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June 14, 2007

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Humboldt County Planning Commission
Community Development Services Department
3015 H Street
Eureka, California 95501

RE: General Plan Update – Chapter 21, Safety Element

Dear Commissioners:

On April 11 the Humboldt Association of Realtors® submitted comments on the Noise and Safety Elements. There were several areas in the Safety Element “voting chart” we marked “CTC” (Comment to Come) because we did not feel qualified to address the particular issues. We have since had the opportunity to consult with outside, informed parties and would like to submit additional response with this letter.

First, we would like to change our position regarding master stormwater retention/detention basins. In our April 11 letter, we supported their creation. After consulting with the Northern California Association of Home Builders (NCHB), we reverse this position and, in fact, do not support the use of these master basins. They are impractical for several reasons. Many projects in our area are situated on relatively flat land. Without a downhill aspect, gravity has little chance to move the water. Under these conditions, such ponds are ineffectual. In addition, when more than one project is intended to drain into a master pond, determining cost allocation among project owners becomes very difficult. The basins are expensive. These high costs would eventually be passed on to the costs of new homes thereby impacting housing affordability.

Regarding fire safety related issues, we refer to the attached comments from Glenn Ziemer, Fire Chief, Humboldt No. 1 Fire Protection District.

Regarding other Safety Element issues previously unanswered, please refer to the attached “voting chart.”

We look forward to continued participation in this update process and to working with the County in producing an effective General Plan.

Thank you,

Larry O. Doss
2007 President

Ken Poletski
Government Relations Chair

Attachments

- Cc: Kirk Girard, Community Development Services Director
- Humboldt County Board of Supervisors
- Glenn Ziemer, Fire Chief

HUMBOLDT No. 1 FIRE PROTECTION DISTRICT

3455 HARRIS STREET, EUREKA, CA 95503-4816 (707) 445-4900 - OFFICE, (707) 445-4901- FAX

FIRE CHIEF
GLENN ZIEMER

BOARD OF DIRECTORS: CHRISTOPHER CRAWFORD, PRESIDENT - ED DEWALD, VICE PRESIDENT
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April 11, 2007

Ms. Victoria Copeland
Chair, General Plan Subcommittee
Humboldt Association of Realtors

Re: Your request for comments on the upcoming Chapter 21 review of the General Plan.

Dear Ms. Copeland:

I have received your written request for comments regarding the Safety element of the General Plan. As we discussed on 4/10/2007 I need to advise your members that I am a member of the Humboldt County Fire Safe Council, and since it is highly referenced in the GP proposal you should be aware that I contributed to the language in the Master Fire Plan.

First let me offer some global comments and then I will respond to the specifics of the plan proposal. In general, the County does not currently have any active role in fire protection services in Humboldt County. As Supervisor Rodini proudly proclaims, " We don't do fire". The County is served by a varied mix of career agencies (Arcata, Eureka, And HFD#1), volunteer districts and brigades, and also has significant areas without any real fire protection services. In response to recent political pressure from the fire agencies the County has begun a program to allow small volunteer agencies access the JPA that provides Workers compensation insurance, and this program has lowered the costs to these agencies by a significant margin.

In 2006 we were finally successful in convincing the County that they should share the Proposition 172 revenue with the fire agencies, but the current plan will result in less than 2% of the money being directed to fire agencies. Other than these two elements, the local communities are on their own for fire protection services. The larger volunteer agencies such as Fortuna have done a credible job, but increasing urbanization and changing societal issues make the operation of volunteer departments an increasing challenge on a daily basis. So in summary let me say that I view the current "system " to be dysfunctional in that the service provision is not coordinated, and the individual agencies are essentially powerless in the political sense.

Now to the General Plan:

SP18/SP19- The Master Fire Protection Plan is a good basis for an initial proposal, but lacks a mechanism for ensuring that any recommendations are implemented. Some recommendations were watered down to make them acceptable to the Board of Supervisors. To my view the overall theme is that the local fire service is underfinanced and has limited service protection capability. This point was underscored with the recent SOC study completed by Citygate Associates for the City of Eureka. Even the largest combined local fire service force (EFD and HFD#1 via an auto aid agreement) is evaluated to be capable of only an adequate response for single-family residential fires. Several of the implementation measures go to increasing the financial support to local fire agencies. While clearly desirable from a service provision point of view, there is clearly no political will or capability from the County perspective to pull this off.

