are to become effective immediately following review, final approval and certification by the California Coastal Commission of the Local Coastal Plan Amendment.
- Make clear in the hazards discussion of the HBAP the requirement that a tsunami risk assessment will be conducted for future subdivisions and development projects that could result in three (3) or more additional dwelling units within a potential tsunami run-up area.

The revised resolutions and ordinances are attached with revisions in underline/strike-through format.

FINANCIAL IMPACT:

As required for all individually initiated plan amendments and zone reclassification, the applicant would be responsible to pay for all actual costs involved in processing the application.

OTHER AGENCY INVOLVEMENT:

The Community Development Services – Planning Division staff has referred the proposed General Plan Amendment and Zone Reclassification to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the project.

ALTERNATIVES TO STAFF RECOMMENDATIONS:

Your Board could request modified language for the resolutions and ordinances. Planning Division staff does not recommend this alternative as the language provided has been developed in consultation with Coastal Commission staff to meet their needs. However, to implement this alternative, it is recommended your Board direct the Planning Division staff to draft the necessary revised resolution and/or ordinance, and bring them back to your Board for consideration at a future (continued) public hearing.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

Attachment A:	Resolution Making the Required Findings and Recommending Conditional Approval of the Samoa Town Master Plan Application
Attachment A, Exhibit A-1:	Land Use Map Revisions
Attachment A, Exhibit A-2:	Humboldt Bay Area Plan Text Amendments
Attachment A, Exhibit A-3:	Urban Limit Line to be Adopted
Attachment C1:	Zoning Map Ordinance
Attachment C1, Exhibit C1-1:	Map of Area to be Rezoned
Attachment C1, Exhibit C3-1:	Design Review Code Change
Attachment C2:	Summary Ordinance for Zoning Map Ordinance
Attachment C3:	Zoning Text Change Ordinance for Design Review
Attachment C4:	Summary Ordinance for Zoning Text Change Ordinance for Design Review
Attachment D:	Resolution of Transmittal to the Coastal Commission: Proposed Amendment to the Local Coastal Program (LCP)
Attachment E:	Board Report for original approval of February 26, 2008.

Note: Attachments B1 (Statement of Findings) and B2 (Statement of Overriding Considerations) of the original staff report are not proposed to be revised and are not included as attachments to this report. They may be found, however, in Attachment E.

ATTACHMENT A

Resolution Making the Required Findings, Approving Proposed Changes to the Land Use Plan and Recommending Conditional Approval of the Samoa Town Master Plan Application

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified copy of portion of proceedings, Meeting October 27, 2009

RESOLUTION NO 09-85

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND RECOMMENDING CONDITIONAL APPROVAL OF THE SAMOA PACIFIC GROUP APPLICATION: CASE NUMBERS GPA-02-01/ZR-02-02; ASSESSOR PARCEL NUMBERS 401-021-29 ET AL.

WHEREAS, State law provides for local governments to amend their General Plans up to four (4) times per year; and

WHEREAS, Samoa Pacific Group submitted an application and evidence in support of approving the General Plan Amendment, Zone Reclassification, Urban Limit Line Extension application associated with the Samoa Town Master Plan ; and

WHEREAS, the proposed General Plan Amendment and Zone Reclassification may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with a comprehensive view of the General Plan; and

WHEREAS, the Community Development Services - Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to of the CEQA; and

WHEREAS, Planning Division staff caused the preparation of a Master Environmental Impact Report, which indicates that the project meets all requirements of the CEQA pursuant to Section 15074; and

WHEREAS, Attachment 2 of the Planning Division staff's report includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment, Zone Reclassification, Urban Limit Line Extension application for Case Nos.: GPA-02-01/ZR-02-02; and

WHEREAS, Planning Division staff has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project; and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, the Planning Commission held public hearings on March 16, 2006, April 6, 2006, April 13, 2006, and January 9, 2008 on this matter to receive other evidence and testimony; and

WHEREAS, at their January 9, 2008 meeting, the Planning Commission resolved, determined, and ordered that the following findings be and are hereby made:

1. The Planning Commission found that based on the evidence presented in the Draft Master Environmental Impact Report and Proposed Final Master Environmental Impact Report included in the Planning Division staff report, there is evidence that the proposed project will have a significant effect on the environment, and recommended that a Statement of Overriding Considerations be adopted; and

2. The Planning Commission made the findings in Attachment 2 of the Planning Division staff's report for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.

NOW, THEREFORE, BE IT RESOLVED, determined, and ordered by the Board of Supervisors of the County of Humboldt that:

1. The Board of Supervisors certifies the proposed Final Master Environmental Impact Report as required by Section 15090 of CEQA Guidelines, and finds that: a) the Final Environmental Impact Report has been completed in compliance with CEQA; b) the Final Environmental Impact Report was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final Environmental Impact Report prior to approving the project; and c) the Final Environmental Impact Report reflects the lead agency's independent judgement and analysis.
2. The Board of Supervisors makes the findings for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.
3. The Board of Supervisors finds that the proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act.
4. The Board of Supervisors finds that the Local Coastal Plan Amendment will be carried out in accordance with the Coastal Act pursuant to Section 30510(a) of the Act.
5. The Board of Supervisors finds that the proposed service systems within the Urban Limit will be adequate to serve the proposed addition under Urban Development standards.
6. The Board of Supervisors finds that development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.
7. The Board of Supervisors finds that expansion of the Urban Limit and the development permitted under such expansion will be consistent with the Resource Protection Policies and Standards in section 3.30.
8. The Board of Supervisors finds that project development will conform with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.
9. The Board of Supervisors finds that, with respect to demolition of the Fireman's Hall, a contributing historic structure, there are specific economic, legal, social, technological, or other considerations, which make infeasible the mitigation measures or project alternatives identified in the final Environmental Impact Report which might have allowed for reconstruction or re-use of the structure in place.
10. The Board of Supervisors ~~recommends~~ ~~approval~~ approves ~~of~~ the General Plan Amendment, Zone Reclassification, Urban Limit Line Extension application as recommended by the Planning Commission at their January 9, 2008 meeting for Case Nos.: GPA-02-01/ZR-02-02.

BE IT FURTHER RESOLVED by the Humboldt County Board of Supervisors that:

1. The Final Master Environmental Impact Report prepared for the project is hereby certified, ensuring compliance with the CEQA;

2. The Board of Supervisors ~~tentatively~~ approves the General Plan Amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)), including the land use plan changes for the subject lands, the land use map, by reconfiguring the boundary lines as shown on the proposed Samoa Town Master Plan land use map as shown in Exhibit A-1; ~~Tentatively~~ approves text amendments to the HBAP to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the HBAP as described in Exhibit A-2; approves text amendments to the HBAP to add requirements for tsunami risk assessment for future subdivisions or development projects that could result in three or more additional dwelling units within a potential tsunami run-up area; ~~and tentatively approves interpretation of environmentally sensitive habitat areas (ESHAs) for 6 parcels making up the Samoa town site as shown on the Samoa Master Plan~~, and approves the establishment of an urban limit line as shown in Exhibit A-3.

3. Subject to Califomia Coastal Commission approval of the Local Coastal Plan Amendment, the Zone designations for the approximate 171.1-acre making up 6 parcels of the Samoa town site are rezoned from the existing zoning to the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones as indicated on the Samoa Master Plan Proposed Zoning Map. The rezoning ~~would also~~ amends Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.

4. Planning Division staff is hereby directed to transmit the Local Coastal Program amendments to the North Coast Area Plan (NCAP) land use plan and implementing zoning maps to the California Coastal Commission for certification in accordance with the Coastal Act.

5. Planning Division staff is hereby directed to prepare and file a Notice of Determination for the project; and

6. The Clerk of the Board is hereby directed to give notice of the decision to the applicant and any other interested party.

Vice - Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, seconded by Supervisor Lovelace and the following vote:

AYES:	Supervisors:	Duffy, Neely, Clendenen, Lovelace
NOES:	Supervisors:	
ABSENT:	Supervisors:	Smith

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

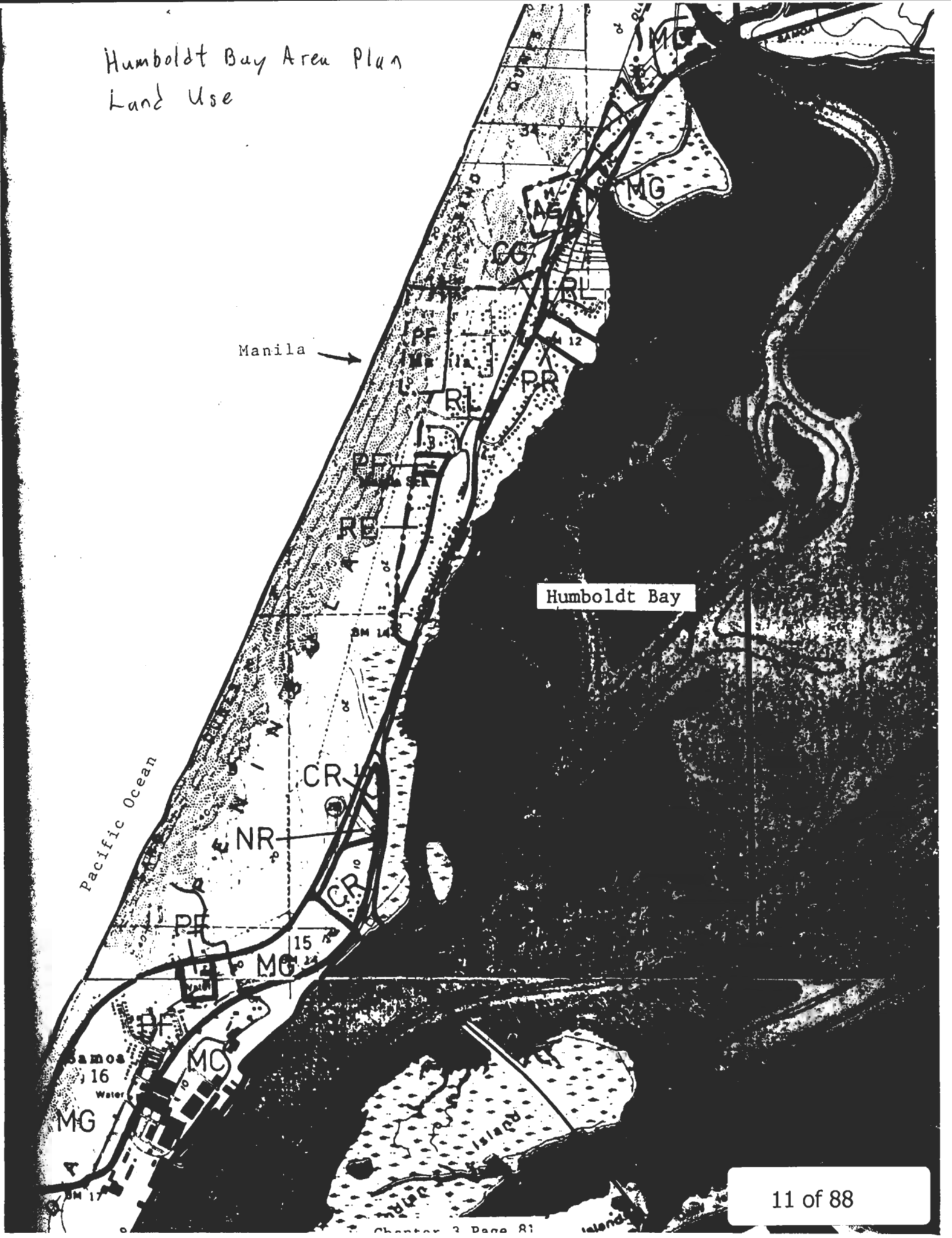
Kathy Hayes
Clerk of the Board of Supervisors of the County of Humboldt, State of California

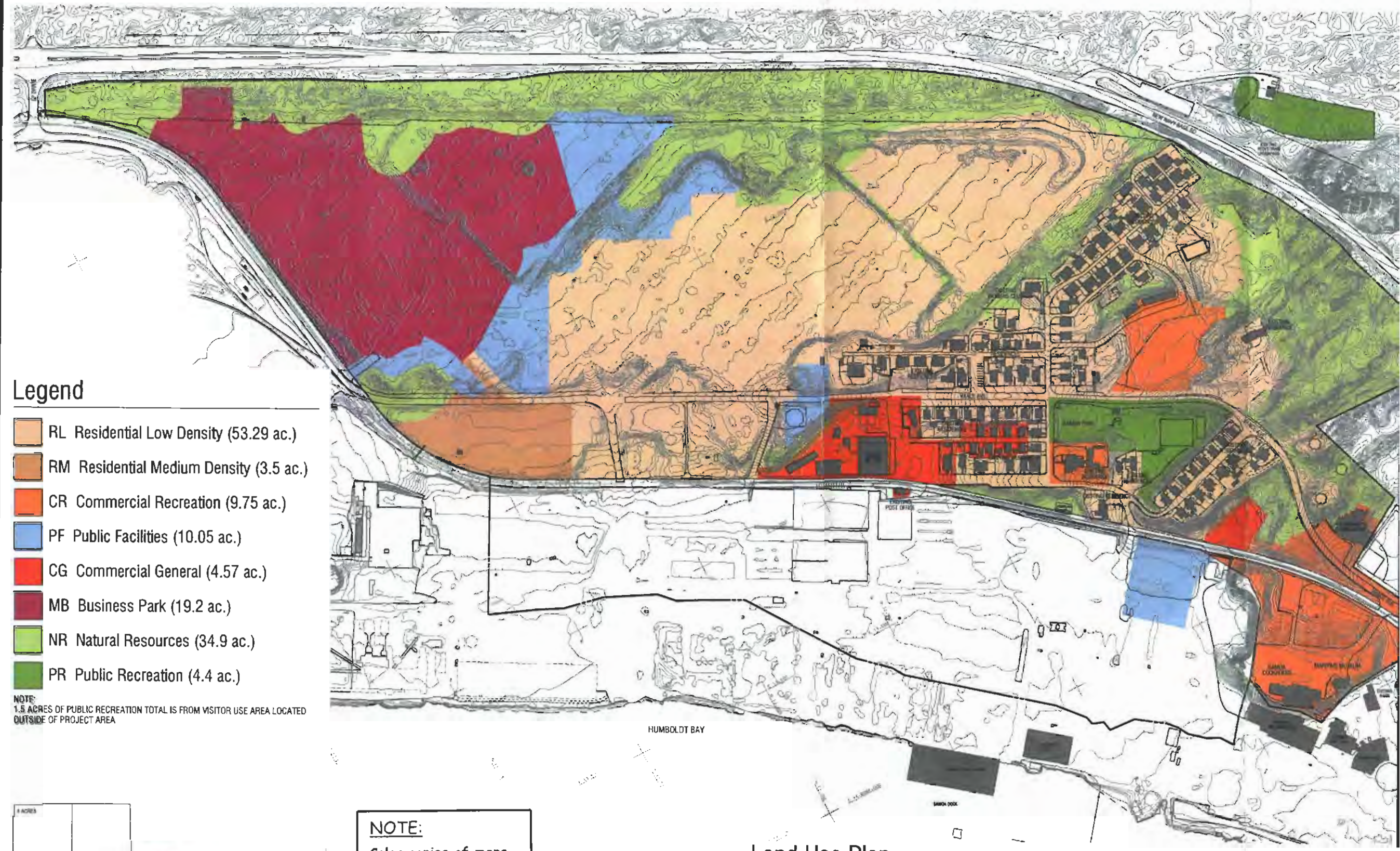
Deputy

ATTACHMENT A – Exhibit A1

Existing Humboldt Bay Area Plan Land Use Map (Chapter 3, Page 81) to be revised and Proposed Land Use Map for the Samoa Town Master Plan

Humboldt Bay Area Plan
Land Use





Legend

- RL Residential Low Density (53.29 ac.)
- RM Residential Medium Density (3.5 ac.)
- CR Commercial Recreation (9.75 ac.)
- PF Public Facilities (10.05 ac.)
- CG Commercial General (4.57 ac.)
- MB Business Park (19.2 ac.)
- NR Natural Resources (34.9 ac.)
- PR Public Recreation (4.4 ac.)

NOTE:
1.5 ACRES OF PUBLIC RECREATION TOTAL IS FROM VISITOR USE AREA LOCATED OUTSIDE OF PROJECT AREA

1 ACRE

NOTE:
Color copies of maps Are available at the Commission's website www.coastal.ca.gov – Public Meetings

Land Use Plan

Samoa Town Master Plan

Samoa, Humboldt County, California

Text Amendments Section 3.17.B.3. *Tsunamis* of the Humboldt Bay Area Plan (HBAP) (underlined language to be added):

3. Tsunamis–New development below the level of the 100 year tsunami run-up elevation described in Tsunami Predictions for the West Coast of the Continental United States (Technical Report H-78-26 by the Corps of Engineers) shall be limited to public access, boating, public recreation facilities, agriculture, wildlife management, habitat restoration, and ocean intakes, outfalls, and pipelines, and dredge spoils disposal. New subdivisions or development projects which could result in three or more additional dwelling units within a potential tsunami run-up area shall require submission of a tsunami vulnerability report which provides a site-specific prediction of tsunami run-up elevation resultant from a cascadia subduction zone major earthquake. Such developments shall be subject to the following standards or requirements:

1. New residential development shall not have habitable living space below the predicted tsunami run-up elevational contour.
2. New residential development shall be required to meet the applicable Tsunami-Ready Guidelines of ***NATIONAL WEATHER SERVICE INSTRUCTION 10-1802, October 6, 2004, Appendix D.***

Text Amendments to Section 4.10, Urban Land Use Designations of the Humboldt Bay Area Plan (HBAP) to add the following land use designations (underlined language to be added):

4.10 URBAN PLAN DESIGNATIONS (The standards below apply only within Urban Limits as shown in the Area Plan)

MB: BUSINESS PARK

Purpose: to provide sites which are suitable for "business park" developments: Well designed and mixed industrially commercial areas composed of nuisance-free light industrial, research and development, administrative and business and professional office, warehousing and storage facilities, developed in a park-like environment.

Principal Uses: research/light industrial, office and professional service, administrative, and warehousing, storage and distribution.

Conditional Uses: retail sales, retail service uses, transient habitation uses which are incidental to or supportive of principal uses.

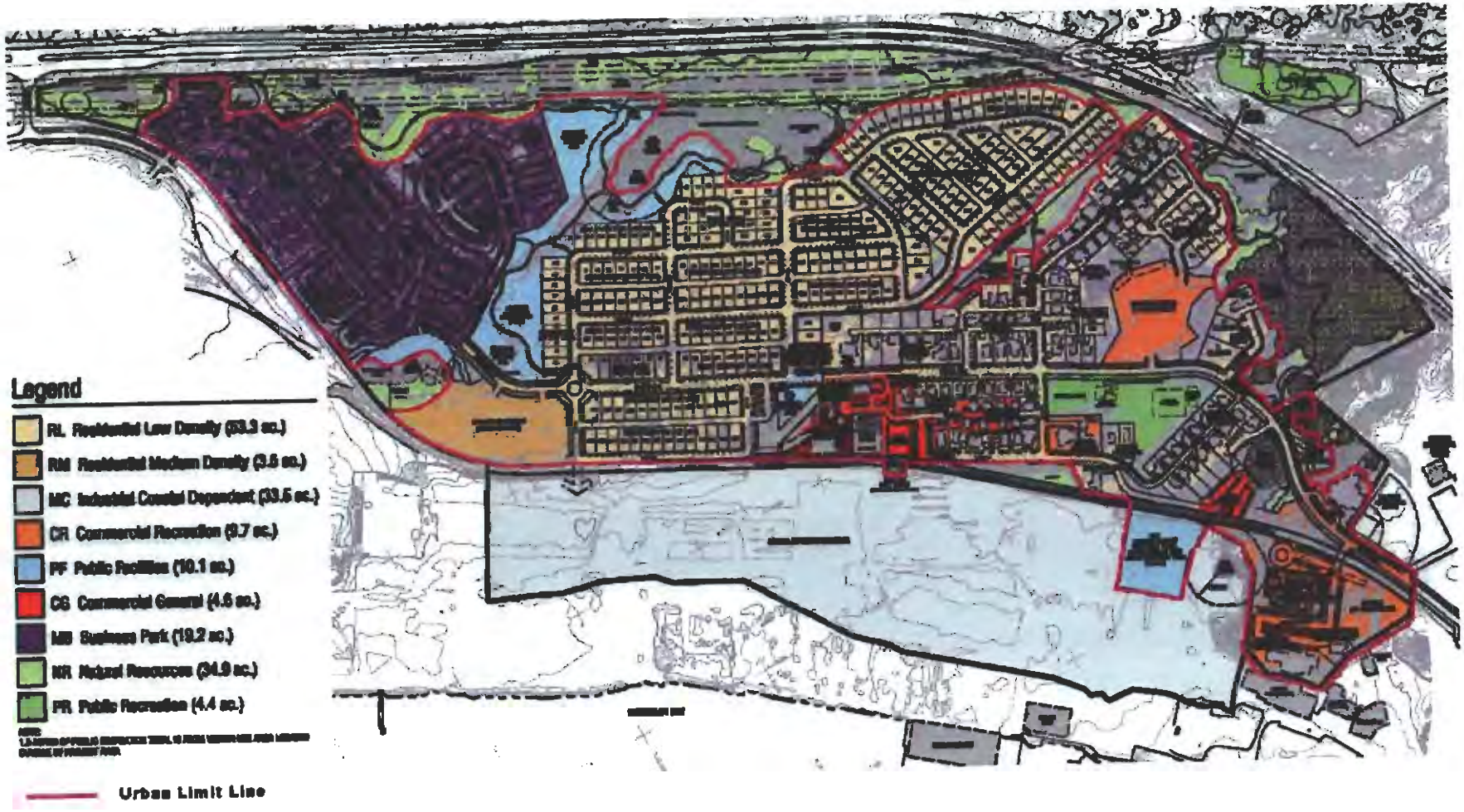
NR: NATURAL RESOURCES

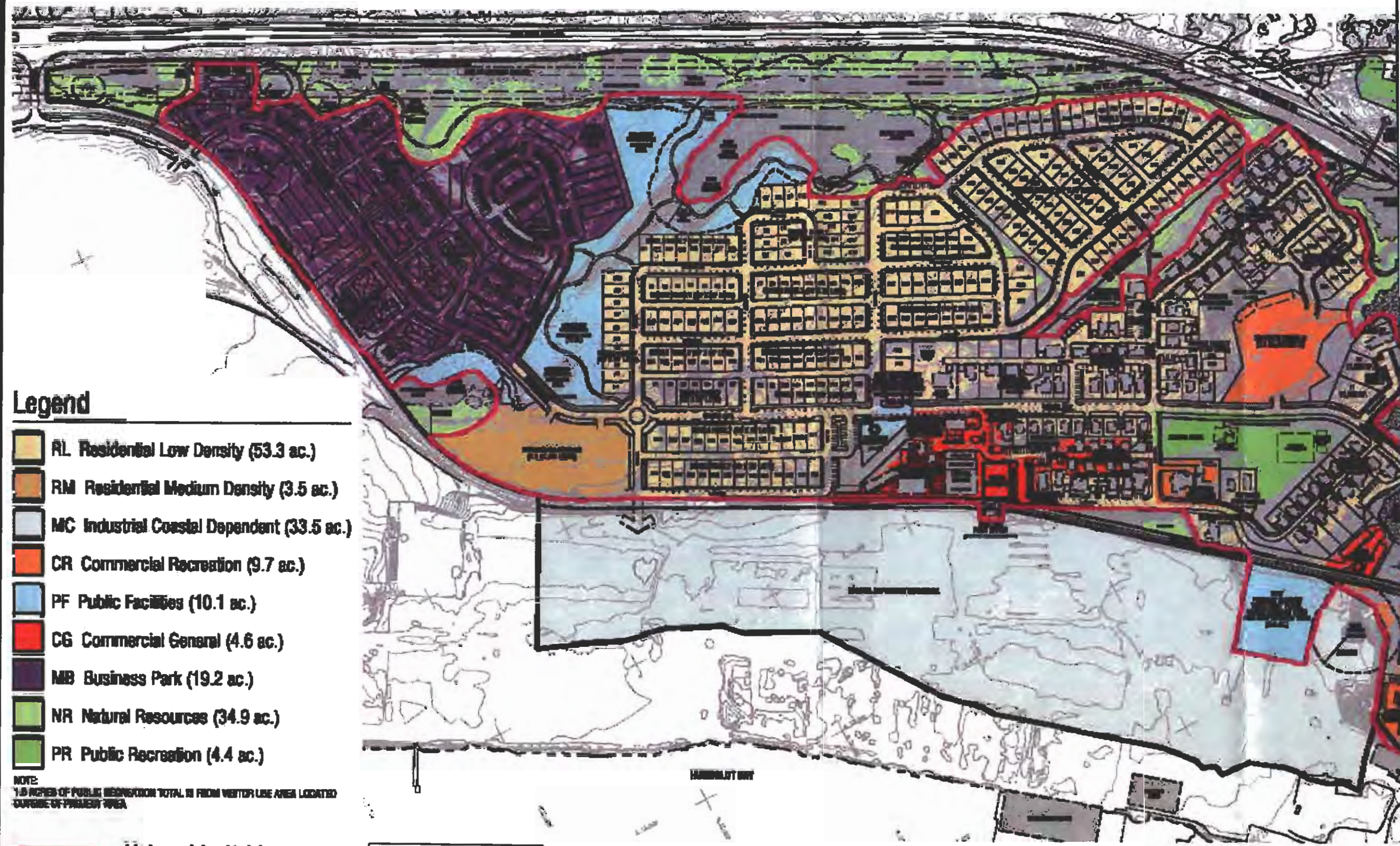
Purpose: To protect and enhance valuable fish and wildlife habitats, and provide for public and private use of their resources, including hunting, fishing, and other forms of recreation.

Principal Use: Management for fish and wildlife habitat.

Conditional Uses: Wetland restoration, development of hunting blinds and similar minor facilities, improvement of boating facilities in estuaries consistent with Section 3.50 of the plan, accessway development and improvement and removal of trees for firewood, disease control and public safety purposes. Uses as Per Sections 3.30B.4 and 3.30B.11.

ATTACHMENT A – Exhibit A-3
Urban Limit Line





NOTE:
Color copies of maps Are available at the Commission's website www.coastal.ca.gov - Public Meetings

ATTACHMENT C1

ORDINANCE NO. 2424

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE TO REZONE PROPERTY IN THE SAMOA AREA

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended for the approximate 171.1-acre parcels, as shown ~~described~~ in Exhibit C1-1 (~~legal description~~ rezone map), by designating the boundary lines of the following zones and combining zones (Planned Unit Development (P), Vacation Homes (V), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones) consistent with the General Plan Amendment (GPA-02-01) that reconfigures the boundary line between the following land use designations. The properties are shown on Humboldt County Zoning Maps D-15, 16 and in Exhibit C1-1 (rezone map) ~~and Exhibit C1-3 (land use map)~~.

Zoning

Parcel	Existing		Proposed	
	Zoning	Acres	Zoning	Acres
West of RR ROW 401-031-46 (por.) 401-031-46 (por.) 401-031-59 (por.) 401-031-60	Industrial General (MG)	131.6	Residential Residential Single Family - RS/D,P Residential Single Family - RS/D,P,V Residential Multi-Family - RM/D/P	 44.5 8.8 3.5
			Business Park - MB/D	19.2
			Commercial General - CG/D	4.56
			Recreation/Conservation Commercial Recreation - CR/D Natural Resources - NR/W Public Recreation - PR/D	 4.74 34.9 2.9
			Public Facilities - PF/D	8.5
East of RR ROW 401-031-38 401-031-46 (por.) 401-031-55 401-031-59 (por.)	Industrial Coastal Dependent/Archaeological Resource Area (MC/A)	6.6	Commercial Recreation - CR/A,D Commercial General - CG/A,D Public Facilities - PF/A,D	4.96 0.04 1.6
	TOTAL	138.2		138.2
West of New Navy Base Road 401-031-44	Natural Resources/ Wetlands, Beach and Dunes (NR/B,W)	1.5	Public Recreation/B,W	1.5

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective ~~thirty (30) days~~ immediately after the date ~~of its passage~~ of completion of review and final approval by the California Coastal Commission.

SECTION 3. A Summary of the proposed ordinance shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted ordinance shall be published and a certified copy of the adopted ordinance shall be posted, along with the names of those Supervisors voting for and against the ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)

PASSED, APPROVED AND ADOPTED this 27th day of October 2009, on the following vote, to wit:

AYES: Supervisors: Duffy, Neely, Clendenen, Lovelace

NOES: Supervisors:

ABSENT: Supervisors: Smith

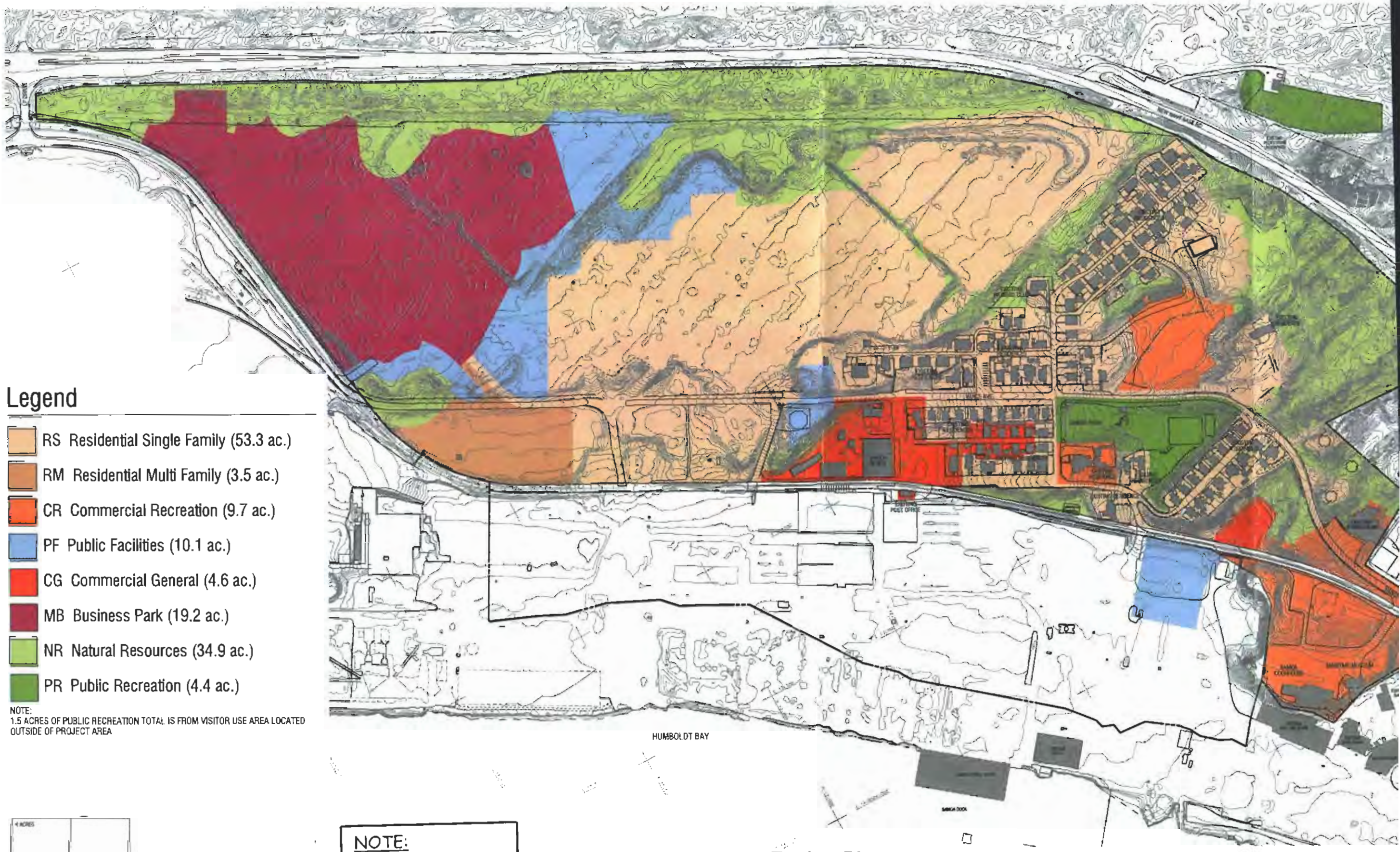
Vice - Chair of the Board of
Supervisors of the County of
Humboldt, State of California

(SEAL)
ATTEST:

Kathy Hayes, Clerk to the Board
of Supervisors of the County of
Humboldt, State of California

C1 - EXHIBIT C1-1

Map of Property To Be Rezoned (ZR-02-02)



Legend

- RS Residential Single Family (53.3 ac.)
- RM Residential Multi Family (3.5 ac.)
- CR Commercial Recreation (9.7 ac.)
- PF Public Facilities (10.1 ac.)
- CG Commercial General (4.6 ac.)
- MB Business Park (19.2 ac.)
- NR Natural Resources (34.9 ac.)
- PR Public Recreation (4.4 ac.)

NOTE:
1.5 ACRES OF PUBLIC RECREATION TOTAL IS FROM VISITOR USE AREA LOCATED OUTSIDE OF PROJECT AREA

NOTE:
Color copies of maps Are available at the Commission's website www.coastal.ca.gov - Public Meetings

Zoning Plan

Samoa Town Master Plan

Samoa, Humboldt County, California

ATTACHMENT C2 - *DRAFT ZONING MAP ORDINANCE SUMMARY*

PRE-ADOPTION SUMMARY OF ORDINANCE
(For publication prior to adoption)

On October 27, 2009, the Humboldt County Board of Supervisors will consider adopting Ordinance No. 2424 which will amend the zoning of property in the Samoa area as shown on the above map marked Exhibit A, by rezoning, through an immediate rezone, lands in the Samoa area out of General Industrial (MG), Industrial Coastal Dependent/Archaeological Resource Area (MC/A), and Natural Resources/ Wetlands, Beach and Dunes (NR/B,W) into Residential Single Family/Design Review, Planned Development - RS/D,P; Residential Single Family/Design Review, Planned Development, Vacation Rental - RS/D,P,V; Residential Multi-Family/Design Review, Planned Development - RM/D/P; Business Park/Design Review - MB/D; Commercial General/Design Review - CG/D; Commercial Recreation/Design Review - CR/D; Natural Resources/Wetlands - NR/W; Public Recreation/Design Review - PR/D; Public Facilities/Design Review - PF/D; Residential Multi-Family/ Archaeological Resource Area, Design Review, Planned Development - RM/A,D,P; Commercial Recreation/ Archaeological Resource Area, Design Review - CR/A,D; Commercial General/ Archaeological Resource Area, Design Review - CG/A,D; Public Facilities/ Archaeological Resource Area, Design Review - PF/A,D; and Public Recreation. If the Ordinance is adopted, the new zones will become effective immediately after the date of completion of review and approval by the California Coastal Commission.

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

POST-ADOPTION SUMMARY OF ORDINANCE
(For publication after adoption)

On October 27, 2009, the Humboldt County Board of Supervisors adopted Ordinance No. 2424, which amends the zoning of property in the Samoa area as shown on the above map marked Exhibit A, by rezoning, through an immediate rezone, lands in the Samoa area out of General Industrial (MG), Industrial Coastal Dependent/Archaeological Resource Area (MC/A), and Natural Resources/ Wetlands, Beach and Dunes (NR/B,W) into Residential Single Family/Design Review, Planned Development - RS/D,P; Residential Single Family/Design Review, Planned Development, Vacation Rental - RS/D,P,V; Residential Multi-Family/Design Review, Planned Development - RM/D/P; Business Park/Design Review - MB/D; Commercial General/Design Review - CG/D; Commercial Recreation/Design Review - CR/D; Natural Resources/Wetlands - NR/W; Public Recreation/Design Review - PR/D; Public Facilities/Design Review - PF/D; Residential Multi-Family/ Archaeological Resource Area, Design Review, Planned Development - RM/A,D,P; Commercial Recreation/ Archaeological Resource Area, Design Review - CR/A,D; Commercial General/ Archaeological Resource Area, Design Review - CG/A,D; Public Facilities/ Archaeological Resource Area, Design Review - PF/A,D; and Public Recreation. The new zones will become effective immediately after the of completion of review and approval by the California Coastal Commission. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors: Duffy, Neely, Clendenen, Lovelace

NOES: Supervisors:

ABSENT: Supervisors: Smith

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

Attachment C3

Zoning Text Change Ordinance for Design Review

ORDINANCE NO. 2425

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 313-19.1, CHAPTER 3, DIVISION 1, TO TITLE III OF THE HUMBOLDT COUNTY CODE HAVING TO DO WITH DESIGN REVIEW IN THE COASTAL ZONE FOR LANDS DESIGNATED "D" ON THE COUNTY ZONING MAPS.

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. Section 313-19.1, Chapter 3, Division 1, to Title III of the Humboldt County Code having to do with Design Review in the Coastal Zone for lands designated "D" on the county zoning maps, is hereby amended as shown in Exhibit C3-1 attached (new language being added or amended is underlined).

SECTION 2. EFFECTIVE DATE. This ordinance shall become effective ~~thirty (30) days~~ immediately after the date ~~of its passage~~ of completion of review and approval by the California Coastal Commission..

SECTION 3. A Summary of the proposed ordinance shall be published and a certified copy of the full text of the proposed ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted ordinance shall be published and a certified copy of the adopted ordinance shall be posted, along with the names of those Supervisors voting for and against the ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)

PASSED, APPROVED AND ADOPTED this 27th day of October 2009, on the following vote, to wit:

AYES:	Supervisors:	Duffy, Neely, Clendenen, Lovelace
NOES:	Supervisors:	
ABSENT:	Supervisors:	Smith

Chair of the Board of Supervisors of the County of Humboldt, State of California

(SEAL)
ATTEST:

Kathy Hayes, Clerk to the Board of Supervisors of the County of Humboldt, State of California

NOTE: SECTIONS TO BE ADDED TO EXISTING CODE ARE UNDERLINED.

313-19.1 D: DESIGN REVIEW

19.1.1 **Purpose**. The purpose of these regulations is to provide design review for conformance of new development with the policies and standards of the General Plan, and to provide for a design review process where neighborhoods within the same zone district desire to preserve or enhance the area's historical, cultural or scenic values. (Former Section CZ#A314-57(A))

19.1.2 **Applicability**. These regulations shall apply to lands designated "D" on the Zoning Maps. Solar collectors for on site use are exempt from the design review requirement of this section. (Former Section CZ#A314-57(B))

19.1.3 **Special Permit Required.**

19.1.3.1 A Special Permit is required for all development subject to these regulations (Former Section CZ#A314-57(C))

19.1.3.2 The application for the permit shall be accompanied by a fee in the amount established by ordinance or resolution of the Board of Supervisors. (Former Section CZ#A314-57(C); Added by Ord. 1913, 10/30/90)

19.1.4 **Appointment and Composition of the Design Review Committee(s)**. The Board of Supervisors may select any person(s) or organization who, in the opinion of the Board, is qualified to serve on the committee. Such person(s) must be devoid of any and all financial interest in the development application under consideration. The representatives of the Design Review Committee(s) shall not exceed five (5) persons. In the absence of any Board of Supervisors' approved representatives, the Director shall be the reviewing authority. (Former Section CZ#A314-57(D))

19.1.4.1 There is hereby created a **Samoa Design Review Committee**, which shall consist of the following members:

Five members, who shall be appointed by the Board of Supervisors. These members shall have demonstrated experience in historic preservation or *cultural resource* land use issues or other qualifications satisfactory to the Board.

The terms of the appointed members shall begin upon Board approval and shall be for five (5) years and may be renewed.

19.1.4.1.1 Authority and Responsibilities of the Samoa Design Review Committee

A. The Samoa Design Review Committee shall:

1. Review applications to alter or demolish all or part of any structure identified as a contributing historic structure in the Samoa Town Master Plan Master Environmental Impact Report.
2. Adopt maximum times for its historic preservation review to be completed, which if exceeded, may be treated as no comment on a project.

B. The SDRC shall, to the extent it deems appropriate, have the authority to:

1. Make recommendations to the Humboldt County Planning Commission for discretionary projects or to the Planning Director for ministerial projects involving contributing historical structures for approval of or conditional approval of projects under review. These recommendations may include restrictions on the use of such property or requirements to retain historical characteristics. These recommendations shall be based on the application of the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, and the Samoa Design Guidelines (Exhibit D).
2. Assist studies or programs designed to identify and evaluate structures, other physical features, sites, and areas which are worthy of preservation.
3. Review projects for development of new structures for consistency with Samoa Design Guidelines and for compatibility with existing contributing historic structures.
4. Inspect and investigate structures, other physical features, sites, and areas which are worthy of preservation.
5. Consider methods other than those described above for encouraging and achieving preservation of worthy structures, other physical features, sites, and areas, including exploring means of financing the restoration or maintenance thereof.
6. Make appropriate recommendations on the general subject of preservation to the Planning Commission, Board of Supervisors, other public and private agencies and bodies, and the general public.

19.1.4.1.2 In the Absence of an appointed Samoa Design Review Committee

A. Historic Assessment Report required: In the absence of an appointed Samoa Design Review Committee, the Director will require a preliminary assessment report (Historic Assessment Study). This report shall be based on a visual examination of the property and historic research conducted by a professional historic resource consultant who then prepares a written report that contains their findings and recommendations. The report will also describe any further actions that might be needed to avoid or lessen development related impacts to any historical resources encountered.

B. Historic Assessment Study Contents: The historic assessment study should, at the minimum, contain:

(1) Evidence of a full background literature search through the local depositories such as Humboldt County Historical Society, Humboldt State University Library, Humboldt County Library, etc.

(2) A brief description of the project parcel(s) and the expectations of the consultant at the onset of the inventory report;

(3) A clear description of the methods and results of the field inventory including rationale for surface coverage and a brief discussion of any historic resources encountered. This treatment should be patterned after the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm ;

(4) A generally accurate map (7.5' USGS topographic, parcel map or engineers map) in a scale sufficient to show the intensity and coverage of the field inventory as well as the location of any resources encountered;

(5) A description and evaluation of any structures and a determination of whether or not they qualify as historical resources.

(6) If the resource is historic, provide recommended means to avoid or lessen development related impacts to any historical resources encountered on the parcel(s);

(7) The names of any local persons consulted during the preparation of the report;

(8) Statement of Qualifications (education, employment, field experience, previous reports and publications in historic resources). Qualification requirements used shall be the requirements used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61.

C. Performance Standard. Applicants should avoid impacts to historical resources where feasible. When this is not feasible, mitigation measures shall be incorporated into the project to

lessen the impact of the project on these resources. Mitigation shall be in accordance with the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, the Samoa Design Guidelines and Appendix K of the State CEQA Guidelines.

D. Process. The recommendations of the Historic Assessment Report will serve as a substitute for recommendations from the Samoa Design Review Committee and will be used to address historic resource impacts in discretionary permit decisions and for CEQA compliance.

19.1.5 **Design Review Standards.** Buildings, sites, structures, signs, landscaping, and similar development will be consistent with the policies of the General Plan and this Division, and the Design Review Committee shall take the following items under consideration in reviewing development plans: (Former Section CZ#A314-57(E))

19.1.5.1 The project is consistent and compatible with applicable elements of the General Plan. (Former Section CZ#A314-57(E)(1))

19.1.5.1.1 Within designated Coastal Scenic Areas, as mapped, measures are included in the project design so that it will be subordinate to the character of the surrounding setting; (Former Section CZ#A314-57(E)(1)(a))

19.1.5.1.2 Within designated Coastal View Areas, as mapped, and where views from the public roads to the coast or coastal waterways are of concern, the height, width, and siting of structures, including setbacks from roads and parcel lines will be considered to retain as much of the existing view as possible. Views from public trails, beaches, or public recreation areas into the development site will also be considered. (Former Section CZ#A314-57(E)(1)(b))

19.1.5.1.3 Within Shelter Cove designated Coastal View areas, building heights may be increased one foot (1') for each two feet (2') of total additional side yard that is provided in excess of the required five feet (5') side yards, to a maximum allowable height of twenty-four feet (24'); or, in order to provide an alternate method of providing view corridors, one side yard may be reduced to a minimum of zero feet where: (Former Section CZ#A314-57(E)(1)(C))

19.1.5.1.3.1 The opposite side yard provided equals ten feet (10'); and (Former Section CZ#A314-57(E)(1)(C)(i))

19.1.5.1.3.2 The adjacent property owner along the side yard being reduced agrees to a similar reduction along the common lot line; and (Former Section CZ#A314-57(E)(1)(C)(ii))

19.1.5.1.3.3 The adjacent dwellings can meet building and energy code requirements for structures which are separated by less than ten

feet (10'). (Former Section CZ#A314-57(E)(1)(C)(iii))

19.1.5.2 Protection of natural land forms through minimizing alterations caused by cutting, filling, grading or clearing, except to comply with fire hazard reduction laws. (Former Section CZ#A314-57(E)(2); Amended by Ord. 1913, 10/30/90)

19.1.5.3 Exterior lighting that will be compatible with the surrounding setting and will not be directed beyond the boundaries of the parcel. (Former Section CZ#A314-57(E)(3))

19.1.5.4 Screening or softening the visual impact of new development through the use of vegetative plantings. If appropriate, species common to the area should be used. Known fire resistive plants should be considered where appropriate. (Former Section CZ#A314-57(E)(4); Amended by Ord. 1913, 10/30/90)

19.1.5.5 Where feasible, new utilities should be underground. When above-ground facilities are the only feasible alternative, they should be sited as unobtrusively as possible. (Former Section CZ#A314-57(E)(5))

19.1.5.6 Setbacks from roads and property lines are appropriate to protect the scenic and visual qualities of the site and area. (Former Section CZ#A314-57(E)(6))

19.1.5.7 Off-premises signs, which are needed to direct visitors to permitted commercial recreation areas should be attractively designed in keeping with the surrounding setting and clustered at appropriate locations. (Former Section CZ#A314-57(E)(7))

19.1.6 **Restrictions Applicable Within Designated Coastal View Areas.** Within Coastal View Areas, as designated by the General Plan, new off-site signs are prohibited. (Former Section CZ#A314-57(F))

19.1.7 **Required Findings for Designated Coastal Scenic and Coastal View Areas.** A Coastal Development Permit for development located within a designated Coastal Scenic or Coastal View Area shall only be approved if the applicable Resource Protection Impact Findings of Chapter 2, Procedures, Supplemental Findings, are made. (Former Section CZ#A314-57(G))

19.1.8 **Additional Standards Applicable to Shelter Cove Portions of South Coast Area Plan.** (Former Section CZ#A314-57(H); Added by Ord. 1913, 10/30/90)

19.1.8.1 Building Structural Design Standards:

19.1.8.1.1 Residences must be constructed to a minimum width of twenty feet (20') at the narrowest point, as measured from exterior wall to exterior wall, to be compatible with existing residences. (Former Section CZ#A314-57(H)(1)(a); Added by Ord. 10/30/90)

19.1.8.1.2 Foundations must be designed to meet the Uniform Building Code requirements of seismic zone IV. All structures that require a building permit, including but not limited to manufactured homes, shall be attached to continuous perimeter foundations meeting the seismic zone IV standards. Engineered pole structures where a continuous perimeter foundation is not feasible due to slopes or site conditions shall be exempt from this provision. (Former Section CZ#A314-57(H)(1)(b); Added by Ord. 1913, 10/30/90)

19.1.8.1.3 A minimum roof overhang of twelve inches (12") (not including rain gutters) must be provided on all residences. This overhang is to be an integral part of the structure. Gable ends may be excluded when approved as part of the design review process. (Former Section CZ#A314-57(H)(1)(c); Added by Ord. 1913, 10/30/90)

19.1.8.1.4 Exterior walls and roofing materials of unfinished metal or galvanized metal are prohibited. The exterior finish of any metal material must have a manufacturer's warranty certifying a minimum life of fifteen years (15yr). Flammable roofing material such as wood shakes or shingles are not recommended. (Former Section CZ#A314-57(H)(1)(d); Added by Ord. 1913, 10/30/90)

19.1.9 **Additional Standards Applicable to Samoa Portions of Humboldt Bay Area Plan.**

19.1.9.1 Standards for Alterations and Demolitions

19.1.9.1.1 No contributing structure shall be demolished unless the County makes one of the following findings, following notice and hearings to the extent required under existing regulations.

