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April 8, 2008

Humboldt County Planning Commission and
Community Development Services
3015 H Street
Eureka, California 95501-4484

Subject: Humboldt County General Plan Update (GPU)

Dear Commissioners and Staff,

These comments are submitted on behalf of the Northcoast Environmental Center (NEC) and its 6,000 members, who share a strong interest in supporting a sound County General Plan Update. The NEC's mission is to promote understanding of the relations between people and the biosphere and to conserve, protect and celebrate terrestrial, aquatic and marine ecosystems of northern California and southern Oregon.

As a founding member of the Healthy Humboldt Coalition, we support the Coalition's principles, namely to:

- Maintain separate and distinct small-town communities with a variety of cultural and recreational amenities surrounded by wild and working open spaces;
- Restore a sustainable relationship with our natural environment to provide for clean water, fish and wildlife, scenic beauty, and natural resources;
- Promote housing, education, and health care to meet community needs throughout the County;
- Reduce County infrastructure costs by channeling new growth to existing communities currently served by water and sewer;
- Support locally-based businesses and industries;
- Ensure a locally sustainable energy future;
- Provide clear and concise County land-use policies for the public.

Enacting a strong County General Plan is the single most important way to protect Humboldt County's natural treasures for future generations. The Humboldt County Board of Supervisors and Planning Commission are in a unique position to protect our air, land, and water; to support affordable housing for residents and workers; to and preserve our working landscapes, including timber ranching and farming; and to thereby sustain a robust local ecology, and economy, into perpetuity. We urge the County to consider these

comments in the final recommendations and Draft EIR for the GPU.

The NEC strongly supports Alternative A, which would focus future growth and development into areas with existing infrastructure, including roads, water and sewer, and other public services. Focusing future developments in existing communities can help reduce County infrastructure costs, maintain our small-town character, and preserve open space and associated environmental values, all of which are values that promote cohesive communities and longevity of habitation, and therefore healthy ecosystems and robust economies.

According to the Health Impact Assessment of the GPU conducted by the County Public Health Branch in March 2008,

[A]ccommodating future population in areas that currently have the necessary infrastructure would be best from a health perspective. Plan Alternative A best exemplifies this and is the best option for reducing the ill health effects of residents living far from important goods and services.

Resource lands—including agricultural, timber, and ranch lands—provide important ecosystem functions and promote local food and fiber production; conversion of these lands cannot be reversed. By promoting infill development, the plan would be the environmentally superior alternative as defined by CEQA, since it would minimize significant environmental effects of future development, and would minimize impacts of development on fish and wildlife, natural areas, water and air quality, scenic and recreational values, loss of resource lands, and other values important to NEC members and to between 70 and 86 percent of Humboldt County residents.

NEC strongly supports these Guiding Principles for the GPU as adopted by the Board of Supervisors in 2004:¹

- The proposed projects must ensure efficient use of water and sewer services, and thereby be located in existing residential areas to discourage low density residential conversion of resource lands and open space.
- The proposed project must contain long-term agriculture and timber land protections such as increased restrictions on resource land subdivisions and patent parcel development.
- The proposed project must include unambiguous natural resource protections; especially for open space, water resources, water quality, scenic beauty and salmonids.
- The proposed project must work to retain and create living wage jobs.

¹ Sketch Plan Alternatives: Summary of Planning Commission and Board of Supervisors Recommendations. Sept. 2004. Humboldt County Dept. of Community Development Services.

NEC would like to address the following issues in greater detail.

I. COMMUNITY SEPARATORS AND URBAN GROWTH BOUNDARIES

Community separators define communities while preserving open space; these areas can function as rural buffers between agricultural and timberlands and adjacent existing residential centers.