SP20 through SP25- The land use policies seem to be largely common sense, but have fiscal issues related to their implementation. Specifically, SP22 will be a challenge in many areas. SP23 is desirable in that it ensures that potential landowners are aware of the limited nature of services available in many areas, but does suggest a cost for the service provision.

SP25 and SP26- There will no doubt be a knock down drag out battle over what constitutes "adequate fire protection" with widely varying opinions that entail vastly different expenditures.

SP27- Feel good statements will no real consequence given the current political and financial views of the County.

SP28- This has already been accomplished via the Master Fire Protection plan.

SP29- This funding is teetering on elimination at the federal level, so this item may become moot.

SP 30- Desirable, and likely to be accomplished as a result of efforts of Cal-Fire (Formerly CDF) regarding the resource land base, unclear on how it will be completed and by whom for the other areas.

SP31- Given the current history of state and federal agency gaffs (Wiskeytown, Arcata Marsh, etc) with their programs and an increasingly restrictive Air Quality regulatory framework, this is an illusion, or maybe more correctly a delusion.

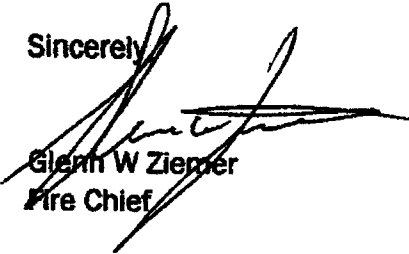
SP32- Local fire safe councils have done effective work in this area on small-scale projects. At large scale these programs have huge costs, and this is likely to limit their effectiveness.

SS8- The Fire Safe regulations are between the State and the County. The state will dictate, and the County will follow. Enough said. The same is true for SS9 and SS10. The County has never formally adopted the California Fire Code. I am unsure if they intend to this time, and have raised this question with County staff; I am not sure they have fully explored the consequences of this action.

The spill response is through the County environmental health and a regional hazmat team. We have only first responder capability and regulation is outside our scope.

In summary, the recommendations are so general in nature the real issue falls to the logistics of the implementation. They do allow a fairly wide range of interpretation, and in some cases suggest actions that are contrary to current political will or financial capability.

Sincerely



Glenn W Ziemer
Fire Chief

Additional "votes" and comments on Safety Element. These notes are supplemental to the Humboldt Association of Realtors (HAR) letter dated April 11, 2007.

Plan Alternatives Comparison Chart

The "Vote" column is provided for the user to indicate a policy preference. Enter a Retain, Delete or Modify.

<i>Table 21-1. Plan Alternatives Comparison Chart Goals and Policies, Standards and Implementation Measures</i>					
<i>Plan Alternative</i>			<i>Goals & Policies</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
<i>A</i>	<i>B</i>	<i>C</i>	<i>Policies</i>		
					<i>See HAR comments regarding S-P10 through S-P17, S-S7 and S-II at end of chart.</i>
			S-P10 Natural Drainage Courses. Natural drainage courses, including ephemeral streams, shall be retained and protected from development which would impede the natural drainage pattern, increase erosion or sedimentation, or have a significant adverse effect on water quality or wildlife habitat.	From McKinleyville Area Plan	D
A	B	C	S-P11 Storm water discharges. Storm water discharges from outfalls, culverts, gutters and other drainage control facilities which discharge into natural drainage courses shall be dissipated so that they make no contribution to additional erosion, and where feasible are filtered and cleaned of pollutants.	From McKinleyville Area Plan	D
A	B	C	S-P12 Natural vegetation. Natural vegetation within and immediately adjacent to the bankfull stream channel shall be maintained except for flood control and public safety purposes.	From McKinleyville Area Plan	D

Table 21-1. Plan Alternatives Comparison Chart
Goals and Policies, Standards and Implementation Measures