19.1.9.1.1.1 The property is unsafe or a hazard to the pubic as a result of an unforeseen event such as a fire or earthquake; or

19.1.9.1.1.2 Taking into account the potential value to the owner of the property of all available County accommodations and incentives (including without limitation transferable development rights, zoning ordinance modifications, alternative building code standards or provisions, loans, grants, reimbursements and tax reductions) either:

(a) The current or most recent use of the property is not permitted under the current planning code (except as a nonconforming use) and adaptive reuse is not economically feasible;

(b) The adverse impact on the owner of the property is unreasonably large in comparison to the public benefit from denying demolition; or

(c) Denying permission to demolish would result in a taking or would violate state or federal law; or

19.1.9.1.1.3 Demolition must be allowed pursuant to the State Housing Law (Cal. Health and Safety Code Sections 17900 et seq.) or other applicable state or federal law.

19.1.9.1.2 Conditions may be imposed on demolition to the extent authorized by any other applicable law or this chapter including without limitation the following:

a. Documentation may be required of any structure to be demolished and/or for the property;
b. Historic Preservation Review and Planning Commission approval may be required for any subsequent development of the property;
c. Demolition may be delayed for up to 90 days to allow time to identify a prospective buyer for the property, to identify a third party interested in relocating the affected structure or to allow the County to determine whether to begin eminent domain procedures, and for up to an additional 90 days to allow completion of the purchase or relocation or commencement of a judicial condemnation acting, if, within the initial 90 days a buyer or third party is

identified of the County determines to begin eminent domain procedures. In the case of purchase or relocation by a third party, demolition may be denied where a third party is willing and able to purchase the property or relocate the structure within the time established by this subdivision is identified and makes a bona fide offer to purchase the property or structure at fair market value, as determined by appraisal.

d. With respect to demolition of a structure within the Samoa town site, the County shall take into account the importance of an affected structure to the integrity of other existing historic resources, and may: limit the size of new development to that of the existing structure; require that the scale of new development be harmonious with other structures which contribute to historic character; require retention or reconstruction of one or more facades; and/or require that any replacement structure be of like kind or quality to the demolished structure and contribute to the integrity of the existing historic structure.

19.1.9.1.3 No contributing historic structure shall be altered unless the alteration is approved by the County pursuant to this chapter. The Samoa Design Review Committee shall follow the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, and the Samoa Design Guidelines (Exhibit D) for alterations and review of alteration applications, applicable specifically to designated properties. Except to the extent such guidelines provide differently, a proposed alteration shall be considered in light of its effect on the existing character of the affected structure as it relates to the streetscape.

ATTACHMENT C4

DRAFT ZONING TEXT CHANGE ORDINANCE SUMMARY

PRE-ADOPTION SUMMARY OF ORDINANCE
(For publication prior to adoption)

On October 27, 2009, the Humboldt County Board of Supervisors will consider adopting Ordinance No. 2425, which amends the portions of the zoning dealing with Design Review. Section 313-19.1, Chapter 3, Division 1, to Title III of the Humboldt County code having to do with design review in the coastal zone for lands designated "D" on the county zoning maps ~~is~~ would be amended to create a Samoa Design Review Committee, add a process for review of historic structures, and add additional standards applicable to Samoa portions of the Humboldt Bay Area Plan. If the Ordinance is adopted, the zone text amendments will become effective immediately after the date of completion of review and approval by the California Coastal Commission.

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

POST-ADOPTION SUMMARY OF ORDINANCE
(For publication after adoption)

On October 27, 2009, the Humboldt County Board of Supervisors adopted Ordinance No. 2425, which amends the portions of the zoning dealing with Design Review. Section 313-19.1, Chapter 3, Division 1, to Title III of the Humboldt County code having to do with design review in the coastal zone for lands designated "D" on the county zoning maps is amended to create a Samoa Design Review Committee, add a process for review of historic structures, and add additional standards applicable to Samoa portions of the Humboldt Bay Area Plan. The zone text amendments will become effective immediately after the date of completion of review and approval by the California Coastal Commission. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors: Duffy, Neely, Clendenen, Lovelace

NOES: Supervisors:

ABSENT: Supervisors: Smith

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

ATTACHMENT D
Resolution of Transmittal to the Coastal Commission:
Proposed Amendment to the Local Coastal Program (LCP)

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on October 27, 2009

Resolution No. 09-86

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND DIRECTING PLANNING STAFF TO SUBMIT TO THE CALIFORNIA COASTAL COMMISSION THE PROPOSED SAMOA PACIFIC GROUP AMENDMENT TO THE LOCAL COASTAL PROGRAM FOR REVIEW AND CERTIFICATION.

WHEREAS, on September 10, 2002, the Board of Supervisors approved a General Plan Petition to amend the Humboldt Bay Area Plan (HBAP) for the purpose of implementing the Samoa Town Master Plan; and

WHEREAS, Community Development Services - Planning Division reviewed the submitted applications and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, Planning Division staff caused the preparation of Draft and Final Master Environmental Impact Reports (EIR) for the plan amendment package pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, Planning Division staff prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the General Plan Amendment, Zone Reclassification, and Urban Limit Line Extension application (Case Nos.: GPA-02-01/ZR-02-02); and

WHEREAS, the Planning Commission reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, on January 9, 2008, the Planning Commission adopted Resolution No. 08-01 recommending the Board of Supervisors approve the General Plan Amendment, Zone Reclassification, and Urban Limit Line Extension application for the Samoa Pacific Group to facilitate implementation of the Samoa Master Plan.

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Board of Supervisors that the following findings regarding the Samoa Pacific Group amendment be hereby made:

1. The Board of Supervisors certifies the proposed Final Master EIR as required by Section 15090 of CEQA Guidelines, and finds that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgment and analysis.
2. The General Plan Amendment is in the public interest because the Samoa Town Master Plan as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. The

stabilization of this former mill townsite and preservation of existing housing opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in Business Park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.

3. The Plan amendment is necessary because base information and physical conditions have changed; i.e.
   - Since the adoption of the HBAP in 1982, there has been a general decline in logging and forestry related uses of the town site.
   - The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
   - The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

NOW, THEREFORE, be it further resolved that the following findings regarding the Samoa Pacific Group Zone Reclassification be hereby made:

1. The Zone Reclassification is consistent with the comprehensive view of the General Plan in that it is consistent with policies that
2. The Zone Reclassification is in the public interest because it more accurately designates lands based on existing uses and would allow for new uses in some areas necessary for the economic revitalization of the existing community.
3. Based on the evidence presented in the Final Master EIR included in the staff report, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the Final Master EIR.
4. That the General Plan Amendment and Zone Reclassification consist of the following items transmitted to the California Coastal Commission in support of the Local Coastal Plan Amendment: a) land use plan changes for the subject lands as shown on the proposed land use map; b) text amendments to the HBAP to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the HBAP; c) text amendments to the HBAP to add requirements for tsunami risk assessment for future subdivisions or development projects that could result in three or more additional dwelling units within a potential tsunami run-up area; d) the establishment of an urban limit line within the community of Samoa; e) an ordinance rezoning the subject properties; and f) an ordinance establishing a Design Review combining zone for historic preservation within the community of Samoa.

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors hereby finds that the proposed Local Coastal Plan Amendment and the proposed zoning ordinance amendments have been prepared in accordance with the California Public Resources Code, Division 20, California Coastal Act of 1976, as amended, and is consistent with the provisions of said Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby provides notice to the California Coastal Commission and its staff that the proposed Local Coastal Plan Amendment and zoning ordinance amendments are adopted as amendments that will take immediately after Coastal

Commission approval ~~shall not take effect unless and until they are formally adopted by the Board of Supervisors after Coastal Commission approval~~.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby directs Planning Division staff to submit the approved coastal plan and zoning ordinance amendments to the California Coastal Commission for their review and certification.

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, seconded by Supervisor Lovelace and the following vote:

AYES:	Supervisors:	Duffy, Neely, Clendenen, Lovelace
NOES:	Supervisors:	
ABSENT:	Supervisors:	Smith

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By: Kathy Hayes

Date: October 27, 2009

ATTACHMENT E

Board Report for original approval of February 26, 2008
(excluding Attachments E – I of that report)

COUNTY OF HUMBOLDT

AGENDA ITEM NO.
I-1

For the meeting of: February 26, 2008

DATE: January 14, 2008

TO: Board of Supervisors

FROM: Kirk Girard, Director of Community Development Services

SUBJECT: **Samoa Town Master Plan** General Plan Amendment (Local Coastal Plan Amendment)/Zone Reclassification/Urban Limit Line Extension
File No. **APN 401-021-29**; Case No: **GPA-02-01/ZR-02-02** Samoa Area

RECOMMENDATIONS:

That the Board of Supervisors:

1. Open the public hearing in the manner prescribed by law, and receive staff report, Statement of Overriding Considerations (Attachment B2) and public testimony.
2. Deliberate on the project as necessary.
3. Approve Resolution No. ____ certifying the Final Master Environmental Impact Report for the project, and making the required findings as set forth in Attachments A and B1;
4. Adopt a Statement of Overriding Considerations pursuant to Section 15093 of CEQA for the Samoa Pacific Group application: case numbers GPA-02-01, ZR-02-02, Assessor Parcel Numbers 401-021-29 et al. as set forth in Attachment B2.

(Recommendations continued next page)

Prepared by: Michael E. Wheeler, Senior Planner CAO Approval: as set forth

REVIEW:
Auditor _____ County Counsel _____ Personnel _____ Risk Manager _____ Other _____

TYPE OF ITEM:
_____ Consent
_____ Departmental
__X__ Public Hearing
_____ Other _____

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT
Upon motion of Supervisor
Seconded by Supervisor
And unanimously carried by those members present,
The Board hereby adopts the recommended action contained in this report.

Dated: _____
Kathy Hayes, Clerk of the Board

By: _____

(Continued...)

5. Tentatively approve (for purposes of submittal to the California Coastal Commission) the amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)) land use map, by reconfiguring the boundary lines as shown on the proposed Samoa Town Master Plan land use map. Tentatively approve text amendments to the HBAP to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the HBAP, and tentatively approve interpretation of environmentally sensitive habitat areas (ESHAs) for 6 parcels making up the Samoa town site.

6. Introduce Ordinance by Title and Waive Further Reading, and tentatively approve the adoption of Ordinance No. ____ (Attachment C1; Attachment C2; Attachment C3) amending Section 311-7 of the Humboldt County Code. The proposed rezoning would amend the zoning for the approximate 171.1-acre making up 6 parcels of the Samoa town site by designating the boundary lines of the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones. The zoning amendment will be returned to you for final approval once the Coastal Commission has certified the proposed Local Coastal Plan Amendment.

7. Direct the Clerk of the Board to publish the post adoption summary of the ordinance (Attachment C4) within 15 days after adoption of the ordinance.

8. Introduce Ordinance by Title and Waive Further Reading, and tentatively approve the adoption of Ordinance No. _____ amending Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures (Attachment C5). The zoning amendment will be returned to you for final approval once the Coastal Commission has certified the proposed Local Coastal Plan Amendment.

9. Direct the Clerk of the Board to publish the post adoption summary of the ordinance (Attachment C6) within 15 days after adoption of the ordinance.

10. Adopt a Resolution of Transmittal to the Coastal Commission for the proposed Local Coastal Plan Amendment and transmit the Local Coastal Program amendments (Attachment D) to the Humboldt Bay Area Plan land use plan and implementing zoning maps to the California Coastal Commission for certification in accordance with the Coastal Act.

11. Direct Community Development Services – Planning Division to prepare and file a Notice of Determination pursuant to CEQA for the project.

12. Direct the Clerk of the Board to give notice of the decision to the applicant, to the Assessor's Office and any other interested party.

SOURCE OF FUNDING:
Source of Funding is Community Development Services - Current Planning Trust. The applicant has paid a deposit for costs associated with processing the application. The applicant is responsible for paying all fees for services rendered.

DISCUSSION:

SUMMARY
The project before your Board is a General Plan Amendment/Local Coastal Plan Amendment (Amendment) and associated Zone Reclassification for 6 parcels making up the Samoa town site and encompassing approximately 171.7 acres. The purpose of the proposed Amendment is to facilitate development and revitalization of the parcels consistent with the Samoa Town Master Plan prepared for the Samoa Pacific Group LLC. As described below, this Samoa Town Master Plan (Project) seeks to build on the historic and beneficial aspects of the townsite while preserving opportunities for coastal dependent industrial uses on the adjacent lands with harbor access. Additional permits are required for the phased implementation of the Master Plan and will be applied for at a later date should the requested amendment be approved.

Approximately 131 acres currently planned and zoned as Industrial General (IG) and 6.5 acres planned and zoned Industrial Coastal Dependent (MC) will be changed to the following designations: **Residential**

Low Density (RL), 53.3 acres; Residential Medium Density (RM), 3.5 acres; Commercial Recreation (CR), 9.7 acres; Public Facilities (PF), 10.1 acres; Commercial General (CG), 4.6 acres; Business Park (MB), 19.2 acres; Natural Resources (NR), 34.9 acres; and Public Recreation (PR), 4.4 acres. In addition, 33.5 acres will remain planned and designated for Industrial Coastal Dependent (MC) use (see Map sheets for location and description of the proposed land use and zoning designations). The project includes identification of an Urban Limit Line around the community and text amendments to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the Humboldt Bay Area Plan, and amendments to Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.

The project area is located entirely in the Coastal Zone, and the Local Coastal Plan Amendment will require subsequent approval by the California Coastal Commission. Community Development Services has also required that an EIR be prepared pursuant to the CEQA. Among the impacts addressed include historical resources and tsunami hazards.

Community Development Services – Planning Division staff recommends approval of the Amendment and Zone Reclassification because the Project is "in the public interest", is "consistent with a comprehensive view of the General Plan," and because "physical conditions have changed". In accepting the Plan Amendment Petition, the Board of Supervisors found that there has been a change in base information under which the current land use designations were applied and that the amendment would be protective of established uses. Specifically, the Board determined that:

- Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
- The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
- The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

The Project as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Project essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential; commercial; light industrial/business park; and public while protecting environmentally sensitive areas and resources. Key elements of the Project for Samoa include:

- A commercial area at Vance Avenue and Cutten Street
- A business park along the south portion of Vance Avenue
- The Samoa Cookhouse area which includes the existing Samoa Cookhouse, a indoor soccer arena, a new Maritime Museum and the existing gymnasium, baseball field and the elementary school, and a new small RV park (8 spaces with no hookups)
- A total of 293 new residential units are proposed, including a residential district west of Vance Avenue
- Live/work studios along Cadman Court
- Multi-family "workforce" housing (46 units) east of Vance Avenue and north of Soule Street;
- Coastal dependent industrial land east of the NCRA railroad tracks
- Open space, natural areas, and a 1.5 acre visitor serving use area (with a tent camping area, day use area, and restrooms) east of New Navy Base Road and at other locations
- Roads, trails and pathways
- A central park and town square
- Public facilities, including a wastewater treatment plant, corporation yard and utility substation

The stabilization of this former mill town site and preservation of existing housing opportunities and the area's historic character as depicted in the Project are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in business park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.

Furthermore, for those projects in the Coastal Zone, an additional set of findings must be made to ensure consistency with the Coastal Act, and the Amendment and Zone Reclassification changes certified by the Coastal Commission prior to adoption. The Project is consistent with Chapter 3, commencing with Section 30200, of the Public Resources Code, and the implementing ordinances are in conformity with and carry out the provisions of the certified land use plan.

This proposal follows your Board's September 10, 2002 acceptance of a petition to reconfigure the General Plan land use designation boundaries. The Humboldt County Planning Commission considered an earlier proposal and held public hearings on the project on March 16, 2006, April 6, 2006, and April 13, 2006. The current Project was heard by the Planning Commission on January 9, 2008, and the Planning Commission recommended making the required findings (Attachment B1) and approving the project. Staff recommends approval based upon the findings and recommendations of the Planning Commission that the request is both "in the public interest", is "consistent with a comprehensive view of the General Plan," and is consistent with the Coastal Act.

Based on the on-site inspection, a review of Community Development Services - Planning Division reference sources and comments from all involved referral agencies, Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Project. The Humboldt County Planning Commission concurred at their meeting of January 9, 2008 when they adopted a resolution (Attachment E) recommending approval of the Project.

Required Findings: To approve this Project, the Board of Supervisors must determine that the applicants have submitted evidence in support of making **all** of the following required findings. (Note: The proposed Local Coastal Plan Amendment and proposed zoning changes will be returned to the Board for final adoption after the Coastal Commission certifies the proposed Amendment.)

Required Findings for General Plan Amendment
Pursuant to Section 1452 of the Framework Plan, Volume I, Plan Amendments may only be initiated by the Board of Supervisors based on a recommendation by Resolution of the Planning Commission or requested by members of the public. Section 1452.2 of the Framework Plan establishes findings, any **one** of which may be grounds for considering a plan amendment. Specifically, the findings are:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

In addition, the Plan Amendment must be found to be in the public interest.

Required Findings for Zone Reclassification
Section 312-50 of the Zoning Ordinance states the following findings must be made to approve changes in the Zoning Maps:

1. That the proposed change is consistent with the General Plan.
2. The proposed change is in the public interest.

Required Findings for Local Coastal Plan Amendment
State law requires amendments to the Local Coastal Plan be consistent with California Government Code Section 13551 and Public Resources Code §30200 (See below).

Required Findings for Housing (Conversion of Existing Residential Dwelling Units)
California Government Code Section 65590(b) specifies that conversion or demolition of existing residential dwelling units occupied by persons or families of low or moderate income shall not be authorized unless provision has been made for the replacement of those dwelling units with units for persons and families of low or moderate income.

Required Findings for CEQA Significant Effects
CEQA Section 15091(a)(3) further requires that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

Discussion

Based on the information contained in the Planning Commission staff report (Attachment F) and Supplements to the Planning Commission Staff Report (Attachment G), the Planning Commission recommended that the required findings be made and the proposed Amendment and Zone Reclassification be approved. Specifically, the Planning Commission recommended findings include:

- The Amendment and Zone Reclassification is in the public interest, and is consistent with a comprehensive view of the General Plan; and
- The Amendment to the certified Local Coastal Program (LCP) meets the requirements of, and is in conformity with, the policies of Chapter 3 commencing with Section 30200 of the Public Resources Code, and the implementing ordinances are in conformity with and carry out the provisions of the certified land use plan; and
- There is evidence that the project will have any potentially significant adverse effect on an historic resource (Fireman's Hall). A Final Master Environmental Impact Report (MEIR) and a Statement of Overriding Considerations have been prepared.
- The findings necessary for approval of the project can be made as indicated in the Planning Commission staff report.

Staff Analysis: Local Coastal Program Amendment

The Samoa Town Master Plan area is located in the coastal zone, and State law requires an additional set of findings be made for the project to ensure consistency with the Coastal Act. The following table identifies the findings that must be made to approve the project as well as the evidence in support of the findings.

Section(s)	Applicable Requirements and Findings	Supporting Evidence and Finding
Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200	The proposed amendments must conform to the policies contained in Chapter 3 of the Coastal Act. Chapter 3 sets forth policies regarding the following issues: Access (including provisions for access with new development projects, public facilities, lower cost visitor facilities, and public access)	The property proposed for the plan/zone map change would not impact any mapped coastal access trail. An existing pedestrian underpass from Samoa to the ocean side of the Peninsula would be maintained. New Navy Base Road provides access to the property as well as public access to the coast. The project is conditioned with a requirement for development of parking and access at L-P Drive on the west Side of New Navy Base Road (to be required as time of subdivision). **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to access.**
Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200	Recreation (including protection of water-oriented activities, ocean front land protection for recreational uses, aquacultural uses, and priority of development purposes)	The project would not impact existing opportunities for water-oriented activities. Ocean front land would be protected for recreational uses, and there is no aquaculture at the project site. **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to recreation.**
Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200	Marine Resources (including protecting biological productivity, prevent hazardous waste spills, diking, filling and dredging, fishing, revetments and breakwaters, and water supply and flood control).	The subject property is located at the Samoa town site, and is separated from the coastline by New Navy Base Road, and from Humboldt Bay by lands under separate ownership managed by the Harbor District. Development of the project area as proposed would not impact biological productivity, does not involve dredging or filling of coastal waters, would not impact fishing, water supplies or flood control, and does not involve revetments or breakwaters. **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to marine resources.**

Consistency: Administrative Regulations – Title 14, § 13551 And Public Resources Code, § 30200	Land Resources (including environmentally sensitive habitats, agricultural lands, timberlands, and archaeological resources)	The site does not contain agricultural lands or timberlands. An archaeological study has been prepared with recommendations for the protection of archaeological resources. Development must be consistent with Plan policies and standards that protect environmentally sensitive areas, including dune hollow wetlands, other wetlands, and sensitive beach and dune habitats. A Biological Report has been prepared identifying such areas and recommending buffers from them. The project has been designed to protect these areas. **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to land resources.**
	Development (including scenic resources, public works facilities, safety, and priority of coastal dependent developments).	The project proposes that plan/zone boundaries follow existing vegetation on the site, separating the cleared area in the middle of the property for residential use from the surrounding forested area. **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to development.**
	Industrial Development (including location and expansion, use of tanker facilities, oil and gas development and transport (both onshore and off), and power plants.	Coastal Dependent Industrial lands are primarily to remain the same, except the area already developed with the Samoa Cookhouse, Gift Shop and fire hall. This area will be rezoned to Commercial / Residential. However, since it is already developed with commercial uses, there will be not loss of coastal dependent industrial. The proposal also includes an approximately 18 acre business park for light industrial uses that are not coastal dependent. **Finding: The proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act related to industrial development.**
	The LCP Amendment shall be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act: *(a) It is submitted pursuant to a resolution adopted by the local government, after public hearing, that certifies the local coastal program is intended to be carried out in a manner fully in conformity with this division.*	**Finding: The LCP Amendment will be carried out in accordance with the Coastal Act (pursuant to Section 30510(a) of the Act.**

Plan Section 3.22.B.2. HBAP	Urban Limit Line Expansion Summary of Applicable Goal, Policy or Standard -	Evidence Which Supports Making the General Plan Conformance Finding and General Plan Conformance Findings
a.	Service systems within the Urban Limit are adequate to serve the proposed addition under Urban Development standards.	The existing development is served by domestic water supplied by the Humboldt Bay Municipal Water District (HBMWD). Direct metering to the town began in 1990 after facilities shared with the nearby pulp mill were discontinued. Operation of the system is by the Samoa Pacific Group (SPG). SPG contracts for the delivery of 230,000 gallons per day (gpd). An analysis of current and projected water demands by HBMWD has indicated that the plan area could be supplied up to 450,000 gpd. A separate non-potable system provides fire protection. This system was constructed to supply the needs of the pulp mills and has a capacity of 60 million gallons per day (mgd). Projections at full buildout show a consumption of 315,000 gpd at peak demand. Fire flow added to this system would equal 435,000 which is below the threshold established by HBMWD. Currently there are two permitted wastewater treatment and disposal systems serving the town of Samoa. The "north" system serves 25 residences and consists of a 15,000 gallon septic tank and a leach field. The "south" system serves about 75 residences, the Samoa Block, Hostelry, and the Samoa Cookhouse. The system consists of a series of septic tanks and bark filters, a secondary treatment pond and approximately 2.5 acres of infiltration area. The system is in need of upgrade in order to meet current NCRWQCB standards for treatment and disposal. At buildout, wastewater flows are expected to average 166,000 gpd with a peak flow rate of 395,000 gpd. These flows represent a five- to ten-fold increase in current wastewater flows. Based on a wastewater evaluation for a design flow of 200,000 gpd, it was determined that the infiltration area should not be less than seven (7) acres. The DEIR requires as mitigation the formation of a management entity to support the provision of water, wastewater and stormwater services; requires the contribution to a proportional share of upgrades to the HBMWD water system to ensure continued uninterrupted service; and requires that the treated wastewater infiltration area be designed and constructed to a size adequate for the projected wastewater flow rate. (See DEIR Chapter 2, Section 2.3 and Chapter 4, Section 4.3 for analysis and mitigation). With incorporation of the identified mitigation measures, the establishment of an Urban Limit Line surrounding the existing, and logical extension of the existing, service area is consistent with this standard. **Finding: Proposed service systems within the Urban Limit will be adequate to serve the proposed addition under Urban Development standards.**

b.	Development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.	The project does not include and would not impact any agriculture or timberlands. **Finding: Development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.**
c.	Expansion of the Urban Limit and the development permitted under such expansion shall be consistent with the Resource Protection Policies and Standards in section 3.30.	Wetlands and environmentally sensitive habitats such as beach and dune habitat have been mapped and will be conserved in open space under the Master Plan. **Finding: Expansion of the Urban Limit and the development permitted under such expansion will be consistent with the Resource Protection Policies and Standards in Section 3.30.**

Housing (Conversion of Existing Residential Dwelling Units) Finding
California Government Code Section 65590(b) specifies that conversion or demolition of existing residential dwelling units occupied by persons or families of low or moderate income shall not be authorized unless provision has been made for the replacement of those dwelling units with units for persons and families of low or moderate income.

Section(s)	Applicable Requirements and Findings	Supporting Evidence and Finding
California Government Code Section 65590(b)	Conversion or demolition of existing residential dwelling units occupied by persons or families of low or moderate income shall not be authorized unless provision has been made for the replacement of those dwelling units with units for persons and families of low or moderate income. This requirement does not apply if the conversion or demolition involves no more than 10 dwelling units unless the County determines that the replacement of all or any portion of the converted or demolished units is feasible. § 65590(b)(1).	The proposed project will serve to further the goals of the Housing Element by preserving existing housing units currently classified as "legal, nonconforming" uses and providing for a mix of housing suitable for a full range of income levels. There are 96 existing residences which will remain under the project proposal. Ten of these will become live-work studio units and will remain as residential land uses. Three residences would be converted to non-residential uses. In addition to the 96 existing residences to be maintained for residential use, the project would support development of a Planned Unit Development to create 293 additional residential units, which will target a mix of income levels. Of these, 46 new affordable "workforce" housing units are proposed on southeast corner of Soule Street and Vance Avenue. These units will be occupied by persons or families of low or moderate income. **Finding: Project development will conform with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.**

CEQA Significant Effects Finding

CEQA further requires that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the

public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding.

	Required Finding	Evidence Which Supports Making the Finding
CEQA Section 15091(a)(3)	Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.	Demolition of the Fireman's Hall, a contributing historic structure, is a significant and unavoidable cultural resource impact. There are specific economic, technological and other considerations that make infeasible mitigation measures such as rehabilitation and re-use or other project alternative identified in the EIR. These considerations are detailed on pages 4.1-10 and 4.1-11 of the DEIR and summarized below. The Fireman's Hall is one of more than 175 "contributing" structures located in the potential historic district area as identified in the cultural resources survey of the Samoa Townsite. Of these contributing structures, the Fireman's Hall is the only one that has been found to have deteriorated beyond the point where rehabilitation is feasible and is slated for demolition. The building is not occupied and has been closed for considerable period of time for safety considerations. The Master Plan values these historic resources and calls for all other "contributing" structures to be retained and rehabilitated and reused, even when the relocation of buildings is necessary. All work is to be guided by the Secretary of Interior's Standards for rehabilitation. Taken as a whole the Plan will have an overall positive impact on preservation of the potential historic district area that is the Samoa Townsite. Alternatives to demolition, including rehabilitation and relocation of the Fireman's Hall, were considered by the applicant but were found to be infeasible. An analysis of the building by a structural engineer (October 16 2006 Letter from Penfold Engineering) determined that the Fireman's Hall does not have adequate structural integrity to support rehabilitation and re-use. The letter cites severe differential settlement, resulting in significant structural damage. The letter states that the building is unsafe to occupy in this condition. Relocation of the structure would require dismantling and reassembly due to its poor structural condition. The severely dilapidated condition of the structure makes the cost of rehabilitation substantial. Rehabilitation of the Fireman's Hall in place has been estimated at $783,900 to $871,000, equating to a cost of $180 to 200 per square foot (April 1 2007 letter from Les Charter Danco Chief Estimator to Mike Nelson, Senior Project Manager). These are significantly higher costs than typical rehabilitations, due to the building condition. While superior to removal or relocation, the costs of rehabilitation make the project infeasible for the applicant on economic grounds. The applicant has also offered the building to anyone willing to relocate it for a nominal cost but has received no interest. Re-use of the structure in the event that it was able to be rehabilitated to a condition allowing its re-occupancy is limited by location. The structure is no longer needed as a space for recreational and social activities for mill employees so a new use must be found. The building site elevation (15-20 foot) would not be suitable for new residential uses as previously proposed because it does not comply with Tsunami Safety Plan mitigations that require 30 foot minimum habitable floor elevations for all permanent residential uses. Consequently, the conversion of the Fireman's Hall into bunkhouse apartments, as proposed in the 2005 Master Plan, is no longer a feasible re-use option. A vertical separation of about 15 feet visually and spatially disconnects the Fireman's Hall from the nearby Samoa Cookhouse further limiting its possible re-use in that commercial context. Given these constraints, other uses for the site may be found to be superior. The indoor soccer arena proposed in the September 2007 Master Plan is a Commercial Recreational facility that would not be subject to the 30 foot elevation Tsunami Safety Plan requirements. A soccer facility in the proposed location would also be situated close to the elementary school and existing recreational facilities, such as the gymnasium. This location would allow similar recreational uses to be clustered in one area of the Master Plan. Due to the size and parking requirements of the such a facility, there are limited locations where it

		could be placed. All feasible mitigation measures, including preparation of a Historic American Building Survey (HABS) Report, photo documentation of the structure before demolition for use in educational collection and archival collection purposes (to HABS standards), and salvage of building elements for appropriate use in other areas of the Master Plan, have been made part of the project. **Finding: Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.**

FINANCIAL IMPACT:
As required for all individually initiated plan amendments and zone reclassification, all costs associated with the Project will be borne by the applicant.

OTHER AGENCY INVOLVEMENT:
Community Development Services – Planning Division has referred the proposed Amendment, Zone Reclassification and lot line adjustment to numerous agencies for comments and recommendations. All responding agencies have either recommended approval or conditional approval of the Project.

ALTERNATIVES TO STAFF RECOMMENDATIONS:
The Board of Supervisors could find that the requested Amendment and ZR is not consistent with the General Plan or that it is not in the public interest. Community Development Services – Planning Division does not recommend this alternative based on the evidence in the public record. However, to implement this alternative, it is recommended your Board direct Community Development Services – Planning Division to draft the necessary resolution, and bring it back to your Board for consideration at a future (continued) public hearing.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

Attachment A:	Resolution No. _____ Certifying the Environmental Impact Report and Making the Required Findings for Project Approval and Recommending Conditional Approval of the Samoa Town Master Plan Application
Attachment B1:	Resolution No. _____ Making a Statement of Findings and Certifying the Environmental Impact Report
Attachment B2:	Resolution No. _____ Adopting a Statement of Overriding Considerations
Attachment C1:	Ordinance No. _____ Rezoning property in the Samoa area
Attachment C2:	Exhibit A – Map of Property to be Rezoned
Attachment C3:	Exhibit B – Property Description of Property to be Rezoned; NOTE: Property description is not provided herein and will be provided prior to final Board adoption after Coastal Commission approval.
Attachment C4	Draft Zoning Map Ordinance Summary – Summary of Ordinance for Publication after adoption)
Attachment C5:	Zoning Text Change Ordinance for Design Review (Ordinance No. ____)
Attachment C6:	Draft Zoning Text change Ordinance Summary – Summary of the Ordinance (for Publication after adoption)
Attachment D:	Resolution of Transmittal to the Coastal Commission: Proposed Amendment to the Local Coastal Program (LCP)
Attachment E:	Planning Commission Resolution #08-01 and Certified Copy of Portion of Proceedings
Attachment F:	Copy of Planning Commission Staff Report for January 9, 2008
Attachment G:	Supplements to the Planning Commission Staff Report
Attachment H:	Draft Master Environmental Impact Reports (provided under separate cover)
Attachment I:	Proposed Final Master Environmental Impact Report (also provided under separate cover)

Attachment A

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on February 26, 2008

RESOLUTION NO 08-16

RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT
MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND RECOMMENDING CONDITIONAL APPROVAL OF THE SAMOA PACIFIC GROUP APPLICATION: CASE NUMBERS GPA-02-01/ZR-02-02; ASSESSOR PARCEL NUMBERS 401-021-29 ET AL.

WHEREAS, State law provides for local governments to amend their General Plans up to four (4) times per year; and

WHEREAS, Samoa Pacific Group submitted an application and evidence in support of approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension associated with the Samoa Town Master Plan; and

WHEREAS, the proposed General Plan Amendment and Zone Reclassification may be approved if it can be found that: (1) The proposed change is in the public interest; and (2) The proposed change is consistent with a comprehensive view of the General Plan; and

WHEREAS, Community Development Services - Planning Division has reviewed the submitted application and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, Community Development Services - Planning Division caused the preparation of a Master Environmental Impact Report, which indicates that the project meets all requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15074; and

WHEREAS, Attachment 2 of the Planning Division Staff Report for the Planning Commission meeting of January 9, 2008 includes evidence in support of making all of the required findings for approving the proposed General Plan Amendment/Zone Reclassification/Urban Limit Line Extension Permit application for Case Nos.: GPA-02-01/ZR-02-02; and

WHEREAS, Community Development Services - Planning Division has prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the project; and

WHEREAS, the Planning Commission has reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, the Planning Commission held public hearings on March 16, 2006, April 6, 2006, April 13, 2006, and January 9, 2008 on this matter to receive other evidence and testimony;

WHEREAS, at their January 9, 2008 meeting, the Planning Commission resolved, determined, and ordered that the following findings be and are hereby made:

1. The Planning Commission found that based on the evidence presented in the Draft Master Environmental Impact Report and Proposed Final Master Environmental Impact Report included in the staff report, there is evidence that the proposed project will have a significant effect on the environment, and recommended that a Statement of Overriding Considerations be adopted; and

2. The Planning Commission made the findings in Attachment 2 of the Planning Commission staff report for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.

NOW, THEREFORE, BE IT RESOLVED, determined, and ordered by the Board of Supervisors of the County of Humboldt that:

1. The Board of Supervisors certifies the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines, and finds that: a) the Final EIR has been completed in compliance with CEQA; b) the Final Master Environmental Impact Report was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final Master Environmental Impact Report prior to approving the project; and c) the Final Master Environmental Impact Report reflects the lead agency's independent judgment and analysis.
2. The Board of Supervisors adopts the findings made by the Planning Commission at their January 9, 2008 Planning Commission hearing as set forth in Attachment 2 of the Planning Commission staff report (Exhibit E).
3. The Board of Supervisors adopts the findings set forth in Attachment B1.
4. The Board of Supervisors makes the findings for Case Nos.: GPA-02-01/ZR-02-02 based on the submitted evidence.
5. The Board of Supervisors finds that the proposed amendments conform to the policies contained in Chapter 3 of the Coastal Act.
6. The Board of Supervisors finds that the LCP Amendment will be carried out in accordance with the Coastal Act pursuant to Section 30510(a) of the Act.
7. The Board of Supervisors finds that the proposed service systems within the Urban Limit will be adequate to serve the proposed addition under Urban Development standards.
8. The Board of Supervisors finds that development allowable in the addition under Urban Development Standards would not adversely impact agriculture or timberlands bordering the addition.
9. The Board of Supervisors finds that expansion of the Urban Limit and the development permitted under such expansion will be consistent with the Resource Protection Policies and Standards in section 3.30.
10. The Board of Supervisors finds that project development will conform with Government Code Section 65590 regarding low- and moderate-income housing within the Coastal Zone and the County's adopted Housing Element.
11. The Board of Supervisors finds that, with respect to demolition of the Fireman's Hall, a contributing historic structure, there are specific economic, legal, social, technological, or other considerations, which make infeasible the mitigation measures or project alternatives identified in the Final Environmental Impact Report which might have allowed for reconstruction or re-use of the structure in place.
12. The Board of Supervisors recommends approval of the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application as recommended by the Planning Commission at their January 9, 2008 meeting for Case Nos.: GPA-02-01/ZR-02-02.

BE IT FURTHER RESOLVED by the Humboldt County Board of Supervisors that:

1. The Final Master Environmental Impact Report prepared for the project is hereby certified, ensuring compliance with the California Environmental Quality Act;

2. The Board of Supervisors tentatively approves the General Plan amendment of the Humboldt County General Plan (Humboldt Bay Area Plan (HBAP)) land use map, by reconfiguring the boundary lines as shown on the proposed Samoa Town Master Plan land use map. Tentatively approves text amendments to the HBAP to add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10, Urban Land Use Designations of the HBAP, and tentatively approves interpretation of environmentally sensitive habitat areas (ESHAs) for 6 parcels making up the Samoa town site as shown on the Samoa Master Plan.

3. Subject to California Coastal Commission approval of the Local Coastal Plan Amendment, the Zone designations for the approximate 171.1-acre making up 6 parcels of the Samoa town site are rezoned from the existing zoning to the following zones and combining zones: Residential Single Family (RS), Residential Multi-Family (RM), Commercial General (CG), Commercial Recreation (CR), Natural Resources (NR), Public Recreation (PR), Public Facilities (PF), and Coastal Dependent Industrial (MC) zones; and Planned Unit Development (P), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones as indicated on the Samoa Master Plan Proposed Zoning Map. The rezoning would also amend Section 313-19.1, Design Review, of the Coastal Zoning Regulations to establish a Samoa Design Review Committee and add standards for protection of historic structures.

4. The Community Development Services - Planning Division is hereby directed to transmit the Local Coastal Program amendments to the North Coast Area Plan (NCAP) land use plan and implementing zoning maps to the California Coastal Commission for certification in accordance with the Coastal Act.

5. The Community Development Services - Planning Division is hereby directed to prepare and file a Notice of Determination for the project; and

6. The Clerk of the Board is hereby directed to give notice of the decision to the applicant and any other interested party.

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, and seconded by Supervisor Woolley and the following vote:

AYES: Supervisors: Neely, Woolley, Rodoni, Geist,Smith

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

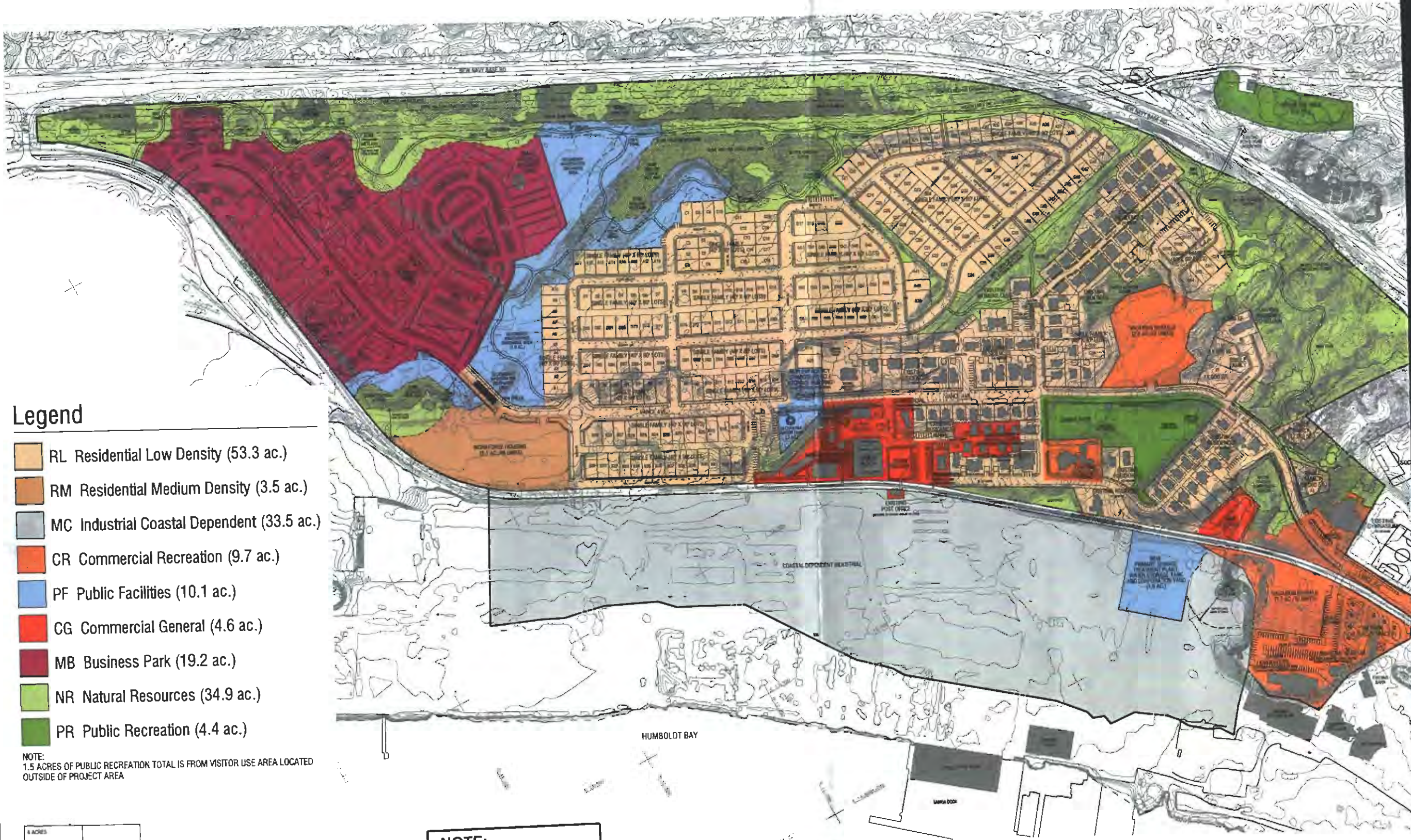
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes
Clerk of the Board of Supervisors of the County of Humboldt, State of California

Date: February 26, 2008

By Vikki Turner
Deputy



Legend

- RL Residential Low Density (53.3 ac.)
- RM Residential Medium Density (3.5 ac.)
- MC Industrial Coastal Dependent (33.5 ac.)
- CR Commercial Recreation (9.7 ac.)
- PF Public Facilities (10.1 ac.)
- CG Commercial General (4.6 ac.)
- MB Business Park (19.2 ac.)
- NR Natural Resources (34.9 ac.)
- PR Public Recreation (4.4 ac.)

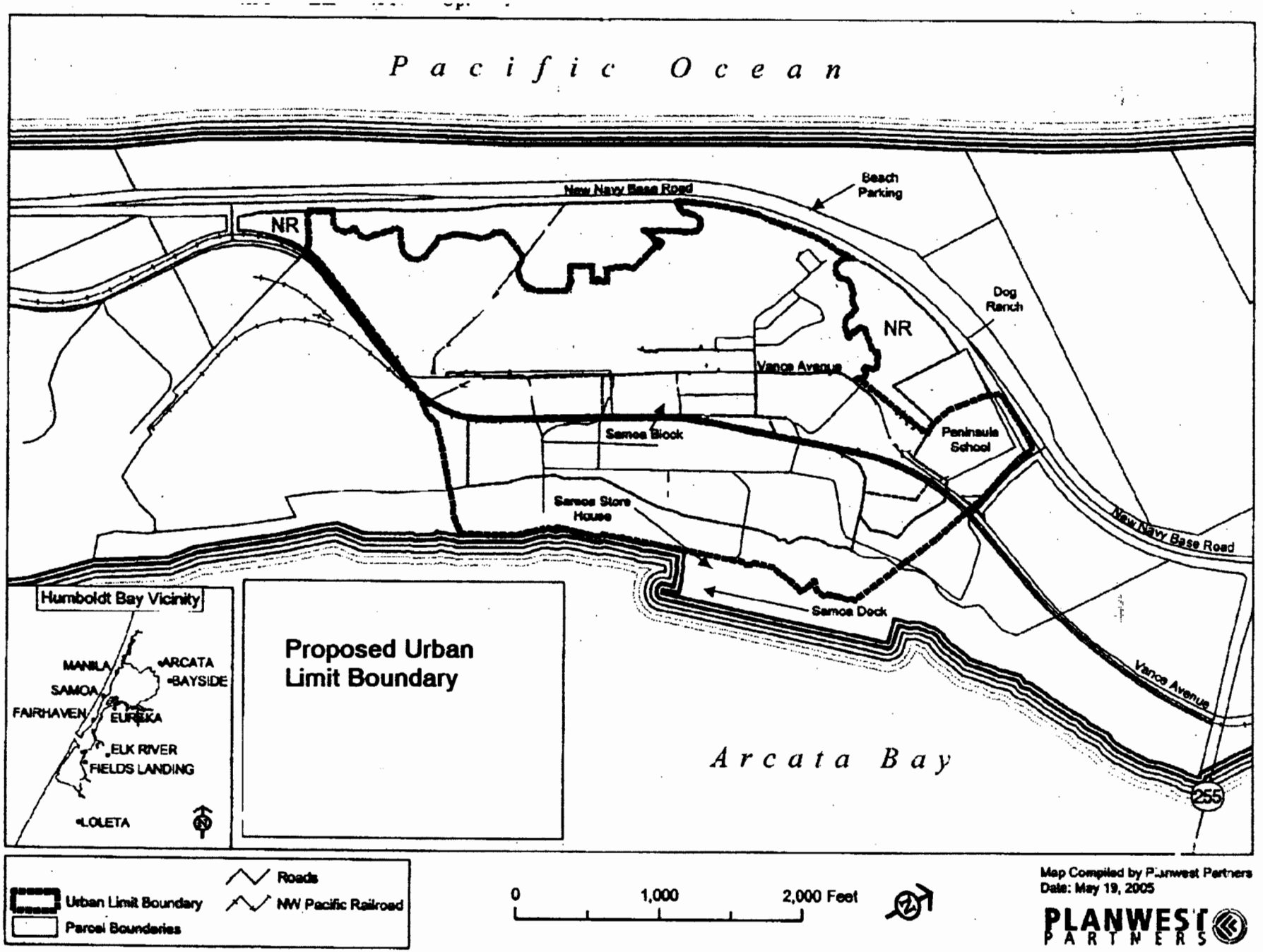
NOTE:
1.5 ACRES OF PUBLIC RECREATION TOTAL IS FROM VISITOR USE AREA LOCATED OUTSIDE OF PROJECT AREA

NOTE:
Color copies of maps are available at the Commission's website www.coastal.ca.gov - Public Meetings

Land Use Plan

Samoa Town Master Plan

Samoa, Humboldt County, California


Pacific Ocean
New Navy Base Road
Beach Parking
NR
NR
Dog Ranch
Vance Avenue
Samoa Block
Peninsula School
Samoa Store House
New Navy Base Road
Samoa Dock
Vance Avenue
Arcata Bay
255
Humboldt Bay Vicinity
MANILA
ARCATA
BAYSIDE
SAMOA
FAIRHAVEN
EUREKA
ELK RIVER
FIELDS LANDING
LOLETA
Proposed Urban Limit Boundary
Urban Limit Boundary
Parcel Boundaries
Roads
NW Pacific Railroad
0
1,000
2,000 Feet
Map Compiled by Planwest Partners
Date: May 19, 2005
PLANWEST PARTNERS

Attachment B1

RESOLUTION OF THE BOARD OF SUPERVISOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 08-17

MAKING THE REQUIRED FINDINGS FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT FOR THE SAMOA PACIFIC GROUP APPLICATION: CASE NUMBERS GPA-02-01, ZR-02-02 ASSESSOR PARCEL NUMBERS 401-021-29 et al.