According to a 2003 survey conducted by Humboldt State University and the Humboldt County Farm Bureau, 70 percent of people interviewed agreed that Urban Growth Boundaries should be developed around residential centers, while 86 percent said that the surrounding natural environment is extremely important to the quality of life in Humboldt County.² The NEC strongly supports the incorporation of both community separators and urban growth boundaries in fast-growing unincorporated areas, particularly those adjacent to Eureka and Fortuna, between Bayside and Myrtle town, and between McKinleyville and Fieldbrook.

II. PROTECTING OPEN SPACE, INCLUDING RESOURCE LANDS

Open space is defined by state law as unimproved land devoted to preservation of plant and animal habitat, managed production of resources (including commercial fisheries, timber, agricultural, and ranch lands), outdoor recreation, public health and safety (such as steep or unstable slopes, floodplains and other areas not suitable for development).

The NEC would like to see an emphasis on urban open space and greenbelts to protect agricultural and timberlands in the Humboldt Bay and Fortuna areas, which will be most subject to development pressures.

Agricultural lands and forests are important to Humboldt County's social, cultural and economic life, and we should strive to protect them from poorly-planned conversion that will result in the type of sprawl that has consumed much of California's open space and resource lands. The 2003 survey cited above found that 83 percent of interviewees agree that stronger zoning should be used to prevent the conversion of Ag lands to non-Ag uses.³

The NEC strongly supports Guiding Principle 7 adopted by the Board of Supervisors in 2004, namely that the GPU will include long-term agriculture and timber land protections such as increased restrictions on resource land subdivisions and patent parcel development.

We are particularly concerned about fragmentation and development of land currently zoned for timber production (TPZ) far from urban services such as the industrial timberlands proposed for development by Pacific Lumber/MAXXAM, and those owned by Green Diamond.

The NEC supports the Healthy Humboldt Coalition's recommendations for TPZ, recognizing that residences in TPZ lands may be perfectly compatible in many instances and incompatible in others. We support a reasonable rate for people to live on their timberlands with conditions to

² Morehead, B. 2003. Humboldt County Agriculture Survey: Summary Report.

³ Ibid.

ensure that lands in TPZ continues to be managed primarily for timber production. This could be accomplished by requiring adoption of a forest management plan or five years of IRS Schedule T filings.

The NEC supports the development of ordinances governing separate Industrial TPZ and Non-Industrial TPZ zoning, which would enable small landowners to live and work on their land while protecting the large timber holdings from being fragmented by residential parcelization.

The Mendocino County zoning regulations for TPZ land adopted in 1987 would be a reasonable compromise in the absence of separate zoning for Industrial and Non-industrial TPZ lands. These regulations state that:

- No use permit shall be granted in a TPZ District until a specific finding has been made that the proposed use is compatible with the growing and harvesting of timber and timber products. (Ord. No. 3639)
- Permitted Uses include Family residential – single family; and
- Maximum Dwelling Density: One unit per 160 acres, maximum of 4 for the total ownership. (Ord. No. 3639).

The NEC supports the minimum parcel size of 160 acres for TPZ parcels, and recommends retaining and implementing the 1986 Merger Ordinance, which requires merging of adjacent TPZ parcels <160 acres held by the same landowner.

We recommend that the County's TPZ zoning be revised for consistency with the California Timber Productivity Act of 1982 (Government Code Section 51104) which states that "Compatible use is any use which does not significantly detract from the use of the property for, or inhibit, growing and harvesting timber," and that compatible uses shall include "a residence or other structure necessary for the management of land zoned as timberland production."

Purchase/Transfer of Development Rights Programs should be explored and supported in the GPU to provide incentives for both protecting resource lands and increasing density in existing communities where appropriate.

It should be noted that protecting working timberlands from fragmentation and conversion to non-timber reduction uses can help the county meet greenhouse gas emissions reduction and mitigation as required under AB 32, described in detail below in the section on circulation.

