



"Jobs, Housing & Property Rights"

April 24, 2012

Mrs. Mary Gearheart, Chair
Planning Commission
County of Humboldt
825 Fifth Street, Room 111
Eureka, California 95501

Subject: General Plan Update Draft EIR

Dear Chair Gearheart and Planning Commissioners:

We appreciate this opportunity to comment on the GPU Draft EIR.

Though we have not had adequate time to read the entire DEIR, HELP has the following initial questions:

- 1 What are the specific qualifications of the preparers? Do they satisfy the qualifications prescribed by CEQA?...including the individuals conducting environmental analysis performed by the consulting firms.
- 2 Did the County's Economic Development Division's comments mention that regulations kill jobs and detract from economic development? According to 260 U.S. corporate executives surveyed during November 2011, "Excessive Government Regulations" was identified as the second most important reason companies do not locate, or invest in a given geographic location.
- 3 Where can we find comments from consulting agencies and consultant firms including
TJKM
Winzler and Kelly
Shute, Mihaly & Weinberger
- 4 Why weren't the following agencies consulted?
US Fish & Wildlife
US Corps of Engineers
US EPA
California EPA
California Water Quality Control Board
CalTrans
- 5 As of a few weeks ago, the County had not prepared a Land Inventory. When will it be available?
- 6 The State HCD has determined that certain aspects of the County's Housing Element, including the Land Inventory, does not comply with State law. How can all elements of the General Plan be consistent, when the land inventory, which affects all other Elements of the General Plan, is not in compliance with State law?

- 7 How many new County-imposed regulations are being recommended in the draft General Plan Update?
- 8 During the outreach meetings regarding the multi-family rezonings, landowners were told by County planners, they (landowners) would not have to do any environmental analysis on their sites prior to developing. The question was asked if the master EIR would be comprehensive enough to cover their site specific CEQA requirements. The answer was "yes -- no additional analysis would be required." Does this DEIR satisfy all CEQA requirements for those landowners?
- 9 What is the cost to the County and its taxpayers, to implement and monitor these new regulations and policies? And what sources of funding will the County use to cover those costs?

On April 12, 2012 HumCPR requested, through attorneys Harrison Temblador Hungerford & Johnson, that the County extend the comment period for the General Plan update DEIR from 45 days to 90 days. HELP also makes that request. We have not, nor will we have adequate time to thoroughly review, analyze, and comment on the massive DEIR document if the 90 days is not approved.

At the April 19, 2012 meeting of your Commission, staff stated that your Commission would not have an opportunity to revisit your recommended policies now that you are aware of their environmental impacts. Are you aware, your Commission should have the opportunity to change any Policies and Implementation Measures, before they are finalized and submitted to the Board of Supervisors? Once again, this is staff's attempt to minimize the role of the Planning Commission. One of the purposes of your Commission reviewing and commenting on the DEIR, is to allow you to change your recommendations, should you choose to.

Thank you for this opportunity to submit our initial questions and comments on the General Plan Update Draft Environmental Impact Report.

Sincerely,

Kay Backer

Kay Backer, representing
Humboldt Economic and Land Plan

cc: Board of Supervisors
Phillip Smith-Hanes, County Administration Officer
Wendy Chaitin, County Counsel
Carolyn Ruth, Assistant County Counsel
Kirk Girard, Community Development Services Director
Martha Spencer, Acting Supervising Planner
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Kathy Hayes, Clerk of the Board
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