WHEREAS, Samoa Pacific Group submitted an application and evidence in support of approving the: General Plan Amendment / Local Coastal Plan Amendment and Zone Reclassification, including establishing an Urban Limit Line and a text amendment to the Humboldt Bay Area Plan (HBAP) to add the Natural Resource (NR) land use designation to the Urban Designations in Section 4.10A and to modify the Design Review Combining Zone ("D") to add standards for historical resource protection; and

WHEREAS, the project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, Community Development Services - Planning Division caused the preparation of an Environmental Impact Report, which indicates that the project meets all requirements of the CEQA pursuant to Section 15090; and

WHEREAS, the CEQA section 15091(a)(3) requires specific findings for significant effects; and

NOW, THEREFORE, be it resolved, determined, and ordered that the County of Humboldt adopts the following findings for the Samoa Town Master Plan:

1. IMPACTS AVOIDED OR MITIGATED TO A LEVEL OF INSIGNIFICANCE

The County makes the findings listed below regarding the proposed Samoa Town Master Plan project identified in the Master Environmental Impact Report (MEIR) for the project. The Recirculation Draft 3 MEIR for the project is herein referred to as the Draft MEIR, and the Final MEIR is referred to as the Final MEIR. The County finds that all mitigation measures described in the Draft MEIR will be implemented pursuant to the conditions of approval and the mitigation monitoring programs adopted as part of this project. These mitigation measures were identified and discussed, or are derived directly from measures which were identified and discussed, in the MEIR. The County hereby adopts and incorporates as part of the project all mitigation measures set forth in the Draft MEIR and Final MEIR for the Samoa Town Master Plan.

Impacts mitigated to a level of insignificance and the mitigation required to result in a less than significant impact are identified in Table S.3 of the Draft MEIR (pages S-17 to S-55), which is incorporated here by reference. With the exception of potentially significant impact 4.1.2 (demolition of historic resources with respect to the Fireman's Hall), the County finds that these mitigation measures reduce the identified potentially significant impacts to less than significant.

Impacts which are avoided by the proposed project in comparison to the project alternatives are identified in Table S.4 of the Draft MEIR (pages S-55 to S-59), which is incorporated here by reference.

2. OTHER IMPACTS ARE NOT SIGNIFICANT

Other potential impact subject areas are addressed in the MEIR. The County finds that other potential impacts, including those discussed in the MEIR, do not have significant effects on the environment. No mitigation measures are required for these other considerations.

3. ALTERNATIVES

The Final MEIR evaluates the potential environmental consequences of a range of alternatives, including the original Samoa Town Master Plan filed with the County in September 2002 and the January 2006 Samoa Town Master Plan which was analyzed in the prior Draft MEIR.

The "no project" alternative is the County General Plan Buildout Alternative. Under this alternative development would occur consistent with the maximum buildout allowed under the existing Humboldt County General Plan. Under this alternative: existing uses would remain as non-conforming; the undeveloped area west of the railroad right-of-way would be developed with uses allowed in the Industrial General zone; the undeveloped area east of the railroad right-of-way would be developed with uses allowed in the Industrial/Coastal Dependent zone; and development densities would be similar to existing industrial uses on the Samoa Peninsula.

The September 2002 and January 2006 Samoa Town Master Plans received consideration in previous drafts of the MEIR, however, these alternative plans were later revised due to considerations related to tsunami risk and the need for additional visitor serving facilities. These revisions resulted in the 2007 Samoa Town Master Plan. The September 2002 and January 2006 Samoa Town Master Plan Alternatives were rejected because they do not adequately address public health and safety due to the siting of primary residential units within an area of potential tsunami runup and because they do not allow for a sufficiently increased amount of visitor serving uses and facilities.

Alternatives that were considered during the scoping process but were screened from further MEIR analysis include the following: Alternatives A, B, C, and the New Samoa Industrial Town Alternative. These alternatives are described in the January 2006 Draft MEIR. In the scoping of the MEIR, these alternatives were considered, but screened from further analysis due to their potential impacts on historic resources, natural resources, multiple access to Highway 255, and incompatibility between designated land uses. Given the potential impacts, these alternatives were found to be not feasible for purposes of the MEIR.

The Proposed Alternative, the 2007 Samoa Town Master Plan, involves the rehabilitation of existing residential and non-residential structures within the plan area that are considered historically significant as well as the development of new single- and multi-family housing units and commercial structures. In addition, the proposed Samoa Town Master Plan designates approximately 35.8 acres of wetlands and dune habitat as Natural Resources lands within the plan area.

There are several environmental benefits associated with the proposed Samoa Town Master Plan. The approximately 35.8 acres of wetland and dune habitat within the plan area are currently designated as Industrial General, which provides significantly less protection than the proposed Natural Resources designation. The proposed Samoa Town Master Plan would maintain the existing New Navy Base Road under-crossing for coastal access and provide additional parking spaces on the west side of New Navy Base Road.

The alternatives identified in the EIR would not result in significantly lesser environmental impacts significantly than the proposed Samoa Town Master Plan; therefore, the Samoa Town Master Plan is considered to be the environmentally superior alternative.

4. STATEMENT OF OVERRIDING CONSIDERATIONS NEEDED

The County finds the project proposed and analyzed in the Final MEIR results in project impacts that cannot be avoided completely or mitigated to a level that is demonstrably less-than-significant and that a Statement of Overriding Considerations is adopted for this project, pursuant to section 15093 of the CEQA Guidelines.

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, and seconded by Supervisor Woolley and the following vote:

AYES: Supervisors: Neely, Woolley, Smith, Rodoni, Geist

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

KATHY HAYES
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By: Nikki Turner
Nikki Turner

Date: January 26, 2008

Attachment B2

Statement of Overriding Considerations

RESOLUTION OF THE BOARD OF SUPERVISOR
OF THE COUNTY OF HUMBOLDT
Resolution Number 08-18

MAKING THE REQUIRED FOR CERTIFYING COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS PURSUANT TO SECTION 15093 OF CEQA FOR THE SAMOA PACIFIC GROUP APPLICATION: CASE NUMBERS GPA-02-01, ZR-02-02 ASSESSOR PARCEL NUMBERS 401-021-29 et al.

WHEREAS, Samoa Pacific Group submitted an application and evidence in support of approving the: General Plan Amendment / Local Coastal Plan Amendment and Zone Reclassification, including establishing an Urban Limit Line and a text amendment to the Humboldt Bay Area Plan (HBAP) to add the Natural Resource (NR) land use designation to the Urban Designations in Section 4.10A and to modify the Design Review Combining Zone ("D") to add standards for historical resource protection; and

WHEREAS, the project is subject to environmental review pursuant to of the California Environmental Quality Act (CEQA); and

WHEREAS, Community Development Services - Planning Division caused the preparation of an Environmental Impact Report (EIR), which indicates that the project meets all requirements of the California Environmental Quality Act (CEQA) pursuant to Section 15090; and

WHEREAS, the CEQA section 15091(a)(3) requires specific findings for significant effects; and

WHEREAS, the CEQA section 15093(a) requires that a Statement of Overriding Considerations be adopted for significant effects which are identified in the final EIR but are not avoided or substantially lessened, and the Statement of Overriding Considerations shall state in writing the specific reasons to support the action based on the final EIR and/or other information in the record.

NOW, THEREFORE, be it resolved, determined, and ordered that:

1. The Board of Supervisors certifies the EIR in Attachment 5 of the Planning Commission staff report as required by Section 15090 and 15091 of the CEQA Guidelines subject to the adoption of a Statement of Overriding Considerations with regard to the demolition of the Fireman's Hall.

2. The Board of Supervisors finds that specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR with respect to the Fireman's Hall as specified in Attachments 2 and 8 of the Community Development Services - Planning Division staff report.

3. The Board of Supervisors finds that the following evidence in the record supports the statement of overriding considerations:

a) The Fireman's Hall is one of more than 175 "contributing" structures located in the potential historic district area as identified in the cultural resources survey of the Samoa Townsite. Of these contributing structures, the Fireman's Hall is the only one that has been found to have deteriorated beyond the point where rehabilitation is feasible and is slated for demolition. The building is not occupied and has been closed for considerable period of time for safety considerations. The Samoa Town Master Plan values these historic resources and calls for all other "contributing" structures to be retained and rehabilitated and reused, even when the relocation of buildings is necessary. All work is to be guided by the Secretary of Interior's Standards for rehabilitation. Taken as a whole the Samoa Town Master Plan will have an overall positive impact on preservation of the potential historic district area that is the Samoa Townsite.

b) Alternatives to demolition, including rehabilitation and relocation of the Fireman's Hall, were considered by the applicant but were found to be infeasible. An analysis of the building by a structural engineer (October 16 2006 Letter from Penfold Engineering) determined that the Fireman's Hall does not have adequate structural integrity to support rehabilitation and re-use. The letter cites severe differential settlement, resulting in significant structural damage. The letter states that the building is unsafe to occupy in this condition. Relocation of the structure would require dismantling and reassembly due to its poor structural condition.

c) The severely dilapidated condition of the structure makes the cost of rehabilitation substantial. Rehabilitation of the Fireman's Hall in place has been estimated at $783,900 to $871,000, equating to a cost of $180 to 200 per square foot (April 1 2007 letter from Les Charter Danco Chief Estimator to Mike Nelson, Senior Project Manager). These are significantly higher costs than typical rehabilitations, due to the building condition. While superior to removal or relocation, the costs of rehabilitation make the project infeasible for the applicant on economic grounds. The applicant has also offered the building to anyone willing to relocate it for a nominal cost but has received no interest.

d) Re-use of the structure in the event that it was able to be rehabilitated to a condition allowing its re-occupancy is limited by location. The structure is no longer needed as a space for recreational and social activities for mill employees so a new use must be found. The building site elevation (15-20 foot) would not be suitable for new residential uses as previously proposed because it does not comply with Tsunami Safety Plan mitigations that require 30 foot minimum habitable floor elevations for all permanent residential uses. Consequently, the conversion of the Fireman's Hall into bunkhouse apartments, as proposed in the 2005 Master Plan, is no longer a feasible re-use option. A vertical separation of about 15 feet visually and spatially disconnects the Fireman's Hall from the nearby Samoa Cookhouse further limiting its possible re-use in that commercial context.

e) Given these constraints, other uses for the site may be found to be superior. The indoor soccer arena proposed in the September 2007 Master Plan is a Commercial Recreational facility that would not be subject to the 30 foot elevation Tsunami Safety Plan requirements. A soccer facility in the proposed location would also be situated close to the elementary school and existing recreational facilities, such as the gymnasium. This location would allow similar recreational uses to be clustered in one area of the Master Plan. Due to the size and parking requirements of the such a facility, there are limited locations where it could be placed.

f) All feasible mitigation measures, including preparation of a Historic American Building Survey (HABS) Report, photo documentation of the structure before demolition for use in educational collection and archival collection purposes (to HABS standards), and salvage of building elements for appropriate use in other areas of the Master Plan, have been made part of the project.

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, seconded by Supervisor Woolley and the following vote:

AYES: Supervisors: Rodoni, Neely, Geist, Smith, Woolley

NOES: Supervisors:

ABSENT: Supervisors:

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

KATHY HAYES
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By: Nikki Turner
Nikki Turner

Date: February 26, 2008

ATTACHMENT C1

ORDINANCE NO._____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 311-7 OF THE HUMBOLDT COUNTY CODE TO REZONE PROPERTY IN THE SAMOA AREA

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. ZONE AMENDMENT. Section 311-7 of the Humboldt County Code is hereby amended for the approximate 171.1-acre parcels, described in Exhibit B (legal description), by designating the boundary lines of the following zones and combining zones (Planned Unit Development (P), Vacation Homes (V), Wetland (W), Archaeological Resource (A) and Design Review (D) combining zones) consistent with the General Plan Amendment (GPA-02-01) that reconfigures the boundary line between the following land use designations. The properties are shown on Humboldt County Zoning Maps D-15, 16 and in Exhibit A (rezone map) and Exhibit C (land use map).

Zoning

Parcel	**Existing**		**Proposed**	
	Zoning	**Acres**	**Zoning**	**Acres**
West of RR ROW 401-031-46 (por.) 401-031-46 (por.) 401-031-59 (por.) 401-031-60	Industrial General (MG)	**131.6**	Residential Residential Single Family - RS/D,P Residential Single Family - RS/D,P,V Residential Multi-Family - RM/D/P	 **44.5** **8.8** **3.5**
			Business Park - MB/D	**19.2**
			Commercial General - CG/D	**4.56**
			Recreation/Conservation Commercial Recreation - CR/D Natural Resources - NR/W Public Recreation - PR/D	 **4.74** **34.9** **2.9**
			Public Facilities - PF/D	**8.5**
East of RR ROW 401-031-38 401-031-46 (por.) 401-031-55 401-031-59 (por.)	Industrial Coastal Dependent/Archaeological Resource Area (MC/A)	**40.1**	Residential Multi-Family - RM/A,D,P Coastal Dependent Industrial MC/A (to remain) Commercial Recreation - CR/A,D Commercial General - CG/A,D Public Facilities - PF/A,D	**0.0** **33.5** **4.96** **0.04** **1.6**
	TOTAL	**171.7**		**171.7**
West of New Navy Base Road 401-031-44	Natural Resources/ Wetlands, Beach and Dunes (NR/B,W)	**27.7**	NR/B,W Public Recreation/B,W	**26.2** **1.5**

Land Use

Parcel	Existing		Proposed	
	Land Use	**Acres**	**Land Use**	**Acres**
West of RR ROW 401-031-46 (por.) 401-031-59 (por.) 401-031-60	General Industrial (MG)	**131.6**	Residential RL RM	 **53.3** **3.5**
			Business Park - MB	**19.2**
			Commercial General - CG	**4.56**
			Recreation/Conservation Commercial Recreation - CR Natural Resources - NR Public Recreation - PR	 **4.74** **34.9** **2.9**
			Public Facilities - PF	**8.5**
East of RR ROW 401-031-38 401-031-46 (por.) 401-031-55 401-031-59 (por.)	Industrial Coastal Dependent	**40.1**	Residential - RM Coastal Dependent Industrial MC (to remain) Commercial Recreation - CR Commercial General - CG Public Facility - PF	**0.0** **33.5** **4.96** **.04** **1.6**
	TOTAL	**171.7**		**171.7**
West of New Navy Base Road 401-031-44	Natural Resources (NR)	**27.7**	NR Public Recreation	**26.2** **1.5**

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after the date of its passage.

SECTION 3. A Summary of the proposed Ordinance shall be published and a certified copy of the full text of the proposed Ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted)Ordinance shall be published and a certified copy of the adopted Ordinance shall be posted, along with the names of those Supervisors voting for and against the Ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)

PASSED, APPROVED AND ADOPTED this __ day of _____ 2008, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

_____
Chair of the Board of Supervisors
of the County of Humboldt, State
of California

(SEAL)
ATTEST:

_____
Kathy Hayes, Clerk to the Board
of Supervisors of the County of
Humboldt, State of California

C2 - EXHIBIT A

Map of Property to be Rezoned (ZR-02-02)

Legend

- RS Residential Single Family (53.3 ac.)
- RM Residential Multi Family (3.5 ac.)
- MC Industrial Coastal Dependent (33.5 ac.)
- CR Commercial Recreation (9.7 ac.)
- PF Public Facilities (10.1 ac.)
- CG Commercial General (4.6 ac.)
- MB Business Park (19.2 ac.)
- NR Natural Resources (34.9 ac.)
- PR Public Recreation (4.4 ac.)

NOTE:
1.5 ACRES OF PUBLIC RECREATION TOTAL IS FROM VISITOR USE AREA LOCATED OUTSIDE OF PROJECT AREA

NOTE:
Color copies of maps Are available at the Commission's website www.coastal.ca.gov - Public Meetings

Zoning Plan

Samoa Town Master Plan

Samoa, Humboldt County, California

C3 - EXHIBIT B

Property Description of Property to be Rezoned (ZR-02-02)

NOTE: Property description is not provided herein and will be provided prior to final Board adoption after Coastal Commission approval.

ATTACHMENT C4

DRAFT ZONING MAP ORDINANCE SUMMARY

SUMMARY OF ORDINANCE
(for publication after adoption)

On _____2008, the Humboldt County Board of Supervisors adopted Ordinance No. _____, which amends the zoning of property in the Samoa area as shown on the above map marked Exhibit A, by rezoning, through an immediate rezone, lands in the Samoa area out of General Industrial (MG), Industrial Coastal Dependent/Archaeological Resource Area (MC/A), and Natural Resources/ Wetlands, Beach and Dunes (NR/B,W) into Residential Single Family/Design Review, Planned Development - RS/D,P; Residential Single Family/Design Review, Planned Development, Vacation Rental - RS/D,P,V; Residential Multi-Family/Design Review, Planned Development - RM/D/P; Business Park/Design Review - MB/D; Commercial General/Design Review - CG/D; Commercial Recreation/Design Review - CR/D; Natural Resources/Wetlands - NR/W; Public Recreation/Design Review - PR/D; Public Facilities/Design Review - PF/D; Residential Multi-Family/ Archaeological Resource Area, Design Review, Planned Development - RM/A,D,P; Commercial Recreation/ Archaeological Resource Area, Design Review - CR/A,D; Commercial General/ Archaeological Resource Area, Design Review - CG/A,D; Public Facilities/ Archaeological Resource Area, Design Review - PF/A,D; and Public Recreation. The new zones will become effective thirty (30) days after the date of adoption. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, Califomia.

Attachment C5

Zoning Text Change Ordinance for Design Review

ORDINANCE NO._____

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT AMENDING SECTION 313-19.1, CHAPTER 3, DIVISION 1, TO TITLE III OF THE HUMBOLDT COUNTY CODE HAVING TO DO WITH DESIGN REVIEW IN THE COASTAL ZONE FOR LANDS DESIGNATED "D" ON THE COUNTY ZONING MAPS.

The Board of Supervisors of the County of Humboldt do ordain as follows:

SECTION 1. Section 313-19.1, Chapter 3, Division 1, to Title III of the Humboldt County Code having to do with Design Review in the Coastal Zone for lands designated "D" on the county zoning maps, is hereby amended as shown in Exhibit A attached (new language being added or amended is underlined).

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective thirty (30) days after the date of its passage.

SECTION 3. A Summary of the proposed Ordinance shall be published and a certified copy of the full text of the proposed Ordinance shall be posted in the office of the clerk of the board of supervisors at least five (5) days before the date set for adoption. A summary of the adopted Ordinance shall be published and a certified copy of the adopted Ordinance shall be posted, along with the names of those Supervisors voting for and against the Ordinance, fifteen (15) days after passage [Government Code §25124 (b) (1)

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PASSED, APPROVED AND ADOPTED this __ day of _____ 2008, on the following vote, to wit:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

_____
Chair of the Board of Supervisors
of the County of Humboldt, State
of California

(SEAL)
ATTEST:

_____
Kathy Hayes, Clerk to the Board
of Supervisors of the County of
Humboldt, State of California

NOTE: SECTIONS TO BE ADDED TO EXISTING CODE ARE UNDERLINED.

313-19.1 D: DESIGN REVIEW

19.1.1 **Purpose**. The purpose of these regulations is to provide design review for conformance of new development with the policies and standards of the General Plan, and to provide for a design review process where neighborhoods within the same zone district desire to preserve or enhance the area's historical, cultural or scenic values. (Former Section CZ#A314-57(A))

19.1.2 **Applicability**. These regulations shall apply to lands designated "D" on the Zoning Maps. Solar collectors for on site use are exempt from the design review requirement of this section. (Former Section CZ#A314-57(B))

19.1.3 **Special Permit Required**.

19.1.3.1 A Special Permit is required for all development subject to these regulations (Former Section CZ#A314-57(C))

19.1.3.2 The application for the permit shall be accompanied by a fee in the amount established by ordinance or resolution of the Board of Supervisors. (Former Section CZ#A314-57(C); Added by Ord. 1913, 10/30/90)

19.1.4 **Appointment and Composition of the Design Review Committee(s)**. The Board of Supervisors may select any person(s) or organization who, in the opinion of the Board, is qualified to serve on the committee. Such person(s) must be devoid of any and all financial interest in the development application under consideration. The representatives of the Design Review Committee(s) shall not exceed five (5) persons. In the absence of any Board of Supervisors' approved representatives, the Director shall be the reviewing authority. (Former Section CZ#A314-57(D))

19.1.4.1 There is hereby created a **Samoa Design Review Committee**, which shall consist of the following members:

Five members, who shall be appointed by the Board of Supervisors. These members shall have demonstrated experience in historic preservation or *cultural resource* land use issues or other qualifications satisfactory to the Board.

The terms of the appointed members shall begin upon Board approval and shall be for five (5) years and may be renewed.

19.1.4.1.1 Authority and Responsibilities of the Samoa Design Review Committee

A. The Samoa Design Review Committee shall:

1. Review applications to alter or demolish all or part of any structure identified as a contributing historic structure in the Samoa Town Master Plan Master Environmental Impact Report.
2. Adopt maximum times for its historic preservation review to be completed, which if exceeded, may be treated as no comment on a project.

B. The SDRC shall, to the extent it deems appropriate, have the authority to:

1. Make recommendations to the Humboldt County Planning Commission for discretionary projects or to the Planning Director for ministerial projects involving contributing historical structures for approval of or conditional approval of projects under review. These recommendations may include restrictions on the use of such property or requirements to retain historical characteristics. These recommendations shall be based on the application of the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, and the Samoa Design Guidelines (Exhibit D).
2. Assist studies or programs designed to identify and evaluate structures, other physical features, sites, and areas which are worthy of preservation.
3. Review projects for development of new structures for consistency with Samoa Design Guidelines and for compatibility with existing contributing historic structures.
4. Inspect and investigate structures, other physical features, sites, and areas which are worthy of preservation.
5. Consider methods other than those described above for encouraging and achieving preservation of worthy structures, other physical features, sites, and areas, including exploring means of financing the restoration or maintenance thereof.
6. Make appropriate recommendations on the general subject of preservation to the Planning Commission, Board of Supervisors, other public and private agencies and bodies, and the general public.

19.1.4.1.2 In the Absence of an appointed Samoa Design Review Committee

A. Historic Assessment Report required: In the absence of an appointed Samoa Design Review Committee, the Director will require a preliminary assessment report (Historic Assessment Study). This report shall be based on a visual examination of the property and historic research conducted by a professional historic resource consultant who then prepares a written report that contains their findings and recommendations. The report will also describe any further actions that might be needed to avoid or lessen development related impacts to any historical resources encountered.

B. Historic Assessment Study Contents: The historic assessment study should, at the minimum, contain:

(1) Evidence of a full background literature search through the local depositories such as Humboldt County Historical Society, Humboldt State University Library, Humboldt County Library, etc.

(2) A brief description of the project parcel(s) and the expectations of the consultant at the onset of the inventory report;
(3) A clear description of the methods and results of the field inventory including rationale for surface coverage and a brief discussion of any historic resources encountered. This treatment should be patterned after the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm ;
(4) A generally accurate map (7.5' USGS topographic, parcel map or engineers map) in a scale sufficient to show the intensity and coverage of the field inventory as well as the location of any resources encountered;
(5) A description and evaluation of any structures and a determination of whether or not they qualify as historical resources.
(6) If the resource is historic, provide recommended means to avoid or lessen development related impacts to any historical resources encountered on the parcel(s);
(7) The names of any local persons consulted during the preparation of the report;
(8) Statement of Qualifications (education, employment, field experience, previous reports and publications in historic resources). Qualification requirements used shall be the requirements used by the National Park Service, and have been previously published in the Code of Federal Regulations, 36 CFR Part 61.

C. Performance Standard. Applicants should avoid impacts to historical resources where feasible. When this is not feasible, mitigation measures shall be incorporated into the project to lessen the impact of the project on these resources. Mitigation shall be in accordance with the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, the Samoa Design Guidelines and Appendix K of the State CEQA Guidelines.

D. Process. The recommendations of the Historic Assessment Report will serve as a substitute for recommendations from the Samoa Design Review Committee and will be used to address historic resource impacts in discretionary permit decisions and for CEQA compliance.

19.1.5 **Design Review Standards**. Buildings, sites, structures, signs, landscaping, and similar development will be consistent with the policies of the General Plan and this Division, and the Design Review Committee shall take the following items under consideration in reviewing development plans: (Former Section CZ#A314-57(E))

19.1.5.1 The project is consistent and compatible with applicable elements of the General Plan. (Former Section CZ#A314-57(E)(1))

19.1.5.1.1 Within designated Coastal Scenic Areas, as mapped,

measures are included in the project design so that it will be subordinate to the character of the surrounding setting; (Former Section CZ#A314-57(E)(1)(a))

19.1.5.1.2 Within designated Coastal View Areas, as mapped, and where views from the public roads to the coast or coastal waterways are of concern, the height, width, and siting of structures, including setbacks from roads and parcel lines will be considered to retain as much of the existing view as possible. Views from public trails, beaches, or public recreation areas into the development site will also be considered. (Former Section CZ#A314-57(E)(1)(b))

19.1.5.1.3 Within Shelter Cove designated Coastal View areas, building heights may be increased one foot (1') for each two feet (2') of total additional side yard that is provided in excess of the required five feet (5') side yards, to a maximum allowable height of twenty-four feet (24'); or, in order to provide an alternate method of providing view corridors, one side yard may be reduced to a minimum of zero feet where: (Former Section CZ#A314-57(E)(1)(C))

19.1.5.1.3.1 The opposite side yard provided equals ten feet (10'); and (Former Section CZ#A314-57(E)(1)(C)(i))

19.1.5.1.3.2 The adjacent property owner along the side yard being reduced agrees to a similar reduction along the common lot line; and (Former Section CZ#A314-57(E)(1)(C)(ii))

19.1.5.1.3.3 The adjacent dwellings can meet building and energy code requirements for structures which are separated by less than ten feet (10'). (Former Section CZ#A314-57(E)(1)(C)(iii))

19.1.5.2 Protection of natural land forms through minimizing alterations caused by cutting, filling, grading or clearing, except to comply with fire hazard reduction laws. (Former Section CZ#A314-57(E)(2); Amended by Ord. 1913, 10/30/90)

19.1.5.3 Exterior lighting that will be compatible with the surrounding setting and will not be directed beyond the boundaries of the parcel. (Former Section CZ#A314-57(E)(3))

19.1.5.4 Screening or softening the visual impact of new development through the use of vegetative plantings. If appropriate, species common to the area should be used. Known fire resistive plants should be considered where appropriate. (Former Section CZ#A314-57(E)(4); Amended by Ord. 1913, 10/30/90)

19.1.5.5 Where feasible, new utilities should be underground. When above-ground facilities are the only feasible alternative, they should be sited as unobtrusively as possible. (Former Section CZ#A314-57(E)(5))

19.1.5.6 Setbacks from roads and property lines are appropriate to protect the scenic and visual qualities of the site and area. (Former Section CZ#A314-57(E)(6))

19.1.5.7 Off-premises signs, which are needed to direct visitors to permitted commercial recreation areas should be attractively designed in keeping with the surrounding setting and clustered at appropriate locations. (Former Section CZ#A314-57(E)(7))

19.1.6 **Restrictions Applicable Within Designated Coastal View Areas**. Within Coastal View Areas, as designated by the General Plan, new off-site signs are prohibited. (Former Section CZ#A314-57(F))

19.1.7 **Required Findings for Designated Coastal Scenic and Coastal View Areas**. A Coastal Development Permit for development located within a designated Coastal Scenic or Coastal View Area shall only be approved if the applicable Resource Protection Impact Findings of Chapter 2, Procedures, Supplemental Findings, are made. (Former Section CZ#A314-57(G))

19.1.8 **Additional Standards Applicable to Shelter Cove Portions of South Coast Area Plan**. (Former Section CZ#A314-57(H); Added by Ord. 1913, 10/30/90)

19.1.8.1 Building Structural Design Standards:

19.1.8.1.1 Residences must be constructed to a minimum width of twenty feet (20') at the narrowest point, as measured from exterior wall to exterior wall, to be compatible with existing residences. (Former Section CZ#A314-57(H)(1)(a); Added by Ord. 10/30/90)

19.1.8.1.2 Foundations must be designed to meet the Uniform Building Code requirements of seismic zone IV. All structures that require a building permit, including but not limited to manufactured homes, shall be attached to continuous perimeter foundations meeting the seismic zone IV standards. Engineered pole structures where a continuous perimeter foundation is not feasible due to slopes or site conditions shall be exempt from this provision. (Former Section CZ#A314-57(H)(1)(b); Added by Ord. 1913, 10/30/90)

19.1.8.1.3 A minimum roof overhang of twelve inches (12") (not including rain gutters) must be provided on all residences. This overhang is to be an integral part of the structure. Gable ends may be excluded when approved as part of the design review process. (Former Section CZ#A314-57(H)(1)(c); Added by Ord. 1913, 10/30/90)

19.1.8.1.4 Exterior walls and roofing materials of unfinished metal or galvanized metal are prohibited. The exterior finish of any metal material must have a manufacturer's warranty certifying a minimum life of fifteen years (15yr). Flammable roofing material such as wood shakes or shingles are not recommended. (Former Section CZ#A314-57(H)(1)(d); Added by Ord. 1913, 10/30/90)

19.1.9 **Additional Standards Applicable to Samoa Portions of Humboldt Bay Area Plan.**

19.1.9.1 Standards for Alterations and Demolitions

19.1.9.1.1 No contributing structure shall be demolished unless the County makes one of the following findings, following notice and hearings to the extent required under existing regulations.

19.1.9.1.1.1 The property is unsafe or a hazard to the pubic as a result of an unforeseen event such as a fire or earthquake; or

19.1.9.1.1.2 Taking into account the potential value to the owner of the property of all available County accommodations and incentives (including without limitation transferable development rights, zoning ordinance modifications, alternative building code standards or provisions, loans, grants, reimbursements and tax reductions) either:

(a) The current or most recent use of the property is not permitted under the current planning code (except as a nonconforming use) and adaptive reuse is not economically feasible;

(b) The adverse impact on the owner of the property is unreasonably large in comparison to the public benefit from denying demolition; or

(c) Denying permission to demolish would result in a taking or would violate state or federal law; or

19.1.9.1.1.3 Demolition must be allowed pursuant to the State Housing Law (Cal. Health and Safety Code Sections 17900 et seq.) or other applicable state or federal law.

19.1.9.1.2 Conditions may be imposed on demolition to the extent authorized by any other applicable law or this chapter including without limitation the following:

a. Documentation may be required of any structure to be demolished and/or for the property;

b. Historic Preservation Review and Planning Commission approval may be required for any subsequent development of the property;

c. Demolition may be delayed for up to 90 days to allow time to identify a prospective buyer for the property, to identify a third party interested in relocating the affected structure or to allow the County to determine whether to begin eminent domain procedures, and for up to an additional 90 days to allow completion of the purchase or relocation or commencement of a judicial condemnation acting, if, within the initial 90 days a buyer or third party is identified of the County determines to begin eminent domain procedures. In the case of purchase or relocation by a third party, demolition may be denied where a third party is willing and able to purchase the property or relocate the structure within the time established by this subdivision is identified and makes a bona fide offer to purchase the property or structure at fair market value, as determined by appraisal.

d. With respect to demolition of a structure within the Samoa town site, the County shall take into account the importance of an affected structure to the integrity of other existing historic resources, and may: limit the size of new development to that of the existing structure; require that the scale of new development be harmonious with other structures which contribute to historic character; require retention or reconstruction of one or more facades; and/or require that any replacement structure be of like kind or quality to the demolished structure and contribute to the integrity of the existing historic structure.

19.1.9.1.3 No contributing historic structure shall be altered unless the alteration is approved by the County pursuant to this chapter. The Samoa Design

Review Committee shall follow the ***Secretary of the Interior's Standards and Guidelines for ARCHEOLOGY AND HISTORIC PRESERVATION [As Amended and Annotated]*** - http://www.cr.nps.gov/local-law/arch_stnds_0.htm , Department of Interior's *Standards of Rehabilitation*, latest version, as a basis for evaluating changes to cultural and historic properties, the State of California Historic Building Code, and the Samoa Design Guidelines (Exhibit D) for alterations and review of alteration applications, applicable specifically to designated properties. Except to the extent such guidelines provide differently, a proposed alteration shall be considered in light of its effect on the existing character of the affected structure as it relates to the streetscape.

ATTACHMENT C6

DRAFT ZONING TEXT CHANGE ORDINANCE SUMMARY

SUMMARY OF ORDINANCE
(For publication after adoption)

On _____2008, the Humboldt County Board of Supervisors adopted Ordinance No. _____, which amends the portions of the zoning dealing with Design Review. Section 313-19.1, Chapter 3, Division 1, to Title III of the Humboldt County code having to do with design review in the coastal zone for lands designated "D" on the county zoning maps is amended to create a Samoa Design Review Committee, add a process for review of historic structures, and add additional standards applicable to Samoa portions of the Humboldt Bay Area Plan. The zone text amendments will become effective thirty (30) days after the date of adoption. The names of the Supervisors voting for and against are as follows:

AYES: Supervisors:

NOES: Supervisors:

ABSENT: Supervisors:

A copy of the Ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

Attachment D

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA

Certified copy of portion of proceedings; Meeting on February 26, 2008

Resolution No. 08-19

Resolution of the Board of Supervisors of the County of Humboldt making the required findings for certifying compliance with the California Environmental Quality Act and directing Planning staff to submit to the California Coastal Commission the proposed Samoa Pacific Group amendment to the Local Coastal Program for review and certification

WHEREAS, on September 10, 2002, the Board of Supervisors approved a General Plan Petition to amend the Humboldt Bay Area Plan for the purpose of implementing the Samoa Town Master Plan; and

WHEREAS, the County Planning Division reviewed the submitted applications and evidence and has referred the application and evidence to involved reviewing agencies for site inspections, comments and recommendations; and

WHEREAS, the County Planning Division caused the preparation of Draft and Final Master Environmental Impact Reports for the plan amendment package pursuant to the requirements of the California Environmental Quality Act (CEQA); and

WHEREAS, the County Planning Division prepared, posted for public review, and filed with the Planning Commission reports with evidence, findings, and conclusions showing that evidence does exist in support of making the required findings for approving the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension (Case Nos.: GPA-02-01/ZR-02-02); and

WHEREAS, the Planning Commission reviewed and considered said reports and other written evidence and testimony presented to the Commission; and

WHEREAS, on January 9, 2008, the Planning Commission adopted Resolution No. _____ recommending the Board of Supervisors approve the General Plan Amendment/Zone Reclassification/Urban Limit Line Extension application for the Samoa Pacific Group to facilitate implementation of the Samoa Master Plan; and

NOW, THEREFORE, be it resolved, determined, and ordered by the Humboldt County Board of Supervisors that the following findings regarding the Samoa Pacific Group amendment be hereby made:

1. The Board of Supervisors certifies the proposed Final Master Environmental Impact Report as required by Section 15090 of the CEQA Guidelines, and finds that: a) the Final EIR has been completed in compliance with CEQA; b) the Final EIR was presented to the Humboldt County Board of Supervisors, and the Humboldt County Board of Supervisors reviewed and considered the information contained in the Final EIR prior to approving the project; and c) the Final EIR reflects the lead agency's independent judgement and analysis.
2. The Plan amendment is in the public interest because the Samoa Town Master Plan as implemented through the various land use and zoning changes builds upon the historical and beneficial aspects of the existing town site. The Master Plan essentially proposes an adaptive reuse of the former lumber storage and processing areas to provide a diverse mix of land uses: residential, commercial, light industrial/business park and public while protecting environmentally sensitive areas and resources. The stabilization of this former mill townsite and preservation of existing housing

opportunities and the area's historic character as depicted in the Samoa Town Master Plan are in the public interest. Moreover, the addition of visitor serving commercial facilities, preservation and revitalization of the Samoa Block and provision for new business development in Business Park will retain existing jobs and foster new employment opportunities. The change will also promote a jobs and housing balance and provide a livable residential environment, by providing a mixture of housing types served by parks, roads and trails.

3. The Plan amendment is necessary because base information and physical conditions have changed; i.e.
   - Since the adoption of the Humboldt Bay Area Plan in 1982, there has been a general decline in logging and forestry related uses of the town site.
   - The subject parcels have changed ownership from industrial timber concerns to private commercial and residential development interests and represents an opportunity for significant economic redevelopment.
   - The current plan and zone boundaries are not consistent with existing residential, commercial and community uses within the town site.

NOW, THEREFORE, be it further resolved that the following findings regarding the Samoa Pacific Group Zone Reclassification be hereby made:

1. The Zone Reclassification is consistent with the comprehensive view of the Plan in that it is consistent with policies that
2. The Zone Reclassification is in the public interest because it more accurately designates lands based on existing uses and would allow for new uses in some areas necessary for the economic revitalization of the existing community.
3. Based on the evidence presented in the Final Environmental Impact Report included in the staff report, changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects as identified in the final EIR .

NOW THEREFORE BE IT RESOLVED that this Board of Supervisors hereby finds that the proposed Local Coastal Plan Amendment and the proposed zoning ordinance amendments have been prepared in accordance with the California Public Resources Code, Division 20, California Coastal Act of 1976, as amended, and is consistent with the provisions of said Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby intends to carry out the Local Coastal Program in a manner fully consistent with the California Coastal Act.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby provides notice to the California Coastal Commission and its staff that the proposed Local Coastal Plan Amendment and zoning ordinance amendments shall not take effect unless and until they are formally adopted by the Board of Supervisors after Coastal Commission approval.

BE IT FURTHER RESOLVED that this Board of Supervisors hereby directs Planning staff to submit the approved coastal plan and zoning ordinance amendments to the California Coastal Commission for their review and certification.

Chair, Humboldt County Board of Supervisors

Adopted on motion by Supervisor Neely, seconded by Supervisor Woolley and the following vote:

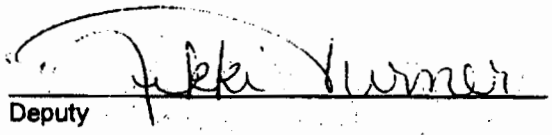
AYES:	Supervisors:	Rodoni, Neely, Geist, Woolley, Smith
NOES:	Supervisors:	None
ABSENT:	Supervisors:	None

STATE OF CALIFORNIA)
) SS.
County of Humboldt)

I, Kathy Hayes, Clerk of the Board of Supervisors of the County of Humboldt, State of California do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-titled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my office.

In Witness Whereof, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

Kathy Hayes
Clerk of the Board of Supervisors of the County of Humboldt, State of California

By: 
Deputy

Date: February 26, 2008

ATTACHMENT E

PLANNING COMMISSION RESOLUTION AND CERTIFIED COPY OF PORTION OF PROCEEDINGS

Included with LCP application

ATTACHMENT F

COPY OF PLANNING COMMISSION

STAFF REPORT FOR JANUARY 9, 2008

Included with LCP application

ATTACHMENT G

SUPPLEMENTALS TO THE PLANNING COMMISSION STAFF REPORT

Included with LCP application.

Attachment H

Draft Master Environmental Impact Reports
(provided under separate cover)

Included with LCP application.

Attachment I

Proposed Final Master Environmental Impact Report
(provided under separate cover)

Included with LCP application.

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT, STATE OF CALIFORNIA
Certified Copy of Portion of Proceedings, Meeting of Tuesday, February 26, 2008

SUBJECT: **Samoa Town Master Plan General Plan Amendment (Local Coastal Plan Amendment)/Zone Reclassification/Urban Limit Line Extension**

ACTION: **Close the public hearing and adopt staff recommendations #3 through #12 in the staff report, redacting applicable/ appropriate portions of the cultural resource report from the final EIR.**

Adopted on motion by Supervisor Neely and seconded by Supervisor Rodoni and the following vote:

AYES: Supervisors: Geist, Smith, Rodoni, Neely, Woolley
NAYS: None
ABSENT: None
ABSTAIN: None

STATE OF CALIFORNIA)
County of Humboldt) s.s.

I, Nancy Hampton, Acting Deputy Clerk of the Board of Supervisors, County of Humboldt, State of California, do hereby certify the foregoing to be a full, true, and correct copy of the original made in the above-entitled matter by said Board of Supervisors at a meeting held in Eureka, California as the same now appears of record in my Office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of said Board of Supervisors.

NANCY HAMPTON

Deputy Clerk of the Board of Supervisors of the County of Humboldt, State of California

Nancy L Hampton

February 26, 2008

(I-1)

North Coast Journal Inc.
145 G Street, Suite A
Arcata, Calif. 95521
(707) 826-2000

This space is for the County Clerk's Filing Stamp

RECEIVED
BOARD OF SUPERVISORS

FEB 25 2008

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PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA } SS
County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the publisher of the North Coast Journal, a newspaper of general circulation, printed and published weekly in the County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Humboldt, State of California, under the date of Feb. 16, 2000, Case Number CV000010. That the notice of which the annexed is a printed copy (set in a type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

2/7, 2/14, 2/21

all in the year

2008

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Arcata, California,

Carmen England 2-21-08

Signature

PUBLIC HEARING BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT

On Tuesday, February 26, 2008 at 1:30 p.m., or as soon thereafter as the matter can be heard, the Humboldt County Board of Supervisors will hold a public hearing in the Board of Supervisors' Chamber, Humboldt County Courthouse, Eureka, California, to consider the matter listed below. Further information regarding the proposed project may be obtained from the Planning Division of the Humboldt County Community Development Services Department at 3015 H Street, Eureka, California 95501, telephone: (707) 445-7541 (Monday-Friday, 8:30 a.m. to 5:00 p.m.) Contact Person: Michael E. Wheeler, Senior Planner.

Project Name: Samoa Town Master Plan

Project Description: A General Plan Amendment & Zone Reclassification application, Case Nos. GPA-02-01 & ZR-02-02; **SAMOA PACIFIC GROUP**, applicant; File Nos. APN 401-021-29, 401-031-38, 401-031-39 401-031-45, 401-031-46, 401-031-55, 401-031-59, 401-031-63 & 401-031-64; Samoa area. A General Plan Amendment (Local Coastal Plan Amendment), Zone Reclassification, Urban Limit Line extension, and interpretation of environmentally sensitive habitat areas (ESHA) for six (6) parcels making up the Samoa town site and encompassing approximately 171.7 acres. The parcels are to be part of large scale community development and revitalizing project to be carried under the Samoa Town Master Plan developed by the Samoa Pacific Group. Additional permits required for the phased implementation of the Master Plan include: Coastal Development Permits, Conditional Use Permits, Special Permits, Final Map Subdivisions, and Planned Unit Developments. The purpose of the proposed General Plan Amendment, Local Coastal Plan Amendment, and Zone Reclassification is to facilitate the implementation of the Master Plan and involves changing the land use designations consistent with the Plan. The project area is located in the Coastal Zone. In order to proceed with the project, the Department determined that a Local Coastal Plan (LCP) Amendment is required to ensure consistency with the General Plan. The LCP Amendment would add the land use designation of Business Park (MB) and Natural Resources (NR) within the proposed Samoa urban limit line and would further specify requirements for development within tsunami run-up areas. The Community Development Department (CDS), Planning Division required that an Environmental Impact Report be prepared pursuant to the California Environmental Quality Act (CEQA). THE PROJECT SITE IS LOCATED IN HUMBOLDT COUNTY, IN THE SAMOA AREA, ON BOTH SIDES OF NEW NAVY BASE ROAD, APPROXIMATELY 500 FEET SOUTHWEST FROM THE INTERSECTION OF NEW NAVY BASE ROAD WITH THE SAMOA BRIDGE; ON THE PROPERTIES KNOWN AS 920 AND 931 VANCE ROAD AND OTHER PROPERTIES AT THE SAMOA TOWN SITE INCLUDED IN ASSESSOR PARCEL NUMBERS 401-021-29; 401-031-38; 401-031-45; 401-031-46; 401-031-55; 401-031-59; 401-031-63. NOTE: The Humboldt County Board of Supervisors intends to certify t
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and unavoidable
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mitigated to a le
level. See pages
of the draft MEIR f
discussion of these
and mitigation mea

Potentially Significant Impacts Discussed in the

- Aesthetic/Visua
- Agricultural Lan
- Air Quality
- Archeological /H
- Coastal Zone
- Drainage/Absorp
- Economic/Jobs
- Fiscal
- Flood Plain/Floo
- Forest Land/Fire
- Geologic/Seismi
- Minerals
- Noise
- Population/Hous
- Public Service/Fa
- Recreation/Parks

PROOF OF PUBLICATION

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967, Consolidated Case Numbers 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit,

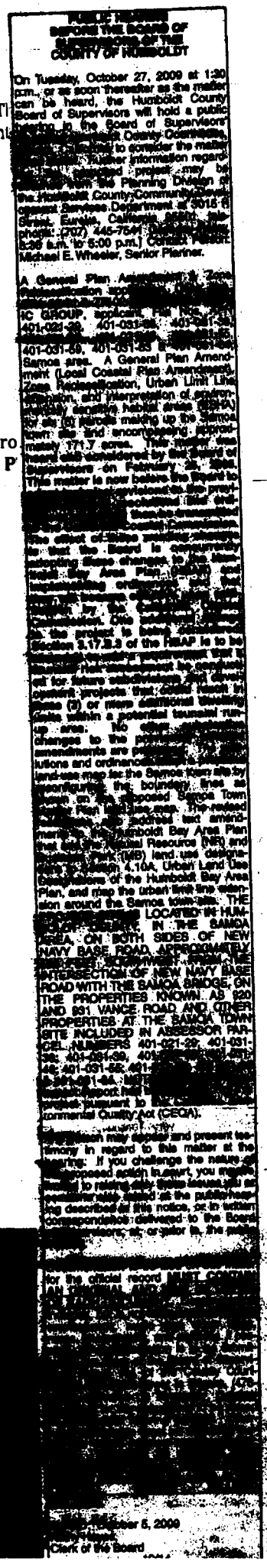
October 14
All in the year 2009

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 14th day of October, 2009

Signature

Thelma McFarland



PUBLIC HEARING
BEFORE THE BOARD OF SUPERVISORS OF THE COUNTY OF HUMBOLDT

On Tuesday, October 27, 2009 at 1:30 p.m., or as soon thereafter as the matter can be heard, the Humboldt County Board of Supervisors will hold a public hearing in the Board of Supervisors' [illegible] Humboldt County Committee, [illegible] to consider the matter [illegible]. Further information regarding [illegible] proposed project may be [illegible] from the Planning Division of the Humboldt County Community Development Services Department at 3015 H Street, Eureka, California 95501, telephone: (707) 445-7541 [illegible] 8:30 a.m. to 5:00 p.m.) Contact Person: Michael E. Wheeler, Senior Planner.