A	B	C	S-P13 Downstream Peak Flows. Development shall only be allowed in such a manner that downstream peak flows will not be increased.	From McKinleyville Area Plan	D
A	B	C	S-P14 Additional Drainage Facilities. Where it is necessary to develop additional drainage facilities, they shall be designed to be as natural in appearance and function as is feasible. All drainage facilities shall be designed to maintain maximum natural habitat of streams and their streamside management areas and buffers. Detention/retention facilities shall be managed in such a manner as to avoid reducing streamflows during critical low flow periods.	From McKinleyville Area Plan	D
A	B	C	S-P15 Restoration Projects. The County shall encourage restoration projects aimed at reducing erosion and improving existing habitat values in Streamside Management Areas. These projects may be pursued utilizing community volunteer programs and urban stream renewal grants.	From McKinleyville Area Plan	D
A	B	C	S-P16 Commercial and Industrial Activities. Commercial and industrial activities shall minimize, and eliminate to the extent possible, facility related discharges to the storm water system. As required by state codes and local ordinances, commercial and industrial storm water discharge must be routed to a wastewater collection system. For example, minimization of runoff from vehicle maintenance yards, car washes, restaurants cleaning grease, contaminated mats/carts into storm drains, other wash practices which results in materials other than plain water entering the storm drain system.	From McKinleyville Area Plan	D

**Table 21-1. Plan Alternatives Comparison Chart
Goals and Policies, Standards and Implementation Measures**

A	B	C		<p>S-P17 Erosion and Sediment Control Measures. The following erosion and sediment control measures shall be incorporated into development design and improvements:</p> <p>A. Minimize soil exposure during the rainy season by proper timing of grading and construction;</p> <p>B. Retain natural vegetation where feasible;</p> <p>C. Vegetate and mulch denuded areas to protect them from winter rains;</p> <p>D. Divert runoff from steep denuded slopes and critical areas with barriers or ditches;</p> <p>E. Minimize length and steepness of slopes by benching, terracing or constructing diversion structures;</p> <p>F. Trap sediment-laden runoff in basins to allow soil particles to settle out before flows are released to receiving waters;</p> <p>G. Inspect sites frequently to ensure control measures are working properly and correct problems as needed;</p> <p>H. Allowance for the construction of public roads, trails, and utilities, when properly mitigated.</p>	From McKinleyville Area Plan	D
A	B	C		<p>S-P18 Master Fire Protection Plan. Utilize the Master Fire Protection Plan for overall fire protection policy.</p>		<i>See attached comments from FireChief Glenn Ziemer</i>
A	B	C		<p>S-P19 Implementation Recommendations. Actively support and pursue the implementation recommendations in the Master Fire Protection Plan.</p>		<i>See attached Ziemer comments</i>
A	B	C		<p>S-P20 Adequate Fire Protection. The County will encourage new development to be located in areas with adequate fire protection.</p>		<i>See attached Ziemer comments</i>
A	B	C	D	<p>S-P21 Clustered Development. Encourage clustered development to provide for more localized and effective fire protection measures. *</p>	Framework Plan	<i>See attached Ziemer comments</i>

**Table 21-1. Plan Alternatives Comparison Chart
Goals and Policies, Standards and Implementation Measures**

A	B	C	D	S-P22 Adequate Water Supplies. Proposed development shall be adequately serviced by water supplies for fire protection or shall have a letter from an appropriate fire protection agency indicating that adequate fire protection can be provided. *	Framework Plan	<i>See attached Ziemer comments</i>
A	B	C		S-P23 Adequate Fire Protection Services. Where no Fire District exists, project applicants shall provide verification, from the most appropriate local fire authority, that adequate fire protection services exist. Where an adequate level of service can not be verified, project approvals shall require a condition for and deed restriction notifying the property owner of the level of service available and acceptance of associated risks to life and property.		<i>See attached Ziemer comments</i>
A	B	C		S-P24 SRA Fire Safe Regulations. The County shall require compliance with Humboldt County SRA Fire Safe Regulations.		<i>See attached Ziemer comments</i>
A	B	C		S-P25 Descriptive Maps. The County shall make available descriptive maps to county residents which make them aware of what areas and assets are currently located within a fire protection district and which ones are not.		<i>See attached Ziemer comments</i>
A	B	C		S-P26 Level-of-Service Standards. The County shall encourage collaboration on the development of level-of-service standards for the provision of all fire protection services (fire, EMS, HazMat, rescue) in the County, and make such standards public so that landowners and residents understand what is and is not available to them.		<i>See attached Ziemer comments</i>
A	B	C		S-P27 Expanded Fire Protection Services. The County shall encourage the development of and /or expansion of additional fire protection services for unprotected and under-protected areas of Humboldt County.		<i>See attached Ziemer comments</i>
A	B	C		S-P28 Internet Access. The County shall make Internet accessible the countywide fire planning maps illustrating data such as fire district boundaries, SRA, and hazard areas. Provide Internet access to other specific fire-hazard related information and to the County Fire Plan.		<i>See attached Ziemer comments</i>
A	B	C		S-P29 Title III Allocation. When available, a portion of the Secure Rural Schools and Community Self-Determination Act, Title III funds will be allocated to local Fire Safe Councils and local fire prevention and protection agencies for coordination and planning.		<i>See attached Ziemer comments</i>

