



May 10, 2012

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

Subject: General Plan Update – DEIR

Dear Chair Gearheart and Planning Commissioners:

Thank you for this opportunity to comment on the General Plan Update Draft Environmental Impact Report. We commend the Planning Department and those involved in formatting the subject document, for its organization. The manner in which it is structured provides for easy referencing of the report's contents.

Over the following weeks, we will be submitting letters to express concerns we have with the subject DEIR. Here, we address: (1) Use of Registered Professionals in Preparing EIRS, (2) Feasibility of Implementation, and (3) Evaluation of Ordinances.

1 CEQA Guidelines Section 15149 **Use of Registered Professional in Preparing EIRS :**

***“(a) A number of statutes provide that certain professional services can be provided to the public only by individuals who have been registered by a registration board established under California law. Such statutory restrictions apply to a number of professions including but not limited to engineering, land surveying, forestry, geology, and geophysics.”*** (Emphasis added)

***“(b) In its intended usage, an EIR is not a technical document that can be prepared only by a registered professional. The EIR serves as a public disclosure document explaining the effects of the proposed project on the environment, alternatives to the project, and ways to minimize adverse effects and to increase beneficial effects. As a result of information in the EIR, the Lead Agency should establish requirements or conditions on project design, construction, or operation in order to protect or enhance the environment. State statutes may provide that only registered professionals can prepare technical studies which will be used in or which will control the detailed design, construction, or operation of the proposed project and which will be prepared in support of an EIR.”*** (Emphasis added)

The County's Natural Resources and Hazards Report issued ten (10) years ago (September 2002) prepared by Dyett and Bhatia headquartered in San Francisco, California, states: ***“Coastal wetlands were inventoried during preparation of the County's Coastal Plan; other areas of the county have not been comprehensively inventoried for wetland features. For areas outside of the Coastal Zone, wetland data is from the National Wetland Inventory, which is limited to the central portion of the county. Therefore, the depiction of wetlands in Figure 2-2 is not complete.”*** (Emphasis added)

We agree with Healthy Humboldt, that biological work has not been done by qualified biologists. This is especially significant because landowners were told by County planners in recent months that the Master EIR the County was preparing would be in sufficient detail to assure that ***“No additional environmental analysis would be required by the landowners (rezoning to multi-family) when they develop their sites.”*** This was totally misleading and will be financially devastating to landowners who believed the County's assertion.

HELP is concerned about the lack of actual “on the ground” analysis performed. HELP finds no evidence that technical analysis/studies have been conducted by registered professionals in the areas of engineering, land surveying, forestry, geology, or geophysics. It is essential the County conduct such studies at this time.

2 CEQA Guidelines Section **15364: Feasible**

*“Feasible” means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.”*

HELP finds no evidence that CEQA-required analysis has been conducted to determine whether the General Plan Update policies, implementation measures, mitigation measures and monitoring of same, can be accomplished in a successful manner within a reasonable period of time. It is of utmost importance that the County evaluate the economical / fiscal, physical, environmental, legal, social, and technological impacts of the multitude of new regulations being proposed by the GPU. Please provide such analysis. This should include, but not be limited to the impacts to County government, as well as Special Districts, and the private sector residents and taxpayers of Humboldt County.

3 **Evaluation of Ordinances**

We understand from County Planners, that the ordinances which will govern how these new regulations will be implemented, will not be available until after the General Plan Update is adopted by the Supervisors. HELP finds this delay in understanding how the proposed regulations will be implemented, prevents our ability to fully understand the GPU impacts. We respectfully request the ordinances be drafted at this time to provide that transparency.

Thank you for addressing these concerns. Please contact us at any time if you have questions regarding our concerns. We look forward to your response.

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, Supervising Planner  
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Michael Wheeler, Senior Planner  
Kathy Hayes, Clerk of the Board  
Norma Lorenzo, Planning Commission Clerk

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