A General Plan Amendment & Zone Reclassification [illegible] IC GROUP, applicant, File Nos. [illegible] 401-021-29, 401-031-[illegible], 401-031-[illegible], 401-031-59, 401-031-[illegible] Samoa area. A General Plan Amendment (Local Coastal Plan Amendment), Zone Reclassification, Urban Limit Line [illegible], and interpretation of environmentally sensitive habitat areas (ESHA) for six (6) parcels making up the Samoa town site and encompassing approximately 171.7 acres. This matter was heard and considered by the Board of Supervisors on February 2[illegible], 2009. This matter is now before the Board to [illegible] revisions to the [illegible] [illegible] Coastal Commission. The effect of these [illegible] changes is that the Board is concurrently adopting these changes to the Humboldt Bay Area Plan (HBAP) and implementing ordinances [illegible] by the [illegible] Commission. One [illegible] the project is being considered Section 3.17.B.3 of the HBAP is to be [illegible] that a [illegible] Risk assessment be conducted for future subdivisions and development projects that could result in three (3) or more additional dwelling units within a potential tsunami run-up area. No other [illegible] changes to the [illegible] amendments are [illegible] lutions and ordinances [illegible] land-use map for the Samoa town site by reconfiguring the boundary lines as shown on the proposed Samoa Town [illegible] Plan land use map. The revised [illegible] also address text amendments to the Humboldt Bay Area Plan that [illegible] Natural Resource (NR) and [illegible] Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the Humboldt Bay Area Plan, and map the urban limit line extension around the Samoa town site. THE [illegible] LOCATED IN HUMBOLDT COUNTY, IN THE SAMOA AREA, ON BOTH SIDES OF NEW NAVY BASE ROAD, APPROXIMATELY [illegible] FEET SOUTHWEST FROM THE INTERSECTION OF NEW NAVY BASE ROAD WITH THE SAMOA BRIDGE, ON THE PROPERTIES KNOWN AS 920 AND 931 VANCE ROAD AND OTHER PROPERTIES AT THE SAMOA TOWN SITE INCLUDED IN ASSESSOR PARCEL NUMBERS 401-021-29, 401-031-36, 401-031-39, 401-[illegible] 401-031-55, 401-[illegible] [illegible] project pursuant to the [illegible] Environmental Quality Act (CEQA).

[illegible] may appear and present testimony in regard to this matter at the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at, or prior to, the public [illegible]

[illegible] for the official record MUST CONTAIN AN ORIGINAL AND [illegible]

[illegible] October 5, 2009
[illegible]
Clerk of the Board

PROOF OF PUBLICATION
(2015.5 C.C.P.)

STATE OF CALIFORNIA
County of Humboldt

I am a citizen of the United States and a resident of the County aforesaid; I am over the age of eighteen years, and not a party to or interested in the above-mentioned matter. I am the principal clerk of the printer of THE TIMES-STANDARD, a newspaper of general circulation, printed and published daily in the City of Eureka, County of Humboldt, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Humboldt, State of California, under the date of June 15, 1967, Consolidated Case Numbers 27009 and 27010; that the notice, of which the annexed is a printed copy (set in type not smaller than nonpareil), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit,

October 21
All in the year 2009

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Eureka, California,
This 21st day of October, 2009

Signature

Thelma McFarland

This space is for the
County Clerk's Filing Stamp

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BOARD OF SUPERVISORS

OCT 22 2009

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

Proof of Publication of
PUBLIC NOTICE

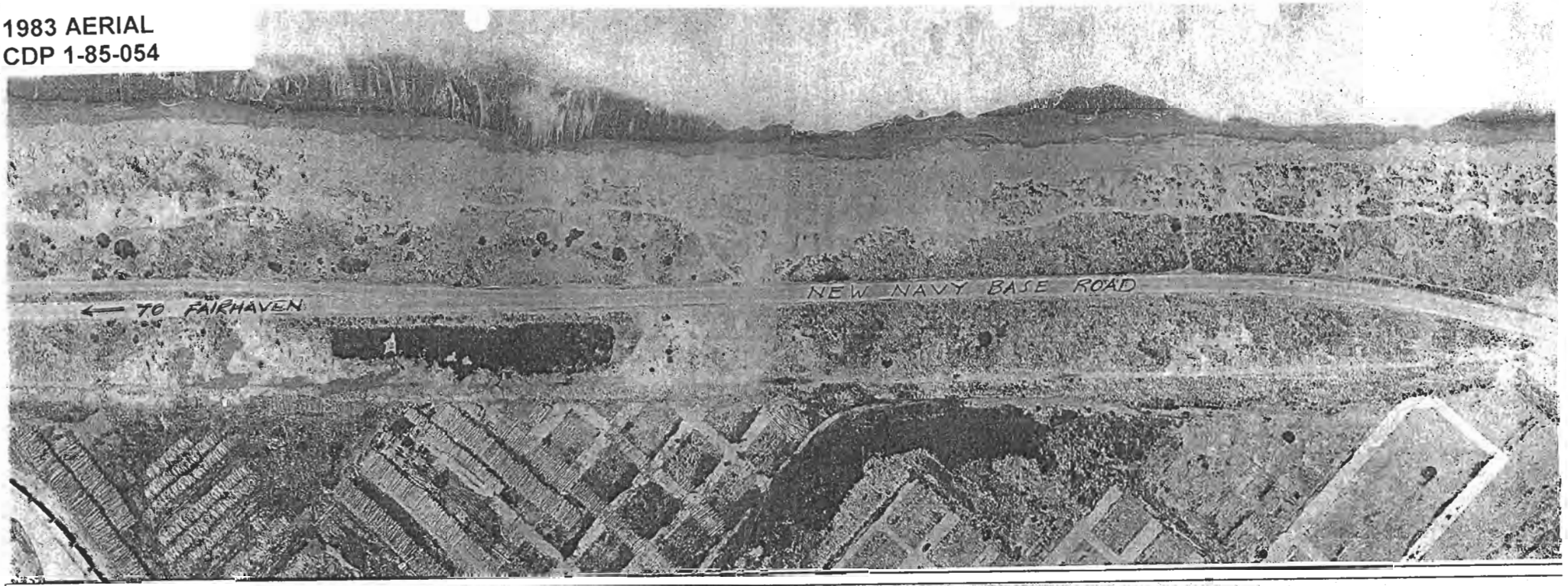
PRE-ADOPTION SUMMARY OF ORDINANCE

On October 27, 2009, at its regularly scheduled Board meeting, the Humboldt County Board of Supervisors will consider adopting a proposed ordinance which will amend the zoning of property in the Samoa area as shown on the above map marked Exhibit A, by rezoning, through an immediate rezone, lands in the Samoa area out of General Industrial (MG), Industrial Coastal Dependent/Archaeological Resource Area (MC/A), and Natural Resources/ Wetlands, Beach and Dunes (NR/B,W) into Residential Single Family/Design Review, Planned Development - RS/D,P; Residential Single Family/Design Review, Planned Development, Vacation Rental - RS/D,P,V; Residential Multi-Family/Design Review, Planned Development - RM/D/P; Business Park/Design Review - MB/D; Commercial General/Design Review -CG/D; Commercial Recreation/Design Review - CR/D; Natural Resources/Wetlands - NR/W; Public Recreation/Design Review - PF/D; Public Facilities/Design Review - PF/D; Residential Multi-Family/ Archaeological Resource Area, Design Review, Planned Development - RM/A,D,P; Commercial Recreation/ Archaeological Resource Area, Design Review - CR/A,D; Commercial General/Archaeological Resource Area, Design Review - CG/A,D; Public Facilities/ Archaeological Resource Area, Design Review - PF/A,D; and Public Recreation. If the Ordinance is adopted, the new zones will become effective thirty (30) days immediately after the date of its passage of completion of review and approval by the California Coastal Commission.

A copy of the proposed ordinance is posted in the office of the Clerk of the Board of Supervisors, 825 Fifth Street, Eureka, California.

Nikki Turner
Deputy Clerk of the Board
Humboldt County Board of Supervisors
10/21

1983 AERIAL
CDP 1-85-054



2009 NAIP Imagery

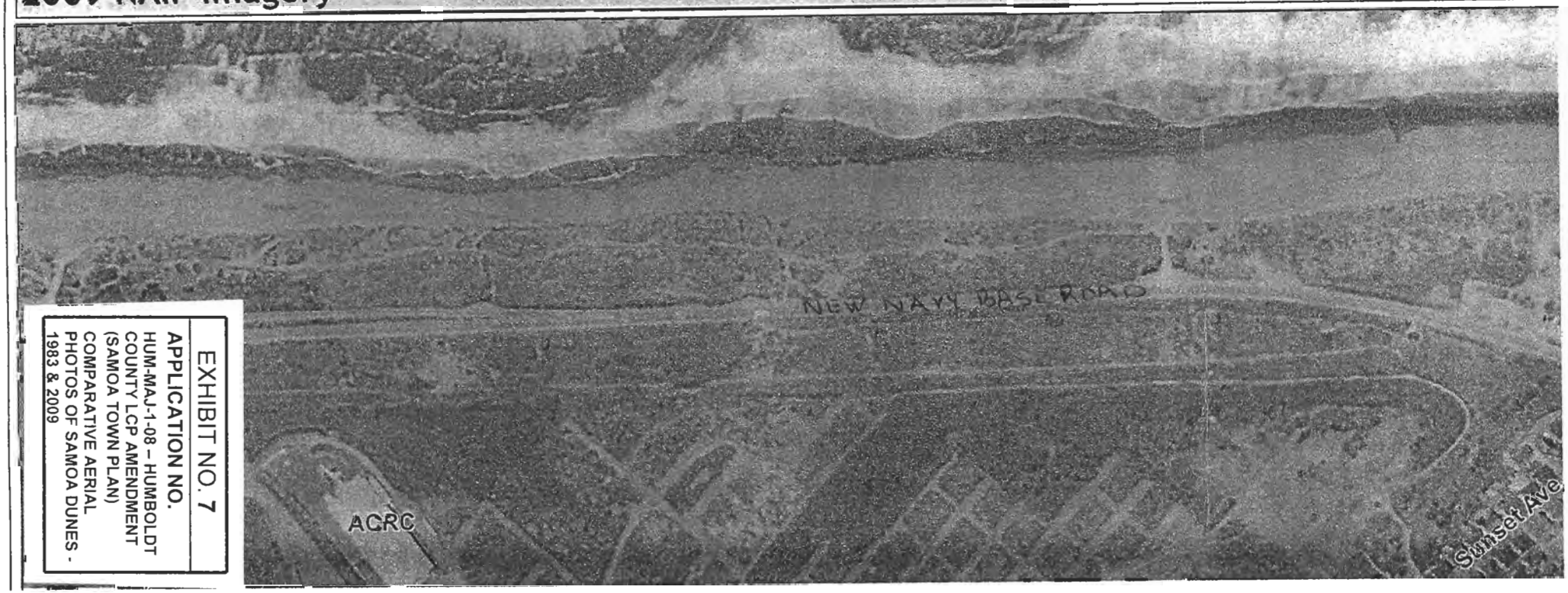


EXHIBIT NO. 7

APPLICATION NO.

HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)
COMPARATIVE AERIAL PHOTOS OF SAMOA DUNES - 1983 & 2009

California Regional Water Quality Control Board
North Coast Region
Geoffrey M. Hales, Chairman

Linda S. Adams
Acting Secretary for Environmental Protection

www.waterboards.ca.gov/northcoast
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Edmund G. Brown, Jr.,
Governor

RECEIVED
JAN 07 2011
CALIFORNIA
COASTAL COMMISSION

EXHIBIT NO. 8
APPLICATION NO.
HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)
RWQCB NOTICE OF VIOLATION ORDER R1-2001-62 FOR SAMOA PACIFIC LLC (1 of 3)

January 5, 2011

Dan Johnson
Samoa Pacific, LLC
5251 Ericson Way
Arcata, CA 95521

Dear Mr. Johnson:

Subject: Notice of Violation of Waste Discharge Requirements Order No. R1-2001-62 for the Samoa Pacific LLC - Town of Samoa Wastewater Treatment Facilities; and California Water Code Section 13267 Request for Technical Report

File: Samoa Pacific LLC, Samoa Townsite, Navy Base Road, Samoa
WDID No. 1B85017RHUM

This Notice of Violation serves as a notice that the Samoa Pacific LLC - Town of Samoa is in non-compliance with Waste Discharge Requirements Order No. R1-2001-62 (WDRs) due to sanitary sewer overflows from the sewer collection systems which serve the town. Spills from the sewage pumping stations were noted during staff site inspections conducted on August 10, 2010 and on December 7, 2010. The spills resulted in violations of the following requirements of Order No. R1-2001-62:

- Discharge Prohibition A4 of Order No. R1-2001-62 which states: "The discharge of untreated waste from anywhere within the collection, treatment, or disposal facilities is prohibited."

- General Provisions D3 of Order No. R1-2001-62 which states: "The Discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the Discharger to achieve compliance with the waste discharge requirements."

- General Provisions D9 of Order No. R1-2001-62 which states: "In the event the Discharger is unable to comply with any of the conditions of this Order due to a) Breakdown of waste treatment equipment; b) Accidents caused by human error or negligence; or c) Other causes such as acts of nature: The Discharger shall

notify the Executive Officer by telephone as soon as it or its agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

The Regional Water Board directs you to **immediately** cease any discharge or threatened discharge of waste that violates Order R1-2001-62.

Section 13267 of the Porter-Cologne Water Quality Control Act authorizes the Regional Water Board Executive Officer to impose the following requirements on persons suspected of discharging waste that could affect the quality of waters within this region:

- Section 13267(a) - *"A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement or authorized by this division, may investigate the quality of any waters of the state within its region."*

- Section 13267(b) - *"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or proposes to discharge waste within its region…that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires."*

Pursuant to section 13267 of the California Water Code, Samoa Pacific LLC – Town of Samoa is hereby required to submit, by no later than **March 1, 2011**:

- A copy of the sewer collection system spill contingency plan.

- A copy of the sewer collection system maintenance and capital improvement plan.

The spill contingency plan should, at a minimum, meet the requirements of Order No. R1-2001-62, and should address all potential spills that could result from the towns operation of its wastewater collection, treatment and disposal system. The maintenance and capital improvement plan should include all pertinent County ordinances and/or policies related to restaurant grease interceptor requirements, staff inspection protocol and status of facility compliance with any existing ordinances.

The technical reports required by this letter are necessary to ensure the protection of water quality and the prevention of future sewer spills. Your timely submittal of the required technical reports will be taken into consideration with regard to any future

enforcement actions contemplated by the Regional Water Board, including the possibility of an administrative civil liability complaint.

If you have any questions regarding this matter, please call John Short of my staff at (707) 576-2065.

Sincerely,

Catherine Kuhlman
Executive Officer

110105_RRO_Rrosamoa11311

Certified-Return Receipt Requested

cc: Adam Molofsky, Humboldt County Environmental Health Department, 100 H Street, Suite 100, Eureka, CA 95501

Melanie Faust, California Coastal Commission, North Coast District Office, 710 E Street, Suite 200, Eureka, CA 95501

Dave Swartz, California Engineering Company, Inc., 1110 Civic Center Boulevard, Suite 404, Yuba City, CA 95993

STATE OF CALIFORNIA – THE RESOURCES AGENCY EDMUND G. BROWN, JR., GOVERNOR

CALIFORNIA COASTAL COMMISSION
45 FREMONT, SUITE 2000
SAN FRANCISCO, CA 94105-2219
VOICE AND TDD (415) 904-5200
FAX (415) 904-5400

11 January 2011

EXHIBIT NO. 9
APPLICATION NO.
HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT
(SAMOA TOWN PLAN)
MEMO / STAFF GEOLOGIST
(1 of 4)

GEOTECHNICAL REVIEW MEMORANDUM

To: Melanie Faust, Coastal Program Analyst
From: Mark Johnsson, Staff Geologist
Re: Samoa Town Master Plan (Humboldt County LCPA)

In connection with the above-referenced LCPA, I have reviewed the following documents:

1) SHN Consulting Engineers and Geologists, 2009, "Geologic feasibility report, proposed expansion of the Town of Samoa, Samoa Peninsula, Humboldt County, California", 13 p. geotechnical report dated 5 February 2009 and signed by G.D. Simpson (CEG 2107) and J. Buck.

2) SHN Consulting Engineers and Geologists, 2009, "Response to California Coastal Commission comments relative to SHN's "Geologic Feasibility Report" for the proposed expansion of the Town of Samoa, Samoa Peninsula, Humboldt County, California", 6 p. letter report addressed to Mr. Sean Armstrong dated 2 June 2009 and signed by G.D. Simpson (CEG 2107).

3) SHN Consulting Engineers and Geologists, 2009, "Response to additional California Coastal Commission comments relative to Geologic Feasibility Reporting for the proposed expansion of the Town of Samoa, Humboldt County, California", 4 p. letter report addressed to Mr. Sean Armstrong dated 22 July 2009 and signed by G.D. Simpson (CEG 2107).

Reference (1) describes the geologic setting, site geology and seismic hazard environment with particular reference to liquefaction. References (2) and (3) were written in response to questions that Commission staff raised after review of reference (1). Specifically, a request was made to evaluate the potential impact of flooding and sea level rise over the next 100 years, future coastal erosion to be expected at the site over that time interval, and the effects of an elevated groundwater table (accompanying future rise in sea level) on susceptibility to liquefaction.

Future Sea Level Rise

To place the following review in context it is necessary to understand that Commission staff has asked the developer to evaluate the effects of future sea level rise by a "sensitivity analysis" approach; assuming a variety of future rates of sea level rise.

Tide gauge data from North Spit show the highest rates of relative sea level rise (~4.7 mm/yr) measured in coastal California [see

http://tidesandcurrents.noaa.gov/sltrends/sltrends_station.shtml?stnid=9418767]. Since this rate is much greater than the current global average eustatic sea level rise of about 2.9 mm/yr the land at North Spit evidently is subsiding at nearly 2 mm/yr. (It has, however, been a suggested that the tide gauge itself may be settling (Ray Weldon, cited in Verdonck, 2006), resulting in spurious data). This is in contrast to much of the coast between northern Humboldt County and central Oregon, which is undergoing uplift of up to 2 mm/yr (Verdonck, 2006). Taken at face value, however, the tide gauge data suggest that subsidence will exacerbate the effects of sea level rise at the Samoa Town site.

Reference (2), citing a tidal range at the site of 7.3 feet, concludes that "[t]herefore, the site would appear capable of tolerating 5 to 6 feet of sea level rise before coastal flooding would potentially infringe on the lowest elevation elements of the proposed developments." This argument is specious; the tidal range will be *superimposed* on rising sea level. What is just above flood level at a 7.3 foot tide today will be submerged at the same tide as sea level continues to rise.

Coastal erosion

Reference (3) describes the process of barrier bar development that accompanied the rise in sea level after the last glacial maximum. It states "these barrier bar features are the geomorphic response to the north coast's sediment-rich littoral system... [as] such, as long as sediment is abundant, this system would presumably persist." I concur with this statement when evaluated over geologic time, but on a shorter human time scale (such as the 100-year planning horizon assumed for Samoa Town) there will be periods of aggradation and of erosion as currents, waves, sediment, and local tectonics work together to shape the coast. Reference (3) cites a 1984 analysis by Mr. Don Tuttle that found that there has been little change in the morphology or width of the spit during the timeframe studied (1851-1984). I do not have available to me Mr. Tuttle's study, but it is known to Commission staff that North Spit has been suffering erosion in recent years. Indeed, the USGS National Assessment of Shoreline Change (also cited in reference 3) measured a maximum erosion rate of 2.7 m/yr at North Spit Beach over the interval 1956/1968 to 2002, just north of Samoa. This was the greatest erosion rate measured in the Eureka area. While it is true that the National Assessment actually measured a slight aggradation (accretion) at North Spit Beach over the longer interval 1854/1870 to 2002, the situation has clearly changed more recently given the 1956/1968 to 2002 data. Reference (3) also cites, but does not comment on, the California Climate Change Center Report "Impacts of Sea Level Rise on the California Coast" and the Philip Williams and Associates report "California Coastal Erosion Response to Sea Level Rise." The latter forms the basis of the erosion hazard mapping presented in the former. These reports estimate the increased erosion to be expected under sea level rise scenarios of 1.0m and 1.4 m by the year 2100, basing the amount of increased erosion on the proportional increase in historic erosion rates resulting from greater water elevations, operating over longer time periods, at the base of the dunes. On the published hazard maps, the Old Navy Base Road lies just at the margin of the "Erosion High Hazard Zone for year 2100" under a 1.4m sea-level rise scenario. The road and its utilities thus may be at risk by that time.

Liquefaction

Reference (1), using SPT data and computer modeling, determined that there was the potential for liquefaction of some soils at the site during periods of high ground water (e.g., during winter). Liquefaction was adequately addressed for the present in reference (1), but staff requested an analysis of the effects of sea level rise on the potential for liquefaction at the site. These effects were addressed in references (2) and (3). Reference (3), taking a conservative approach that ground water would rise at the same rate as sea level, concludes that "sea level rise would likely result in an increased amount of liquefiable sediment beneath the site. In the event of a strong, long duration earthquake following a substantial rise in sea level, the degree of liquefaction-related deformation, particularly differential settlement and lateral displacement, would increase."

As indicated in reference (1) and (3), however, mitigation for liquefaction could be accomplished through, for example, strengthened mat foundations. A more complete characterization of the extent of liquefiable soils, taking into account high ground water levels due to seasonal and sea level rise effects, will be necessary at the design and Coastal Development Permit stage of the development. I concur, however, that the liquefaction hazard at the site can be mitigated.

Tsunami

The potential for both local- and distant-sourced tsunamis related to either submarine landslide or a major earthquake on the Cascadia Subduction Zone has been well-studied in northern California. These studies are well summarized in the Safety Analysis Report (SAR) prepared by the Nuclear Regulatory Commission in conjunction with the licensing of an Independent Spent Fuel Storage Facility at the Humboldt Bay Power Plant (NRC Docket No. 72-77). Citing a line of pebbles at elevation 38 feet on the ocean-facing dunes of North Spit, taken to have been transported by the 1700 tsunami generated by last major Cascadia Subduction Zone earthquake, the report concludes that the North Spit was not overtopped by that event. Estimates of the maximum runup of paleotsunamis along the open coast range from a minimum of 26 to 33 feet in Lagoon Creek, Del Norte County, to a maximum of 66 to 69 feet in Orick. Estimated maximum ("worst case") runup also has been calculated by a number of workers. The SAR cites estimates ranging from 16 to 33 feet (above mean lower low water) for maximum runup at the entrance to Humboldt Bay (south end of North Spit). Most models predict that the tsunami height would decrease upon entering the bay, with maximum runup at the power plant of between 3 and 23 feet above mean lower low water. None of these estimates take into account tide stage (above mean lower low water), storm surge, or future sea level rise.

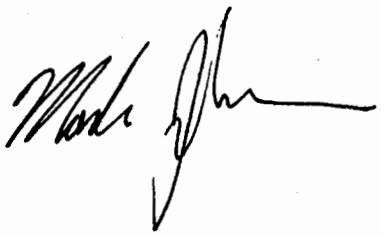
Conclusions

I feel that the extent and consequence of sea level rise have been downplayed in the reports I reviewed. In my opinion, the combination of the present high relative rate of sea level rise at the North Spit tide gage, and the documented coastal erosion of North Spit Beach indicate that flooding and coastal erosion are more hazardous at the site than portrayed in these references. I

feel that reference (3) does adequately describe the increased liquefaction hazard due to sea level rise. All of these hazards can be mitigated by a combination of design, planning and design.

I hope that this review is helpful. Please do not hesitate to contact me with any further questions.

Sincerely,



Mark Johnsson, Ph.D., CEG, CHG
Staff Geologist

COMMUNITY DEVELOPMENT SERVICES
PLANNING DIVISION
COUNTY OF HUMBOLDT
3015 H STREET
Eureka CA 95501

RETURN SERVICE REQUESTED

Important Public Hearing Notice

BOB MERRILL
CALIFORNIA COASTAL COMMISSION
710 E ST STE 200
EUREKA CA 95501-6813

EXHIBIT NO. 10
APPLICATION NO.
HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)
HUMBOLDT COUNTY PUBLIC HEARING NOTICE (1 of 2)

RECEIVED
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COASTAL COMMISSION

PUBLIC HEARING
BEFORE THE BOARD OF SUPERVISORS
OF THE COUNTY OF HUMBOLDT

On Tuesday, October 27, 2009 at **1:30 p.m.**, or as soon thereafter as the matter can be heard, the Humboldt County Board of Supervisors will hold a public hearing in the Board of Supervisors' Chamber, Humboldt County Courthouse, Eureka, California, to consider the matter listed below. Further information regarding the proposed project may be obtained from the Planning Division of the Humboldt County Community Development Services Department at 3015 H Street, Eureka, California 95501, telephone: (707) 445-7541 (Monday-Friday, 8:30 a.m. to 5:00 p.m.) Contact Person: Michael E. Wheeler, Senior Planner.

A General Plan Amendment & Zone Reclassification application, Case Nos. GPA-02-01 & ZR-02-02; **SAMOA PACIFIC GROUP,** applicant, File Nos. APN 401-021-29, 401-031-38, 401-031-39, 401-031-45, 401-031-46, 401-031-55, 401-031-59, 401-031-63 & 401-031-64; Samoa area. A General Plan Amendment (Local Coastal Plan Amendment), Zone Reclassification, Urban Limit Line extension, and interpretation of environmentally sensitive habitat areas (ESHA) for six (6) parcels making up the Samoa town site and encompassing approximately 171.7 acres. **This matter was heard and considered by the Board of Supervisors on February 26, 2008. This matter is now before the Board to adopt technical revisions to the previously adopted resolutions and ordinances which will then be transmitted to the California Coastal Commission. The effect of these wording changes is that the Board is concurrently adopting these changes to the Humboldt Bay Area Plan (HBAP) and implementing ordinances and that they will become effective upon certification by the California Coastal Commission. One additional change to the project is being considered. Section 3.17.B.3 of the HBAP is to be amended to add a requirement that a tsunami risk assessment be conducted for future subdivisions and development projects that could result in three (3) or more additional dwelling units within a potential tsunami run-up area. No other substantive changes to the previously**

(cont)

adopted amendments are proposed. The resolutions and ordinances adopt a proposed land use map for the Samoa town site by reconfiguring the boundary lines as shown on the proposed Samoa Town Master Plan land use map. The revised resolutions also address text amendments to the Humboldt Bay Area Plan that add the Natural Resource (NR) and Business Park (MB) land use designations to Section 4.10A, Urban Land Use Designations of the Humboldt Bay Area Plan, and map the urban limit line extension around the Samoa town site. THE PROJECT SITE IS LOCATED IN HUMBOLDT COUNTY, IN THE SAMOA AREA, ON BOTH SIDES OF NEW NAVY BASE ROAD, APPROXIMATELY 500 FEET SOUTHWEST FROM THE INTERSECTION OF NEW NAVY BASE ROAD WITH THE SAMOA BRIDGE, ON THE PROPERTIES KNOWN AS 920 AND 931 VANCE ROAD AND OTHER PROPERTIES AT THE SAMOA TOWN SITE INCLUDED IN ASSESSOR PARCEL NUMBERS 401-021-29; 401-031-38; 401-031-39, 401-031-45; 401-031-46; 401-031-55; 401-031-59, 401-031-63 & 401-031-64. NOTE: An Environmental Impact Report has been certified for this project pursuant to the California Environmental Quality Act (CEQA).

Any person may appear and present testimony in regard to this matter at the hearing. If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Board of Supervisors, at, or prior to, the public hearing.

Documentation to be filed on this matter for the official record **MUST CONTAIN AN ORIGINAL AND NINE (9) COPIES OF EACH DOCUMENT.** Documentation includes, but is not limited to: written correspondence, audio and video tapes, maps, photographs, and petitions. If possible, all documentation is to be submitted to the Clerk of the Board of Supervisors, Room 111 of the County Courthouse, 825 Fifth Street in Eureka, (476-2384), by noon on **Thursday, October 22, 2009,** for the documents to be placed in the Board's hearing packets. Otherwise, documents must be submitted during the public hearing on **October 27, 2009. FAILURE TO SUBMIT NINE COPIES WILL RESULT IN THE DOCUMENT/S NOT BEING PLACED IN THE OFFICIAL PUBLIC HEARING RECORD.**

DATED: October 5, 2009

Kathy Hayes,
Clerk of the Board

04-1667-01002

PHASE I
ENVIRONMENTAL SITE ASSESSMENT
FOR ASSESSOR'S PARCEL
NUMBERS 401-031-38, -44, -46, -55, -59, and –60
SAMOA, CALIFORNIA

February 2004

Prepared for:
County of Humboldt
Community Development Services
Economic Development Division
520 'E' Street
Eureka, CA 95501

EXHIBIT NO. 11
APPLICATION NO.
HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)
PHASE 1 ENVIRONMENTAL SITE ASSESSMENT (2/04)
(1 of 66)

Prepared by:
Winzler & Kelly Consulting Engineers
633 Third Street
Eureka, California 95501-0417
(707) 443-8326

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APPENDICES

Appendix A Figures

Appendix B Environmental Data Resources Radius Search

Appendix C Title Report

I. EXECUTIVE SUMMARY

Winzler & Kelly Consulting Engineers has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard Practice E 1527-00 for APN's 401-031-38, -44, -46, -55, -59, and -60, located in and around the town of Samoa, California (see Figures 1, 2, and 3).

The following definitions are part of the ASTM Standard and are used throughout the document.

Recognized environmental condition - The presence or likely presence of any hazardous substances or petroleum products on a property under conditions that indicate an existing release, a past release, or a material threat of a release of any hazardous substances or petroleum products into structures on the property or into the ground or groundwater, or surface water of the property. The term includes hazardous substances or petroleum products even under conditions in compliance with the law.

Historic recognized environmental condition – An environmental condition which in the past would have been considered a recognized environmental condition, but which may or may not be considered one currently. The final decision rests with the environmental professional and will be influenced by the current potential impact of the condition on the subject property.

De-minimus condition – An environmental condition that generally does not present a material risk of harm to public health or the environment and that generally would not be the subject of an enforcement action if brought to the attention of appropriate governmental agencies.

This Executive Summary lists the onsite and offsite recognized environmental conditions, the historic recognized environmental conditions, and the de-minimus conditions that were revealed by this Phase I Site Assessment. The sites where the environmental conditions occur are numbered and correspond to the sites shown on Figure 3 in Appendix A.

The opinions and conclusions sections describe the recognized environmental conditions that warrant further investigation through the implementation of an approved Sampling and Analysis Plan (SAPP). Not all of the recognized environmental conditions require further investigation and none of the historical recognized and de-minimus environmental conditions require further study. Findings, opinions, and conclusions are presented in Section VI of this document.

Onsite Recognized Environmental Conditions

Site 1	Lorenzo Shell station
Site 2	Samoa soccer field
Site 3	Lead based paint on houses
Site 4	Railroad easements
Site 5	Wastewater treatment system
Site 6	Unlined burn pit
Site 7	Refuse (teepee) burner
Site 8	Former chemical storage building
Site 9	Former oil Storage shed
Site 10	Garage

Site 11	Oily waste drum storage
Site 12	Fill debris
Site 13	Former rigging shop
Site 14	Garages, automotive storage
Site 15	Garages, automotive storage
Site 16	Hammond carrier house, boiler plant, industrial shops
Site 17	Asbestos containing materials, Samoa
Site 18	Pole mounted transformers

Offsite Recognized Environmental Conditions

Site 19	Hammond powerhouse stacks
Site 20	Co-generation plant stacks
Site 21	Pulp mill stacks, soil/groundwater investigations

Historic Recognized Environmental Conditions

Site 22	Machine shop UST, RWQCB Case # 1NHU764
Site 23	Spray booth PCP spill, RWQCB Case # 1NHU764
Site 24	Chip dump UST, RWQCB Case # 1THU013
Site 25	2-10,000 gallon AST, RWQCB Case # 1THU764
Site 26	2 ASTs, HCDEH File #94.2
Site 27	Railroad Roundhouse
Site 28	Dredge spoils disposal pit

De-minimus Condition

De-minimus conditions are conditions which have been determined by this report to not present a material risk of harm to public health or the environment.

II. INTRODUCTION

A. Purpose

The County of Humboldt Community Development Services, Economic Development Division contracted Winzler & Kelly Consulting Engineers to perform a Phase I Environmental Site Assessment (ESA) for the Samoa Peninsula Brownsfields Assessment Pilot Project. The target properties are in and about the town of Samoa, California, and consist of APN's 401-031-38, -44, -46, -55, -59, and -60. This assessment was performed to identify and characterize potential contamination that may impact or influence proposed development of the Samoa Peninsula project site. This assessment was also performed to satisfy requirements for the Brownsfields Redevelopment Grant and to satisfy the appropriate inquiry requirements in support of an innocent landowner defense should such defense become necessary in the future.

Winzler & Kelly has performed the environmental assessment of the site in general accordance with the ASTM Standard No. E1527-00 *Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process.* The investigation included the following elements:

1. Physical site inspections;
2. Review of historical aerial photographs and available maps;
3. A radius search of the property and surrounding areas for federal, state, and local environmental or hazardous materials listings;
4. Literature review;
5. Records review: Humboldt County Division of Environmental Health,
6. Observation of surrounding land use;
7. Telephone and personal interviews.

B. Methodology Used

Winzler & Kelly generally followed the ASTM Standard E1527-00 in the performance of this ESA and the preparation of this report. The purpose of the ASTM Standard is to define good commercial and customary practice for conducting an environmental site assessment of commercial real estate with respect to the range of contaminants within the scope of the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) and petroleum products.

C. Terms and Conditions

To achieve the study objectives stated in this report, we based our conclusions on the best information available during the period of the investigation and within the scope of services prescribed in the agreement.

Professional judgment was exercised in gathering and analyzing the information obtained, and we commit ourselves to the usual care, thoroughness, and competence being practiced in the engineering profession at the time of this work. No investigative method can completely eliminate the possibility of obtaining partially imprecise or incomplete information. Thus, we

cannot guarantee that the investigations completely defined the potential for any contamination by hazardous or otherwise harmful substances described in the report or, if no such contamination is found, its absolute absence.

This report complies with requirements defined in ASTM 1527-00. Only legal counsel retained by the property owners is competent to determine the legal implications of any information or conclusions in this report for the property owner.

Winzler & Kelly is not responsible for any effect upon the legal rights, obligations, or liabilities of any party or for any effect on the financeability, marketability, or value of the property investigated in the study or for the occurrence or non-occurrence of any transaction involving the property.

This report was prepared for the exclusive use of County of Humboldt, Community Development Services, Economic Development Division. Winzler & Kelly is not liable for any action arising out of the reliance of any third party on the information contained within this report.

III. SITE DESCRIPTION

A. Location and Legal Description

The project site is the town of Samoa, California, and several surrounding parcels located on the Samoa peninsula, Humboldt County, California. The Assessor's Parcel Numbers included in this assessment areAPN's 401-031-38, -44, -46, -55, -59, and -60. Figure 1, Appendix A is the Location Map. Figure 2, Appendix A is a street map of Samoa; Figure 3, Appendix A is a Site Aerial Photo Base Map, with current parcel boundaries and the locations of environmental conditions overlain.

B. Site and Vicinity Characteristics

The subject parcel is currently owned by the Samoa Pacific Group, LLC. The property is located on the Samoa Peninsula, south of the Highway 255 (Samoa) Bridge. Samoa is a former company lumber mill town. The town is located in coastal sand dunes on the elongated north spit which separates Humboldt Bay and the Pacific Ocean. The town is bordered on the east and south by current and former industrial lumber mill facilities. Largely undeveloped coastal dunes exist to the north and to the west. The subject parcels include the town of Samoa and former industrial (mill) properties directly adjacent to the east and south APN's 401-031-055 and -60.

The parcel along the east side of the railroad line, APN 01-031-55 encompasses current and former mill/industrial facilities, largely including the former Hammond mill complex and succeeding mill operations. That parcel is zoned as Coastal Dependant Industrial. The parcels between the railroad line and New Navy Base Road, APN's 401-031-60, -59, and -46, are zoned as MG-Industrial General. The parcel west of New Navy Base Road, APN 401-031-44, is zoned as NR-Natural Resources.

C. Description of Structures, Roads and Other Improvements on the Site

The streets in Samoa are shown on Figure 2, Appendix A. Vance Avenue through Samoa was the main thorough-fare until New Navy Base Road was constructed along the west side of Samoa sometime in the late 1960's.

Most of the town of Samoa is located east of New Navy Base Road and west of Vance Avennue, with a portion of the town located east of Vance Avenue and west of North Bayview Avenue. There are presently approximately 98 dwelling units, generally as located on APN 401-031-46. The residential areas also include a playground, tennis courts, soccer field, and basketball courts. The southerly portion of APN 401-031-46, and parcels 401-031-59 and –60, extending southward, are currently vacant lots previously used for the storage of dry stack lumber and as log decks. A portion of APN 401-031-59 contains the oxidation pond and percolation basin for the eastern Samoa wastewater treatment system. The Peninsula Union elementary school is located on APN 401-031-16, which is located immediately north of the subject parcels.

The former storehouse/fire station, former gasoline station, and the current post office are located in a central 'downtown' area, as are a large 'carpenter shop', which is currently used for town maintenance, and 'bus garage'. The Samoa Cookhouse restaurant and a gift shop are located on

APN-4012-031-38. A long established railway line runs between the residential and downtown section of Samoa and the industrial parcels to the east. That area is primarily an open, paved vacant lot now; previous mill facilities have largely been removed from the site.

D. Current Uses of the Property

Dwelling units and recreational amenities in Samoa are currently occupied and used by tenants. The restaurant (Samoa Cookhouse) and the gift shop are open for business. The former carpenter shop is used by Danco Construction Company (Samoa Pacific Group, LLC) for town maintenance work. The bus garage is used by the Peninsula Union School. The Hostelry is operated as a hotel. The fire station is used for fire services. The gasoline station is vacant, as is the storehouse. A portion of otherwise vacant industrial land to the east (APN 401-031-60) is used to house one of the waste water bark filter banks, under cover of a former drying kiln. Other portions of the parcel are used as a construction marshalling (corporation) yard, and for lumber storage. Adjacent and northeast of the subject parcels, the former 'machine shop', 'railroad roundhouse' and associated repair shops are located on adjacent parcel APN 401-031-55, -56, and -58. These buildings are not in use at this time.

E. Past Uses of the Property

In 1892, the Samoa Land and Improvement Company bought 270 acres of land in Samoa, including waterfront land, to promote development of Samoa as a town. In 1893, Vance Redwood Company bought the property, built a sawmill, and extended railroad service to Samoa. In 1900, A.B. Hammond bought Vance Redwood Company, including the sawmill, dry kilns, and two logging camps, establishing a large sash & door factory. In 1912, Hammond Lumber began purchasing the town site and constructing company houses. Hammond continued to operate the mill, adding a planing mill, molding plant, sorter sheds, warehouses, shops, and steamship dockage. A ship building plant was established along the waterfront and built several ships during World War I. This plant was demolished by 1924. By 1924, Hammond Lumber Company completed the purchase of all the houses in Samoa and managed the entire town.

In 1956, Georgia-Pacific Lumber Company bought the town and mill from Hammond. A new plywood mill was finished by 1959. In 1963, construction began on a 500-ton per day bleached Kraft pulp mill just south of Samoa, which was operational between 1965 and 1968. In 1973, Georgia-Pacific divested ownership of the Samoa facilities to Louisiana-Pacific, who then managed the town. In 1998, the pulp mill, Samoa, and adjacent industrial lands were bought by Simpson Timber Company. In 2001, 65 acres, including the town of Samoa, was bought by the Samoa Pacific Group, LLC., and in September of that year, they completed the purchase of an additional 150 acres of adjacent dune and industrial land.

F. Current and Past Uses of Adjoining Properties

The adjoining properties to the northeast (APN 401-031-56 and 58) and east (APN 401-031-55) were occupied by mill buildings and operations dating back to the turn of the century. Land to the south, portions of APN's 401-031-46 and APN 401-031-59, were primarily undeveloped dune lands until portions of the land were further developed for mill use, primarily for lumber and log storage, beginning in the late 1950's.

Bulk AST fuel oil tanks dating back to a least 1923 were located on APN 401-031-56, along the northern edge of the mill complex , northeast of the Samoa Cookhouse site. Several other AST's and various facilities for vehicle lubricating and washing were located several hundred feet further to the northwest, on APN 401-031-56. The facilities are now vacant and are being evaluated for fuel releases.

A railroad roundhouse, with associated car shop, car shed, boiler shop and tin shop were also located on APN 401-031-58, just northeast of the cookhouse, dating back to at least 1916. With the exception of the car shed, these building remain, and were later used for truck repair facilities (Branco, 2004). The facilities are vacant at this time. A former mill machine shop with associated backsmith shop dating to at least 1923 is located just east of the cookhouse, on APN's 401-031-55 and -58. A Hammond Lumber Company refuse (teepee) burner was located southeast of the cookhouse, on APN 401-031-55. Other original Hammond mill facilities formerly located on this parcel and the adjacent APN 401-031-40 included a power plant, boiler plant, planing mill, carrier house, and various other mill buildings dating back to the turn of the century (1900). Almost all of the previous old mill buildings and facilities have been since demolished. The original Hammond mill was demolished (burned) in 1966. A dock and warehouse facilities were historically located along the shoreline on APN 401-031-40. The dock and some warehouse facilities remain in use. In 1963 the Georgia–Pacific plywood mill was built on APN 401-112-13, south of Samoa, and just south of the subject parcels. Newer mill operations were also built and operated further south along APN 401-031-61, and have subsequently been removed in recent years, including the Simpson co-generation plant and an additional greenchain facility. Parcel APN 401-031-55 is now largely vacant.

By 1963, construction began on the pulp mill located ¼ to ½ mile south of Samoa on APN 401-112-13 and -14. The pulp mill began operations as a kraft process pulp mill in 1965, and it operated as such until 1994, when the pulp mill converted to a totally chlorine free (TCF) process, with operation continuing to the present.

Parcel 401-031-44, located west of Samoa, is open coastal dune land adjoining the Pacific Ocean. A parking area for coastal access, a water pumping facility, and water lines of the Humboldt Bay Municipal Water District are located on this otherwise vacant parcel, as is the leachfield for the western portion of the Samoa wastewater treatment facility.

Portions of APN 401-031-58 and -48, located north of the Cookhouse Road entry to Samoa, have been used as a site for the disposal of bay dredge material, generally from the LP dock on APN 401-031-40. Reportedly, household garbage was collected from Samoa and disposed in a location along the northerly edge of the current spoils disposal site, on APN 401-031-48, possibly now covered by New Navy Base Road.

IV. RECORDS REVIEW

The records review portion of the ESA included a search of available Federal, State and County records, examining historical aerial photos, and interviewing private citizens with knowledge of the sites and historic uses.

