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June 15, 2012

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EMAIL: jpmiller@co.humboldt.ca.us

**SUBJECT: Draft Environmental Impact Report for the
Humboldt County General Plan Update
SCH# 2007012089**

Dear Mr. Miller:

We thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Humboldt County General Plan Update (GPU). These comments are submitted on behalf of the Northcoast Environmental Center (NEC) and the NEC sponsored program Healthy Humboldt. The Northcoast Environmental Center'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.

Our members and supporters derive substantial benefit from well-planned, ecologically sensitive planning and development practices. In this letter we will be speaking to the DEIR's inadequate or incomplete analyses pertaining to impacts of conversion of resource lands; urban decay as a result of low-density sprawl and big-box store development; sea-level rise; and transportation.

Urban Decay

Certain land use decisions, such as "Big Box" store development, can lead to store closures and long-term vacancies, ultimately creating social and economic impacts that can cause severe deterioration in existing towns and neighborhoods. The Draft EIR does not assess these potential impacts. As the courts found in *Bakersfield Citizens for Local Control v. City of Bakersfield*, an EIR can be rejected if it does not address the environmental effect of urban decay.

Likewise, the impacts of urban and suburban sprawl as a result of the GPU implementation has not been fully addressed. Sprawling, low-density development has been shown to contribute to urban decay through disproportionately raising costs of infrastructure and services per capita. With sprawling development, it becomes increasingly difficult

to account for adequate funding for infrastructure maintenance and repair. Poorly maintained roads as well as failing stormwater and wastewater systems can lead to significant health-related impacts and environmental degradation.

As proposed, the GPU allows for a substantial amount of residential estates which tend to be built at densities that do not allow for commercial use of the land as a resource, contribute substantially to vehicle miles traveled, and increase the number and density of potentially failing septic systems in watersheds. Limiting this development would minimize the conversion of resource lands and reduce impacts related to vehicle miles traveled.

Sea-level Rise and Coastal Flooding

The State of California's Sea-level Rise Interim Guidance Document, drafted in October of 2010, provides some guidance for addressing impacts relating to sea-level rise. Chiefly, it suggests fully assessing the potential risks and developing an adaptation strategy. Though the scope of this document is 25 years, it is suggested that the County develop a land use strategy that has high adaptive capacity to minimize future impacts that may result from sea-level rise. Potential mitigation could include implementation of a program that identifies at-risk areas for sea-level rise and coastal flooding due to levy failure. Such a program could assess and promote implementation of various strategies such as armorization and planned retreat of development in order to minimize potentially significant environmental impacts.

Loss of Timberlands

The Draft EIR makes quite clear the level of significance relating to the loss of timberlands. The parcelization of timberlands has been a substantial concern throughout the decade-long update process. Numerous measures were considered as part of Alternative A that could minimize significant impacts relating to parcelization and conversion of resource lands to other uses. These measures were not incorporated into the draft plan, and staff gives no reason why the measures were not considered as necessary mitigation in order to minimize impacts that are shown to be significant and unavoidable.

One such proposed policy would provide for a separate zoning for Industrial and non-industrial timber parcels. Given that the majority of Humboldt County's privately held timberlands are under industrial ownerships, impacts relating to conversion of timberlands to residential uses would be minimized substantially through the adoption of such a policy. The County erred by failing to incorporate this as a feasible mitigation measure.

The County's proposed mitigation measure 3.2.3.1b provides for implementation of the County's merger ordinance. On numerous occasions, County staff has called into question whether this measure is an effective tool to mitigate the disclosed impacts given that a landowner can simply divide land through the Certificate of Compliance process and transfer the title prior to any action to merge the parcels in question. If the ordinance is not enforceable, it is disingenuous to include as mitigation.

Mitigation measure 3.2.3.1c, "Building Permit Review on Forest Resource Lands," is insufficient in that it does not inherently change the outcome relating to conversion of timberlands to

other uses. Nor does it account for the cumulatively considerable impact of maintaining the existing rates of residential and agricultural development on TPZ lands. Mitigation measure 3.2.3.1c should be revised to assure this significant impact is addressed.

Transportation

The DEIR clearly demonstrates that the draft GPU will result in a significant impact in relation to vehicle miles traveled. The proposed plan fails to minimize these impacts. Because our transportation system serves as the connective fiber between neighborhoods, schools, services, retail centers, and parks, it is an issue that is central to every resident, business and organization. We believe that increasing policy emphasis on active and public modes of transportation will reduce greenhouse gas emissions, traffic congestion, parking demand, vehicle miles traveled, and energy consumption.

Several policies in the Draft Plan contain language that essentially makes such policies unenforceable. Outstanding in this regard is proposed policy C-P3 which states that land use decisions *should* consider transportation impacts. In order to reduce vehicle miles traveled and associated carbon emissions, such analysis should be required.

Watershed Health

Historic impacts, in combination with threats from contemporary practices, pose a significant challenge to restoration of watershed health. Over the last 150 years, resource extraction and land use practices have severely altered the streams and rivers of the North Coast. At the time our current General Plan was adopted in 1984, the public at large was only beginning to understand the direct relationship between land use practices and watershed health. Since that time we have witnessed the continued unraveling of many local watersheds – leading to many listings under section 303(d) of the Clean Water Act – and the further decline of once abundant salmon runs.

Since the 1984 General Plan, the County has seen significant changes in land use practices and management. We feel that many of the policies under consideration as part of this update are a crucial step to meet our changing landscape and address the opportunities and challenges we face.

The NEC recommends that the County implement a 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. The County's standard should also allow for an increase in the size of the buffer in or near an ESHA, should it be determined necessary for continued viability. While we support consultation with the Department of Fish & Game, county policy should clearly define standards for potential buffer reduction.

Greenbelts and Community Separators

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.

The NEC encourages 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. The NEC strongly supports the incorporation of both community separators and urban growth boundaries in faster-growing unincorporated areas, particularly those adjacent to Eureka and Fortuna, between Bayside and Myrtle town, and between McKinleyville and Fieldbrook.

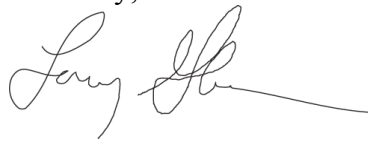
Scenic Resources

The construction of new billboards can contribute to significant impacts to Visual Character. The DEIR fails to address impact and there is no additional mitigation proposed.

Conclusion

We thank you for your consideration of these comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Glass", with a long horizontal flourish extending to the right.

Larry Glass
President, NEC Board of Directors