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Michael Richardson, Senior Planner
County of Humboldt Planning Division
Department of Community Development Services
3015 H Street
Eureka, California 95501

Re: Draft Environmental Impact Report/ Housing Element

Dear Michael:

- DIRECTORS AT LARGE
Clyde Akamine
- Nikki Arnold
- Matt Babich
- Donna Brown
- Katie Casali
- Joanie Frederick
- Joe Matteoli
- Mike Pigg
- Kyra O'Rourke
- Sandra Spalding
- Jeremy Stanfield

The Humboldt Association of REALTORS® has reviewed the Draft Environmental Report (DEIR) and would first comment that it seems reasonable that a DEIR should come after the Planning Commission has completed its work on the Housing Element. We suggest this DEIR is flawed because it is prematurely drafted in an attempt to describe impacts from as yet determined policies based on an as yet adopted document. The DEIR does not clarify terms and leaves much open to interpretation. It also introduces a great deal of new detail not included in the Housing Element itself. It seems inappropriate that the DEIR introduce so much new information. It should have been presented previously in the Element. However, we would like to submit the following comments for your review (page numbers refer to the DEIR dated February 13, 2009):

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EXECUTIVE OFFICER
Lois Lee Busey

- 4. "There are no new impacts with the proposed project [the Housing Element] considered significant and unavoidable." We suggest this is an inaccurate stated for the reasons discussed below.
- 8. Transportation/traffic
Traffic issues are of particular concern since roads are the responsibility of the county. Items on this page (sections 5.13-A and 5.13-B) are labeled as "Potentially Significant Impacts that are Reduced to Less Than Significant Levels." We believe this is an erroneous statement. The DEIR states elsewhere that "most of the growth will likely occur in

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urban areas where traffic conditions are presently very good and which have excess capacity”.¹ And further “that even if all 3,100 units projected by the Housing Element were built in the Eureka area, all but one of the 20 streets... would still be operating at LOS [Level of Service] C or above.”

We disagree with these statements. The Winzler & Kelly “Community Infrastructure & Services Technical Report” (November, 2007) states:

There are existing and projected areas of congestion with constraints that must be addressed. ...in several cases, roadways in the Urban Service Areas [USA] are already experiencing capacity constraints as observed at a.m. and p.m. peak hours. In other cases, roadways currently able to accommodate existing traffic volumes are likely to develop areas of increased congestion as traffic volumes increase.²

The roadways with the most significant capacity constraints are located primarily in Eureka (Humboldt Hill, Myrtle town, South Eureka) and McKinleyville. Both areas have been experiencing increased development pressures.... Future development-related growth in the South Eureka USA will add significant vehicle volume to roadways, *some of which are already experiencing capacity constraints*. Several roadways within the USA already had segments at Level of Service E or F in 2005. The McKinleyville USA is also expected to have capacity constraints...³ [italics added] Projections point to roadway segments where roadway capacity may very likely be inadequate for future traffic volumes.⁴

How can the DEIR conclude that transportation and circulation issues have impacts which “are considered to be less than significant with the proposed project?”⁵

10. “Areas of Controversy”

One of these areas is the land inventory. Establishing an accurate land inventory is essential to establishing a viable DEIR.

How can environmental impacts be considered without having an accurate land inventory?

10. “Areas of Controversy”

Another area of controversy is the locating of multifamily housing.

How can impacts related to multifamily use be analyzed when locations have yet to be identified?

10. “Issues to be Resolved”

One of these issues is the Regional Housing Needs Allocation (RHNA).

This allocation has not yet been determined.

How can housing distribution impacts be evaluated when the distribution has not been determined?

There is also a question regarding process. The DEIR describes a different process from the Housing Element regarding development of RHNA numbers.

How can impacts be assessed if there are different processes involved?

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17. “Proposed Policies, Standards, Implementation Measures...”
The policy of adopting Housing Opportunity Zones (HOZs) “may have [an] adverse environmental impact”. HOZs are areas of higher density.
How can the DEIR address the environmental impacts of Housing Opportunity Zones when these zones are not yet defined and mapped?
18. “Incentives for Residential Development...”
What are the county’s definitions of “minor subdivision” and “major subdivision”?
How can impacts be discussed when they are not defined?
19. “Accommodations for residential units in commercial zones”
Performance standards are not listed in this section. What are the performance standards?
How can impacts be measured with out this information?
19. “Modified parking standards”
What are the “current best practices” referenced in the DEIR regarding modified parking standards?
How can impacts be evaluated without a description?
45. Agricultural Resources
There appears to be an inconsistency here. The county effectively has a “no net loss” policy regarding agricultural lands. Language in the DEIR cites “purchase of lands by public entities” as a mitigation measure. Public entity purchase does not necessarily preserve working agricultural lands, therefore this is contrary to a “no net loss policy”. Does not the mitigation measure contradict existing county policy?
54. Hydrology
There appears to be an inconsistency here. The information in Section 5.8-B states that the impact of water withdrawal is “considered to be less than significant”. However, language in the Initial Study states water withdrawal “impact is not able to be mitigated to less than significant levels.”⁶
Do these two statements not contradict each other?
59. Noise
There appears to be a conflict in this section. Policies are being proposed to mix residential with commercial and to develop residential closer to transportation which means closer to highways. Both bring housing within range of higher noise levels. The information in Section 5.10 states that “impacts of the proposed new Element on noise hazards is considered to be less than significant.” It also states “ more development may occur in noise impacted areas under the new Element...”
How can noise impacts be considered “less than significant” considering the above?

Much of the DEIR states that increases in urban development will impact urban quality of life but “its worth it” because it means less building in rural areas therefore less impact on those

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areas. It is “balanced” off. However, the quality of life in urban areas remains important to those who live there. Quality of life is defined in part by the level of public services (police, sheriff, fire, schools, etc.) available. To protect quality of life in urban areas, Alternative C should be considered since it “is likely to have fewer impacts on public services...”⁷

The DEIR states there are “significant irreversible environmental changes” which could be associated with adoption of the Housing Element. It continues that “where mitigations [are] not sufficient to reduce...impacts, those are in the end weighed against the provisions of increased housing to meet future demands.”⁸ There is no question there will be future demand for housing. We suggest that answering that demand can be achieved in a reasonable and equitable manner without undue environmental impact.

Sincerely,


Victoria Copeland
Co-chair General Plan Subcommittee


Debbie Provolt
Co-chair General Plan Subcommittee

cc Kirk Girard, Director
Planning Commission

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1. pg. 62, DEIR
 2. pg. xviii, Winzler and Kelly Technical Report, 2007
 3. *ibid*
 4. pg. 2-8, Winzler and Kelly Technical Report, 2007
 5. pg. 63, DEIR
 6. pg. 93, “
 7. pg. 39, “
 8. pg. 29, “