A. Standard Environmental Record Sources, Federal and State

A search of State and Federal environmental records on the subject site and on all properties within the appropriate search radius was compiled by Environmental Data Resources, Inc. (EDR), dated January 7, 2004, and reviewed by Winzler & Kelly for reference. See Appendix B for the entire EDR Report. A search radius of one mile from the approximate center of the target site (Samoa) was used for the search of all database lists required by ASTM Standard E1527-00. Inasmuch as the search radius was performed from the center of the subject property, search distances for Federal CERCLIS, RCRA, and non-CORRACTS TDS facilities, and State CERCLIS, SWD landfill, and UST sites were expanded to 1 mile over the standard radius of 0.5 miles. The radius search included queries of databases maintained by the following agencies for the listed records:

Agency	List	Record Type
U.S. EPA	NPL	Superfund Sites on the National Priorities List
U.S. EPA	Proposed NPL	Proposed Superfund Sites to be added to the National Priorities List
U.S. EPA	CERCLIS	Comprehensive Environmental Responsibility Compensation, and Liability System, a database listing of sites for potential cleanup under CERCLA
U.S. EPA	CERCLIS-NFRAP	CERCLA System, a database listing of sites where No Further Remedial Action is Planned under CERCLA
U.S. EPA	CORRACTS	A database listing of hazardous waste handlers with RCRA Corrective Action Activity
U.S. EPA/ NTIS	RCRIS	Resource Conservation and Recovery Information System
U.S. EPA/ NTIS	ERNS	Emergency Response Notification System
U.S. EPA Regional Offices	CONSENT	Superfund (CERCLA) Consent Decrees of major legal settlements that establish cleanup standards at NPL sites
NTIS	ROD	Records Of Decision documents mandating a permanent remedy at an NPL site

Agency	List	Record Type
U.S. EPA	De-listed NPL	Sites deleted from the National Priorities List
U.S. EPA	FINDS	Facility Index System/ Facility Identification Initiative Program Summary Report
U.S. Dept. of Transportation	HMIRS	Hazardous Materials Information Reporting System
Nuclear Regulatory Commission	MLTS	Material Licensing Tracking System
Dept. of Labor, Mine Safety & Health Admin.	MINES	Mines Master Index File
U.S. EPA	NPL LIENS	Federal Superfund Liens
U.S. EPA	PADS	PCB Activity Database System
U.S. EPA	DOD	Department of Defense sites
U.S. EPA	RAATS	RCRA Admin. Action Tracking System
U.S. EPA	TRIS	Toxic Release Inventory Database Facilities with toxic chemical releases and inventories
U.S. EPA	TSCA	Toxic Substances Control Act listing of manufacturers & importers of TSCA listed substances.
U.S. EPA	SSTS	Section 7 Tracking Systems
U.S. EPA	FTTS	Federal Insecticide, Fungicide, & Rodenticide Act/ TSCA tracking system
California EPA	AWP	Annual Workplan Sites listing of known hazardous substances sites targeted for cleanup
California Dpt. of Toxic Substances Control (DTSC)	CAL-SITES	Calsites database of potential or confirmed hazardous substance release properties
California Ofc of Emergency Svcs	CHMIRS	California Hazardous Material Incident Report System
California EPA	CORTESE	Hazardous wastes and substances site list
California State Water Resources Control Board (SWRCB)	NOTIFY 65	Proposition 65 Notification Records
California EPA	TOXIC PITS	Toxic Pits cleanup facilities

Agency	List	Record Type
California Integrated Waste Mgt. Board	SWLF/LF (SWIS)	Active and inactive sanitary landfills and Management Board disposal facilities
California State Water Resources Control Board	WMUDS/SWAT	Waste Management Unit Database System
California State Water Resources Control Board	LUST	Leaking underground storage tanks
California Dpt. of Health Services	CA BOND EXP. PLAN	Bond Expenditure Plan sites
California Dpt. of Health Services	VCP	Voluntary Clean-up Program Properties
California State Water Resources Control Board	UST/AST	Sites with registered underground or aboveground storage tanks
California EPA	CA FID UST	Facility Inventory Database listing of historical active and inactive UST sites
California State Water Resources Control Board	HIST UST	Hazardous substance Storage Container Database listing of historical UST sites
U.S. EPA	Indian USTS	Underground Storage Tanks on Indian lands
CA State Water Resources Control Board	AST	Aboveground petroleum storage tank facilities
California Dpt. of Toxic Substances Control (DTSC)	CLEANERS	Database of dry cleaning facilities with EPA ID numbers
California State Water Resources Control Board	CA WDS	Database which have been issued waste discharge requirements
California Dpt. of Toxic Substances Control (DTSC)	DEEDS	Database of recorded land use restrictions
SWRCB	NFA	No further Action Determination

Agency	List	Record Type
CA DTSC	EMI	Emissions Inventory Data
SWRCB	REF	Unconfirmed Properties Referred to another Agency
DTSC	SCH	School Property Evaluation Program
SWRCB	NFE	Property Needing Further Evaluation
California EPA	HAZNET	Database of information from hazardous waste manifests received at DTSC
California Regional Water Control Boards	CASLIC	Database listing of Spills, Leaks, Investigation & Cleanup cost recovery sites
Real Property Scan, Inc.	Coal Gas	Database listing of former coal gas manufacturing sites

The EDR Report's mapped location of the subject property center is noted by a star on its Overview and Detail maps. The subject property is the town of Samoa, APN's 401-031-38, -44, -46, -55, -59, and -60, as located in and adjacent to the town of Samoa, California. The EDR search indicated several database listings for the subject property.

Federal and State databases were examined for all sites existing within a 1-mile radius of the subject parcels. The EDR Report identified numerous sites within the 1 mile search radius which appear on one or more of the databases. This section of the Phase I ESA will summarize and clarify the identified listings and sites.

The EDR database search identified a HIST UST database site within the subject property, however, the site, designated as site "1" by EDR, was incorrectly located on the EDR maps. The site is the former Lorenzo's Shell station at the southeast corner of Vance Avenue and Cutten Streets in Samoa (APN 401-031-46). The case file with the Humboldt County Division of Environmental Health (HCDEH) LOP# 12800 is currently open. A site investigation has indicated the presence of fuel contaminants in the soil and groundwater of the site.

Resource Conservation and Recovery Information System (RCRIS) files within a 1 mile radius of the subject site were searched for large quantity generators (LQG) of hazardous wastes yielded one listing for Resource Conservation and Recovery Act (RCRA) hazardous waste sites. EDR identified a listing on the RCRIS, RCRA, and FINDS databases for the Simpson Samoa Industrial at Vance Avenue and Ride Out, in the town of Samoa as site "B". The location of this listing is in error. The entry refers to the permitted and documented abatement, shipment and off-site disposal of asbestos and asbestos containing building materials from the demolition of the Simpson Samoa co-generation plant on an adjacent parcel APN 401-031-40, located south of the subject parcels. However, the project also involved the abatement of connecting steam piping to one or more drying kilns on subject parcel APN 401-031-60. The remainder of the project included the removal of additional steam lines from the co-generation plant on APN 401-031-40 to the planing mill complex on APN 401-112-13 further south, which is also not in the subject area. This site reference also appears on the HAZNET list.

The EDR report included ERNS database listings within 1 mile, for the Samoa Pulp Mill at 1 LP Drive. Due to address errors, the EDR report incorrectly identified the following sites as being within the town of Samoa (<1/8 mile radius) and incorrectly listed these as site "A" on their report maps. These sites are located within a 1 mile radius, at the LP plant site south of the subject property.

Samoa Pulp Mill 1 LP Drive.	3/9/90, PCB spill in contained capacitor building. A contractor was called in for clean-up.
Samoa Pulp Mill NR 1 LP Drive	11/30/96, Lube oil spilled (to water) from damaged hydraulic line. Cleanup complete.
Samoa Pulp Mill	8/27/93, 860 gallons of green liquor (acidic solution), spilled to ocean through valve malfunction, 440 gallons neutralized.
Samoa Pulp Mill	8/27/93, 8,000 gallons of green liquor (acidic solution) discharged to ocean, 7,200 gallons neutralized.
Samoa Beach	9/25/90, approx. 30-1 in. diameter grey & tarry balls washed up on beach, not tar balls. USCG and County Hazmat investigated. No further comments.

FINDS, the Facility Index System includes "pointers" to various other databases. The RCRIS asbestos case above (Simpson Samoa Industrial Site, asbestos abatement) was also included in this database list.

The FINDS list also includes the Samoa Landfill Site, for disposal of pulp mill ash process waste at the former LP pulp mill. This site is also referred to as the LP Samoa SWDS, which also appears on WMUDS/SWAT. The mill address is within the project search radius, however, the landfill site is located approximately 1.5 miles south of the subject properties and is outside of the search radius.

CORTESE listing of sites within 1 mile yielded a reference to the LP Samoa Pulp Mill. This is in reference to known UST and other sites with detectable levels of contamination. This site is identified elsewhere in this report.

HIST UST listing of UST sites yielded a reference to the Lorenzo Shell station at the corner of Vance Avenue and Cutten Street within the subject area.

CA WDS (Waste Discharge Systems) listing yielded the following within a 1 mile search radius. CA WDS site listings include the Simpson Timber CSD (Community Service District) in Samoa, for the Samoa wastewater treatment system. The CA WDS listing also includes the former LP pulp plant site which discharges liquid process wastes to the Pacific Ocean west of the LP plant under permit from the North Coast Regional Water Quality Control Board (NCRWQCB). The waste originates at the pulp plant, which is within the 1 mile search area, but the actual discharge point into the Pacific Ocean is outside of the search radius.

The EDR search referenced various sites which EDR could not map due to inadequate address information. See the EDR Report, Executive Summary page 6 (Appendix B).These site are further described by city designations on the EDR "Orphan Summary" listed on the EDR report, Executive Summary page 10, which eliminates many of the sites from the search radius. The relevant sites referenced by EDR are summarized in this report.

The EDR database search included listings under numerous databases for Simpson Timber Company, using several other names as well (Simpson Samoa Wood Mill, Samoa Redwood Machine Shop, Simpson Timber Company Samoa Planing Mill). These listings include LUST, Cortese, CERC-NFRAP, FTTS INSP, AST, CA SLIC and HAZNET designations. The sites were not mapped by EDR due to incomplete addresses and information. The following investigations on Simpson Timber Company properties have been identified by Winzler & Kelly for this report.

- Regional Water Quality Control Board, North Coast Region (RWQCB) case #1NHU764 (HCDEH file # 94.1). Two 10,000 gallon AST's were removed from an historic industrial fueling site location on APN-401-031-56. Hydrocarbons have been reported in the soil and groundwater of the site and the site is pending further delineation. The same investigation also mapped the presence of two additional AST's, an oil/water separator, a skimmer discharge location, and a sump pump adjacent to a mechanics ramp located approximately 200 feet southwest of the former horizontal AST's. Reference is also made to an oil storage shed and a pressure washer in this immediate vicinity. The same investigation also mapped the presence of a former boiler fuel tank located approximately 250 feet to the northwest of the horizontal AST's. As further noted in the record, a 1,000 gallon UST was removed from a location due east of the machine shop in 1999 on APN 401-031-56. The case for this particular UST was subsequently closed after remedial actions, however, the case file on this Simpson Timber Company parcel remains open pending investigations of other locations under this file.

- The RWQCB case #1NHU764 also included an investigation of a PCP spill inside a spray booth of the "planing mill" complex, located on APN 401-112-13. The PCP investigation was closed on July 7, 2002, after remedial excavation, with No Further Action Required.

The EDR database search also included listings under numerous databases for the LP Pulp Mill site, as also listed under several other names (Samoa Pulp Mill Samoa Pacific Cellulose, LLC.). The pulp mill is located between ¼ and ½ mile south of the subject properties. These listings include LUST, FTTS INSP, AST and HAZNET designations. The sites were not mapped by EDR due to incomplete address and map information. The following research of HCDEH files was performed on these site listings by Winzler & Kelly.

- LP Samoa Pulp Mill, #1 LP Drive, Chip Dump UST, located on APN 401-112-14. An investigation was performed on a UST. After remedial excavation, this specific UST site was closed with No Further Action required as of September 2003, however, other investigations on the parcel are ongoing.

- An investigation of the pulp mill site (aka Samoa-Pacific Cellulose) is ongoing as RWQCB case #1NHU892 (HCDEH file # 89.2). The pulp mill site contains various UST's, AST's, and chemical storage facilities.

- The LP Samoa SWDS listing is in reference to the former LP pulp mill plant solid waste disposal site for ash products, which is located at the extreme north end of the pulp mill property APN 401-111-11, and is outside of the 1 mile search radius. This site is under permit oversight of the RWQCB.

HAZNET listings include hazardous waste manifests as received by the California DTSC (Department of Toxic Substances Control). A reference to Crowley Marine Services oil spill at the former LP dock appears on the HAZNET listing. This case is also included on the HCDEH Spill Report/Proposition 65 Notification List below.

A Spill Report/Proposition 65 Notification List was obtained from the HCDEH by Winzler & Kelly. This list included sixteen spills of various materials at the Samoa Pacific Cellulose (aka, Stockton Pacific Enterprises) Pulp Mill site which were reported from 1997 to the present, under several ownership names. Six spills were of hydrocarbons, six were of industrial acid or caustic chemicals, and four were of liquid "liquor" waste spills or discharges. These spills were either contained, cleaned-up or are otherwise deemed de minimus in quantity, nature, extent, and potential effect on the subject properties

B. Historical Aerial Photographs

The Humboldt County Department of Public Works, Natural Resources Division maintains a collection of local aerial photographs, at approximately five-year intervals. Aerial photographs between the years of 1939 and 1989 were reviewed from this source. A 2001 aerial photograph prepared by Kelly-O'Hern Associates was also reviewed. The following is a summary of aerial photograph review for the subject properties.

Aerial Photo Review

Aerial Photo Year	Location	Description
1939	Samoa	Hammond Lumber Mill and town of Samoa, extensive mll operations along waterfront, with bay log ponds extending north of site past current Samoa Bridge, including 5-6 bldgs where Samoa Bridge now exists, also incl. homes that now still exist along Vance Avenue just north of the bridge. Also visible; 5 garages at oil pit site prior to soccer field, 2 bulk fuel AST's, gas station, teepee burner, oil house, powerhouse, train roundhouse/shops, possible burn pit.Also including the carpenter/bus garage, and likely all Samoa residential bldgs., including the cookhouse and related adjacent lodging bldgs. Various mill shops/buildings and dry kilns. Presumed stock pens at NW corner of town.
1941	Samoa	Hammond Lumber Mill, no obvious changes from 1939.

Aerial Photo Year	Location	Description
1948	Samoa	Hammond Lumber Mill, no obvious changes from 1941 except gas station at Cutten and Vance appears expanded.
1954	Samoa	Hammond Lumber Mill, development of lumber dry stacks along south side. Tennis courts in Samoa visible .
1958	Samoa	Georgia Pacific Lumber Mill (ownership change), large drying kilns visible east of town center (reportedly built in 1955), more development of dry stack units west of Vance Avenue and south of Samoa houses.
1962	Samoa	Georgia Pacific Lumber Mill, plywood plant constructed immediately south of complex, dry stack units expanded west of Vance Ave. Peninsula school visible. Two bermed horizontal AST's are visible in old fueling area north of bulk AST's (north of roundhouse).
1966	Samoa	Georgia-Pacific Lumber Mill, mill operations expand immediately adjacent (west) of the plywood mill along south end of complex, log decks appear to replace previous dry stacks SE of Vance avenue. Greenchain bldg present (15). Sewage treatment ponds may be visible. Large lodgings just west of cookhouse are absent, bay log ponds are also absent. Pulp mill complex developed along south end of mill.
1974	Samoa	Louisiana-Pacific mill (divested from G-P), New Navy Base Road developed, pulp mill complex expands along south side of previous operations, little or no lumber visible in previous dry stack units west of Vance Avenue, extensive log decks visible SE of Vance Avenue (adjacent mill bldg), 2 of 5 garages absent along oil pit site. Previous door/sash and other original Hammond mill shops now gone. Landfill (dredge spoils site) operations evident north of Samoa. Samoa Bridge evident, approx 6 old bldgs removed just west of shoreline where bridge enters Samoa peninsula.
1981	Samoa	LP Plant, boiler plants operating on north side of complex, greenchain bldg no longer visible, some utilization of dry stack storage west of Vance Ave. .
1983	Samoa	Chip piles and log decks developed adjacent to the mill, very little lumber in dry stack storage west of Vance Avenue.
1989	Samoa	L-P Plant., very extensive log decks in former dry stack areas southest and west of Vance Ave., some lumber storage in central section of original mill site, west of dock.. The dredge spoils disposal site north of Cookhouse Road appears expanded to the north. Many older mill bldgs removed from the old mill site west of the dock.
2001	Samoa	L-P power plants being demolished, No visible logs or lumber in storage area west of Vance Ave., minor lumber storage SE of Vance Avenue, extensive chip pile adjacent plant, several drying kilns removed.

C. Historic Documents

Town/mill plan sheets of the Hammond Lumber Company, dated 1916 and 1923 were reviewed. Various oblique, air, and ground photographs belonging to Mr. Daniel Branco were reviewed, as were historic photographs on file with the Humboldt County Historical Society. The location of some historic features and environmental concerns discussed in this report were noted and verified from these documents and photographs.

D. Chain of Title

A Chain of Title or a Title Report is typically utilized for Phase I ESA's to identify past ownership and any possible environmental liens on the subject property. In this case, a Policy of Title Insurance (PTI) dated December 13, 2000 was issued by First American Title Insurance Company for the last property transaction, to Samoa Pacific Group, LLC. The Policy did not indicate any environmental liens on the property at that time. Mr. Phil Kagel, president of First American Title Company, which performed the PTI dated December 13, 2000, stated that, in his thirty years of experience in the field of title searches, he had never encountered an environmental lien (pers. comm.). This ESA considers the existing PTI, dated December 13, 2000, to be adequate for the purposes of determining the status of enviromental liens on the subject parcels, and a subsequent title search was not performed. Numerous easements are described in the PTI dated December 13, 2000, which is included in Appendix C.

V. SITE RECONNAISSANCE AND INTERVIEWS

A. Site Reconnaissance

Winzler & Kelly conducted a site reconnaissance of external areas on January 14 and 16, 2004. An additional site reconnaissance was conducted on January 19, 2004, as accompanied by Mr. Dan Janney of Danco Construction Company, which included interviews with Mr. Janney on site features and entry to various site buildings. During the course of the January 19 investigation, Mr. Ray Craig was also interviewed. Mr. Craig has been a Samoa resident since 1963 and is the assistant Fire Chief of the Samoa Fire Department.

The gymnasium, the Fireman's Hall, the recreation hall (former storehouse), the Hostelry, Lorenzo's Shell station and associated outbuildings, the maintenance/wood shop, the bus garage, and residences at #1 Rideout Street and #12 Vance Avenue were entered on January 19, 2004 for investigation. Portions of the crawl space and exterior of the Samoa Cookhouse were also investigated.

Observations for the presence of mold growth, lead based paint, and asbestos-containing materials (ACM) are not required for Phase I Environmental Site Assessments performed according to the ASTM standard, however, a preliminary evaluation of these items is included in this report, as noted by cursory observations during the site investigation of January 19, 2004.

Mold growth and water damage to ceilings was noted in various locations throughout the former storehouse and fire department building. The mold growth is believed to be associated with water damage resulting from roof leaks.

The presence of potential asbestos-containing materials in the various buildings may include, but is not limited to, vinyl and linoleum flooring, duct joint taping, joint compound/sheetrock, drywall texturing, baseboard mastic, carpet mastic, acoustic ceiling tiles, mastics, and roofing. In particular, such materials which have been used for renovations and repairs since the original construction of the homes and buildings are particularly suspected as possible asbestos containing materials (ACM). The larger community and commercial buildings in Samoa extensively utilized plaster and/or wood for interior walls, ceilings and flooring while the use of drywall materials, which may contain ACM, was relatively limited. Friable asbestos for thermal system insulation was not noted during this cursory investigation. Two disconnected room radiators were noted in the Fire Department building, however, evidence of a boiler system or of thermal system insulation was not noted. The assistant Fire Chief stated that the homes throughout Samoa historically utilized wood heat (free standing stoves) and/or electric heat, and that steam systems were not utilized in residences and buildings.

Eighteen pole-mounted transformers were noted throughout the town site. No indications of leaking oil was apparent.

B. Interviews

Seven individuals were interviewed with regard to the site history and past activities on the site. The names of the individuals interviewed are:

Mr. Dan Janney, Danco employee
Ms. Kasey Ashley, Regional Water Quality Control Board (RWQCB)
Mr. Jason Davis, North Coast Unified Air Quality Control District
Mr. Robert Ricci, Envir. Manager, Simpson Timber
Mr. Thomas Elfers, Controller/Housing, Simpson Timber
Mr. Daniel Branco, former LP employee and Samoa resident
Mr. Ray Craig, Samoa resident, Samoa Ass't Fire Chief
Mr. Phil Kagel, First American Title Company

The following information was revealed during interviews with regard to the subject property:

- A mill burn pit was located on APN 401-031-60, just south of Vance Avenue and used to burn scrap lumber. The pit has since been filled (Branco, 2004).
- Drummed oil wastes were historically stored adjacent to the bus garage and carpenter shop in Samoa Branco, 2004).
- An open oil pit existed on APN-401-031-56 adjacent to the two large vertical bulk oil storage tanks located north of the roundhouse. The pit may have formed from uncontained spills (Branco, 2004).
- A greenchain facility was located in the original Hammond mill site, and was built largely over the tideland waters, as were other parts of the Hammond mill. That greenchain, and a later greenchain used by GP and LP located south along APN 401-031-60 were used to process redwood and were not known to process lumber treated with fungicides, pesticides, or preservatives.
- A truck repair shop was located in the former railroad shop buildings adjacent to the roundhouse and operated after railroad repair activities ceased (Branco, 2004).
- Household garbage in Samoa was routinely collected and disposed in a dump site located north of Samoa, along the northern side of the current dredge spoils disposal site. It is believed that much of the disposal site is now covered by New Navy Base Road (Branco, 2004).

C. Other Documents Reviewed

The "Results of Soil and Groundwater Investigation for the Soccer Field, Former Service Station, and Chemical Storage Areas in the Town of Samoa, California", by SCS Engineers, October 17, 2003 was reviewed for information regarding the initial soil and groundwater sampling of Lorenzo' Shell Station and the adjacent chemical storage building, and the Samoa Soccer Field site. Excerpts from the "Samoa Town Master Plan Administrative Draft EIR" were reviewed in regards to the reported presence of hazardous materials in the subject area, and

specifically, lead based paint. The "Wastewater Treatment and Disposal Study for the Town of Samoa", by Winzler & Kelly, July 1996 was reviewed for information pertaining to the Samoa wastewater treatment system. The U.S. Geological Survey publication "Ground-Water Conditions In The Eureka Area, Humboldt County, California, 1975" was also reviewed for information on groundwater along the north spit of Humboldt Bay (Samoa area).

VI. FINDINGS, OPINIONS, AND CONCLUSIONS

A. Findings

Winzler & Kelly has performed a Phase I Environmental Site Assessment (ESA) in general conformance with American Society for Testing and Materials (ASTM) Standard No. E1527-00 for the subject properties which include APN's 401-031-38, -44, -46, -55, -59, -60 located in and around the town of Samoa, California. This section summarizes potential environmental conditions that were found to be associated with the property. They are categorized as onsite, recognized environmental conditions, offsite recognized environmental conditions, offsite historical environmental conditions, and de- minimus conditions.

The numbered sites below correspond to the numbered locations on Figure 3, Appendix A.

Potential Recognized Environmental Conditions at Onsite Locations

Site 1 — There is an active UST investigation of the former Lorenzo's Shell station at the SW corner of Cutten Street and Vance Avenue in Samoa (APN 401-031-46). Petroleum contaminants have been found in the soil and groundwater of the site.

Site 2 — Petroleum contaminants have been found in the soil and groundwater beneath the current soccer field located near the intersection of Rideout Street and Vance Avenue in Samoa (APN 401-031-46). The investigated area was reportedly the site of former oil dump pits.

Site 3 — The presence of lead-based paint in dwellings, buildings and soil has previously been confirmed by testing completed by the Louisiana-Pacific Corporation (LP).

Site 4 — A railroad line easement (APN 401-031-14) for tracks runs through the subject properties and dates back to 1911. Creosote-treated ties, petroleum products, herbicides and other chemicals are commonly associated with railroad lines.

Site 5 — A wastewater oxidation pond and percolation basin for the eastern portion of the Samoa wastewater system is located on APN 401-03-59. The system also includes two bark filter locations on APN 401-031-46 and -60. A septic leachfield for the western portion of the Samoa wastewater treatment system is located on APN 401-031-44.

Site 6 — An unlined disposal burn pit for mill lumber reportedly existed on a portion of APN 401-031-60. Burn pits typically contain petroleum residues, combustion by-products, heavy metals and other potentially hazardous materials.

Site 7 A mill refuse (teepee) burner was historically located on subject parcel APN 401-031-55 and operated for many years. Similar to burn pits, teepee burners typically contain petroleum residues, combustion by-products, heavy metals, and other potentially hazardous materials. Stack emissions and ash could have contained dioxins, furans, and other potentially hazardous compounds and could have impacted soil and groundwater.

Site 8 An outbuilding located behind the Lorenzo was historically designated for chemical storage. In addition, the current storage of paints, a car battery, and various other unidentified materials in a different portion of the same building with an earthen flooring has been observed. Stored chemicals may have spilled and impacted the soil and/or groundwater under the site.

Site 9 An oil storage shed was formerly located just behind the former Lorenzo Shell station (on the same lot as Site 8). A disposal dumpster storage/loading site is now present at the same location. Petroleum products and other hazardous materials may have been spilled resulting in the soil and groundwater impacts.

Site 10 A second old garage behind the former Lorenzo's Shell station in Samoa may have been used for automotive repairs and storage. Petroleum products and other hazardous materials may have been spilled resulting in soil and/or groundwater impacts.

Site 11 The storage of drummed oily wastes reportedly occurred in the vicinity of the bus garage & carpenter shop. Spills of petroleum products and other hazardous materials have occurred, resulting in soil and/or groundwater impacts.

Site 12 Fill/construction debris has been deposited on a vacant lot located along the north side of Bayview Avenue, at the base of the Fenwick Avenue bluff. The source of the fill/debris has not been identified nor characterized for possible presence of petroleum products or other potentially hazardous materials.

Site 13 A "rigging shop" (welding) was formerly located along Bayview Avenue. Petroleum, chemicals and heavy metals are often present in fabrication shops and could have been spilled or discharged.

Site 14 One elongated garage located along Bayview Avenue near the Samoa Cookhouse access road (APN 401-031-46) was historically used for automotive storage. Petroleum products and other potentially hazardous materials may have leaked or been released.

Site 15 Two elongated garages located southwest of the soccer field (APN 401-031-46) have been historically been used for storage, including automobile storage. Petroleum and other potentially hazardous materials may have leaked or been released.

Site 16 The Hammond carriage house, boiler plant, and other industrial shops were located on subject parcel APN 401-031-40 and –56. Petroleum products, boiler chemicals, heavy metals, solvents, and other potentially hazardous materials are associated with boiler plants and industrial shops and could have been spilled or discharged.

Site 17 Friable and non-friable asbestos containing materials (ACM) likely exist in the subject property dwellings and buildings. The presence of potential asbestos-containing materials in the various buildings may include, but is not limited to, vinyl and linoleum flooring, duct joint taping, joint compound/sheetrock, drywall texturing, baseboard mastic, carpet mastic, acoustic ceiling tiles, mastics, and roofing. In particular, such materials which have been used or added for renovations and repairs subsequent to the original construction of the homes and buildings, and which are particularly suspected as possible asbestos containing materials (ACM).

Site 18 Eighteen pole mounted transformers were noted on the subject properties. One was marked as "non-PCB", four others were marked with placards certifying that the transformers contained less than 50 parts per million PCB's and were therefore PCB free in compliance with regulations. Twelve other transformers were not marked as to content and are therefore considered to contain PCB's unless determined otherwise. No indications of oil leaking from transformers were observed.

Potential Recognized Environmental Conditions at Offsite Locations

Site 19 Smokestack emissions from the former Hammond powerhouse(s) located on the adjacent parcel APN 401-031-40 could have contained air-borne contaminants such as dioxins, furans, combustion by-products and other potentially hazardous materials that may have been deposited onto the immediate areas and surrounding properties.

Site 20 Stack emissions from the Simpson Co-generation power plant located on APN 401-031-40 could have contained air-borne contaminants such as dioxins, furans, combustion by-products and other potentially hazardous materials that may have been deposited onto the immediate areas and surrounding properties.

Site 21 Stack emissions from the pulp mill plant located on APN 401-211-13 and -14 could have contained air-borne contaminants such as dioxins, furans, combustion by-products and other potentially hazardous materials that may have been deposited onto the immediate areas and surrounding properties.

Offsite Historic Recognized Environmental Conditions

Site 22 Machine Shope UST, RWQCB file #1NHU764 and HCDEH Case #94.1 on APN 401-031-56 and -58 involved the removal of a 1,000 gallon fuel Underground Storage Tank. After remedial excavation in 1999, the case for this particular site was closed, in 2003. However, the case file remains open pending investigations of other locations on other Simpson mill properties.

Site 23 Spray booth PCP spill, RWQCB case #1NHU764.An investigation of a Pentachlorophenol spill inside a spray booth of the "planing mill" complex, located on APN 401-112-13. The PCP investigation was closed on July 7, 2002, after remedial excavation, with No Further Action required. However, the case file remains open pending investigations of other locations on other Simpson mill properties.

Site 24 Chip Dump UST, RWQCB file # 1THU013. An Underground Storage Tank investigation was performed upon removal of a 550 gallon hydraulic oil UST located on APN 401-112-14. 200 cubic yards of impacted soil was excavated and removed. A small amount of hydrocarbon impacted soil under a foundation was inaccessible for excavation and was left in place, however, closure of the site was issued in September 2003 by the lead agency, with no further action required.

Site 25 2 – 10,000 gallon ASTs, RWQCB case #1THU764 indicates petroleum is present in the soil and groundwater around a fuel and oil storage area at the northeast end of APN-401-031-56 after the removal of two-10,000 gallon Above Storage Tanks. The presence of contaminants at the site is documented.

Site 26 Fuel oil ASTs, HCDEH file #94.2 described an investigation around two former large bulk oil ASTs located on APN 401-031-56, and indicated the presence of petroleum contaminants in the soil and groundwater. The past presence of open oil pits located adjacent to the two large fuel oil AST's was also reported (Branco, 2004). The presence of contaminants on the site is documented.

Site 27 The railroad roundhouse and associated "car shed", "car shop", and "boiler shop/tin shop" buildings on 401-031-56 and -58 were historically used for train repair, and later, reportedly for truck repair. The presence of petroleum and possibly other potentially hazardous materials at the site is documented.

Site 28 A dredge spoils disposal site and a reported historic household garbage dump site are located north of Samoa on APN 401-031-58 and-48. The dredge spoils from the bay are known to contain petroleum products, heavy metals, and other potentially hazardous materials.

De-minimus Conditions

The abatement of asbestos containing materials from the co-generation plant (APN 401-031-40) and other mill facilities, including drying kilns on APN 401-031-60 for Simpson Samoa Industrial at the incorrectly identified address of Vance Avenue and Ride Out in Samoa was accomplished under an abatement workplan as prepared and witnessed by a Certified Asbestos Consultant (CAC).

Large amounts of scrap metal from a demolition project were temporarily stored on a portion of APN 401-031-59 during the winter of 2002-03. A small percentage of the scrap metal contained non-friable asbestos containing materials (ACM). The asbestos containing materials were abated onsite and disposed off-site and the scrap metal was then removed from the site. The ACM was abated from the scrap metal and removed from the site under an approved workplan which specified engineering controls for the abatement of the ACM, and as witnessed by a state Certified Asbestos Consultant.

Crowley Marine Services spilled 52 gallons of hydraulic fluid on it's vessel at the LP dock site on APN 401-031-40 in 1998. 50 gallons were contained on deck, two gallons entered Humboldt Bay. The spill was boomed and absorbents utilized.

The ERNS database listings included the following spill events at the Samoa Pulp Mill site. These events are considered either adequately contained and cleaned-up, or otherwise considered de-minimus in volume, extent, and in lack of potential impacts to the subject properties.

Samoa Pulp Mill 1 LP Drive	3/9/90, PCB spill in contained capacitor building. A contractor was called in for clean-up.
Samoa Pulp Mill NR 1 LP Drive	11/30/96, Lube oil spilled (to water) from damaged hydraulic line. Cleanup complete.
Samoa Pulp Mill	8/27/93, 860 gallons of green liquor (acidic solution), spilled to ocean through valve malfunction, 440 gallons neutralized.
Samoa Pulp Mill	8/27/93, 8,000 gallons of green liquor (acidic solution) discharged to ocean, 7,200 gallons neutralized.
Samoa Beach	9/25/90, approx. 30-1 in. diameter grey & tarry balls washed up on beach, not tar balls. USCG and County Hazmat investigated. No further comments.

Various small petroleum and chemical spills in and around the pulp mill plant located on APN 401-031-14 are listed in the Proposition 65 Spill Log dating back to 1997, under the several subsequent ownership names. These events are considered either adequately contained and cleaned-up, or otherwise considered de-minimus in volume, extent, and in lack of potential impacts to the subject properties.

B. Opinion

This section is included as described in ASTM 1527-00, Section 11.6, and includes Winzler & Kelly's opinion regarding the potential for the findings to have impacted or present a material threat to the subject parcels. The opinions provided in this section are based solely on the information presented in this report.

Recognized Environmental Conditions at Onsite Locations

Site 1 A former filling station (aka, Lorenzo's Shell) is located at the SW corner of Cutten Street and Vance Avenue (APN 401-031-46). A 1923 Hammond Lumber Company building plan for Samoa indicates the presence of this feature with two associated fuel tank locations, an oil house, and a chemical storage building on the site. The oil shed has since been removed and the chemical shed remains. Records on file with the Humboldt County Division of Environmental Health (HCDEH) indicates that at least one UST was removed in 1986. A subsequent site boring investigation in 2000, as reported by SCS Engineers, indicated significant concentrations of petroleum contaminants in the soil and groundwater of the site at several borehole locations. The sandy substrate throughout Samoa is very conducive to the migration of contaminants through the soil and groundwater. Due to the topography, groundwater migration may be expected to the east and south. The case file with the HCDEH (LOP # 12800) is currently open. Given the documented impacts, this site is considered to be a recognized environmental condition.

Site 2 As reported by SCS Engineering in the 'Results of Soil and Groundwater Investigation for the Soccer Field, Former Service Station, and Chemical Storage Areas in the Town of Samoa, California', the presence of petroleum contaminants were found in the soil and groundwater beneath the current soccer field located NW of the Rideout Street and Vance Avenue intersection in Samoa (APN 401-031-46). The investigated area was reportedly the site of one or more former oil dump pits. The dump sites were reportedly located between two rows of elongated garages, which were identified on 1923 site plans and subsequent air photos. It has been reported that a wooden ramp was constructed between the garages to facilitate oil changing activities by town residents, and that waste oil was drained directly to the ground below the ramp (Branco, 2004). The sandy substrate throughout Samoa is very conducive to the migration of contaminants through the soil and groundwater. Migration of contaminants to surrounding residential areas, which are on higher ground is unlikely, however, migration of contaminants to or through playground areas located topographically lower, to the east, is possible. Given the documented impacts, this is considered to be a recognized environmental condition.

Site 3 A limited survey of lead based paint by XRF detection and the analysis of paint chips, dust wipes, and soil samples occurred in 1996 and 1997, as excerpted in the 'Samoa Town Master Plan Administrative Draft EIR.' The

results indicate that lead based paint was found in all of the tested dwellings in Samoa, as would be expected in buildings of that era. Numerous dust wipe samples exceeded allowable HUD standards, as did one soil sample. Significant peeling and deterioration of exterior paint was noted on many structures during the site investigations of January 2004. The documented presence of lead based paint and the observed condition of painted surfaces indicate a release or material threat of a release therefore this site is considered to be a recognized environmental condition.

Site 4 The single-line railroad line easement through the subject properties (APN 401-031-14) date back to 1911 . Various contaminants, including creosote and other preservatives on ties and various petroleum products including lubricants are typically associated with railway lines, as is spillage of materials from rail cars. The sandy substrate throughout Samoa is very conducive to the migration of contaminants through the soil and groundwater. The railroad right-of-way through Samoa is considered to be a recognized environmental condition.

Site 5 Sewage from the town of Samoa and the surrounding buildings is treated by two systems (eastern and western). Both systems are operated under Waste Discharge Requirements (Board order No. 1B8501 RHUM) issued by the RWQCB. An oxidation pond and a percolation basin associated with the 'eastern' Samoa wastewater treatment system are located on APN 401-03-59. The eastern system also has two bark filter banks. The northerly bank of bark filters is located on unpaved ground on APN 401-031-46. A southerly bank of bark filters is placed within a concrete berm under cover of a former dying kiln building on APN 401-031-60. The history and integrity of the berm was not determined. These filter banks may have been subject to overflow conditions or leakage to the ground. The 'western' portion of the Samoa wastewater system includes a septic tank near the Cookhouse and a leachfield and is located on APN 401-031-44, northwest of Samoa and of New Navy Base Road.

Wastewater systems can contain a wide variety of contaminants due to multiple users and uncontrolled disposal down private drains. It is likely that elevated levels of nitrate, phosphorus, and other possible contaminants in there exists the soil and groundwater below all these features. The sandy substrate throughout Samoa is very conducive to the migration of contaminants through the soil and groundwater. These features are considered to be recognized environmental conditions.

Site 6 An unlined disposal burn pit for mill lumber reportedly existed on a portion of APN 401-031-59 (Branco, 2004). The site was reportedly used to burn scraps and excess milled lumber from the adjacent mill. From available photos, the pit appeared to be 8-10 feet deep, and has subsequently been filled. Burning at the pit likely resulted in the generation, dispersion, and disposition of dioxins, furans, and other contaminants in and around the area and likely impacted the soil and/or groundwater beneath the site. The sandy substrate throughout

Samoa is very conducive to the migration of contaminants through the soil and groundwater. This site is considered to be a recognized environmental condition

Site 7 A Hammond mill refuse (teepee) burner was located on subject parcel APN 401-031-55 just south of the Samoa Cookhouse site. The burner dates back to 1900 and operated for many years, with emissions visible in a 1939 air photo. Stack emissions and ash likely included dioxins, furans, and other hazardous compounds. Operation likely resulted in the generation, dispersion, and disposition of dioxins, furans, and other contaminants in and around the area and may have directly impacted the soil and/or groundwater beneath the site. The burner site and the surrounding industrial lot is located topographically below the residential sections of Samoa and the potential for groundwater contaminant migration to residential areas is likely limited, however, airborne deposition may have had impacts on Samoa and surrounding areas. Dioxins in particular have high residence times in soils and are not conducive to natural attenuation processes. This site is considered to be a recognized environmental condition.

Site 8 A portion of an outbuilding located behind the Lorenzo Shell Station was designated for chemical storage on town plans dated 1923. The gas station, which is on the north side of the lot, is currently being evaluated for the presence of petroleum contaminants associated with UST's. During the recent site reconnaissance (January 2004) the current storage of paints, a car battery, and various other unidentified materials on earth flooring in a portion of the out-building historically used for chemical storage was observed. The chemical storage room was identified during the recent UST investigation and borehole sampling of soil and groundwater was performed outside of this and several other out-buildings. Tetrachloroethane (2.4 ppb) was detected in the groundwater of one borings and trimethylbenzene (2,000 ppb) was detected in the groundwater of another boring, however, these borings were located closer to the former UST and AST sites than to the chemical storage building and other out-buildings, where the selective analysis of semi-volatile and volatile organic compounds was not performed on groundwater samples.

The investigation to date has not tested soil within the building for possible petroleum and chemical contaminants from historic or current chemical storage and may not be compelled to do so. If spilled in the storage areas, chemicals would likely have been absorbed into the ground. The sandy substrate throughout Samoa is conducive to the migration of contaminants through the soil and groundwater. The volume, nature, and handling of historic chemical storage has not been determined, and testing to date has not excluded the possibility of impacts from the chemical storage. In the absence of specific information, but given the high likelihood of soil and possible groundwater impacts, this site is considered to be a recognized environmental condition.

Site 9 An oil storage shed was formerly located just behind the former Lorenzo Shell station, on the same lot, as identified on the Hammond Mill Samoa town plan of 1923. The shed has subsequently been removed, however, a disposal dumpster storage/loading site is now present at the same approximate location. The dumpster is currently parked on a concrete slab. A wooden truck ramp is constructed next to the slab to allow for direct dumping into the dumpster. It is likely that the original oil shed had a wood plank floor instead of a slab floor. Petroleum and other potentially hazardous materials may be present in the soil and groundwater under spill conditions from the previous oil shed and/or the dumpster pad. The oil shed feature was identified in the initial SCS investigation of the Lorenzo Shell station and exploratory borings around the general area concurrent with the UST investigation were apparently designed to evaluate possible petroleum contaminants in the soil and groundwater from UST's, the chemical storehouse, and the oil shed. It is not known if the surface soils beneath the former oil shed location or the current dumpster pad have been sampled for analysis to date. This site is considered to be a recognized environmental condition.

Site 10 A second old small garage is located behind the Lorenzo Shell Station. It is likely that this garage was used for automotive repair and storage. The floor appears to be damaged concrete, may have contained a service pit in the past, and may have originally been earth or wood. As with the adjacent chemical storage building, some borehole sampling has been performed adjacent to this building was part of the ongoing UST investigation, but has not yielded conclusive data. Groundwater impacts in this area may be detected in the ongoing UST investigation of former fuel tanks on the site, however, sampling and testing of the surface soils beneath the building would not likely be part of the UST investigation. In the absence of testing data specific to the surface soils beneath the building, this site is considered to be a recognized environmental condition.

Site 11 The storage of drummed oily wastes in the vicinity of the bus garage & carpenter shop, located behind the fire station has been reported (Branco, 2004). The sandy substrate throughout Samoa is conducive to the migration of contaminants, if present, through the soil and groundwater. This site is topographically lower than the residential areas of Samoa. In the absence of specific information on the possible spills of petroleum wastes, but given the high likelihood of soil and possible groundwater impacts, this site is considered to be a recognized environmental condition.

Site 12 Fill/construction debris materials have been deposited on a low-lying vacant lot located along the north side of Bayview Avenue. It appears that about twenty piles have been deposited in rows from dump trucks. Older piles, which appear to be dirt, support established ruderal vegetation. Several more recent piles remain un-vegetated and appear to contain earth and concrete rubble. These materials may be clean fill, but the identification or

characterization has not been determined by this investigation, thus this site is considered to be a recognized environmental condition.

Site 13 A "rigging shop" was historically located along Bayview Avenue on the north end of Samoa, west of the cookhouse, identified as the "construction office and garage" on the 1923 plans and later identified as a rigging shop by notation on an APN map on file in the Humboldt County Tax Assessors office. It is reported (Branco, 2004) that in the course of "rigging", this building was used as a metal and welding shop. This building has been subsequently removed, and like many of the original Samoa buildings, it likely had wooden plank flooring. It is possible that there have been impacts to the site soil and groundwater from various metals, including lead, and volatile organic compounds. The building site has subsequently been paved. The sandy substrate throughout Samoa is conducive to the migration of contaminants through the soil and groundwater, however, the site is topographically well below residential areas of Samoa. In the absence of more specific information and direct observations, but given the high likelihood of soil and potential groundwater impacts, this site is considered to be a recognized environmental condition.

Site 14 One elongated garage located along Bayview Avenue near the Samoa Cookhouse access road (APN 401-031-46) was historically used for automotive parking. The flooring was either wood planking or bare earth. It is possible that automotive parking, storage, and repair activities may have resulted in petroleum impacts to the soil and groundwater beneath the structure. The sandy substrate throughout Samoa is conducive to the migration of contaminants through the soil and groundwater, however, the site is topographically well below residential areas of Samoa. In the absence of specific information, but given the high likelihood of soil and potential groundwater impacts, this site is considered to be a recognized environmental condition.

Site 15 Two elongated garages located southwest of the soccer field along Rideout Street (APN 401-031-46) were historically used for automotive parking and storage. These garages have wood plank flooring. Automotive parking, storage, and possible repairs may have resulted in petroleum impacts to the soil and groundwater beneath the structure. The sandy substrate throughout Samoa is conducive to the migration of contaminants through the soil and groundwater. This site is topographically below residential areas of Samoa, but above the soccer field and other playground areas. In the absence of specific information, but given the high likelihood of soil and potential groundwater impacts, this site is considered to be a recognized environmental condition.

Site 16 The Hammond carriage house, boiler plant, and other industrial shops were located on portions of subject parcel APN 401-031-55 and -56 and on APN 401-031-40, the adjoining parcel to the east which is not a subject property. The mill features dates from about 1900 into the 1950's and beyond.

Petroleum and chemical products associated with industrial use may have impacted the soil and groundwater beneath and adjacent to the buildings. The site is topographically well below residential areas of Samoa and slightly lower than the 'downtown' area of Samoa to the west. It is unlikely that soil and groundwater impacts have or will migrate beneath the residential areas of Samoa, and probably unlikely that such migration would occur to the lower "downtown:" area of Samoa. In the absence of known impacts or specific releases, but given the high likelihood of soil and potential groundwater impacts, this site is considered to be a recognized environmental condition.

Site 17 Friable and non-friable asbestos containing materials (ACM) likely exist in the subject property dwellings and buildings. The presence of potential asbestos-containing materials in the various buildings may include, but is not limited to, vinyl and linoleum flooring, duct joint taping, joint compound/sheetrock, drywall texturing, baseboard mastic, carpet mastic, acoustic ceiling tiles, mastics, and roofing. In particular, such materials which have been used or added for renovations and repairs since the original construction of the homes and buildings, and which are particularly suspected as possible asbestos containing materials (ACM). The larger community and commercial buildings in Samoa extensively utilized plaster and/or wood for interior walls, ceilings and flooring while the use of gypsum board materials, which may contain ACM, was relatively limited. Friable asbestos for thermal system insulation was not noted during the initial limited investigation, however, it's possible presence cannot be eliminated without further focused surveys.

Two disconnected room radiators were noted in the Fire Department building, however, evidence of a boiler system or of thermal system insulation was not noted. The assistant Fire Chief stated that the homes throughout Samoa historically utilized wood heat (free standing stoves) and/or electric heat, and that steam systems were not utilized in residences and buildings. The suspected ACM are not considered hazardous unless damaged or impacted by use, renovation, or demolition activities. Given the age and number of dwellings and buildings involved, is very likely that ACM materials are present in many of the buildings. Until the ACM are identified and maintained as part of an Operations and Maintenance Plan, the likely presence of ACM in project buildings is considered to be a recognized environmental condition.

Site 18 Eighteen pole mounted transformers were noted on the subject properties. One was marked as "non-PCB", four others were marked with placards certifying that the transformers contained less than 50 parts per million PCB's and were therefore PCB free in compliance with regulations. Twelve other transformers were not marked as to content and are therefore considered to contain PCB's unless determined otherwise. No indications of oil leaking from transformers were observed. This is considered to be a recognized environmental condition.

Recognized Environmental Conditions at Offsite Locations

Site 19 Four Hammond powerhouse/smokestacks, circa 1900, appear to have been located very close to the easterly boundary of subject parcel APN 401-031-56 and were likely located on the adjacent parcel APN 401-031-40. As indicated on 1916 and 1923 site plans, these were later supplanted by a single stack on the same general location. Stack emissions and ash from these sources likely included dioxins, furans, and other hazardous compounds. Prevailing winds in this area are generally from the northwest, away from the town of Samoa, however, wind shifts do occur, and emissions from this source may have resulted in the dispersion and deposition of air-borne contaminants on this parcel and some or all of the subject parcels. The powerhouse stack site and the surrounding industrial lot is located topographically below the residential sections of Samoa and the potential for groundwater contaminant migration to residential areas is likely limited, however, airborne deposition may have had soil impacts on the subject parcels. Dioxins in particular have high residence times in soils and are not conducive to natural attenuation processes. This issue is considered a recognized environmental condition.

