

**CEQA  
NOTICE OF DETERMINATION**

The City of Eureka, as the Lead Agency, is filing this Notice of Determination  
in compliance with Section 21108 or 21152 of the Public Resources Code.

**TO:** Office of Planning Research  
P.O. Box 3044  
1400 Tenth Street, Room 121  
Sacramento, CA 95812-3044

County of Humboldt  
County Clerk  
825 5<sup>th</sup> Street  
Eureka, CA 95501

**SCH No.:** 2004082028

**FROM:** City of Eureka, Lead Agency  
Community Development Department  
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930784  
CAROLYN CRNICH  
Humboldt County Clerk  
SEP 09 2004  
FILED  
BY J. Holman  
FILED

**PROJECT APPLICANT:** City of Eureka

**PROJECT LOCATION:** Palco Marsh – bounded by Del Norte Street, Felt Street, Broadway, Vigo Street and Humboldt Bay, APN's 007-031-02, -03, -04; 007-041-03; 007-051-02, -06.

**ZONING & GENERAL PLAN DESIGNATION:** Zoning - Natural Resources and Coastal Dependent Industrial; General Plan – Natural Resources and Coastal Dependent Industrial

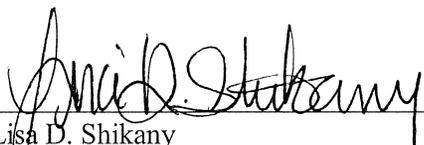
**PROJECT DESCRIPTION:** Palco Marsh Phase 1A Work Plan includes tasks from the Palco Marsh Enhancement Plan that either were not completed as part of the Phase 1 Work Plan, are tasks from the Phase 1 final monitoring report, or are new enhancement tasks. All project components are proposed for the further enhancement of Palco Marsh pursuant to the approved Palco Marsh Enhancement Plan. The project includes the installation of a 48-in culvert to replace an existing 24-in. culvert connecting Palco Marsh with Humboldt Bay; aesthetic modification of the Del Norte Street drainage structure, removal of silt from the structure and replacement and/or removal of existing tide gates; hand digging and cleaning of Palco Marsh channels; dredging of the tidal slough between Palco Marsh and the peninsula west of the marsh; installation of Del Norte and Felt Streets landscaping; installation of interpretive signage; eradication of common reed and other invasive exotics; revegetation of treated common reed areas; and the hydrologic enhancement of Railroad Marsh. The plan also includes monitoring, maintenance and management activities including botanical and hydrologic monitoring; monitoring and treatment of exotics; monitoring and removal of sediment from marsh channels and the tidal channel; repair, maintenance or replacement of existing drainage structures; and monitoring and clean-up of garbage. See the Palco Marsh Phase 1A Work Plan for a detailed project description.

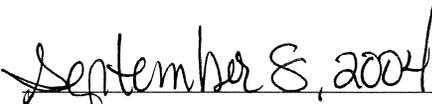
The City of Eureka adopted a 1988 Mitigated Negative Declaration for Phase 1 of the Palco Marsh Enhancement Plan (SCH# 88092022) and a subsequent 1991 Mitigated Negative Declaration for Phase II of the plan, which included the Phase II revisions (SCH# 91093076). Both documents found that the project would have beneficial and insignificant impacts. The addition of project components (installation of 48-in. culvert and dredging of tidal slough), changes in the approach to exotics removal, and changed environmental circumstances for Phase 1A necessitated additional environmental review.

This is to advise that as the Lead Agency, on September 7, 2004 the City Council of the City of Eureka approved the project described above and made the following determination regarding the project.

1. A mitigated negative declaration was prepared and circulated pursuant to CEQA.
2. The mitigated negative declaration together with any comments received during the public review process was considered by the City Council.
3. On the basis of the whole record before it, including the initial study and any comments received, that there was no substantial evidence that the project would have a significant effect on the environment, and that the mitigated negative declaration reflected the lead agency's independent judgment and analysis.
4. Mitigation measures as recommended in the initial study were made a condition of project approval, and a Mitigation Monitoring and Reporting Program, for reporting on or monitoring the changes which the Council required in the project or made a condition of approval to mitigate or avoid significant environmental effects, was prepared and adopted.
5. The project is within two nautical miles of a public airport or public use airport and will not result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area.
6. Documents or other materials that constitute the record of proceedings upon which the City Council's decision was based, are located in and in the custody of the City of Eureka Engineering Department and the City of Eureka Community Development Department, Eureka City Hall, 531 "K" Street in Eureka, California.

This is to certify that the mitigated negative declaration with comments and responses, and the record of project approval is available to the general public for review at the City of Eureka, Community Development Department, 531 K Street, Eureka, CA 95501.

  
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Lisa D. Shikany  
Environmental Planner  
City of Eureka

  
\_\_\_\_\_  
Date

Date received for filing and posting at OPR: \_\_\_\_\_

Date received for filing and posting by the County Clerk (County Recorder): \_\_\_\_

Period for Posting by County Clerk: \_\_\_\_\_

*Note to the County Clerk: Pursuant to the CEQA Guidelines, Section 15075, the City of Eureka as Lead Agency is requesting that the Humboldt County Clerk post this Notice of Determination within 24 hours of receipt, for a period of at least 30 days. Thereafter, **please return this notice to the City** at the address above with a notation of the period it was posted*