III. TRAILS

At dozens of public meetings, in the media and on the Internet, hundreds if not thousands of Humboldt county residents have consistently insisted that the county provide multi-use trails for non-motorized transportation and recreational use. According to PRC §5076, every city and county shall consider demands for trail-oriented recreational use and shall consider such demands in developing the open-space element of a general plan. The NEC strongly supports the Board of Supervisors' 2008 resolution designating the County as the Lead Agency for trails. Trails and open space protection increase property values, improve public health and quality of life, reduce dependency on fossil fuels, and reduce greenhouse gas emissions.

IV. RIPARIAN AND WETLAND BUFFER ZONES

Since the existing General Plan was approved in 1984, numerous water bodies have been listed as Threatened and Impaired under the Clean Water Act, salmon fisheries have collapsed, and important commercial fish species have been listed under the Endangered Species Act, including Coho and Chinook salmon, steelhead and cutthroat trout and green sturgeon. Numerous compounding factors have contributed to the decline of water quality and fish populations, but it is clear that the 1984 General Plan is inadequate in terms of protecting the riparian areas and wetlands, which are essential to maintaining healthy aquatic species.

Increasing riparian buffers, Streamside Management Areas, and the County grading ordinance as recommended by DFG is necessary to adequately minimize impacts of development on riparian and aquatic habitats. The NEC supports DFG's recommendations, which should be applied to all Humboldt County streams. They are based on sound science and expertise as the primary trustee agency overseeing management of fish and wildlife. We recommend adopting riparian buffer zones as described in the Department's letter of July 17, 2007:

- 150-foot no-disturbance buffer on major rivers;
- 100-foot buffers on smaller tributaries that provide habitat for fish;
- 50-foot buffers on non-fish bearing streams.

Without adopting these recommendations, DFG finds that failure to enact these buffer zones could result in an unpermitted take of species protected under the state and federal Endangered Species Acts.

Another requirement that can be streamlined by developing better standards in the GPU and by developing programmatic agreements to eliminate the project-by-project permit approach is the development of a long-term master Lake or Streambed Alteration Agreement as suggested by DFG. The NEC notes that much of the public's frustration with the permitting process could be improved if the County could ensure that the GPU implements all applicable existing regulations. The GPU should ensure that the County plans and approves development without conflicting with the various regulations and policies that are not currently incorporated into the process.

The NEC also supports the inclusion in the GPU of a policy to develop and implement clear wetland protection ordinance or standard that incorporates no-disturbance wetland buffers, where no structures, grading, pavement, vegetation removal, septic systems, or other development would be permitted. These wetland buffers must minimize project impacts on wetlands to a less than significant level, and should incorporate areas necessary to maintain ecosystem function related to drainage into and out of wetlands.

V. WATER RESOURCES; WATER DIVERSIONS, WQ ETC.

The health of Humboldt Bay and its tributaries is essential to the health of anadromous fish and Dungeness crab populations, and are of particular concern with regard to impacts from development that will be governed by the General Plan Update. Impacts of development included increased stormwater runoff, pollution from individual septic tanks, sedimentation and increases in temperature, fish barriers at stream crossings, and other impacts that will lead to a decline of the beneficial uses of our North coast waters.

Focusing development in existing communities already served by public infrastructure such as roads, water and sewer, as well as increasing riparian buffer zones as recommended by the Department of Fish & Game, will help protect water quality and fish and wildlife, including commercial fisheries essential to the economy and character of Humboldt County.

VI. PUBLIC HEALTH

Alternative A promotes walkable communities, and is consistent with the 2007 Board of Supervisors resolution to work with the Department of Community Development, Department of Public Works and other local jurisdictions and their planning commissions and community organizations to improve public health through efforts to improve the built environment in Humboldt County, in part by promoting opportunities to use efficient, affordable, healthy modes of transportation such as walking and bicycling.

Supporting public transit and an improved trail network for non-motorized transportation contributes positively to public health and quality of life by reducing impacts that negatively affect health, such as air pollution, traffic congestion and automobile accidents. Such benefits strengthen the economy as well by reducing days off from work and disability payments. Less reliance on automobiles also reduces environmental impacts through reducing wetland filling and other habitat destruction for new or expanded road systems, and by reducing pollution from petroleum products and their byproducts in storm runoff.