Site 20 Stack emissions from the Simpson Co-generation power plant located on APN 401-031-40 likely included dioxins, furans, and other hazardous compounds. Prevailing winds in this area are generally from the northwest, away from the town of Samoa, however, wind shifts do occur, and emissions from this source may have resulted in the dispersion and deposition of air-borne contaminants on this parcel and some or all of the subject parcels. The stack site and the surrounding industrial lot is located topographically below the residential sections of Samoa and the potential for groundwater contaminant migration to residential areas is likely limited, however, airborne deposition may have had soil impacts on the subject parcels. Dioxins in particular have high residence times in soils and are not conducive to natural attenuation processes. This site is considered to be a recognized environmental condition.

Site 21 The LP kraft process pulp mill began operations in the mid 1960's and switched to a totally chlorine free (TCF) process in 1994. The plant is currently operated and monitored under a permit from the North Coast Unified Air Quality Management District (NCUAQMD). Emissions from the pulp mill plant located on APN 401-211-14 are known to include dioxins, furans, and 260 other assorted airborne contaminants including PCB's. Such emissions have been greatly reduced since conversion to the chlorine free process in 1994, and since that time, plant emissions have not exceeded the permitted Risk Assessment limits as monitored by the NCUAQMD (pers. comm., Jason Davis, 1/9/04).

Prevailing winds in this area are generally from the northwest, away from the town of Samoa, however, wind shifts do occur, and emissions from this source may have resulted in the dispersion and deposition of air-borne contaminants on this parcel and some or all of the subject parcels. The stack

site and the surrounding industrial lot is located approximately ¼ to the south and south east of the subject properties. Airborne deposition may have had impacts on the subject parcels. Dioxins in particular have high residence times in soils and are not conducive to natural attenuation processes. Due to potential hazards associated with dioxins this condition is considered to be a recognized environmental condition but determining a site to sample will be problematic.

Further, an investigation of the pulp mill site (now owned by Stockton Pacific Cellulose) is still ongoing as RWQCB case # 1NHU892 (HCDEH file # 89.2). The pulp mill operations involve various chemical processes. The site contains various UST's, AST's, and chemical storage facilities. According to the letter dated July 14, 2003 issued by the RWQCB, groundwater monitoring of the pulp plant site has indicated the presence of Total Petroleum Hydrocarbons (TPH) as gasoline, diesel, and motor oil. In addition, the following compounds have also been detected in thegroundwater to date; acetone, 1,1 dichloroethane, 1,1,1 trichloroethane, tetrachloroethane, trichloroethylene, toluene, ethylbenzene, xylenes, 1,1 dichloroethylene, arsenic, lead, chromium, dehydroabietic acid, isopimaric acid, and other contaminants associated with pulp mill operations. Further, the letter states that discharges from the site have affected and threaten to affect the State's water, specifically site groundwater and Humboldt Bay. The potential for groundwater contaminant migration to residential areas of Samoa is likely limited, but may affect the low lying sections of subject parcel APN 401-031-55. This site is considered to be a recognized environmental condition.

Historic Recognized Environmental Conditions at Offsite Locations

Site 22 A UST case (RWQCB file #1NHU764) at the machine shop building on APN 401-031-56 involved the removal of a 1,000 gallon fuel UST from the east side of the machine shop. 1447 tons of soil were removed during remedial excavation in 1999, and the site was monitored thereafter. The former UST site is located within 200 feet of subject properties APN 401-031-38, -46, and –55. According to Kasey Ashley of the RWQCB (pers. comm., 1/13/04) this particular site has been closed, however, the Simpson case file remains open pending other investigations (described below). This particular site is a Historic Recognized Environmental Condition. According to lead agency review, the site does not pose a threat to the soil and groundwater of the site. Therefore, this site is not likely to pose a threat of impact to the subject parcels.

Site 23 The RWQCB case #1NHU764 also included an investigation of a PCP spill inside a spray booth of the "planing mill" complex, located on APN 401-112-13. The PCP investigation was closed on July 7, 2002, after remedial excavation, with No Further Action required. However, the case file remains open pending investigations of other locations on other Simpson mill properties. This is considered an historic environmental condition. According

to lead agency review, the site does not pose a threat to the soil and groundwater of the site. Therefore, this site is not likely to pose a threat of impact to the subject parcels.

Site 24 LP Samoa Pulp Mill, Chip Dump, RWQCB file # 1THU013. A UST investigation was performed upon removal of a 550 gallon hydraulic oil UST. 200 cubic yards of impacted soil was excavated and removed. A small amount of hydrocarbon impacted soil under a foundation was inaccessible for excavation and was left in place, however, closure of the site was issued in September 2003 by the lead agency, with no further action required. This is considered an historic environmental condition. According to lead agency review, the site does not pose a threat to the soil and groundwater of the site. Therefore, this site is not likely to pose a threat of impact to the subject parcels.

Site 25 Petroleum impacts have been noted in the soil and groundwater in the fuel and oil storage area northeast of the train roundhouse, on the northern boundary of APN 401-031-56 and possibly on the adjacent parcel APN 401-031-58. Records are contained in RQWCB case #1THU764 and HCDEH file # 94.1. Two 10,000 gallon horizontal AST's were removed in 1998. These tanks were noted as horizontal features within a concrete berm on historic aerial photographs. Hydrocarbon impacts to the soil and groundwater are pending further delineation. The same investigation also mapped features in a separate fueling/maintenance area located approximately 200 feet southwest of the former horizontal AST's, consisting of two additional AST's, an oil storage shed, a pressure washer, a sump pump adjacent to a mechanics ramp, an oil/water separator, and a skimmer discharge location. These AST's were likely used for fueling vehicles. A site sketch of the same investigation also indicates the presence of former boiler fuel AST's located approximately 250 feet to the northwest of this fueling area, on APN 401-031-56 as discussed below. These sites are located along the Humboldt Bay shoreline tidelands and is topographically lower than the subject properties, with the possible exception of the industrial parcel APN-041-031-55, which is also a low lying parcel located south, along the shoreline. However, the migration of contaminants to that parcel is unlikely due to distance. Furthermore, a groundwater investigation at the intervening "machine shop" UST site on the south end of APN 401-031-56 has been closed, suggesting that the groundwater at that location does not indicate the presence of contaminants. It is unlikely that fuel from these AST tanks have or will, impact the subject parcels. This site is not considered to be a recognized environmental condition as regards the subject parcels.

Site 26 The HCDEH file # 94.2 (Simpson Timber Company) contains a description of an investigation for petroleum impacts in the location of two large vertical bulk fuel AST's located on APN 401-031-56. A review of historic photographs and the Hammond Lumber town plans of 1923 indicate the presence of two large vertical "bulk oil" storage tanks in this location north of

the roundhouse. Significant petroleum impacts, primarily as diesel, were note in the soil and groundwater of the site as tested and reported in a 1995 investigation. The case file contained no indications of any follow-up investigation to date. The former presence of open oil pits in the immediate vicinity of the two former bulk fuel oil AST's was reported by a former Samoa resident (Branco, 2004). The nature and location of the pits suggest that they may have occurred as a result of one or more uncontained and unremediated spills from the large fuel oil AST's or associated piping. The pits were likely filled as they are not readily discernible now. The AST's were located on a slight dune rise, but the surrounding topography, located along the Humboldt Bay shoreline tidelands, is topographically lower than the subject properties, with the possible exception of the industrial parcel APN-041-031-55, which is also a low lying parcel along the shoreline. The migration of contaminants to APN 401-031-55 and -60 through the soil from spills at the tank sites is unlikely due to distance. Furthermore, a groundwater investigation at the intervening 'machine shop' UST site on the south end of APN 3401-031-58 has been closed, suggesting that the groundwater at that location does not indicate the presence of contaminants. It is unlikely that this condition has or will, impact soil, and/or groundwater on the subject parcels APN's 401-031-55 and -60. This site is <u>not</u> considered to be a recognized environmental condition as regards the subject parcels.

Site 27 The railroad roundhouse and associated "car shed", "car shop", and "boiler shop/tin shop" buildings on APN's 401-031-56 and -58 are located immediately northeast of the subject properties. These features are shown on the 1916 mill plans and were operated for many years after. Following uses for train servicing, this site was also reportedly used for truck repair activities (Branco, 2004). During site reconnaissance in January 2004, an empty cradle for an AST was noted behind the roundhouse building. These buildings are not presently being used. Impacts to the soil and groundwater appear to be undetermined to date. The historic presence of railroad tracks and repair facilities at this location, including a blacksmith shop and tin shop, and later truck repair activities at the location presents a high probability that petroleum, hazardous chemicals, and metals have impacted the soil and groundwater beneath this site. This site, located along the Humboldt Bay shoreline is topographically lower than the subject properties, with the exception of the industrial parcel APN 041-031-55 to the south, which is also a low lying parcel along the shoreline. However, the migration of contaminants to that parcel is unlikely due to distance. Furthermore, a groundwater investigation at the intervening "machine shop' UST site on the south end of APN 401-031-55 has been closed, suggesting that the groundwater at that location does not indicate the presence of contaminants. This site is <u>not</u> considered to be a recognized environmental condition as regards the subject parcels.

Site 28 There is a dredge spoils disposal site located on APN 401-031-58 and -48, north of Samoa, north of the Cookhouse Road and east of New Navy Base Road. This site has historically been used for the permitted disposal of dredge spoils from the Louisiana Pacific (Samoa) dock site. Bay sediments may contain the heavier hydrocarbons such as diesel or motor oil, and/or other compounds including dioxins, furans, and PCB's. A household dumpsite has also been reported but not clearly identified, along the northern portion of the spoils disposal site (Branco, 2004). As this is outside of the subject property boundaries and across anticipated groundwater gradient, potential soil contamination is unlikely to have affected the subject parcels to the south. This is not considered to be a recognized environmental condition.

C. Conclusions

Winzler & Kelly has performed a Phase I Environmental Site Assessment in conformance with the scope and limitations of ASTM Standard E 1527-00 of APN's 401-031-38, -44, -46, -55, -59, and -60, located in and around the town of Samoa, California. This assessment has revealed no evidence of recognized environmental conditions in connection with the property except for the following: The text below presents conclusions we have drawn regarding each of the sites and made recommendations that will be incorporated into the Phase II Workplan.

Onsite Recognized Environmental Conditions

With the exception of Sites 17 and 18, further investigation is warranted for all of the sites listed as Onsite Recognized Environmental Conditions.

Site 1 Due to the soil and groundwater contamination associated with the former filling station (aka, Lorenzo's Shell) is located at the SW corner of Cutten Street and Vance Avenue (APN 401-031-46). This site is considered a recognized environmental condition that warrants further investigation for petroleum products, including waste oil, gasoline and diesel as well as heavy metals, antifreeze, and solvents..

Site 2 The presence of petroleum contaminants that were found in the soil and groundwater beneath the current soccer field located NW of the Rideout Street and Vance Avenue intersection in Samoa (APN 401-031-46). This site is considered a recognized environmental condition that warrants further investigation for petroleum products.

Site 3 Due to the presence of lead-based paint described in the Opinions Section, this is considered to be a recognized environmental condition that warrants further investigation for lead.

Site 4 Railroad line easement through the subject properties date back to 1911 (APN 401-031-14) Due to the potential for spillage and the presence of treated railroad ties, the railroad right-of- way through Samoa is considered to be a recognized environmental condition and warrants further investigation for petroleum products, creosote, herbicides, and heavy metals.

Site 5 Due to uncontrolled private drains and disposal to land, the features associated with the eastern and western sewage disposal systems are recognized environmental conditions recognized environmental condition and warrants further investigation for nitrates, phosphorous, petroleum products, solvents, and heavy metals.

Site 6 Due to the likely presence of potentially hazardous substances in this unlined burn pit, this site is considered a recognized environmental condition and warrants further investigation for petroleum products, poly nuclear aromatic hydro-carbons (PNAs), dioxins, and heavy metals.

Site 7 Due to the likely presence of potential hazardous substances in the Hammond Mill refuse (teepee) burner located on parcel APN 401-031-55 just south of the Samoa Cookhouse, this site is considered a recognized environmental condition and warrants further investigation for petroleum products, poly nuclear aromatic hydro-carbons (PNAs), dioxins, and heavy metals.

Site 8 Due to the likely and confirmed presence of volatile organic compounds and other chemicals the outbuilding located behind the Lorenzo Shell Station is considered a recognized environmental condition and warrants further investigation for petroleum products, solvents, and heavy metals.

Site 9 Due to the likely presence of petroleum and other potentially hazardous substances the oil storage shed formerly located just behind the former Lorenzo Shell station, on the same lot, as identified on the Hammond Mill Samoa town plan of 1923 is considered to be a recognized environmental condition and warrants further investigation for petroleum products, solvents, and heavy metals.

Site 10 Due to the likely presence of petroleum and other potentially hazardous substances the second old small garage located behind the Lorenzo Shell Station is considered to be a recognized environmental condition and warrants further investigation for petroleum products, solvents, and heavy metals..

Site 11 Due to the storage of drummed oily wastes in the vicinity of the bus garage & carpenter shop, located behind the fire station , this site is considered to be a recognized environmental condition and warrants further investigation for petroleum products, waste oil, heavy metals, and solvents..

Site 12 The fill/construction debris materials have been deposited on a low lying vacant lot located along the north side of Bayview Avenue. These materials may be clean fill, but the identification or characterization has not been determined by this investigation, thus this location remains a recognized environmental condition and warrants further investigation for petroleum products.

Site 13 A "rigging shop" was historically located along Bayview Avenue on the north end of Samoa, west of the cookhouse, identified as the "construction office and garage" on the 1923 plans and later identified as a rigging shop by

notation on an APN map on file in the Humboldt County Tax Assessors office, this is considered to be a recognized environmental condition and warrants further investigation for petroleum products, solvents, and heavy metals.

Site 14 Due to the likely presence of petroleum contaminants the elongated garage located along Bayview Avenue near the Samoa Cookhouse access road (APN 401-031-46) is considered to be a recognized environmental condition and warrants further investigation for petroleum products.

Site 15 Due to the likely presence of petroleum contaminants the two elongated garages located southwest of the soccer field along Rideout Street (APN 401-031-46) are considered to be a recognized environmental condition and warrants further investigation for petroleum products.

Site 16 Due to the likely presence of petroleum and chemical contaminants the Hammond carriage house, boiler plant, and other industrial shops that were located on portions of subject parcel APN 401-031-55 and on APN 401-031-40, these sites are considered to be a recognized environmental condition and warrants further investigation for petroleum products, solvents, and heavy metals.

Site 17 Due to the likely presence of friable asbestos containing materials in the buildings and the possibility of releasing fibers while doing remodeling or repairs, the structures are considered to be recognized environmental condition and warrants further investigation if and when the building materials are disturbed during remodeling or demolition.

Site 18 The pole mounted transformers do not warrant further investigation at this time.

Offsite Recognized Environmental Conditions

The following Offsite Recognized Environmental Conditions warrant further investigation.

Site 19 Due to the unknown potential for the presence of various hazardous substances associated with stack emissions from the Hammond powerhouse, this site is considered to be a recognized environmental condition and warrants further investigation for poly-nuclear aromatic hydrocarbons, dioxins, furans, and heavy metals

Site 20 Due to the unknown potential for the presence of various hazardous substances associated with stack emissions from the Simpson Co-generation power plant, this site is considered to be a recognized environmental condition and warrants further investigation for PNAs, dioxins, furans, and heavy metals.

Site 21 Due to the potential presence of various hazardous substances, and the known presence of various other chemical and petroleum compounds, the Pulp Mill

on APN 401-211-13 and -14 is considered to be a recognized environmental condition and warrants further investigation for PNAs, dioxins, furans, heavy metals, petroleum products, solvents, gasoline, diesel, and hydraulic oil.

Historic Recognized Environmental Conditions

Sites 22 through 28 do not warrant further investigation at this time.

VII. SIGNATURES OF ENVIRONMENTAL PROFESSIONALS

Report Prepared by:

Terry Clark
Environmental Scientist

Report Reviewed by:

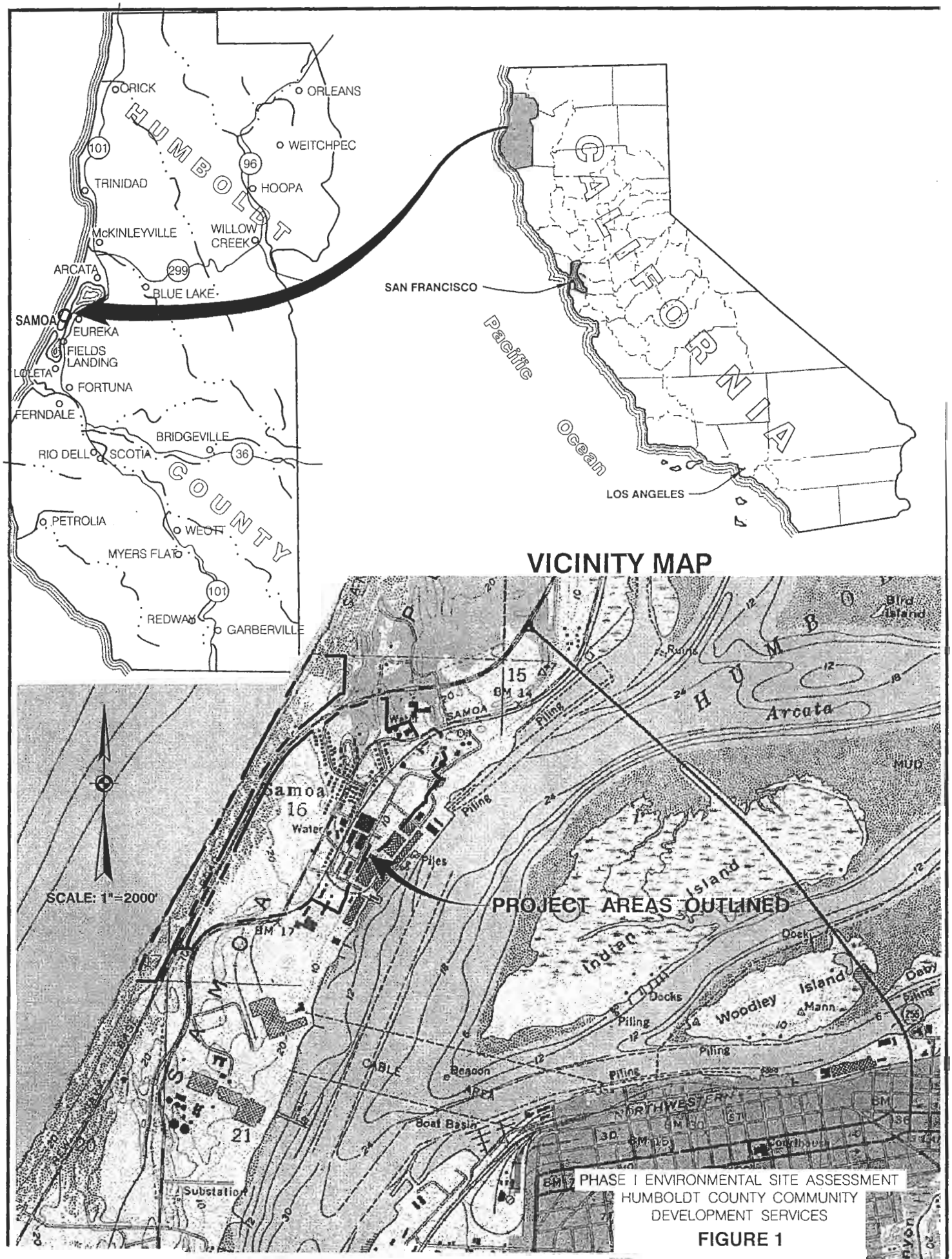
Steve Salzman, P.E.
Senior Project Manager

VIII. QUALIFICATIONS OF ENVIRONMENTAL PROFESSIONALS PARTICIPATING IN PHASE I ENVIRONMENTAL SITE ASSESSMENT

Mr. Steve Salzman is a Professional Engineer, registered in California and has been practicing in the field of environmental engineering since 1986.

Mr. Terry Clark is an Environmental Scientist, a Project Geologist, a Certified Asbestos Consultant #02-3246, A Certified Lead Assessor/Inspector # 10915, and an IAQA Certified Mold Remediator # 00871.

Appendix A
Figures



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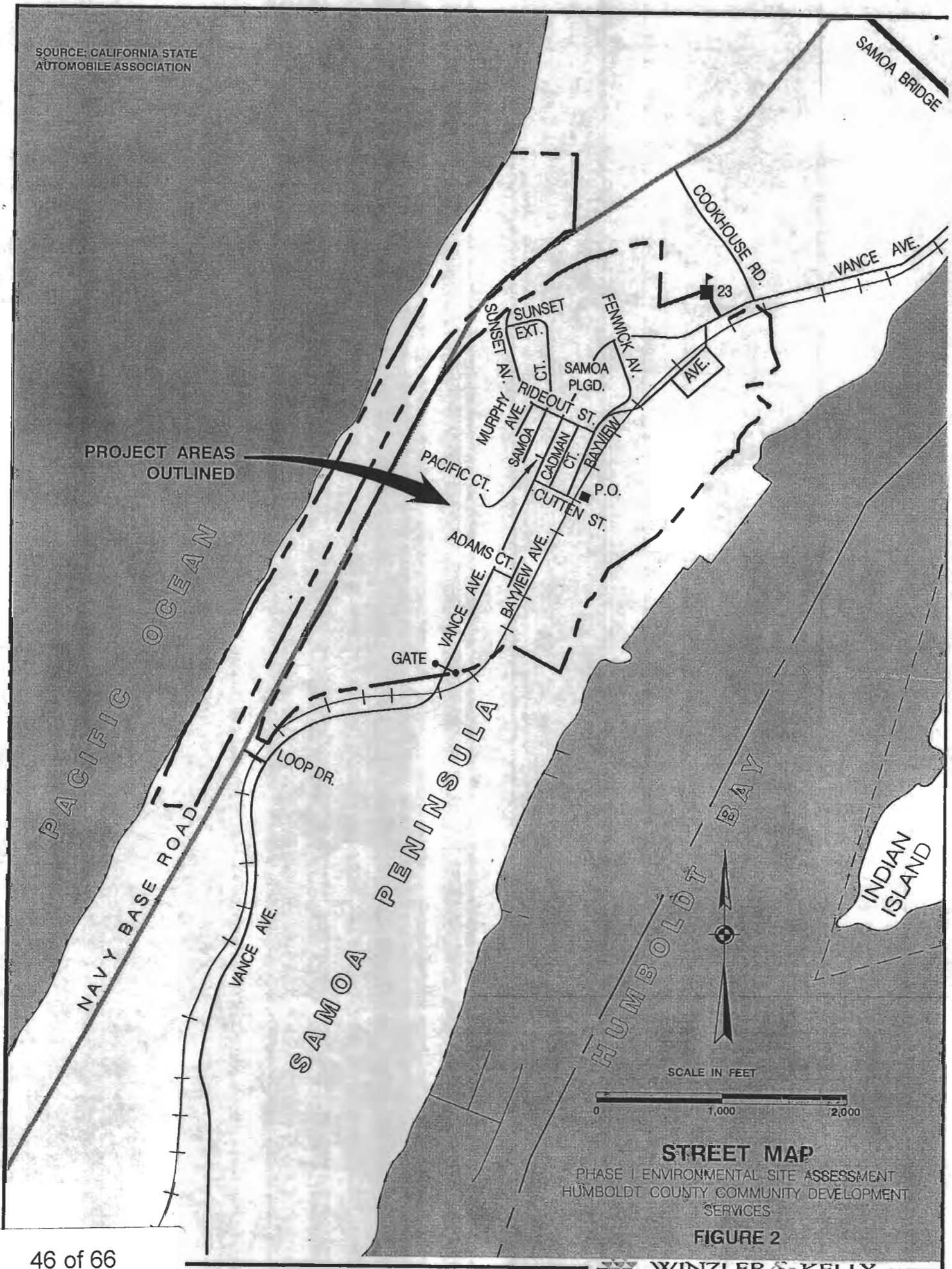

STREET MAP

PHASE I ENVIRONMENTAL SITE ASSESSMENT
HUMBOLDT COUNTY COMMUNITY DEVELOPMENT SERVICES

FIGURE 2

WINZLER & KELLY

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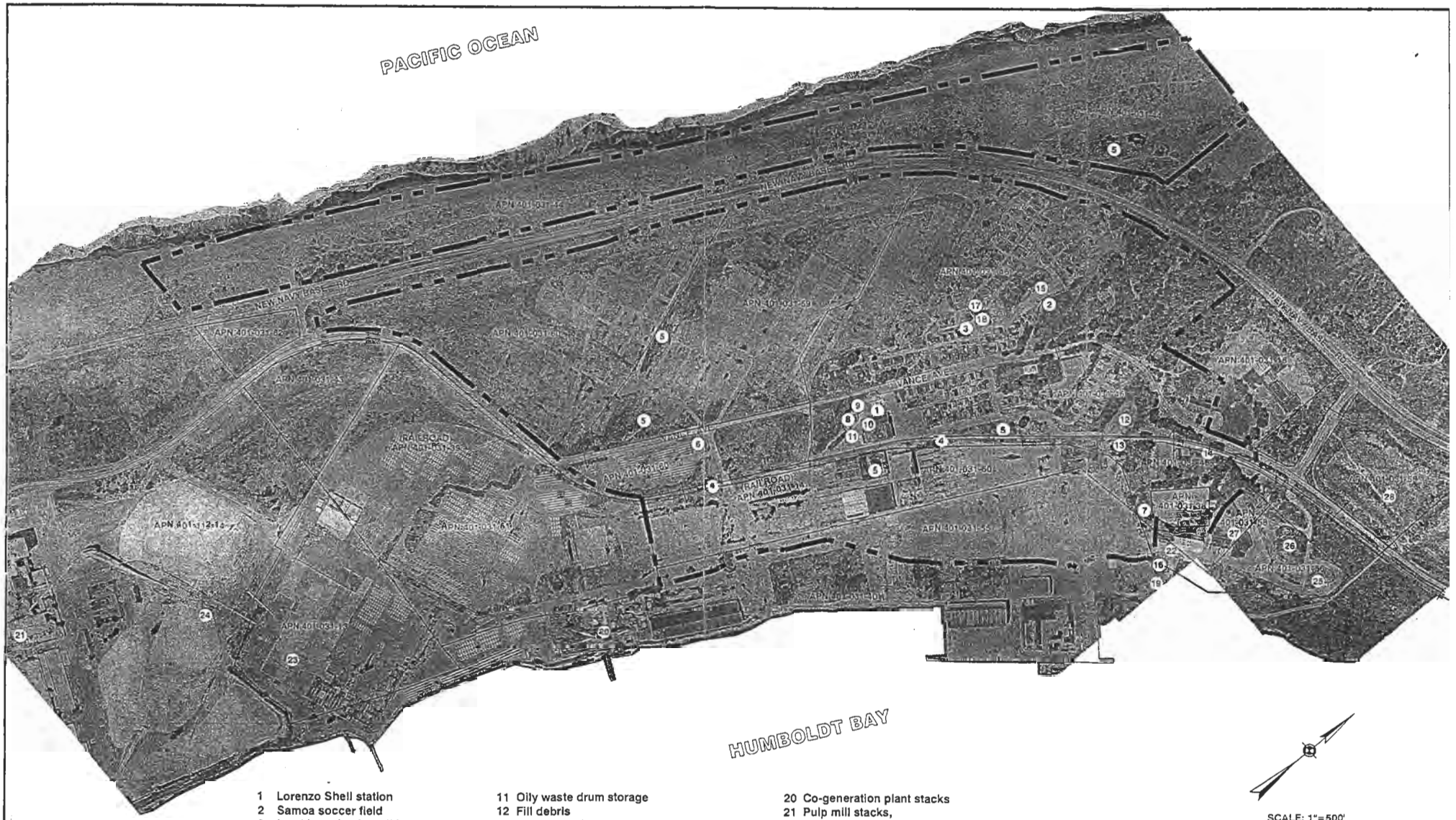


1 Lorenzo Shell station
2 Samoa soccer field
3 Lead based paint, All buildings
4 Railroad easements
5 Wastewater treatment system
6 Unlined burn pit
7 Refuse (teepee) burner
8 Former chemical storage building
9 Former oil storage shed
10 Garage
11 Oily waste drum storage
12 Fill debris
13 Former rigging shop
14 Garages, automotive storage
15 Garages, automotive storage
16 Hammond carrier house, boiler plant, & industrial shops
17 Asbestos containing materials, All buildings
18 Pole mounted transformers in town
19 Hammond powerhouse stacks
20 Co-generation plant stacks
21 Pulp mill stacks, soil/groundwater investigations
22 Machine shop UST
23 Planing mill, PCP spill
24 LP Samoa Chip Dump UST
25 AST fuel storage
26 Bulk oil AST's
27 Railroad roundhouse & shops
28 Dredge spoils pit

SCALE: 1"=500'

SITE PLAN

PHASE I ENVIRONMENTAL SITE ASSESSMENT
HUMBOLDT COUNTY COMMUNITY DEVELOPMENT SERVICES

FIGURE 3

WINZLER & KELLY

Appendix B

Environmental Data Resources Radius Search

PAGES NOT INCLUDED

Appendix C
Title Report

Form No. 1084
California Land Title Association
Standard Coverage Policy Form - 1990

POLICY OF TITLE INSURANCE

ISSUED BY

First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land;

and in addition, as to an insured lender only:

5. The invalidity or unenforceability of the lien of the insured mortgage upon the title;
6. The priority of any lien or encumbrance over the lien of the insured mortgage; said mortgage being shown in Schedule B in the order of its priority;
7. The invalidity or unenforceability of any assignment of the insured mortgage, provided the assignment is shown in Schedule B, or the failure of the assignment shown in Schedule B to vest title to the insured mortgage in the named insured assignee free and clear of all liens.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title or the lien of the insured mortgage, as insured, but only to the extent provided in the Conditions and Stipulations.

IN WITNESS WHEREOF, First American Title Insurance Company has caused this policy to be signed and sealed by its duly authorized officers as of Date of Policy shown in Schedule A.

First American Title Insurance Company

BY Gary L. Kermott *PRESIDENT*

ATTEST Mark R. Arnesen *SECRETARY*

550518

CLTA STANDARD COVERAGE POLICY

SCHEDULE A

TOTAL FEE FOR TITLE SEARCH, EXAMINATION AND TITLE INSURANCE $3,245.00

AMOUNT OF INSURANCE $2,950,000.00

DATE OF POLICY : December 13, 2000 at 10:00 a.m.

POLICY NO. : 550518

1. **NAME OF INSURED:**

   SAMOA PACIFIC GROUP, LLC

2. **THE ESTATE OR INTEREST REFERRED TO HEREIN IS AT DATE OF POLICY VESTED IN:**

   SAMOA PACIFIC GROUP, LLC

3. **THE ESTATE OR INTEREST IN THE LAND DESCRIBED IN THE DESCRIPTION ATTACHED HERETO AND WHICH IS COVERED BY THIS POLICY IS:**

   A FEE

SCHEDULE B

THIS POLICY DOES NOT INSURE AGAINST LOSS OR DAMAGE BY REASON OF THE MATTERS SHOWN IN PARTS ONE AND TWO FOLLOWING:

PART ONE

1. TAXES OR ASSESSMENTS WHICH ARE NOT SHOWN AS EXISTING LIENS BY THE RECORDS OF ANY TAXING AUTHORITY THAT LEVIES TAXES OR ASSESSMENTS ON REAL PROPERTY OR BY THE PUBLIC RECORDS.

   PROCEEDINGS BY A PUBLIC AGENCY WHICH MAY RESULT IN TAXES OR ASSESSMENTS, OR NOTICE OF SUCH PROCEEDINGS, WHETHER OR NOT SHOWN BY THE RECORDS OF SUCH AGENCY OR BY THE PUBLIC RECORDS.

2. ANY FACTS, RIGHTS, INTERESTS OR CLAIMS WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS BUT WHICH COULD BE ASCERTAINED BY AN INSPECTION OF THE LAND OR WHICH MAY BE ASSERTED BY PERSONS IN POSSESSION THEREOF.

3. EASEMENTS, LIENS OR ENCUMBRANCES, OR CLAIMS THEREOF, WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

4. DISCREPANCIES, CONFLICTS IN BOUNDARY LINES, SHORTAGE IN AREA, ENCROACHMENTS, OR ANY OTHER FACTS WHICH A CORRECT SURVEY WOULD DISCLOSE, AND WHICH ARE NOT SHOWN BY THE PUBLIC RECORDS.

5. (A) UNPATENTED MINING CLAIMS; (B) RESERVATIONS OR EXCEPTIONS IN PATENTS OR IN ACTS AUTHORIZING THE ISSUANCE THEREOF; (C) WATER RIGHTS, CLAIMS OR TITLE TO WATER, WHETHER OR NOT THE MATTERS EXCEPTED UNDER (A), (B), OR (C) ARE SHOWN BY THE PUBLIC RECORDS.

PART TWO

1. General and special taxes for the fiscal year 2000/2001

First Installment	:	$3,818.47, paid
Second Installment	:	$3,818.47, payable but not yet due
Code Area	:	123-003
A. P. No.	:	401-031-28

   Affects: The land and other property.

2. General and special taxes for the fiscal year 2000/2001

First Installment	:	$12,109.95, paid
Second Installment	:	$12,109.95, payable but not yet due
Code Area	:	123-001
A. P. No.	:	401-031-34

   Affects: The land and other property.

3. General and special taxes for the fiscal year 2000/2001
   First Installment : $8,343.61, paid
   Second Installment : $8,343.61, payable but not yet due
   Code Area : 123-001
   A. P. No. : 401-031-37

   Affects: The land and other property.

4. General and special taxes for the fiscal year 2000/2001
   First Installment : $267.14, paid
   Second Installment : $267.14, payable but not yet due
   Code Area : 123-001
   A. P. No. : 401-031-38

   Affects: The land and other property.

5. The Lien of Supplemental Taxes assessed pursuant to Chapter 3.5 commencing with Section 75 of the California Revenue and Taxation code.

6. Any private easement or lesser right in, to or over the streets of the Town of Samoa, including, but not limited to, private easements for ingress and egress to lots purchased by reference to the Map
   Filed : in Book 5 of Maps, Page 74

7. An easement and incidental purposes
   Granted to : Northwestern Pacific Railroad Company
   For : railroad purposes
   Affects : existing tracks in the Town of Samoa.
   See Deed for location and full particulars
   Recorded : June 20, 1911, in Book 116 of Deeds, Page 9, Humboldt County Records, and in the Deed
   Recorded : February 2, 1925, in Book 171 of Deeds, Page 9, Humboldt County Records.

   (No representation is made as to the present ownership of said easement)

8. An easement for public utilities and incidental purposes
   Granted To : Pacific Telephone and Telegraph Company
   Affects : See Deed for exact location.
   Recorded : September 19, 1950, in Book 603 of Official Records, Page 344

9. An easement for public utilities and incidental purposes
   Granted To : Humboldt Bay Municipal Water District
   Affects : a strip of land 50 feet in width.
   See Deed for exact location.
   Recorded : October 16, 1961, in Book 656 of Official Records, Page 470

10. An easement for public utilities and incidental purposes
Granted To : Pacific Gas and Electric Company
Affects : a strip of land 20 feet wide.
See Deed for exact location.
Recorded : March 19, 1962, in Book 678 of Official Records, Page 406

11. An easement for public utilities and a road, and incidental purposes
Granted To : Pacific Gas and Electric Company
Affects : Lot 4 and the East Half of the Southeast Quarter of Section 9, Township 5 North, Range 1 West, Humboldt Base and Meridian, and those portions of Sections 16, 17 and the Northwest Quarter of Section 21, Township 5 North, Range 1 West, Humboldt Base and Meridian. See Deed for exact location.
Recorded : December 18, 1963, in Book 766 of Official Records, Page 271

Said easement was amended by the following Agreements:

Recorded : March 19, 1964, in Book 780 of Official Records, Page 7;
Recorded : July 14, 1965, in Book 844 of Official Records, Page 124; and
Recorded : April 1, 1968, in Book 956 of Official Records, Page 38.

12. An easement reserved in the document
For : public utilities
Reserved By : County of Humboldt for the benefit of Pacific Gas and Electric Company
Affects : portions of abandoned Vance and Bay Streets, known as the "GP" line. Exact location not disclosed.
Recorded : May 21, 1971 in Book 1088 of Official Records, Page 454, and amended by Document
Recorded : November 14, 1974, in Book 1263 of Official Records, Page 610

13. Abutter's rights of ingress and egress to or from the expressway over portions described in the Deed to the County of Humboldt
Recorded : October 13, 1972, in Book 1160 of Official Records, Page 623

14. An easement for public utilities and incidental purposes
Granted To : Pacific Telephone and Telegraph Company, a corporation
Affects : strips of land 5 feet in width through Sections 16, 20 and 21, Township 5 North, Range 1 West, Humboldt Meridian. See Deed for exact location.
Recorded : October 31, 1977, in Book 1449 of Official Records, Page 537

15. An easement for public utilities and incidental purposes
Granted To : Pacific Telephone and Telegraph Company
Affects : that portion of Vance Avenue abandoned by the County of Humboldt and recorded May 21, 1971, in Book 1088 of Official Records, Page 454. See Deed for exact location.
Recorded : May 9, 1980, in Book 1611 of Official Records, Page 929

16. An unrecorded lease
Lessor : Louisiana Pacific Corporation
Lessee : United States Postal Service
As Disclosed By : that certain Lease Amendment
Recorded : September 4, 1990, as Instrument Number 1990-20966-3 of Official Records.

17. Terms, covenants, conditions, rights and easements contained in that certain Shared Services, Facilities, Access and Use Agreement by and between Louisiana-Pacific Samoa, Inc., an Oregon corporation, Louisiana-Pacific Corporation, a Delaware corporation, LPS Corporation, an Oregon corporation, Simpson Samoa Company, a Washington corporation Simpson Timber Company, a Washington corporation and Simpson Investment Company, a Washington corporation
Recorded : July 2, 1998, as Instrument Number 1998-17222-29 of Official Records.

18. An unrecorded lease
Lessor : Simpson Samoa Company
Lessee : Leonard Trethewey
As Disclosed By : Financing Statement
Recorded : February 18, 2000, as Instrument Number 2000-3648-2 of Official Records.

19. Rights of parties in possession.

20. The terms and provisions contained in the document
Entitled : "Certificate of Subdivision Compliance"
Recorded : December 7, 2000, as Instrument Number 2000-25874-10 of Official Records.

Said matter(s) affects Parcels Two through Twenty Nine

21. The terms and provisions contained in the document
Entitled : "Notice of Lot Line Adjustment and Certificate of Subdivision Compliance"
Recorded : December 7, 2000, as Instrument Number 2000-25878-5 of Official Records.

Said matter(s) affects Parcel One

22. Any and all notes and/or provisions shown on the Record of Survey for Simpson Samoa Company, filed in the Office of the Recorder of Humboldt County in Book 60 of Surveys, Page 56.

23. Covenants, Conditions and Restrictions in the document, which provide that a violation thereof shall not defeat or render invalid the lien of any first mortgage or deed of trust made in good faith and for value, but deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin, to the extent such covenants, conditions or restrictions violate Title 42, Section 3604(c), of the United States Codes.
Recorded : December 13, 2000, as Instrument Number 2000-26370-11 of Official Records.

24. The terms and provisions contained in the document
Entitled : "Reciprocal Easement Agreement"
Recorded : December 13, 2000, as Instrument Number 2000-26371-36 of Official Records.

DESCRIPTION

That certain real property situated in the State of California, County of Humboldt, described as follows:

PARCEL ONE:

BEGINNING at a point which bears N 45°57'48" E 3408.99 feet from the Southwest corner of Section 16, Township 5 North, Range 1 West, Humboldt Meridian, as said corner is shown on that Record of Survey for Simpson Timber Company, filed in Book 59 Surveys, Pages 50 and 51, Humboldt County Records;

thence N 46°17'15" W 371.41 feet;
thence N 19°18'50" W 296.76 feet;
thence N 33°49'35" E 178.39 feet;
thence N 19°34'00" W 508.75 feet;
thence N 09°47'30" W 251.24 feet to the Southwesterly terminus of course number (29) of that parcel of land conveyed to the County of Humboldt by deed recorded October 13, 1972 in Book 1160 Official Records, Page 623;

thence Northeasterly and Easterly along the Southeasterly line of said parcel conveyed to the County of Humboldt the following courses of said Deed:

(29) N 51 degrees 51 minutes 32 seconds E (record bearing = N 50 degrees 28 minutes 49 seconds E) 98.21 feet to the beginning of a curve concave to the Southeast, having a radius of 2710 feet, to which a radial line of said curve bears N 45 degrees 54 minutes 09 seconds W;

(28) thence Northeasterly along said curve, through an angle of 8 degrees 11 minutes 06 seconds, for a distance of 387.14 feet to a point that bears S 37 degrees 43 minutes 03 seconds E (record bearing = S 39 degrees 05 minutes 46 seconds E) 90.00 feet from Engineer's Station 389+00 P.O.C.;

(27) thence N 61 degrees 41 minutes 15 seconds E (record bearing = N 60 degrees 18 minutes 12 seconds E) 146.00 feet;

(26) thence N 51 degrees 59 minutes 54 seconds E (record bearing = N 50 degrees 37 minutes 11 seconds E) 242.50 feet to the beginning of a curve concave to the Southeast, having a radius of 2715 feet, to which a radial line of said curve bears N 29 degrees 31 minutes 57 seconds W;

(25) thence Northeasterly along said curve, through an angle of 6 degrees 08 minutes 20 seconds, for a distance of 290.90 feet;

(24) thence N 76 degrees 26 minutes 44 seconds E (record bearing = N 75 degrees 04 minutes 01 seconds E) 97.85 feet to the beginning of a curve concave to the South, having a radius of 2700 feet, to which a radial line of said curve bears N 21 degrees 20 minutes 50 seconds W;

DESCRIPTION CONTINUED

(23) thence Northeasterly along said curve, through an angle of 6 degrees 08 minutes 20 seconds, for a distance of 289.29 feet to a point that bears S 15 degrees 12 minutes 30 seconds E (record bearing = S 16 degrees 35 minutes 13 seconds E) 100.00 feet from Engineer's Station 378+00 P.O.C.;

(22) thence N 84 degrees 13 minutes 34 seconds E (record bearing = N 82 degrees 50 minutes 51 seconds E) 191.17 feet, more or less, to the West boundary of that parcel of land conveyed to Peninsula Union School district of Humboldt County, by Deed recorded February 24, 1961, in Book 624 of Official Records, Page 377;

thence S 01°21'39" W (record bearing S 00°50'W), along said West boundary, 510.41 feet to the southwest corner of said parcel;

thence N 70°02'34" E (record bearing N 69°30'55" E), along the southerly boundary of said parcel, 384.59 feet to an angle point therein;

thence S 31°17'21" E (record bearing S 31°49' E), along the southerly boundary of said parcel, 289.00 feet to an angle point therein, being on the northwesterly line of the County Road, as described in said Deed;

thence N 61°18'39" E (record bearing N 60°47' E), along said northwesterly line of the County road, 287.00 feet to the southeast corner of said parcel;

thence S 55°11'50" E 147.10 feet to a point that bears N 47°19'18" E 5913.81 feet from said southwest corner of Section 16;

thence S 03°37'30" E 258.76 feet;

thence S 20°34'40" E 164.70 feet;

thence S 53°32'25" W 88.41 feet;

thence S 36°57'10" W 106.59 feet;

thence S 79°56'05" W 118.26 feet;

thence N 54°44'45" W 275.10 feet;

thence N 86°56'15" W 105.44 feet;

thence S 57°35'35" W 197.85 feet to the southeasterly line of that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9;

thence N 50°41'45" W 30.00 feet to the northwesterly line of said parcel;

thence S 39 degrees 18 minutes 15 seconds W, along the Northwesterly line of said parcel and the Northwesterly line of that parcel of land conveyed to Northwestern Pacific Railroad Company by Deed recorded February 2, 1925 in Book 171 of Deeds, Page 186, 920.65 feet to the beginning of a curve concave to the Southeast, having a radius of 1652.09 feet;

thence Southerly along said curve, being the Northwesterly line of said parcel conveyed to Northwestern Pacific Railroad, through an angle of 4 degrees 21 minutes 28 seconds for a distance of 125.65 feet to a point that is on the Westerly prolongation of the Southerly line of Lot Three (3) in Block Six (6) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 of Maps, Page 74, Humboldt County Records;

thence S 63 degrees 14 minutes 51 seconds E, along said line, 52.99 feet;

thence S 23 degrees 19 minutes 25 seconds W, 110.20 feet to the Northerly line of Lot Twenty (20) in Block five (5) as shown on said Map;

thence N 63 degrees 14 minutes 51 seconds W, along said line and the prolongation thereof, 71.68 feet to the Northwesterly line of said parcel conveyed to Northwestern Pacific Railroad, being a point on said curve having a radius of 1652.09 feet, to which point a radial line of said curve bears N 58 degrees 53 minutes 31 seconds W;

thence continuing Southerly along said curve through an angle of 4 degrees 13 minutes 00 seconds for a distance of 121.59 feet to the end of said curve;

thence continuing along the Northwesterly line of said parcel conveyed to Northwestern Pacific Railroad, S 26 degrees 53 minutes 28 seconds W, 303.53 feet more or less, to a point that bears S 63 degrees 14 minutes 51 seconds E from the Northeast corner of Lot Thirty-eight (38) in Block Twelve (12) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 of Maps, Page 74, Humboldt County Records;

thence N 63 degrees 14 minutes 51 seconds W, 12.44 feet to said Northeast corner;

thence N 63 degrees 14 minutes 51 seconds W, along the Northerly line of said Lot 38, 110.00 feet to the Northwest corner thereof;

thence N 64 degrees 58 minutes 20 seconds W, 192.60 feet to the point of beginning.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by Deed recorded June 20, 1911 in Book 116 of Deeds, Page 9, and that parcel of land conveyed to Northwestern Pacific Railroad Company by Deed recorded February 2, 1925 in Book 171 of Deeds, Page 186.