**Table 21-1. Plan Alternatives Comparison Chart
Goals and Policies, Standards and Implementation Measures**

A	B	C	S-P30 Update Risk Assessment. The County shall update the Risk Assessment portion of the Master Fire Protection Plan every five years.		See attached Ziemer comments
A	B	C	S-P31 Prescribed Burning. Humboldt County should encourage the use of prescribed burning as a management tool for hazardous fuels reduction, timber management purposes, livestock production, and enhancement of wildlife habitat.		See attached Ziemer comments
A	B	C	S-P32 Hazardous Fuel Modification Projects. The County shall support an increase in countywide coordination of hazardous fuel modification projects by all involved agencies and organizations.		See attached Ziemer comments
<i>Plan Alternative</i>			<i>Standards</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>
A	B	C	S-S7 Storm Water Management. All commercial, industrial, multi-family, quasi-public, and public parking facilities shall, whenever possible, provide storm water treatment for parking lot runoff using bio-retention areas, filter strips, and/or other practices that be integrated into required landscaping areas and traffic islands. In all other cases, oil/water separators shall be required. A maintenance plan for oil/water separators shall be required.		D This is a duplicate of the Grading Ordinance and is covered by both CEQA and the state Water Quality Board.
A	B	C	S-S11 Fire Hazard Severity Zone Maps		See attached Ziemer comments
<i>Plan Alternative</i>			<i>Implementation Measures</i>	<i>Staff Remarks</i>	<i>Vote: R, D, M</i>

**Table 21-1. Plan Alternatives Comparison Chart
Goals and Policies, Standards and Implementation Measures**

A	B	C		S-I1 Drainage Ordinance. The County shall develop an ordinance to implement the Drainage policies and standards.		D <i>Same comment as under S-S7.</i>
A	B	C		S-I2 Level of Density. Determine a level of density at which structural fire protection services should be required.		<i>See attached Ziemer comments</i>
A	B	C		S-I3 Update County SRA Fire Safe Regulations. Humboldt County SRA Fire Safe Regulations should be updated to identify specific hazard zones where necessary, to ensure that fire risk is reduced to an acceptable level. These zones may specify special measures for implementation including: irrigated green belts, perimeter roads, roadway layout and design, slope development constraints, fuel modification zones, vegetation setbacks, and enforcement.		<i>See attached Ziemer comments</i>
A	B	C		S-I4 Fire Protection Implementation. Implementation of fire protection and prevention planning efforts is provided through the Humboldt County Master Fire Protection Plan.		<i>See attached Ziemer comments</i>
A	B	C	D	S-I5 Code Review. Review and amend as needed the code and subdivision regulations for consistency with fire protection policies of the General Plan.*		<i>See attached Ziemer comments</i>

HAR comments.

Our remarks regarding S-P10 through S-P17, S-S7 and S-I1 are consistent with those of the Northern California Association of Home Builders. This is a Safety Element and as such these sections are not appropriate for inclusion in this Element. They are more appropriate for the Water Resources Element and Biological Element. Additionally, these issues are already addressed in the Grading Ordinance, are under the state Water Quality Board's purview and are part of the CEQA review.