VII. AFFORDABLE HOUSING

The County should encourage the creation of affordable housing in areas within the existing urban areas and should be distributed throughout all of Humboldt County's urban service areas so that working people all over the County can afford to live in the communities they work in. By locating affordable housing near job centers, schools, and shopping, the county can reduce the amount of driving necessary in day-to-day life and prevent increased traffic problems, while reducing air pollution and safety hazards related to traffic. The NEC also supports an inclusionary housing ordinance, which requires new housing developments to include a percentage of affordable homes. Inclusionary zoning would help the county meet affordable housing needs required by the state of California.

VIII. CIRCULATION

The NEC supports comments submitted by Green Wheels on the Circulation Element (January 8, 2008) and the Community Design Element (February 18, 2008), including the following recommendations:

- Improve bicycle compatibility and expand bicycle infrastructure;
- Revise page 8-5 of the Circulation element to read “Major non-motorized transportation facilities are possible such as extending the existing Hammond Trail to Arcata, and trails *on all former Northwest Pacific Railroad rights of way* depending on the near-term viability of the railroad. The most immediate projects include the Annie and Mary Rail Trail between Blue Lake and Arcata, and the Eureka Arcata Humboldt Bay Trail.” Another priority is a trail linking Fortuna and Eureka;
- Eliminate or reduce minimum parking requirements;
- Develop a Sidewalk and Bicycle Lane Plan to prioritize sidewalk and bicycle lane construction on major routes, replacing the current piecemeal process of requiring sidewalk construction on a project by project basis, regardless of location and level of use.
- Encourage safe family cycling by creating dedicated bike lands on existing roadways (i.e. in areas where redundant routes exist, make one of the two traffic lanes usable by non-motorized means only, leaving the other for one-way vehicle transport).

According to the Health Impact Assessment of the GPU conducted by the County Public Health Branch in March 2008, Alternative A would reduce travel time to work across all working adults in the County by approximately 55,000 hours a year, thereby decreasing the vehicle miles traveled per capita, and therefore resulting in the smallest increase in the volume of greenhouse gases produced and the smallest increase in the County's contribution to climate change and associated health and environmental impacts. Alternative B would lead to a 16% increase (200 million extra miles) in vehicle miles traveled per year, increasing greenhouse gas emissions and climate change contributions. Alternative C would increase vehicle miles traveled by 32% or approximately 400 million extra miles per year with potential increases in obesity, cardiovascular diseases and stress due to decreases in physical activity and social cohesion. Greenhouse gas emissions and climate change contributions would increase the most under Alternative C, and would lead to significant impacts to human health, the environment, and the economy, including agriculture, forestry, commercial and recreational fishing, and tourism.

Transportation currently accounts for 45% of greenhouse gas emissions in Arcata, (likely similar for other parts of the county); therefore, reducing vehicle miles traveled is the most effective way to reduce Humboldt County's greenhouse gas emissions as required under AB 32, the Global Warming Solutions Act of 2006. This landmark law requires reporting of greenhouse gas emissions and their reduction, including a reduction of carbon dioxide emissions to 1990 levels by 2020. Governments are not exempt from AB 32; the County, its cities, and businesses within its borders will have to comply with the regulations and plans that will be adopted to achieve the reduction of greenhouse gas emissions mandated by this legislation. The county could take action to offset its omissions and those of its residents by providing for increased public transportation, increased support of alternative fuels and technologies, and other affirmative steps to reduce the transportation impacts of carbon dioxide.

Expanding the County's road system would be inevitable under Alternatives B and C, leading to other environmental and human health impacts. In the contiguous United States, impervious surfaces add up to an area the size of Ohio, resulting in habitat destruction, impacts to water

quality and aquatic species, and human-induced flooding. Motor-vehicle related incidents are the number one killer of Californian aged 1 to 35. In addition, traffic congestion would impact our quality of life, with many roads exceeding capacity in the near future according to background documents associated with the GPU.