ALSO EXCEPTING FROM PARCEL ONE the following lots shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records:

Lots 21, 22, 23, 24, 25, 26, 27 and 28 in Block 12;

Lots 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 and 40 in Block 11;

Lots 28, 29, 30, 31, 32, 33, 34, 38, 39 and 40 in Block 10;

Lots 5, 6, 7, 8, 9, 12, 13, 14, 15, 16 and 17 in Block 7;

Lots 1, 2, 26 and 27 in Block 8;

Lot 35 in Block 25.

DESCRIPTION CONTINUED

ALSO EXCEPTING FROM PARCEL ONE That parcel conveyed to Samoa School District, No. 85 by deed recorded May 16, 1905 in Book 92 Deeds, Page 361, Humboldt County Records, described as follows:

Beginning at the intersection of the east line of Murray Avenue and the north line of Hiller Street as shown on the official map of the Town of Samoa, County of Humboldt, State of California, as filed in the office of the County Recorder of said Humboldt County, in Book 5 Maps, Page 74, and marked on the ground by a two inch iron pipe set four feet in the ground;

thence N 25° E, 100 feet to stake for corner;
thence S 65° E, 110 feet to an iron pipe for corner;
thence S 25° W, 100 feet to an iron pipe for corner;
thence N 65° W, 110 feet along the north line of Hiller Street to the place of beginning.

PARCEL TWO:

Lots Twenty-seven (27) and Twenty-eight (28) in Block Twelve (12) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL THREE:

Lots Twenty-five (25) and Twenty-six (26) in Block Twelve (12) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL FOUR:

Lots Twenty-three (23) and Twenty-four (24) in Block Twelve (12) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL FIVE:

Lots Twenty-one (21) and Twenty-two (22) in Block Twelve (12) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL SIX:

Lot Forty (40) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

DESCRIPTION CONTINUED

PARCEL SEVEN:

Lots Thirty-eight (38) and Thirty-nine (39) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL EIGHT:

Lot Thirty-seven (37) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL NINE:

Lot Thirty-six (36) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TEN:

Lots Thirty-four (34) and Thirty-five (35) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL ELEVEN:

Lot Thirty-three (33) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWELVE:

Lot Thirty-two (32) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL THIRTEEN:

Lots Thirty (30) and Thirty-one (31) in Block Eleven (11) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL FOURTEEN:

Lots Thirty-eight (38), Thirty-nine (39), and Forty (40) in Block Ten (10) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

DESCRIPTION CONTINUED

PARCEL FIFTEEN:

Lots Thirty-three (33) and Thirty-four (34) in Block Ten (10) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL SIXTEEN:

Lots Thirty-one (31) and Thirty-two (32) in Block Ten (10) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL SEVENTEEN:

Lots Twenty-eight (28), Twenty-nine (29), and Thirty (30) in Block Ten (10) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL EIGHTEEN:

Lot Five (5) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

PARCEL NINETEEN:

Lots Six (6) and Seven (7) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

PARCEL TWENTY:

Lot Eight (8) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

DESCRIPTION CONTINUED

PARCEL TWENTY-ONE:

Lot Nine (9) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

PARCEL TWENTY-TWO:

Lots Twelve (12) and Thirteen (13) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWENTY-THREE:

Lots Fourteen (14) and fifteen (15) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWENTY-FOUR:

Lots Sixteen (16) and Seventeen (17) in Block Seven (7) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWENTY-FIVE:

Lots One (1) and Two (2) in Block Eight (8) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWENTY-SIX:

Lot Twenty-seven (27) in Block Eight (8) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

DESCRIPTION CONTINUED

PARCEL TWENTY-SEVEN:

Lot Twenty-six (26) in Block Eight (8) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

EXCEPTING THEREFROM that portion lying within that parcel of land conveyed to Northwestern Pacific Railroad Co. by deed recorded June 20, 1911 in Book 116 Deeds, Page 9.

PARCEL TWENTY-EIGHT:

Lot Thirty-five (35) in Block Twenty-five (25) as shown on the Amended Map of Samoa or West Eureka, filed in Book 5 Maps, Page 74, Humboldt County Records.

PARCEL TWENTY-NINE:

That parcel conveyed to Samoa School District, No. 85 by deed recorded May 16, 1905 in Book 92 Deeds, Page 361, Humboldt County Records, described as follows:

Beginning at the intersection of the east line of Murray Avenue and the north line of Hiller Street as shown on the official map of the Town of Samoa, County of Humboldt, State of California, as filed in the office of the County Recorder of said Humboldt County, in Book 5 Maps, Page 74, and marked on the ground by a two inch iron pipe set four feet in the ground;

thence N 25° E, 100 feet to stake for corner;
thence S 65° E, 110 feet to an iron pipe for corner;
thence S 25° W, 100 feet to an iron pipe for corner;
thence N 65° W, 110 feet along the north line of Hiller Street to the place of beginning.

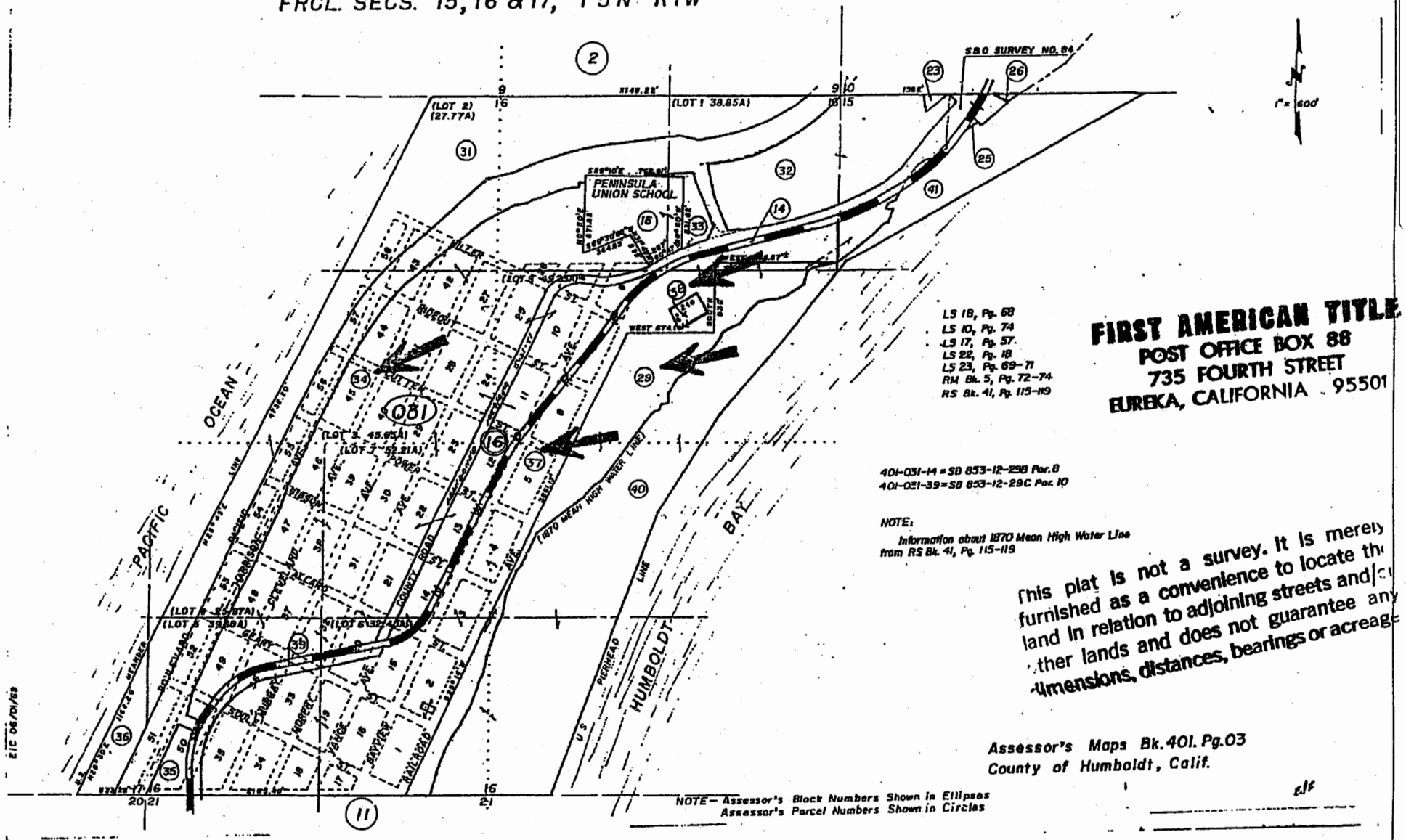
A.P. No. 401-031-28
401-031-34
401-031-37
401-031-38

ke
93909.OEC

Humboldt, CA , 1999-2000 - 401-031-14, , CA, Sheet: 1

FRCL. SECS. 15, 16 & 17, T5N R1W

401-03



LS 18, Pg. 68
LS 10, Pg. 74
LS 17, Pg. 57
LS 22, Pg. 18
LS 23, Pg. 69-71
RM Bk. 5, Pg. 72-74
RS Bk. 41, Pg. 115-119

401-031-14 = SB 853-12-29B Par. B
401-031-39 = SB 853-12-29C Par. 10

NOTE:
Information about 1870 Mean High Water Line from RS Bk. 41, Pg. 115-119

FIRST AMERICAN TITLE
POST OFFICE BOX 88
735 FOURTH STREET
EUREKA, CALIFORNIA 95501

This plat is not a survey. It is merely furnished as a convenience to locate the land in relation to adjoining streets and other lands and does not guarantee any dimensions, distances, bearings or acreage

Assessor's Maps Bk. 401, Pg. 03
County of Humboldt, Calif.

NOTE— Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles

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PHASE II
ENVIRONMENTAL SITE ASSESSMENT
FOR ASSESSOR'S PARCEL NUMBERS
401-031-038, -044, -046, -055, -059, AND -060
SAMOA PENINSULA BROWNFIELDS SITE
SAMOA, HUMBOLDT COUNTY, CALIFORNIA

EXHIBIT NO. 12
APPLICATION NO.
HUM-MAJ-1-08 – HUMBOLDT COUNTY LCP AMENDMENT (SAMOA TOWN PLAN)
PHASE II ENVIRONMENTAL SITE ASSESSMENT (6/05)
(1 of 40)

June 2005

Prepared for:

County of Humboldt
Community Development Services
Economic Development Division
520 'E' Street
Eureka, CA 95501

Prepared by:

Winzler & Kelly Consulting Engineers
633 Third Street
Eureka, California 95501
707-443-8326

PHASE II ENVIRONMENTAL SITE ASSESSMENT
FOR ASSESSOR'S PARCEL NUMBERS
401-031-038, -044, -046, -055, -059, AND -060
SAMOA PENINSULA BROWNFIELDS SITE
SAMOA, HUMBOLDT COUNTY, CALIFORNIA

Project No. 04-1667-01005

Prepared for:

County of Humboldt
Community Development Services
Economic Development Division
520 'E' Street
Eureka, CA 95501

Prepared by:

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Project Scientist

Reviewed by:

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June 2005

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PHASE II ENVIRONMENTAL SITE ASSESSMENT
SAMOA PENINSULA BROWNFIELD SITE
SAMOA, HUMBOLDT COUNTY, CALIFORNIA

1.0 INTRODUCTION AND BACKGROUND

1.1 Executive Summary

Winzler & Kelly Consulting Engineers (Winzler & Kelly) conducted the Samoa Peninsula Brownfield Site field sampling effort to gather data under the EPA's Brownfields Initiative. This Phase II Environmental Site Assessment was prepared under a Cooperative Agreement with the United States Environmental Protection Agency, Region 9 and Humboldt County Community Development Services. An initial Phase I investigation was performed to identify sites with potential environmental impacts. The Phase I findings are contained in the "Phase I Environmental Site Assessment for Assessor's Parcel Numbers 401-031-38, -44, -46, -55, -59, and -60, Samoa, California," February 2004, Winzler & Kelly. The proposed sampling of potentially impacted sites identified in Phase I was detailed in the EPA approved "Quality Assurance and Sampling and Analysis for Samoa Peninsula Brownfield Site, Humboldt County, California," December 10, 2004, Winzler & Kelly. The work detailed in this report was performed according to the methods detailed in the Quality Assurance and Sampling Analysis Plan.The conclusions presented herein do not necessarily reflect those of the EPA, but rather reflect the opinion of Winzler & Kelly.

This report will detail the findings of data obtained from collection of environmental samples throughout the Samoa Brownfield Site. Soil and groundwater impacts were found at several of the sites identified in the Phase I Environmental Site Assessment.

1.2 Site Summary, Location, and Ownership

A.	City/County:	Samoa, Humboldt County, California
B.	Last Use:	Former Lumber Mill, Residential
C.	Site Name:	Samoa Peninsula
D.	Site Location:	Parcel Numbers 401-031-38, 401-031-44, 401-031-46, 401-031-55, 401-031-59, and 401-031-60 located in Samoa, Humboldt County, California
E.	Owner:	Samoa Pacific Group, LLC
F.	Address:	Samoa Pacific Group, LLC 5251 Ericson Way Arcata, CA 95521

G. Representative: Dan Johnson
Investment Partner
Telephone: (707) 822-9000

H. The conclusions presented within this Phase II report are professional opinions based on the data described in this report. They are applicable only for the purpose, the location, and the project indicated. It should be noted that the opinions and recommendations presented herein apply to the site conditions existing at the time of the study. They cannot necessarily apply to site changes of which we are not aware and have not had the opportunity to evaluate. Changes in the conditions of the subject property can occur with time because of natural processes or due to human impact on the subject site or adjoining properties. Changes in applicable evaluation standards can occur as a result of legislation or from a broadening of current knowledge and sampling technologies. Accordingly, the findings of this report may be invalidated, wholly or in part, by changes beyond our control.

I. The project site is the town of Samoa, California, and several surrounding parcels located on the Samoa peninsula, Humboldt County, California. The subject parcels are Assessor's Parcel Numbers 401-031-38, 401-031-44, 401-031-46, 401-031-55, 401-031-59, and 401-031-60. The property is located on the Samoa Peninsula, south of the Highway 255 (Samoa) Bridge. The town is located in coastal sand dunes on the elongated north spit which separates Humboldt Bay and the Pacific Ocean (see Figure 2.1, Appendix A). The subject parcel is currently owned by the Samoa Pacific Group, LLC, 5251 Ericson Way, Arcata, California 95521 (707) 822-9000.

1.3 Site Description and Historical Uses

The town of Samoa is relatively small and still has the appearance of a company lumber mill town. The town contains 98 residences, an elementary school, post office, restaurant, playground, tennis courts, soccer field, basketball courts, a former storehouse/fire station, and former gasoline station (See Figure 2.2, Appendix A.). The town is bordered on the east and south by current and former industrial lumber mill facilities. Largely undeveloped coastal dunes exist to the north and to the west. The subject parcels include the town of Samoa and former industrial (mill) properties directly adjacent to the east and south of APN's 401-031-055 and -60.

Samoa is a former mill town dating back to 1890, which was built adjacent to lumber mill operations. Other industrial operations were also located proximal during the town's history. In 1892, the Samoa Land and Improvement Company bought 270 acres of land in Samoa, including waterfront land, to promote development of Samoa as a town. In 1893, Vance Redwood Company bought the property, built a sawmill, and extended railroad service to Samoa. In 1900, A.B. Hammond bought Vance Redwood Company, including the sawmill, dry kilns, and two logging camps, establishing a large sash & door factory. In 1912, Hammond Lumber began purchasing the town site and constructing company houses. Hammond continued to operate the mill, adding a planing mill, molding plant, sorter sheds, warehouses, shops, and steamship dockage. A ship building plant was established along the waterfront and built several ships during World War I. This plant was demolished by 1924. By 1924, Hammond Lumber Company completed the purchase of all the houses in Samoa and managed the entire town.

In 1956, Georgia-Pacific Lumber Company bought the town and mill from Hammond. A new plywood mill was finished by 1959. In 1963, construction began on a 500-ton per day bleached Kraft pulp mill just south of Samoa, which was operational between 1965 and 1968. In 1973, Georgia-Pacific divested ownership of the Samoa facilities to Louisiana-Pacific, who then managed the town. In 1998, the pulp mill, Samoa, and adjacent industrial lands were bought by Simpson Timber Company. In 2001, 65 acres, including the town of Samoa, was bought by the Samoa Pacific Group, LLC. and in September of that year, they completed the purchase of an additional 150 acres of adjacent dune and industrial land.

The adjoining properties to the northeast and east (APN 401-031-55) were occupied by mill buildings and operations dating back to the turn of the century. Land to the south, portions of APN 401-031-46 and APN 401-031-59, were primarily undeveloped dune lands until portions of the land were further developed for mill use, primarily for lumber and log storage, beginning in the late 1950's.

A former mill machine shop with associated blacksmith shop dating to at least 1923 is located just east of the cookhouse, on APN's 401-031-55 and -58. A Hammond Lumber Company refuse (teepee) burner was located southeast of the cookhouse, on APN 401-031-55. Other original Hammond mill facilities formerly located on this parcel and the adjacent APN 401-031-40 included a power plant, boiler plant, planing mill, carrier house, and various other mill buildings dating back to the turn of the century (1900). Almost all of the previous old mill buildings and facilities have since been demolished. The original Hammond mill was demolished (burned) in 1966. A dock and warehouse facilities were historically located along the shoreline on APN 401-031-40. The dock and some warehouse facilities remain in use. In 1963 the Georgia–Pacific plywood mill was built on APN 401-112-13, south of Samoa, and just south of the subject parcels. Newer mill operations were also built and operated further south along APN 401-031-61, and have subsequently been removed in recent years, including the Simpson co-generation plant and an additional greenchain facility. Parcel APN 401-031-55 is now largely vacant.

Parcel 401-031-44, located west of Samoa, is open coastal dune land adjoining the Pacific Ocean. A parking area for coastal access, a water pumping facility, and water lines of the Humboldt Bay Municipal Water District are located on this otherwise vacant parcel, as is the leachfield for the western portion of the Samoa wastewater treatment facility.

1.4 Previous Studies

The subject site and adjoining parcels have been evaluated in the Phase 1 ESA (2004) as well as the report Results of Soil and Groundwater Investigation for the Soccer Field, Former Service Station (Former Lorenzo Shell), and Chemical Storage Areas in the Town of Samoa, California, SCS Engineers, October 2003. Twenty one sites in and around Samoa were identified as Recognized Environmental Conditions in the report Phase I Environmental Site Assessment For Assessor's Parcel Numbers 401-031-38, -44, -46, -55, -59, and –60 Samoa, February 2004, Winzler & Kelly, otherwise referred to herein as the Phase 1 ESA. These 21 sites, with the exception of the former Lorenzo Shell Station, have been aggregated into 18 sites where sampling is warranted as addressed herein, prior to the currently proposed development of Samoa. The former Lorenzo Shell Station is being addressed in a separate investigation.

1.5 Phase II Statement of Purpose

Winzler & Kelly conducted the Samoa sampling effort to gather data as part of an environmental site assessment under the EPA Brownfields Initiative.

The intent of this Phase II Report is to expand upon the information obtained during the Phase I ESA by verifying and substantiating data collected during the Phase I process and collecting environmental samples to analyze for the presence of hazardous substances. The sampling effort at the eighteen sites was intended to determine the presence of chemical concentrations in soil at all sites and groundwater at select sites. An XRF Spectrum Analyzer was utilized for screening purposes in soil samples collected from all sites. All sampling was conducted under protocol approved by the EPA, as detailed in the "Quality Assurances and Sampling and Analysis Plan" (SAP), December 10, 2004 and addendums dated January 14, 2005, and February 1, 2005, prepared by Winzler & Kelly.

Soil and groundwater analytical results were compared with residential Preliminary Remediation Goals (PRG's), in order to determine if the town of Samoa and the surrounding parcels are safe for the proposed developments. The analytical results were compared with residential PRGs, in order to provide a comparison of analytical results with the most stringent remediation goals. However, portions of the proposed developments involve industrial developments, therefore industrial PRGs are also provided for comparison.

2.0 PHYSICAL CHARACTERISTICS

2.1 Site Description

Most of the town of Samoa is located east of New Navy Base Road and west of Vance Avenue, with a portion of the town located east of Vance Avenue and west of North Bayview Avenue (See Figures 2.1 and 2.2, Appendix A). There are presently approximately 98 dwelling units, generally located on APN 401-031-46. The residential areas also include a playground, tennis courts, soccer field, and basketball courts. The southerly portion of APN 401-031-46, and parcels 401-031-59 and –60, extending southward, are currently vacant lots previously used for the storage of dry stack lumber and as log decks. A portion of APN 401-031-59 contains the oxidation pond and percolation basin for the eastern Samoa wastewater treatment system. The Peninsula Union elementary school is located on APN 401-031-16, which is located immediately north of the subject parcels.

The former storehouse/fire station, former gasoline station, and the current post office are located in a central 'downtown' area, as are a large 'carpenter shop', which is currently used for town maintenance, and 'bus garage'. The Samoa Cookhouse restaurant and a gift shop are located on APN-4012-031-38. A long established railway line runs between the residential and downtown section of Samoa and the industrial parcels to the east. That area is primarily an open, paved vacant lot now; previous mill facilities have largely been removed from the site.

The parcel along the east side of the railroad line, APN 01-031-55 encompasses current and former mill/industrial facilities, largely including the former Hammond mill complex and succeeding mill operations. That parcel is zoned as Coastal Dependant Industrial. The parcels between the railroad line and New Navy Base Road, APN's 401-031-60, -59, and -46, are zoned as MG-Industrial General. The parcel west of New Navy Base Road, APN 401-031-44, is zoned as NR-Natural Resources. Figure 2.2, Appendix A, is an aerial photo of the town of Samoa and displays the above mentioned APN #'s.

2.2 Hydrology and Characteristics

The site is bordered to the west by the Pacific Ocean and to the east by Humboldt Bay. The elevation between the two water bodies is a maximum of approximately 40 feet above sea level. Groundwater was predominantly encountered at shallow depths below ground surface (bgs) during the borings constructed in this sampling effort. Groundwater was encountered at depths ranging from 1.5 feet bgs to 20 feet bgs. Areas wherein groundwater was encountered at a deeper depth were likely the result of the borings being placed in areas of higher topography rather than an actual fluctuation in area groundwater levels. Groundwater flow direction is expected to fluctuate between east and west (between the Pacific Ocean and Humboldt Bay) based upon tidal elevations.

2.3 Topography

Ground surface topography along the Samoa Peninsula (Figure 1) is typically gently sloping toward Humboldt Bay over much of the peninsula. Rolling sand dune topography is present

along the beach side of the peninsula, where the highest elevations of roughly 40 feet above sea level are present.

2.4 Soil Types and Characteristics

Based upon notes collected during this sampling effort and boring logs collected during previous investigations performed within the town of Samoa, the soil underlying the project area predominantly consist of poorly sorted, sub-angular to rounded, medium grained sand to the total explored depth of approximately 20 feet bgs.

Developmental fill was encountered at various sites throughout Samoa. Woody debris was encountered to depths of approximately 7 feet bgs in 2 borings installed at the Soccer Field (Site #1). Soils consisting of sandy clays were noted in the boring placed east of the sewer system's former Bark Filter (Site #4, boring 4-B-1). These site were the only sites wherein typical native soils did not exist.

3.0 SITE CHARACTERIZATION PLAN

3.1 Introduction

This section describes soil sampling activities, groundwater sampling activities, and information about site sample locations, such as why the sites were selected for sampling, the media that was sampled, analyses that were performed on the media, and important observations recorded by Winzler & Kelly at the respective sites. As described in Section 1.4, the screening criteria outlined in the EPA Region IX, 2004 Industrial and Residential PRG's were used to assess the relative threat associated with the impacts of hazardous substances observed at the site. The quality of the data obtained from sampling and analysis at the site meets the criteria for usage in accordance with the data quality objectives (DQO), as documented in the *Guidance for the Data Quality Objectives Process* (USEPA QA/G-4), August 2000.

In accordance with the Sampling Analysis Plan (SAP) approved by the EPA, eighteen sites in Samoa were selected for sampling. The sites were located throughout Samoa. Winzler & Kelly field personnel scaled off the locations of all sample points and collected the samples through the use of hand augers and well points. Site sketches, site pictures, GPS waypoints at sample locations, water quality parameters, and general site notes were collected at each site and recorded in the general field notes. A copy of the field notes can be found in Appendix B. Soil samples were collected from all eighteen sites, while groundwater samples were collected from eight of the eighteen sites. The designation of all samples names corresponds with the site number where the samples were collected. The first number in the sample name corresponds with that site #. For example, sample I.D. 5-B1-2 was collected from site # 5 (Unlined Burn Pit) and was the second sample collected from boring B-1. See Figure 2.2, Appendix A, for a site map displaying the locations of all borings.

Sample collection, documentation activities, and quality control procedures were performed in adherence to the protocol specified in the SAP. Quality Control/ Quality Assurance is further addressed in Section 4.3. Any changes in the sampling protocol contained in the SAP, knowingly committed during implementation of the sampling plan, were noted in daily field notes, which can be found in Appendix B.

3.2 Soil Sampling

Soil samples collected from all of the sites (excluding Site #18 – background soil samples) were screened by a Niton Series 700 XRF spectrum analyzer for twenty metals, including the eight RCRA metals. The XRF screening was performed on either single soil samples or on composite samples which were homogenized by the Winzler & Kelly field personnel. The XRF results were compared to the Residential PRGs for the twenty metals. Any samples which exceeded the respective PRGs for any of the tested metals under XRF screening were submitted for laboratory analysis of those metals.

XRF Soil Screening was performed between the dates of March 25 through March 28, 2005. The project soil samples were screened with a dual sourced (Cd, Am) XRF Model XLi 723 multi-analyzer X-Ray Fluorescence detector, serial # 5663, for the detection of 22 metals. The tested metals are listed below:

Molybdenum, zirconium, strontium, rubidium, lead, selenium, arsenic, mercury, zinc, copper, nickel, cobalt, iron, manganese, chromium, lanthanum, barium, cesium, tellurium, antimony, tin, cadmium, silver, and palladium.

The soil samples were prepared in the soils laboratory of the Winzler & Kelly Consulting Engineers, Eureka, CA office. The samples were dried at room temperatures when required, composited as required, and sieved through a #180 screen to attain homogeneity and to remove coarse debris. The relative homogeneity of the samples was very good, due to the general sandy nature of the site soils. The soil samples were then placed in Niton supplied soil sample cups, and covered with clear Teflon plastic sheets, with snap ring retainer clips.

The XRF detector was programmed to read each source (Cd, Am) for a duration of 60 nominal seconds, and for a total test time of 120 nominal seconds. The XRF detector was calibrated at the beginning of each day's work, and periodically re-calibrated during each day's work. Each soil sample cup was placed in a stationary Niton soil sample tray/cradle for XRF screening. Each soil sample was read three times, as recorded on the field data sheets. The XRF only displayed values for each metal that were effectively above the XRF Limit of Detection (LOD), and these values only were recorded on the field data sheets. The XRF retained all readings in memory, which were downloaded at the conclusion of work, and this down-load data includes the LOD for all metals in each test. The field data sheets and the XRF down-load data are contained in Appendix D. The readings from the three tests for each sample were then averaged, as also recoded on the field data sheets, yielding one averaged value per sample for responses above the respective element LODs.

Soil samples were also collected and submitted for laboratory analysis of the following constituents: total petroleum hydrocarbons as diesel/motor oil (TPH-D/MO), total petroleum hydrocarbons as gasoline (TPH-G), methyl tertiary butyl ether (MTBE), Benzene, Toluene, Ethylbenzene, Xylenes, Penta-chlorophenol (PCP), Tetra-chlorophenol (TCP), Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), 17 metals, Nitrates, Ortho-Phosphate, and Dioxins/Furans. All TPH-D/MO samples for this project were processed with a silica gel clean-up prior to analysis to help screen possible interference with lipids associated with wood debris, which is commonly encountered in sites in and around Samoa.

Exact soil sampling locations were determined in the field based on accessibility, visible signs of potential contamination (e.g., stained soils), and topographical features which could indicate location of hazardous substance disposal (e.g., depressions that may indicate a historic excavation). Soil sample locations were recorded in the field logbook. A sketch of the sample location was entered into the logbook and any physical reference points were be labeled. If possible, distances to the reference points were also given. A hand held Global Positioning System (GPS) receiver was also used to establish coordinates of the sample points. See Appendix B for the field notes for each sample location.

Surface soil samples were collected as discrete samples from a depth of 0 to 6 inches below ground surface. Surface soil samples were collected using a stainless steel hand trowel. Samples to be analyzed for volatile organic compounds were collected first. Samples to be analyzed for

TPH-D/MO, TPH-GAS/BTEX, VOCs, SVOCs, Nitrate, Orthophosphate, selected metals (TTLC), 17 metals (TTLC), and Dioxin/Furans were placed in a sample dedicated 1 gallon disposable pail and homogenized with a trowel. Material in the pail was transferred with a trowel from the pail to the appropriate sample containers. Sample containers were filled to the top, taking care to prevent soil from remaining in the lid threads prior to being closed to prevent potential contaminant migration to or from the sample. Sample containers were closed as soon as they were filled, chilled to 4oC if appropriate, and processed for shipment to the laboratory.

Surface soil samples for VOC analyses were collected as discrete samples from a depth of 0 to 6 inches below ground surface (bgs). Surface soil samples were collected using an EnCore sampler. Samples will be sealed in a zip lock bag as provided by the manufacturer. Sample containers were closed as soon as they were filled, chilled immediately to 4 degrees C before wrapping them in bubble wrap, and processed them for shipment to the laboratory.

Subsurface soil samples were collected by hand auger from shallow depths, not exceeding 36 inches in the generally sandy substrate. A stainless steel hand auger designed for environmental work was utilized, with one or more barrel type augers for sample retention. The auger tools were decontaminated just prior to soil sampling intervals. The auger tools were decontaminated between borings by scrubbing in soap solution, clean water rinse, and final rinse with distilled water. Soil samples for VOC's were obtained using the EnCore sampling device.

Composite subsurface samples were collected by boring to the desired sample depth using a hollow stem auger. Once the desired sample depth was reached, the split-spoon sampler was inserted into the hole and used to collect the sample. Samples were then transferred from the sampler tubes to a sample-dedicated 1-gallon disposable pail and homogenized with a trowel.

Material in the pail was transferred with a stainless steel trowel from the pail to the appropriate sample containers. Sample containers were filled to the top taking care to prevent soil from remaining in the lid threads prior to being sealed to prevent potential contaminant migration to or from the sample. After sample containers were filled, they were immediately sealed, chilled if appropriate, and processed for shipment to the laboratory.

Excess set aside soil from the above the sampled interval was then repacked into the hole.

3.3 Groundwater Sampling

Groundwater samples were collected at eight of the seventeen sites. Groundwater samples were collected from the borings by placing screened well points throughout the depths of the borings. Disposable Polyethylene bailers and fishing line were then used to collect groundwater from the well points. Well points were decontaminated between borings and all disposable equipment was discarded between borings. Groundwater samples were collected and submitted for analysis of the following constituents: TPH-D/MO, TPH-G, MTBE, Benzene, Toluene, Ethylbenzene, Xylenes, Volatile Organic Compounds (VOCs), Semi-Volatile Organic Compounds (SVOCs), 17 metals (dissolved), Nitrates, Ortho-Phosphate, and Dioxins/Furans. Again, all TPH-D/MO samples for this project were processed with a silica gel clean-up prior to analysis to help screen possible interference with lipids associated with wood debris, which is commonly encountered in sites in and around Samoa.

3.4 Site Location Information

Site #1, Soccer Field:
A portion of this area was historically used for automotive oil changing, where oil was openly drained to the ground beneath an oil-change ramp. The development plans for this area includes a conference center and park lots (See Figure 2.3, Appendix A). Four previous borings by SCS Engineering were drilled to collect soil and groundwater samples; however, the borings were not located in the actual oil change area, which has since been located on aerial photo by a former resident. TPH-D was noted in the SCS soil samples from three of the borings ranging from 87 ppm to 180 ppm. TPH-MO was noted in two of those samples in concentrations ranging from 220 ppm to 260 ppm. SVOC components were detected above reporting limits in groundwater samples collected from SCS boring B-4, which was the boring placed closest to the actual oil change area. The occurrence of woody debris was commonly noted on SCS boring logs.

During this investigation, two borings to groundwater were collected in the immediate location of the former oil-changing ramp (see Figure 2.2, Appendix A). Soil samples were collected at the depths of 1, 4, and 7 feet bgs and a groundwater sample was collected at 7 feet bgs. Proposed sampling at 10 feet bgs was not performed due to groundwater levels at 7 feet. All samples were analyzed for TPH-D/MO and TPH-G/BTEX, and XRF screened for metals. Samples from each boring at the depths of 1 foot and the groundwater interface (approximately 7 ft. bgs) were analyzed for SVOCs. Woody debris was encountered throughout the depths of both borings. Soil Samples, 1-B1-1-1, 1-B1-1-2, and 1-B2-1, were lab analyzed for 17 metals as a check on the accuracy of the XRF screenings.

Site #2, Lead Base Paint:
Samoa contains approximately 98 houses, and about 15 other structures including a hostelry, a fire department, a post office, gymnasium, the Samoa Cookhouse restaurant, and several other storage and maintenance structures. Many of these date back to the early 1900s. Previous limited surveys for lead based paint (LBP) were conducted in 1996 and 1997 by Louisiana Pacific (LP). The results indicated the presence of LBP in the buildings. Limited sampling for lead in soil indicated that 1 sample of 19 soil samples exceeded HUD standards. Subsequent to ownership by LP, the condition of exterior paint on many of the Samoa structures has been noted as deteriorated. The data from the LP surveys are not available. Therefore, soil from the drip-line zones of 10 structures was collected for laboratory analysis of lead. See Figure 2.2, Appendix A, for structure locations. At each structure to be tested, one soil sample was collected from four locations around the perimeter of the structures and field composited 4:1 for lab analysis of lead. An XRF detector was also used to screen the exterior surfaces of each tested structure for the presence of LBP.

Site #3, Rail Road Tracks:
The rail line through Samoa dates back to at least 1911. Various petroleum and metal impacts associated with rail operations were possible along the tracks. The rail line rights of way (ROW) are to remain under rail ownership. Areas adjacent to the railway ROW are proposed for industrial and residential development. To test for possible impacts on the subject parcels, adjacent to the ROW, four representative Exposure Assessment (EA) areas were delineated for

testing. Each EA measured 1/10 of an acre and included an area of 20' X 220' along the rail ROW in four separate locations. Four sample locations were located in each EA, for a total of 16 sample sites total. See Figure 2.2 for the sample locations. Soil samples were collected from each of the 16 locations at the surface (0–6 inches) and at the depth of 2 feet by hand auger. Within each EA, the samples from each depth were lab composited 4:1 for a total of eight samples for analysis of TPH-D/MO, SVOCs, and for metals testing (XRF and lab samples). One boring was drilled to groundwater in each of the four designated EA's and submitted for laboratory analysis of TPH-D/MO and SVOCs.

The proposed sampling area for samples 3-B5-B8-1 was located on concrete. Winzler & Kelly field crew relocated the sampling corridor across the street to a vegetated area. An above ground gas pipe was noted in the sampling corridor containing samples 3-B13-B16-1.

Site #4, Sewer system:
The eastern portion of the aging Samoa wastewater system includes two bark filter bank systems, no longer operational, which are located in fenced areas along the eastern border of Samoa (see Figure 2.2). The southernmost one is contained in a concrete berm in a paved industrial area. The northernmost one is not bermed and not paved, and is located at the base of a slope between the town, bordered by the railroad line and the industrial parcel to the east. This system was potentially affected by overflow conditions during operation. The area adjacent to these features is proposed for public recreation. One boring to groundwater was installed along the east side of the northerly bark filter. Soil samples were collected at 2 feet and at the groundwater interface (approximately 5 feet bgs).

The eastern Samoa wastewater system also includes one oxidation pond and one percolation pond, which are both located on APN 401-031-59 (see Figure 2.2). These ponds will continue to serve as the wastewater treatment for the new development. Multiple contaminants may have entered these ponds, and the bark filter banks, from multiple users and uncontrolled disposal down private drains. Three borings to groundwater were installed around each of the two ponds. Soil samples were collected at the depth of 2 feet and at the groundwater interface in each boring. Groundwater was encountered at depths of up to 20 feet bgs around the two ponds. Three borings (4-B2, 4-B4, and 4-B7) were installed at angles to obtain water samples just below the oxidation and percolation ponds. The samples were taken in an attempt to see the range of contamination present throughout the water column, if at all, just below the ponds, as well as in groundwater. In the 3 borings around each pond, the soil samples from each depth were lab composited 3:1 for a total of four samples and submitted for analysis. Analysis included TPH-D/MO and TPH-G/BTEX, VOCs, SVOCs, Orthophosphate, Nitrate as Nitrogen, and metals testing (XRF and lab samples).

Site #5, Unlined Burn Pit:
An unlined disposal burn pit for mill lumber existed on a portion of APN 401-031-59 (See Figures 2.2). The site was reportedly used to burn scraps and excess milled lumber from the adjacent mill. From available photos, the pit appeared to be 8-10 feet deep, and has subsequently been filled with gravel to create an elevated terrace used as a wood stack storage area. Burning at the pit may have resulted in the generation, dispersion, and disposition of dioxins, furans, and other contaminants in and around the area possibly impacting the soil and/or groundwater

beneath the site. This area is proposed for multifamily housing in the new development.

One boring to groundwater was installed in the former pit location. The previous ground surface at the bottom of the pit was believed to be located at the depth of about 10 feet below the current surface of subsequent sand/gravel fill. However, upon augering the soils were found to be very fine sands below the depth of 1.5 feet bgs. Soil samples were therefore collected at 2, 4, 6, 8, and 9 feet and at the groundwater interface at 15 feet bgs, rather than starting at 10 feet bgs as originally proposed. One sample each for VOCs and Dioxin/Furans analysis was collected at 2 feet bgs. Three samples for SVOC analysis and metals analysis were also collected. Analysis of the water sample included VOCs, SVOCs, Dioxins/Furans, and 17 metals (dissolved).

Site #6, Teepee Burner:
A Hammond mill refuse (teepee) burner was located on subject parcel APN 401-031-55 just south of the Samoa Cookhouse site (See Figure 2.2). The burner dates back to 1900 and operated for many years, as noted in a 1939 air photo. Stack emissions and ash likely included dioxins, furans, and other hazardous compounds. Operation likely resulted in the generation, dispersion, and disposition of dioxins, furans, and other contaminants in and around the area and may have directly impacted the soil and/or groundwater beneath the site. The burner site and the surrounding industrial lot are located topographically below the residential sections of Samoa and the Samoa Cookhouse, and are adjacent to the proposed coastal dependant industrial site.

One boring to groundwater was installed in the middle of the feature. Groundwater was encountered at the shallow depth of approximately 1.5 feet bgs, wherein soil samples were also collected. The soil sample was submitted for SVOCs analysis, for metals testing (XRF and lab samples), and for VOCs and Dioxins/Furans. The groundwater samples were collected and submitted for laboratory analysis of SVOCs, Dioxins/Furans, and 17 metals (dissolved).

Site #7, Chemical Storage Shed:
A portion of an outbuilding located behind the Lorenzo Shell Station was designated for chemical storage on town plans dated 1923 (See Figure 2.2). The Lorenzo Shell gas station, which is on the north side of the lot, was previously investigated (SCS, 2000) and is currently being evaluated under a separate investigation for the presence of petroleum contaminants associated with UST's. The chemical storage room was identified during the SCS investigation in 2000, when borehole sampling of soil and groundwater was performed near this and several other out-buildings. That investigation did not test soil within the building for possible petroleum and chemical contaminants from historic or current chemical storage. The current storage of paints, a car battery, and various other unidentified materials on earth flooring in a portion of the out-building historically used for chemical storage was observed during a site reconnaissance by Winzler & Kelly in January 2004 and in March 2005 while performing sampling. If spilled in the storage areas, chemicals would likely have been absorbed into the ground. This area is proposed for a parking lot in a general commercial area in the new development.

Shallow soil samples (surface – 36 inches) were collected within the building by hand auger. Soil from 6 surface locations were collected and lab composited 3:1 for analysis. Three of those sample locations were further advanced to the sample depths of 18 inches and 36 inches for further sample collection, with samples at each depth to be lab composited 3:1 for analysis. The samples were submitted for TPH-D/MO and TPH-G/BTEX, VOCs, and SVOCs analysis, and for metals testing (XRF and lab samples). No groundwater samples were collected.

Site #8, Oil Storage Shed:
An oil storage shed was formerly located on the same lot just behind the former Lorenzo Shell station, as identified on the Hammond Mill Samoa town plan of 1923 (see Figure 2.2). The shed has subsequently been removed; however, a disposal dumpster storage/loading site is now present at the same approximate location. The dumpster is currently parked on a concrete slab. A wooden truck ramp is constructed next to the slab to allow for direct dumping into the dumpster. It is likely that the original oil shed had an earthen floor or wood plank floor instead of a slab floor. Petroleum and other potentially hazardous materials may be present in the soil and groundwater under spill conditions from the previous oil shed and/or the dumpster pad. The oil shed feature was also identified in the initial SCS investigation of the Lorenzo Shell station. Several exploratory borings around the general area by SCS were apparently designed to evaluate possible petroleum contaminants in the soil and groundwater from gas station UST's, the chemical storehouse (Site #7), and the oil storage shed. Indications of contamination were noted in borings adjacent the gas station USTs, but were not noted in the soil or groundwater around the chemical storage and oil storage sheds, which are likely located downgradient to the fuel USTs. This area is on the edge of a parking lot and a park area in the proposed development.

Four shallow soil borings were installed around the perimeter of the existing concrete dumpster slab/former shed site, and one boring was installed at an angle, in order to collect samples under the slab. Soil samples were collected at the surface (0-0.5 feet), at 18 inches and at 36 inches. Soil samples were collected from each boring at these depths and composited 5:1 for analysis of TPH-D/MO and TPH-G/BTEX, SVOCs, and for metals testing (XRF and lab samples). A fuel odor was noted while obtaining surface soil samples. No groundwater samples were collected.

Site #9, Garage, Behind Lorenzo Shell Station:
A second old small garage is located behind the Lorenzo Shell Station (See Figure 2.2). It is likely that this garage was used for automotive repair and storage. As with the adjacent chemical storage building, and oil storage shed, borehole sampling was performed by SCS adjacent to this building as part of the Lorenzo Shell UST investigation, but did not appear to yield any positive results for contaminants in and around the various sheds. Sampling and testing of the surface soils beneath the building has not been performed. This area is proposed for a parking lot in a general commercial area in the new development.

As with site #7 above (chemical storage shed), 6 surface samples were collected by hand auger. The garage has a solid concrete floor which may have been installed recently, according to employees of the adjacent cabinet shop. Therefore, soil samples were collected from the perimeter of the building rather than inside the building as originally proposed. Soil from the 6 surface locations were collected and lab composited 3:1. Three of those sample locations were advanced to the sample depths of 18 inches and 36 inches for further sample collection, with samples at each depth lab composited 3:1 for analysis. The samples were submitted for TPH-D/MO and TPH-G/BTEX and SVOCs analysis, and for metals testing (XRF and lab samples). No groundwater samples were collected.

Site #10, Drum Storage Area:
The storage of oily waste in drums was reported in the area northeast of the existing bus garage.

This site is topographically lower than the residential areas of Samoa. There is no specific information on possible spills of petroleum wastes to the soil and/or groundwater beneath the site, however, direct spills and/or leakage from rusting drums remains a possibility. This site is also downgradient from sites #7, #8, and #9, where groundwater was not sampled. This area is proposed for a parking lot in a general commercial area in the new development.

One boring to groundwater was installed at this location. Soil samples were collected at the surface, at 2 feet, and at the groundwater interface (approximately 4 feet bgs.). All samples were submitted for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab samples).

Site #11, Fill/Construction Debris Pile:
Piles of fill materials consisting of earth and some concrete rubble have been deposited on a low-lying vacant lot located along the north side of Bayview Avenue (see Figure 2.2). It appeared that about twenty piles had been deposited in rows from dump trucks at the time of preparation of the SAP. However, the site had been entirely covered with fill at the time sampling began in March 2005. These materials and the materials underneath them may be clean fill, but their identification has not been determined. This area is proposed for a mini-storage facility in the proposed development.

Eight soil samples were collected by hand auger at random from the site at the depth of one foot. Trash, concrete, and other debris were noted throughout the site. The samples were lab composited 4:1 and submitted for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab samples). No groundwater samples were collected.

Site #12, Rigging Shop:
A "rigging shop" was historically located along Bayview Avenue on the north end of Samoa, west of the cookhouse (see Figure 2.2). This site was identified as a "construction office and garage" on the 1923 plans and later identified as a rigging shop by notation on an APN map on file in the Humboldt County Tax Assessors office. In the course of "rigging", this building was used as a metal and welding shop. This building has been subsequently removed. As many of the original Samoa buildings, the original shop may have had wooden plank flooring; however, the site is now occupied by a large concrete slab. It is possible that there have been impacts to the site soil and groundwater from various metals, including lead and volatile organic compounds. The site is topographically well below residential areas of Samoa and slightly upslope from the coastal dependant industrial parcel. It is on the edge of the coastal dependent industrial area and the apartment buildings in the proposed development plan.

Four soil samples were collected around the perimeter of the existing slab with a hand auger, with samples collected at the surface, and at the depths of 18 inches and 36 inches in each boring. These samples were lab composited 4:1 for analysis. An additional boring on the south side of the existing slab was drilled to groundwater, with samples collected at 2 feet, which was the groundwater interface. A groundwater sample was collected from this boring. All samples were submitted for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab sample).

Site #13, Garages, (near Cookhouse):
An elongated automotive garage (approx. 20' x 120') located along Bayview Avenue near the Samoa Cookhouse access road (APN 401-031-46) dates back to at least 1923, and has been used for automotive parking (See Figure 2.2). It is possible that automotive parking, storage, and repair activities may have resulted in petroleum impacts to the soil and groundwater beneath the structure. The flooring was believed to be wood planking or bare earth; however concrete slabs were discovered during sampling. Soil samples were therefore collected from the perimeter of the structure and installed at angles in order to obtain samples from beneath the concrete slabs. For the proposed development, this site is located under a park lot serving an apartment building complex.

There are approximately ten bays in the garage structure. Soil from 6 surface locations were collected and lab composited 3:1. Three of those sample locations were advanced to the sample depths of 18 inches and 36 inches for further sample collection, with samples at each depth to be lab composited 3:1 for analysis. The samples were submitted for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab samples). No groundwater samples were collected.

Site #14, 2 Garages (near Soccer Field):
Two elongated garages are located southwest of the soccer field along Rideout Street (APN 401-031-46) which date back to at least 1923 (See Figure 2.2). As with site # 13, these were, and are, used for automotive parking and storage. These garages have wood plank flooring. Automotive parking, storage, and possible repairs may have resulted in petroleum impacts to the soil beneath the structure. This site is topographically below adjacent residential areas of Samoa, but at or slightly above the level of the adjacent soccer field and proposed convention center. The proposed development for this site includes a parking lot for the convention center and it is at the edge of natural land that will not be disturbed.

Soil samples from 6 surface locations were collected from within the garages and their perimeters. Soil from 6 surface locations was collected and lab composited 3:1. Three of those sample locations were advanced to the sample depths of 18 inches and 36 inches for further sample collection, with samples at each depth to be lab composited 3:1 for analysis. The samples were submitted for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab samples). No groundwater samples were collected.

Site #15, Hammond Powerhouse, Carriagehouse, Boiler Plant, Shops:
The Hammond Lumber Company powerhouse, carriage house, boiler plant, and other industrial shops were located on portions of the coastal dependant industrial parcel and the adjoining parcel further to the east, which is not a subject property (See Figure 2.2). The mill features dates from about 1900 into the 1950's and beyond. Petroleum and chemical products associated with industrial use may have impacted the soil and groundwater beneath and adjacent to the buildings. The site is topographically well below residential areas of Samoa and slightly lower than the 'downtown' area of Samoa to the west. The sampling was conducted in order to establish a baseline prior to additional industrial development.

Three borings were proposed to groundwater at this site, however only one boring was able to be drilled to groundwater. The proposed borings on the south side of the former site met resistance at approximately 3 feet bgs at what is believed to be a buried concrete slab. Soil samples were collected at the surface and at 2 feet in each boring, which was the depth at which groundwater was encountered. All samples were lab composited 3:1 for TPH-D/MO and TPH-G/BTEX, and SVOCs analysis, and for metals testing (XRF and lab samples). All samples except the surface samples were lab composited 3:1 for the analysis of VOCs. The surface sample only was composited 3:1 for the analysis of Dioxins/Furans. Groundwater samples were collected from the northern boring and submitted for analysis of TPH-D/MO and TPH-G/BTEX, VOCs, SVOCs, Dioxins/Furans, and for 17 metals (dissolved).

Site #16, Hammond Powerhouse, Simpson Co-generation Powerhouse, and the LP Pulp Mill Plant:

These were sources of stack emissions which may have included ash, dioxins, furans, and other hazardous compounds. These sources are shown on Figure 2.2. Prevailing winds in this area are generally from the northwest, away from the town of Samoa, however, wind shifts do occur, and emissions from these sources may have resulted in the dispersion and deposition of air-borne contaminants on all parcels within Samoa.

The sampling plan for airborne contaminants in and around Samoa included soil sampling at 16 locations. There were four separate sampling Exposure Areas (EAs), each with an area of 0.5 acres (See Figure 2.2 for sample locations). Four random sampling points were designated within each EA, for a total of 16 sample locations. Surficial soil samples were collected from each of the 16 sample points, at the depth of 0-0.5 feet. The samples from each EA were lab composited 4:1 for the analysis of dioxins/furans and for metals testing (XRF and lab samples). No groundwater samples were collected.

The proposed sampling areas for samples 16-B1-B4-1 and 16-B5-B8-1 were located on concrete. The sampling corridors were therefore moved a minimal distance to a vegetated area.

Site #17, Former Lumber and Log Storage/Proposed Business Park:

This area was formerly used for the storage of logs and stacked lumber. This site is to be developed as a business park and partially as an RV park (See Figure 2.2). Previous uses for transport and storage of logs and lumber may have resulted in contamination by petroleum products. Inasmuch as previous lumber operations at the mills around Samoa typically involved redwood only, PCP/TCP contamination of this area from lumber storage does not appear likely. However, sampling for PCP/TCP was included in order to verify baseline conditions prior to industrial development.

Surface soil samples were collected from the depth of 0.0-0.5 feet from 20 grid locations (See Figure 2.2). These 20 samples were submitted for TPH-D/MO and TPH-G/BTEX analysis. The 20 soil samples were lab composited 4:1 for the analysis of PCP/TCP and for metals testing (XRF and lab samples).

Site #18, Background Soil Sample Area:
Three surface soil samples were collected from "clean" underdeveloped areas to check typical background levels. The samples were submitted for laboratory analysis of lead, arsenic, and iron, as these metals were the only metal analytes detected above PRG levels in project samples.

4.0 SAMPLING PROCEDURES, QA/QC, AND ANALYTICAL RESULTS

4.1 Field Sampling

Samples were collected from the locations, indicated in Section 3, beginning on February 22, 2005 and concluding on March 21, 2005. The field sampling team consisted of four individuals from Winzler & Kelly: Clay Guzi, Carlos Acu, Gary Lester, and Terry Clark. The assignments for the individuals were as follows:

- Clay Guzi – Located sample areas, recorded field notes, assisted with sample collection, and oversaw field sampling activities
- Carlos Acu – Primarily responsible for sample collection
- Gary Lester – Primarily responsible for sample collection
- Terry Clark – Performed all XRF analysis on samples and structures

The samples were submitted to four separate laboratories and XRF sampling was performed in the Winzler & Kelly Soils Lab and on various structures located throughout Samoa. Some samples designated for semi-volatile organic compounds (SVOC) analyses were inadvertently submitted to Alpha Analytical Laboratory located in Ukiah, California, whereas they should have been sent to the Alpha Analytical Laboratory located in Sparks, Nevada. Winzler & Kelly front office staff accidentally forwarded some sample to the laboratory in Ukiah, while the SAP had specified that all samples designated for SVOC analysis would be sent to Alpha Analytical Inc. in Sparks, Nevada. The mistake was corrected as soon as it was discovered.

4.2 Analyses Requested

Several analyses requested involved the analysis of multiple constituents within one general heading (i.e., SVOCs, VOCs, and Dioxins/Furans). Tables 1 and 2, Appendix C, display all soil and groundwater sampling results for these and all other analytes. However, for ease of displaying the results, only the samples containing analytes above detection limits were listed in the table for the above mentioned general headings. The tables below list all the constituents which were analyzed under the general headings: SVOCs, VOCs, and Dioxins/Furans.

Semi-volatile Organic Compounds (SVOCs)			
Phenol	2,4-Dimethylphenol	2,4-Dinitrotoluene	Pyrene
2-Chlorophenol	1,2,4-Trichlorobenzene	Diethyl phthalate	Butyl benzyl phthalate
Bis (2-chloroethyl) ether	Naphthalene	Fluorene	Benzo(a)anthracene
1,3-Dichlorobenzene	Hexachlorobutadiene	4-Chlorophenyl phenyl ether	3,3'-Dichlorobenzidine

1,4-Dichlorobenzene	4-Chloro-3-methylphenol	4,6-Dinitro-2-methylphenol	Chrysene
1,2-Dichlorobenzene	Hexachlorocyclopentadiene	N-Nitrosodiphenylamine	Bis(2-ethylhexyl)phthalate
Bis (2-chloroisopropyl) ether	2,4,6-Trichlorophenol	4-Bromophenyl phenyl ether	Di-n-octyl phthalate
N-Nitrosodi-n-propylamine	2-Chloronaphthalene	Hexachlorobenzene	Benzo(b)fluoranthene
Hexachloroethane	Dimethyl phthalate	Pentachlorophenol	Benzo(k)fluoranthene
Nitrobenzene	Acenaphthylene	Phenathrene	Benzo(a)pyrene
Isophorone	2,6-Dinitrotoluene	Anthracene	Indeno(1,2,3-cd)pyrene
2-Nitrophenol	Acenaphthene	Di-n-butyl phthalate	Dibenz(a.h)anthracene
2,4-Dimethylphenol	2,4-Dinitrophenol	Fluoranthene	Benzo(g.h.i)perylene
Bis (2-chloroethoxy) methane	4-Nitrophenol		

Volatile Organic Compounds (VOCs)			
Chloromethane	Trans-1,2-Dichloroethene	1,2-Dichloropropane	M,p-Xylene
Vinyl chloride	1,1- Dichloroethene	Bromodichloromethane	o-Xylene
Bromomethane	Cis-1,2-Dichloroethene	Cis-1,3-Dichloropropene	Bromoform
Chloroethane	Chloroform	1,1,2-Trichloroethane	1,1,2,2-Tetrachloroethane
Trichlorofluoromethane	Carbon Tetrachloride	Dibromochloromethane	1,3-Dichlorobenzene
1,1-Dichloroethene	1,1,1-Trichloroethane	Chlorobenzene	1,4-Dichlorobenzene
Methylene chloride	Benzene	Ethylbenzene	1,2-Dichlorobenzene

Dioxins/Furans			
2,3,7,8-TCDD	1,2,3,7,8,9- HxCDD	Total TCDF	2,3,4,6,7,8- HxCDF
Total TCDD	Total HxCDD	1,2,3,7,8-PeCDF	1,2,3,7,8,9- HxCDF
1,2,3,4,8-PeCDD	1,2,3,4,6,7,8-HpCDD	2,3,4,7,8-PeCDF	Total HxCDF
Total PeCDD	Total HpCDD	Total PeCDF	1,2,3,4,6,7,8-HpCDF
1,2,3,4,7,8-HxCDD	OCDD	1,2,3,4,7,8-HxCDF	1,2,3,4,7,8,9-HpCDF
1,2,3,6,7,8- HxCDD	2,3,7,8-TCDF	1,2,3,6,7,8- HxCDF	Total HpCDF
			OCDF

Section 3 outlines the suspected contaminants at each site and general reasoning behind sampling protocol. Samples were collected from the sites and submitted for laboratory analysis and/or XRF analysis. Soil and groundwater samples with analytes above residential PRGs are discussed in Section 4.5 below. Tables 3 and 4, Appendix C, provide tabular results of all analytes above soil and groundwater PRGs, respectively. The tables also list all analytes detected above laboratory detection limits, wherein there are no established PRGs for the analytes.

4.3 Quality Assurance/Quality Control

QA/QC procedures outlined in the SAP were followed for sample collection and laboratory analysis. For field QC of all analysis, Equipment Banks were collected to evaluate possible equipment contamination of field samples. The use of Equipment Blanks precludes the use of Field Blanks and Trip Blanks. Field Duplicate Samples were collected for lead in soil (lead based paint) samples, and all other organic and inorganic analysis.

Laboratory QA/QC included, at a minimum, for each project analyte, analysis of a "Method Blank" sample to verify the absence of false readings, the analysis of "Laboratory Control Spike" (LCS) samples to evaluate the percentage of recovery for each analyte in a clean blank matrix, and the analysis of an "LCS Duplicate" sample to evaluate the reproducibility of the lab analysis, as expressed in "relative percent difference" (%RPD). All laboratory reports were signed by the director of the laboratory.

Multiple laboratory reports stated that samples contain materials in the TPH-G and TPH-D/MO range of molecular weights, but that these materials did not exhibit their typical peak patterns. Laboratory QA/QC procedures and notes can be found within all individual laboratory reports (Appendix E).

Field QA/QC was performed to provide an assessment of possible field contamination and assessment of field variability. The latter may include variability in sampling techniques and instrument variability. Equipment blanks were used to assess field contamination. Equipment (rinsate) blanks were collected in the field when non-dedicated, non-reusable, non-disposal equipment was used for sample collection. One Equipment Blank per matrix (soil and water) was collected per day, but not at a ratio exceeding 1 blank per ten samples. Equipment blank samples were collected from rinse of the following equipment.

For soil – rinse of hand auger bit or field trowel
For water – rinse of well point casing

The samples were submitted for laboratory analysis, and included the analysis for each analyte which was sampled on the day of collection. The following procedures were utilized for equipment blank sample collection:

Equipment rinsate blanks were collected to evaluate field sampling and decontamination procedures by pouring High Performance Liquid Chromatography (HPLC) organic-free (for organics) or deionized water (for inorganics) over the decontaminated sampling equipment. Again, one equipment rinsate blank was collected per matrix each day that sampling equipment was decontaminated in the field. Equipment rinsate blanks were obtained by passing water through or over the decontaminated sampling devices that were used that respective day. The rinsate blanks that were collected were analyzed for only those analytes which were sampled on that day, including: TPH-D/MO, TPH-GAS/BTEX, VOCs, SVOCs, Dioxins/Furans, PCP/TCP, Nitrate as Nitrogen, Orthophosphate, Selected Metals (TTLC), 17 Metals (TTLC), and 17 Metals (dissolved).

Four water equipment blank samples contained concentrations of barium at levels up to 2.5 parts per billion (ppb) and concentrations of Zinc up to 200 ppb. The concentrations of zinc may be the result of the use of galvanized steel well points. Galvanized steel is frequently zinc coated. Two soil equipment blank samples contained concentrations above laboratory detection limits. The equipment blank sample collected on 3-17-5 contained concentrations of barium at 1.4 ppb and concentrations of Nitrates at 650 ppb. The equipment blank sample collected on 3-18-5 contained concentrations of Zinc at 16 ppb. Concentrations of all other equipment blank samples remained below laboratory detection limits. Table 5, Appendix C, displays all QA/QC analytical results.

Duplicate soils samples were collected and submitted "blind" to the laboratory at the following sample locations: Site #'s 1, 2, 3, 4, 7, 10, 12, 14, and 17. Duplicate water samples were collected and submitted "blind" to the laboratory at the following sample locations: Site #'s 1, 4, and 5. These duplicate samples were collected from these locations for the assessment of field variability and for laboratory QA/QC.

Only one set of duplicate samples came back with a significant discrepancy. Soil sample 3-B5-B8-2-1 contained concentrations of TPH-D at 2.4 parts per million (ppm) and TPH-MO at 95

ppm. Its duplicate sample, 3-B5-B8-2-2, reported concentrations all below laboratory detection limits, which were <1.1 ppm of TPH-D and <11 ppm for TPH-MO.

Background samples were collected for the analysis of inorganic metals in soils only, to assess the possible occurrence of native metals. The sample area is typified by windblown coastal sand dunes. The background control area was the undeveloped coastal dune area located upwind, to the northwest of the project area. Three separate soil samples were collected from the control area (Site #18, Figure 2.2) during project sampling. The samples were submitted to the laboratory and held for analysis until all site sample analysis for metals had been completed and reviewed. The background samples were analyzed for lead, arsenic, and iron, which were all detected above PRG levels in project samples. The background samples contained concentrates of iron up to 12,000 ppm and arsenic up to 3.8 ppm, while lead in soil remained below laboratory detection limits.

4.4 XRF Sampling Results

At the conclusion of XRF screening, the data were reviewed and evaluated for follow-up laboratory analysis of metals which exceeded Preliminary Remediation Goal (PRG) values. As part of the project QA/QC, the first three project soil samples were submitted for the laboratory analysis of 17 metals. This included samples 1-B1-1-1, 1-B1-1-2, and 1-B2-1. The analyses included barium, beryllium, cadmium, chromium, cobalt, copper, lead, molybdenum, nickel, silver, vanadium and zinc by EPA Method 65010B, mercury by EPA method 7471A, arsenic, selenium, antimony, and thallium by EPA Method SW6020/SW6020A. The results are listed in Table 1, Appendix C.

Arsenic
Of note were the positive results for arsenic in the three project QA/QC samples, ranging from 2.8 ppm up to 4.9 ppm. This was in excess of the PRGs. The three samples were all from the same site (Site 1, Samoa Soccer Field). It was decided to submit ten other project samples for arsenic analysis. The samples for laboratory analysis of arsenic were selected from across various project sites. These samples were inadvertently submitted to North Coast Laboratories for the analysis of arsenic by Method 6010B and all ten were non-detect at or above the standard report limit of 50 ppm. The samples should have been submitted to Alpha Analytical for ICP analysis with a detection limit of <1 ppm.

Lead
The XRF screening identified four samples in excess of the 400 ppm PRG level. These four samples were submitted to North Coast Laboratories for analysis of Total Threshold Concentration Limit (TTLC) by Method EPA 6010B. The results of all laboratory analysis are listed in Table 1.

It was found that there was a reasonably close agreement between the XRF data and the laboratory TTLC data for lead. The sample with the highest value for TTLC lead, sample 8-B1-B5-1, at 1,000 ppm, was further submitted for a wet extraction (STLC) analysis, yielding a value of 36 ppm.

It was subsequently determined that the California Modified Residential PRG for lead, which is 150 ppm, may be applicable for this project. There were six project samples that exceeded 150 ppm lead by XRF screening, but which were not submitted for further laboratory analysis. These six samples are listed on Table 4 along with their averaged XRF values. It should be noted that the California DHS considers general soil lead levels >1,000 ppm to be a hazard, and levels >400 ppm as presenting a hazard in children's play areas.

Chromium

The XRF screening of the project samples indicated that the total chromium concentrations as determined by the XRF detector were significantly higher than TTLC values as determined by laboratory analysis, with many of the project samples appearing, by XRF data, to be in excess of the Residential PRG value of 210 ppm and the Industrial PRG of 450 ppm for total chromium. The XRF LOD for total chromium was reported to be 150 ppm. It was deemed not economically feasible to submit all of the approximately 64 soil samples which exceeded the value of 210 ppm chromium as determined by XRF analysis for TTLC analysis of chromium. Eleven of the soil samples were submitted to North Coast Laboratories for TTLC chromium analysis by EPA Method 6010B. The samples were selected to provide a range through the XRF screening values for chromium, from 436 ppm (sample 16-B9-B12-1) up to the highest XRF value of 2,252 ppm (sample 4-B1-2). The TTLC values were not found to be at all proportional to the XRF values for the same samples. The results of all laboratory analysis are listed in Table 1.

The soil sample which had indicated the highest total chromium response by XRF screening sample (4-B1-2) was further submitted for the analysis of Chromium VI, yielding a value of <0.10 ppm.

Lead Based Paint Survey

On May 5, 2005, a limited lead based paint (LBP) survey of ten selected buildings in Samoa was conducted with a Niton XL 309 X-Ray Fluorescence detector (XRF) detector. The survey included one commercial restaurant (Samoa Cookhouse), the Samoa Fireman's Hall (clubhouse), the Samoa Fire Department Building, and seven residential dwellings, as identified below:

SITE #	NAME/LOCATION
2-LS1-LS4	Residence, #102 Samoa Court
2-LS5-LS8	Residence, #126 Rideout
2-LS9-LS12	Residence, #105 Samoa Court
2-LS13-LS16	Residence, #11 Cutten Avenue
2-LS17-LS20	Samoa Fire Station
2-LS21-LS24	Residence, #2 Cutten Avenue
2-LS25-LS28	Residence, #5 Fenwick
2-LS29-L32	Residence, #16 Fenwick
2-LS33-LS36	Samoa Cookhouse
2-LS37-LS40	Samoa Fireman's Hall

The Samoa Cookhouse and the Samoa Fire Station were likely built before the year 1900. The residences were likely built prior to 1925.

The survey was conducted by a certified California Department of Health Services (DHS) Lead Inspector/Assessor # 10915, who also possesses a training certificate from Niton Corporation for use of the Niton XL 309 detector. An XL 309 detector, serial number U4306NR5593 was used for the survey. All sites were surveyed on May 5, 2005. The XRF was calibrated twice prior to use, and once during the project work. Standard checks were conducted after each calibration. All data was recorded by the operator on field data log sheets, which are contained in Appendix D. The XRF also recorded all data, which was down-loaded at the conclusion of the project. A typed summary of the survey data, the XRF field data logs, and the XRF down-loaded data tables are contained in Appendix D. Any XRF reading at or above 1.0 mg/cm^2 is considered to be lead based paint (LBP). The XRF also determined a relative depth to LBP layers.

The paint surveys were limited to the exteriors of the buildings, and typically included a survey of select exterior components, generally on each of the four sides of the buildings, as readily accessible. The components typically included siding, foundation skirts, door, window, corner trim, window sashes and sills, porch components, and several fence components. The exterior siding and components of the buildings, with the occasional exception of some replacement window frames, are wood.

Every building/residence surveyed was found to contain extensive LBP on a majority of exterior components, with the partial exception of residence #2-LS5-LS8 (126 Rideout). The siding on this residence did not appear to be LBP, however, several other exterior components, such as the wooden foundation skirt siding and several trim components, were LBP. It was not determined if the siding on this building had been replaced in the past.

Exterior components of the remaining buildings often contained LBP, with the occasional exception of trim components which may have been replaced during repairs, or where previous LBP layers may have been wholly or partly removed by deterioration (peeling), scraping, or other means during the course of past building maintenance/painting. As noted on the XRF data sheets for each building, the percentage of peeling paint of the tested surfaces were approximated and noted on the field XRF data sheets. In general, some deterioration such as cracking and peeling of exterior LBP surfaces was fairly common on many of the buildings, and generally more pronounced on the south and west sides due to sun exposure effects.

4.5 Laboratory Analytical Results

Soil Sample Results

Soil samples were submitted for laboratory analyses of at least one or a combination of the following constituents: TPH-D/MO, TPH-G, MTBE, Benzene, Toluene, Ethylbenzene, Xylenes, PCP, TCP, VOCs, SVOCs, 17 metals, Nitrates, Ortho-Phosphate, and Dioxins/Furans. SVOC's were sent to Alpha Analytical, Inc., located in Sparks, NV. Again, two sets of samples were inadvertently sent to Alpha Analytical, Inc., located in Ukiah, CA, which is a separate, distinct laboratory with an identical name. Dioxins/Furans and lead in soil were sent to R.J. Lee Inc., located in San Leandro, CA. All remaining samples were sent to North Coast Laboratories, located in Arcata, CA.

Excluding Site 11 (Fill/Construction Debris Pile), all site locations had at least one soil sample containing an analyte concentration above laboratory detection limits. Eight of these sites (sites 1, 2, 4, 8, 9, 14, 16, and 18) contained concentrations of at least one analyte above residential PRG's. There are no established PRGs for TPH-D/MO, TPH-G, Nitrates, or Ortho-Phosphate, therefore any detection above laboratory detection limits was noted. Sites 3, 7, 10, 12, 13, 15, and 17 contained at least one of these analytes at a level above laboratory detection limits, but do not contain any analytes above established residential PRG's. Table 1, Appendix C, contains tabular results of all soil laboratory analytical results. Table 3, Appendix C, contains results of soil samples with analytes above residential PRG's and detected analytes with no established PRG's. Copies of all laboratory analytical results can be found in Appendix E. The following narrative summarizes sites containing samples with analytical results above residential PRG's or detected analytes with no established PRG.

Site 1, Soccer Field: TPH-D was detected at concentrations up to 25 ppm, TPH-MO was detected at concentrations up to 320 ppm, TPH-G was detected up to 21 ppm, and arsenic was detected at concentrations up to 4.9 ppm.

Site 2, Lead Base Paint Survey: Lead in soil was detected at concentrations up to 2,350 ppm. Paint on all structures tested was determined to be lead based paint by XRF analysis.

Site 3, Railroad Sites: TPH-D was detected at concentrations up to 5.4 ppm, TPH-MO was detected at concentrations up to 95 ppm, and lead was detected in soil by XRF analysis at 168 ppm.

Site 4, Sewer System: TPH-D was detected at concentrations up to 5.5 ppm, TPH-MO was detected at concentrations up to 23 ppm, iron was detected at 26,000 ppm, nitrates were detected at concentrations up to 6.5 ppm, and orthophosphate was detected at concentrations up to 17 ppm.

Site 7, Chemical Storage Shed: TPH-D was detected at concentrations up to 74 ppm, TPH-MO was detected at concentrations up to 1,000 ppm, and lead was detected in soil by XRF analysis up to 392 ppm.

Site 8, Oil Storage Shed: TPH-D was detected at 3.4 ppm, TPH-MO was detected at concentrations up to 41 ppm, TPH-G was detected at 3.6 ppm, benzo(a)pyrene was detected at 0.65 ppm, and lead in soil was detected at 1,000 ppm

Site 9, Garage, Behind Lorenzo Shell Station: TPH-D was detected at 4.0 ppm, TPH-MO was detected at concentrations up to 90 ppm, and lead was detected at concentrations up to 850 ppm.

Site 10, Drum Storage Area: TPH-MO was detected at up to 22 ppm, lead was detected in soil by XRF analysis at 210 ppm.

Site 12, Rigging Shop: TPH-MO was detected at concentrations up to 33 ppm.

Site 13, Garages near Cookhouse: TPH-D was detected at concentrations up to 9.3 ppm and TPH-MO was detected at concentrations up to 160 ppm.

Site 14, 2 Garages near Soccer Field: TPH-MO was detected at concentrations up to 630 ppm and lead was detected in soil at concentrations up to 700 ppm.

Site 15, Hammond Powerhouse, Carriage House, Boiler Plant, Shops: TPH-D was detected at up to 73 ppm and TPH-MO was detected at concentrations up to 450 ppm.

Site 16, Hammond Powerhouse, Simpson Co-Generation Powerhouse, and the LP Pulp Mill: OCDD was detected at 0.0051 ppm.

Site 17, Former Lumber and Log Storage: TPH-D was detected at concentrations up to 2.2 ppm and TPH-MO was detected at concentrations up to 51 ppm.

Site 18, Background Soil Sample Area: Arsenic was detected at concentrations up to 3.8 ppm and iron was detected at concentrations up to 12,000 ppm.

Groundwater Sample Results

Groundwater samples were submitted for laboratory analyses of at least one or a combination of the following constituents: TPH-D/MO, TPH-G, MTBE, Benzene, Toluene, Ethylbenzene, Xylenes, VOCs, SVOCs, 17 metals (dissolved), Nitrates, Ortho-Phosphate, and Dioxins/Furans. SVOC's were sent to Alpha Analytical, Inc., located in Sparks, NV. Dioxins/Furans were sent to R.J. Lee Inc., located in San Leandro, CA. All remaining samples were sent to North Coast Laboratories, located in Arcata, CA.

Four of the eight groundwater sampling sights (Sites 1, 4, 6, and 12) contained concentrations of analytes above residential PRGs. Table 2, Appendix C, provides results of all groundwater analytical results. Table 4, Appendix C, contains results of groundwater samples with analytes detected above residential PRGs, as well as for analytes which were detected above laboratory detection limits, but for which there is no established PRG. Copies of all laboratory analytical results can be found in Appendix E. The following narrative summarizes sites containing samples with analytical results above residential PRG's or above analytes with no established PRG.

Site 1, Soccer Field: TPH-D was detected at concentrations up to 270 ppb, TPH-MO was detected at concentrations up to 180 ppb, TPH-G was detected at concentrations up to 160 ppb, Benzene was detected at concentrations up to 1.4 ppb, and arsenic was detected at concentrations up to 15 ppb.

Site 4, Sewer System: TPH-D was detected at concentrations up to 110 ppb, TPH-MO was detected at concentrations up to 450 ppb, TPH-G was detected at concentrations up to 65 ppb, benzene was detected at concentrations up to 0.75 ppb, 1,4-dichlorobenzene was detected at 1.3 ppb, and ortho-phosphate was detected at concentrations up to 4,500 ppb.

Site 6, Teepee Burner: Total TCDD was detected at 0.0068 ppb.

Site 12, Rigging Shop: Arsenic was detected at 4.2 ppb.

5.0 CONCLUSIONS

5.1 Conclusions

Based on physical inspection and extensive soil and groundwater sampling, many properties in and around the town of Samoa exhibit characteristics that indicate the presence of soil and/or groundwater impacts. The extent of these impacts is detailed in Section 4 of this report. These impacts were compared to the Residential PRGs established by Region IX EPA to determine the potential impacts to human health and the environment. The results of this comparison are detailed below.

Site 1, Soccer Field: TPH-D (up to 25 ppm in soil and 270 ppb in groundwater), TPH-MO (up to 320 ppm in the soil and 180 ppb in groundwater), TPH-G (up to 21 ppm in soil and 160 ppb in groundwater) and arsenic (up to 4.9 ppm in soil and 15 ppb in groundwater) was detected in the soil and groundwater. Low levels of benzene (up to 1.4 ppb) were also detected in the groundwater. The previous SCS investigation in this area also detected hydrocarbon impacts. The laboratory reported that the hydrocarbons did not "exhibit the peak pattern typical" of the various hydrocarbons and it is possible that the natural organics in the wastewater could show up on the chromatographs as TPH-G/D/MO. There was wood debris encountered in all of the borings installed in this area and it appears that there is extensive wood waste over this entire area. The levels of arsenic in the soil are similar to the background levels and it is likely that the arsenic detected in the groundwater is also naturally occurring. The levels of hydrocarbons in the soil and groundwater are of concern, however, the proposed development of this area into a paved convention center will help to cap the area and prevent further migration of the hydrocarbons and prevent direct contact by the public with the impacted soils. Care will have to be taken during construction excavation to ensure worker protection and proper disposal of excess impacted soils. Consideration should also be given to the bearing capacity of the soil in this area given the large amount of wood debris encountered. It is highly unlikely that groundwater in this area will ever be utilized for drinking water, given its high salinity levels.

Site 2, Lead Base Paint Survey: Paint on all of the ten structures tested was determined to be lead based paint. Lead in soil around the structures was also detected at concentrations up to 2,350 ppm. Notification will have to be provided to all tenants of the lead in the paint and the soil.

Site 3, Railroad Sites: Very low levels of TPH-D (up to 5.4 ppm) and TPH-MO (up to 21 ppm) were reported in the soil. At these low levels the impacts are not of serious concern. Lead was also detected in soil (168 ppm) at levels similar to background levels.

Site 4, Sewer System: Low levels of TPH-D (5.5 ppm) and TPH-MO (23 ppm) were detected in the soil and slightly higher levels of TPH-D (110 ppb) and TPH-MO (450 ppb) as well as TPH-G (65 ppb) and benzene (0.75 ppb) were detected in the groundwater. The laboratory reported that the hydrocarbons did not "exhibit the peak pattern typical" of the various hydrocarbons and it is possible that the natural organics in the wastewater could show up on the chromatographs as TPH-G/D/MO. The levels of nitrates 6.5 ppm and orthophosphate 17 ppm in the soil are not at levels of concern and the level of iron in the soil is similar to the background levels. The levels

of ortho-phosphate in the water (4,500 ppb) are fairly elevated, but there is no PRG or Maximum Contamination Level (MCL) established for orthophosphate to use as a comparison, and again it is highly unlikely that the groundwater in this area will ever be utilized for drinking water, given its high salinity. The continued use of this area as part of the wastewater treatment system will also prevent human exposure to the soils and groundwater.

Site 6, Teepee Burner: Total TCDD in the groundwater was reported at 0.0068 ppb. The PRG for TCDD is 0.000000448 ppb for drinking water. No dioxins or furans were reported in the soil at this site. It is unlikely that the groundwater in the area will ever be utilized for drinking water, given its high salinity, thereby limiting the potential or human exposure.

Site 7, Chemical Storage Shed: The soil in the shed had elevated levels of TPH-D (74 ppm) and TPH-MO (1,000 ppm). It is assumed that this shed will be demolished during the construction of the commercial parking areas and buildings proposed for the new development. Care will have to be taken during construction excavation to ensure worker protection and proper disposal of excess impacted soils. There is an ongoing investigation in this area (as well as Sites 8, 9, and 10) connected with a historic underground storage tank associated with the Former Lorenzo Shell station.

Site 8, Oil Storage Shed: There were minor impacts from TPH-D (3.4 ppm), TPH-MO (41 ppm), TPH-G (3.6 ppm) and benzo(a)pyrene (0.65 ppm) in the soil at the site, as well as elevated levels of lead (1,000 ppm). It is assumed that this shed will be demolished during the construction of the commercial parking areas and buildings proposed for the new development. Care will have to be taken during construction excavation to ensure worker protection and proper disposal of excess impacted soils.

Site 9, Garage, Behind Lorenzo Shell Station: There were minor impacts from TPH-D (4.0 ppm) and TPH-MO (90 ppm) as well as elevated levels of lead (850 ppm) in the soil. It is assumed that this shed will be demolished during the construction of the commercial parking areas and buildings proposed for the new development. Care will have to be taken during construction excavation to ensure worker protection and proper disposal of excess impacted soils.

Site 10, Drum Storage Area: Very minor impact from TPH-MO (22 ppm) and slightly elevated levels of lead (210 ppm) were detected in soil. The lead levels are above the residential PRGs but below the industrial PRGs. Since the Drum Storage area is in the vicinity of Sites 7, 8, and 9, it should treated the same as these areas during construction activities.

Site 12, Rigging Shop: Very minor impacts from TPH-MO (33 ppm) was detected in the soils, and arsenic was detected in the groundwater (4.2 ppb) at levels that are likely similar to background. This is in the coastal dependent industrial area, and no special measures are likely required for this area.

Site 13, Garages near Cookhouse: Minor impacts from TPH-D (9.3 ppm) and TPH-MO (160 ppm) were reported in the soils. This area is under a proposed parking lot which will serve to cap the soils and prevent migration or exposure to the soils. Care should be taken during

construction grading activities to ensure worker protection and proper disposal of excess impacted soils.

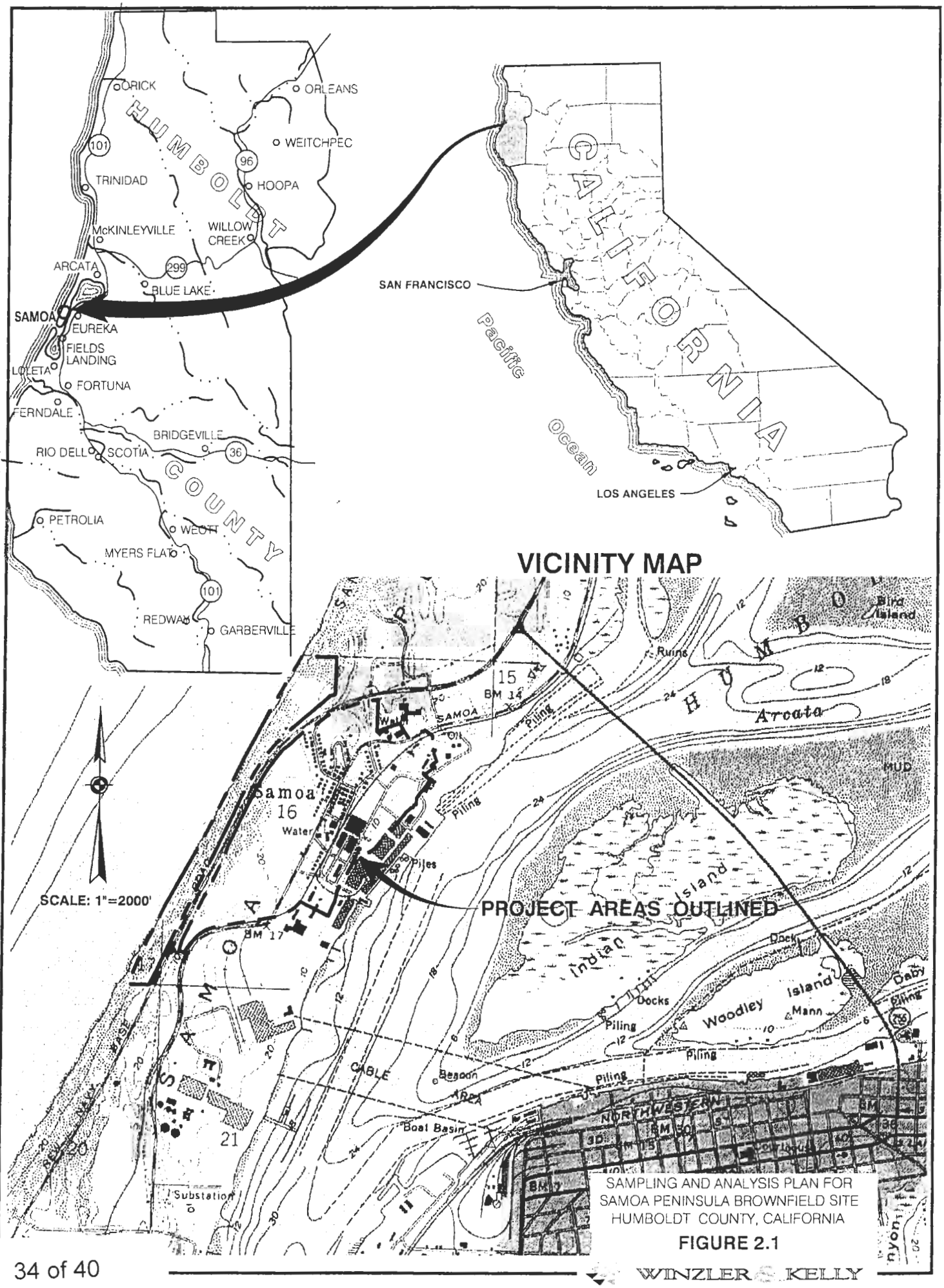
Site 14, 2 Garages near Soccer Field: TPH-MO was reported at concentrations up to 630 ppm and lead was detected in soil at concentrations up to 700 ppm. This area is on the edge of a proposed parking lot which will serve to cap the soils and prevent migration or exposure to the soils. Care should be taken during construction grading activities to ensure worker protection and proper disposal of excess impacted soils.

Site 15, Hammond Powerhouse, Carriage House, Boiler Plant, Shops: Elevated levels of TPH-D (73 ppm) and TPH-MO (450 ppm) were detected in the soil. This area is proposed for coastal dependent industrial development. Care should be taken during construction activities to ensure worker protection and proper disposal of excess impacted soils.

Site 16, Hammond Powerhouse, Simpson Co-Generation Powerhouse, and the LP Pulp Mill: OCDD was detected at 0.0051 ppm in the soil. There are no PRGs established for OCDD so it was converted to an equivalent level of 2,3,7,8 -TCDD. One ppm of OCDD is equivalent to 0.0001 ppm of 2,3,7,8 -TCDD. Therefore, 0.0051 ppm of OCDD is equivalent to 0.00000051 ppm of 2,3,7,8-TCDD. The PRG's for 2,3,7,8-TCDD for residential and industrial sites are 0.0000039 ppm and 0.0000159 ppm, respectively. Therefore, the OCDD concentration is below both the residential PRG and the industrial PRG and no special measures are required for this area.

Site 17, Former Lumber and Log Storage: Minor levels of TPH-D (2.2 ppm) and TPH-MO (51 ppm) was detected in this area. Given that this area was used as lumber storage, these levels could be due to naturally occurring wood waste, and no special measures should be required in this area.

Appendix A
Figures



VICINITY MAP

SAMPLING AND ANALYSIS PLAN FOR
SAMOA PENINSULA BROWNFIELD SITE
HUMBOLDT COUNTY, CALIFORNIA

FIGURE 2.1

WINZLER & KELLY

6/3/2005

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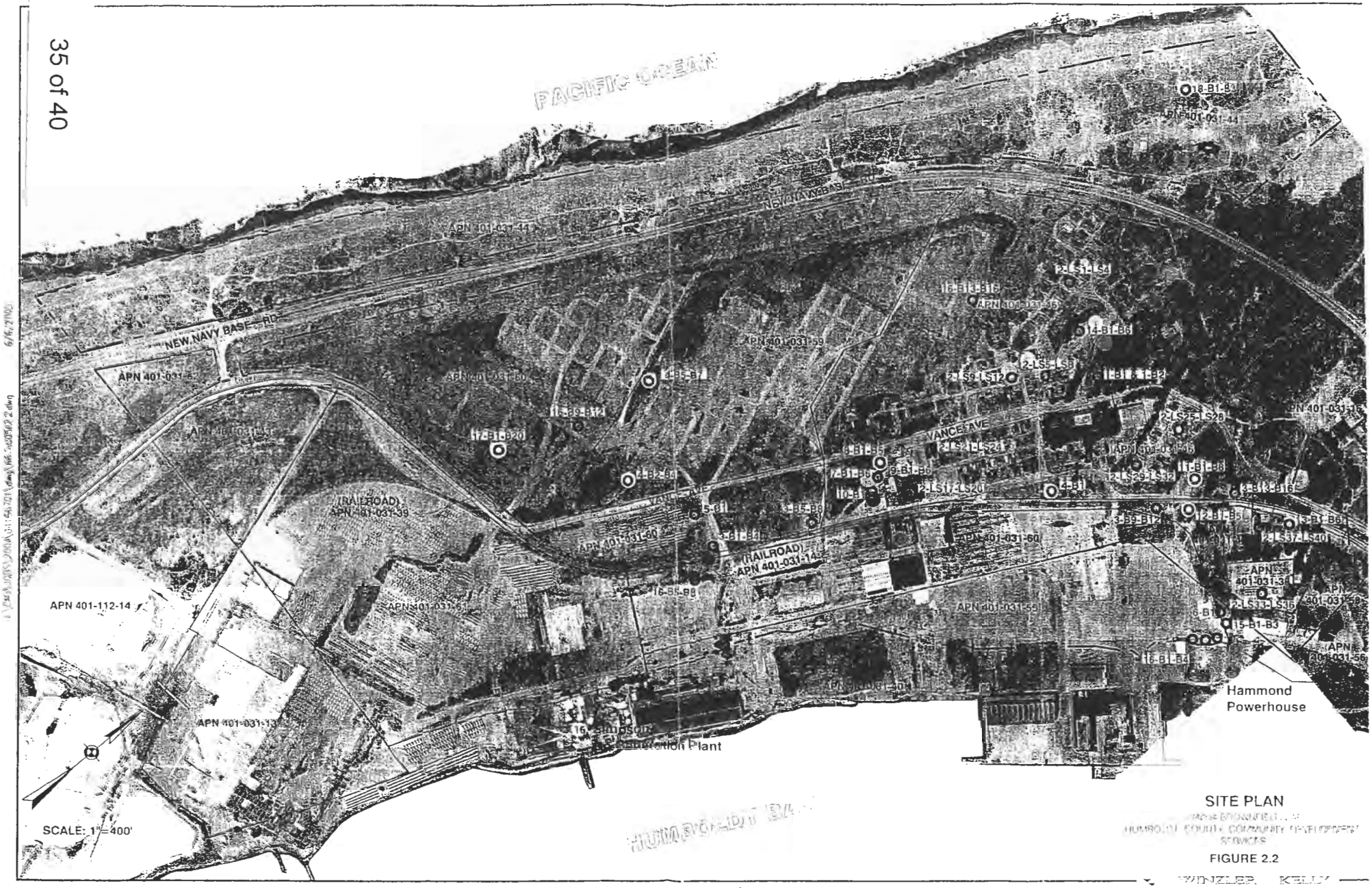
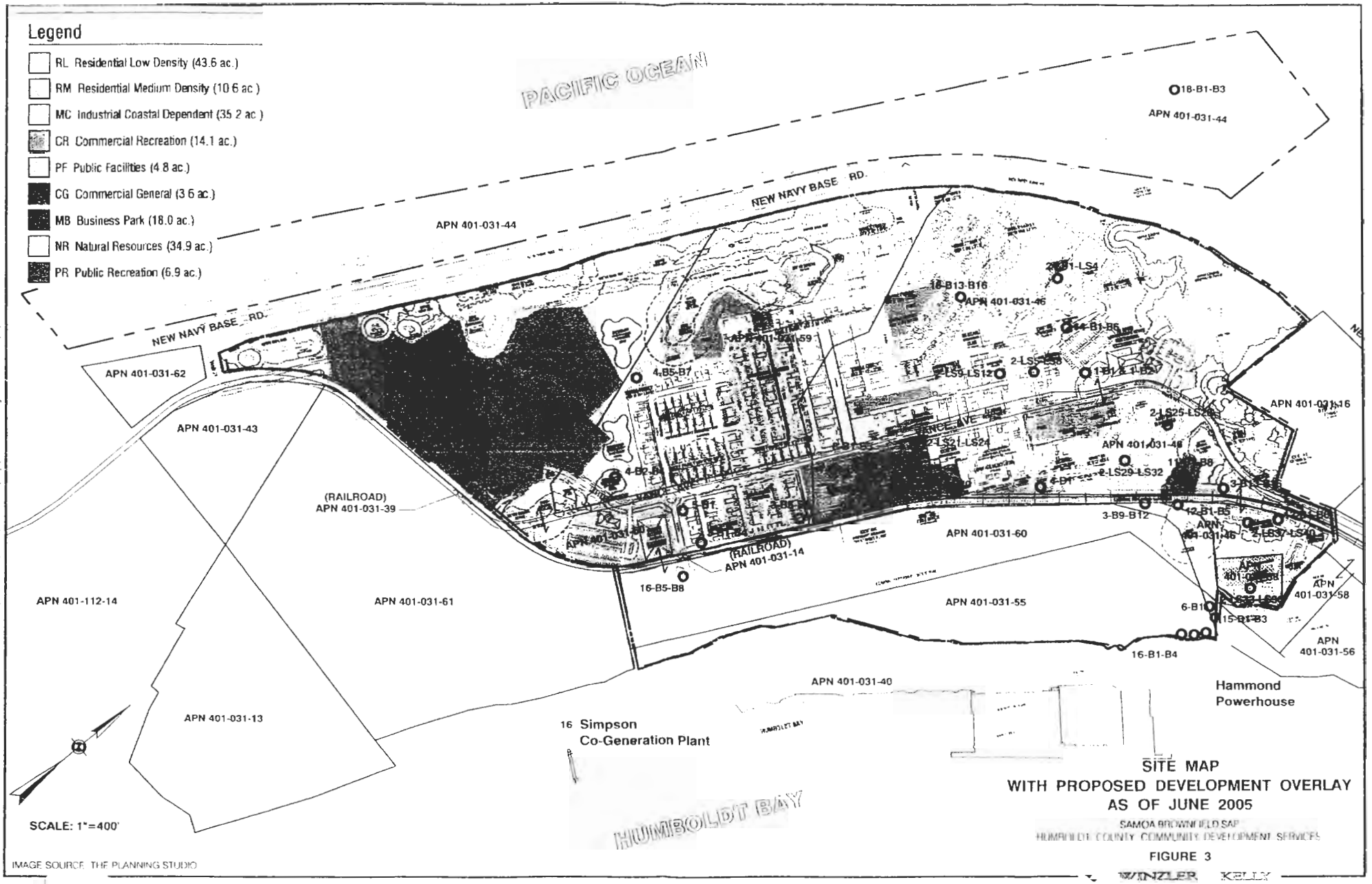


SITE PLAN

HUMBOLDT COUNTY COMMUNITY DEVELOPMENT SERVICES

FIGURE 2.2

WINZLER KELLY



SITE MAP
WITH PROPOSED DEVELOPMENT OVERLAY
AS OF JUNE 2005

SAMOA BROWNFIELD SAP
HUMBOLDT COUNTY COMMUNITY DEVELOPMENT SERVICES

FIGURE 3

IMAGE SOURCE: THE PLANNING STUDIO

WINZLER KELLY

6/7/2005

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Appendix B
Field Notes

PAGES NOT INCLUDED

Appendix C
Tables

PAGES NOT INCLUDED