Land use has a huge impact on transportation choices. Generally, people will choose to drive if the trip distance is greater than 1/3 of a mile. Therefore, land use maps, land use policies, community design policies, and circulation policies need to all work in concert to have a substantial positive impact on transportation balance. Improved transportation balance will do more to support the economic and noise and safety goals than the policies contained in the General Plan elements relating to economics, noise and safety.

IX. ENERGY

The GPU should strive to reduce greenhouse gas emissions by increasing energy efficiency in new construction, and generating electricity with renewable, non-carbon sources for local use. Fossil fuels and even hydro-generated electricity will become increasingly expensive due to disincentive taxes, and nuclear power will always be expensive due to the fuel cycle and security/waste disposal costs, while renewable, non-greenhouse gas-producing energy sources will become relatively cheaper due to incentives.

The NEC recommends including the following mechanisms for increasing energy efficiency in new construction:

- Facilitate insulation, photovoltaics, and solar hot water with loans that run with private properties and are amortized with mortgages, along with state and federal tax benefits;
- All public facilities shall maximize efficiency and solar gain, and trend toward use of photovoltaics, solar hot water, and hydronic heating;
- Provide incentives for energy conserving projects (such as expedited permit processing for zoning and permit request) and to encourage the generation of local renewable energy that could be offered for sale at competitive prices;
- Site design standards and incentives: County buildings shall optimize energy efficiency by considering natural factors such as maximum solar access, water availability, slope, and air flow and prevailing wind directions (for cooling breezes or wind protection) to reduce energy demand.
- Rooftop surfaces should be energy production facilities;
- Emphasize energy efficiency and production, LEED or other comparable green building standards in construction, and solar orientation in building codes
- Community ownership of at least 51% of any commercial energy produced locally by creation of a Municipal Energy Authority;
- Allow only local use of locally produced energy, in order to avoid over-exploiting wind and wave resources by transmitting power over long distances;
- Use locally produced power to fuel electric or hydrogen busses for mass transit on popular routes, e.g. Arcata-Eureka, College of the Redwoods, etc.
- Utilize vehicles powered with locally produced energy in the form of electricity or hydrogen to fuel transport vehicles for goods and people to travel to a railhead;
- Develop recharge stations for pluggable vehicles;

- Institute community energy audits and balance greenhouse gas emissions from energy use with uptake by community forests and other carbon storing practices;
- Promote water conservation and water recycling programs as a means of conserving energy;
- Provide community education on energy issues, including the benefits of reduced energy consumption, and increased energy efficiency.

X. EXTERIOR LIGHTING STANDARDS

The NEC supports the adoption of county-wide exterior lighting standards such as adopted by the McKinleyville Community Services District in 2000:

Street lighting fixture standards shall be in accordance with the recommendation of the International Dark-Sky Society, specifically selected and specified to minimize the potential for light pollution, and shall include external glare shields, and/or internal louvers to controlled direct glare and/or uplight. (Ordinance 51.07).

The GPU should also adopt the lighting standards from the 2002 McKinleyville Community Plan (§2642): “Exterior lighting shall be compatible with the surrounding setting, and will not be directed beyond the boundary of the parcel,” and the 1995 Humboldt Bay Area Local Coastal Plan: “Exterior lighting shall be shielded so that it is not directed beyond the boundaries of the property.”

XI. LOCAL COASTAL PLANS

The Local Coastal Plans covering unincorporated areas of Humboldt County should be noticed for public review and comment as separate documents rather than interspersed through the County GPU.

We appreciate the opportunity to review and comment on the initial draft of Humboldt counties General Plan Update. We look forward to continuing to supply input on behalf of our members as the GPU will continues to be developed.

Please notify us about future public comment periods, public hearings, and other opportunities to review this important blueprint for Humboldt County's future.

Respectfully,



Greg King
Executive Director