

On 04/07/2016, the Humboldt County Planning Commission was scheduled to hear a presentation from the Department of Public Works regarding Traffic Impact Fees in Humboldt County (New Business, Item 10). Due to insufficient time, the presentation was rescheduled to 04/21/2016.

Included in the Planning Commission agenda package was the following correspondence.

MAR 25 2016

Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our customers

March 24, 2016

Robert Morris, Chair
Humboldt County Planning Commission
825 Fifth Street
Eureka, CA 95501

Subject: Humboldt County Traffic Impact Fee

Dear Commissioner Morris:

The Humboldt Community Services District (HCSD) Board of Directors has great concerns with regard to the current process that the County and City of Eureka (City) staff have followed to draft a Traffic Impact Fee proposal.

We understand this proposal will be presented to the Board of Supervisors and City Council in the very near future. Thus, we feel it critical that we bring the matter to the Humboldt County Planning Commission's attention as the Traffic Impact Fee affects land use issues.

It is widely acknowledged that the reason the County and City are looking at establishing a traffic mitigation fee is because the Martin Slough Interceptor (MSI) Project Environmental Impact Report (EIR) Mitigation Measure 11-3.1 requires such. It is unfortunate that this fee process was not performed years ago as dictated by the Martin Slough EIR adopted in 2004. Now the County and City find themselves in an emergency situation to push through the process.

The City and County recently presented their draft interim traffic impact fee report at two Greater Eureka Area Municipal Advisory Committee (GEAMAC) meetings. At both meetings, the recommendations were passionately contested by the public as well as HCSD. Based upon the first GEAMAC presentation, HCSD's Board of Directors submitted a comment letter detailing specific concerns and requests to be included in the Traffic Interim Fee process (attached). Even with HCSD's input, it appears that the County and City staff, along with their consultant, is proceeding with their plan as they initially envisioned it.

It is our understanding that there must be a direct nexus between an impact fee imposed for development and the use of such funds collected. We are concerned that County and City staffs are getting away from the intent of the MSI Project traffic impact fee by addressing traffic impacts from an area far larger than the MSI project area. From our perspective, it is not the responsibility of the MSI to mitigate issues not associated with the Martin Slough basin nor is it prudent to have areas that have nothing to do with the Martin Slough basin, such as development in Freshwater or

Robert Morris, Chair
Humboldt County Planning Commission
March 24, 2016
Page Two

Humboldt Hill, associated with this Martin Slough traffic mitigation measure. If the County and City want to address traffic issues beyond the Martin Slough Project area, that traffic impact fee program should be separate from Martin Slough.

The HCSD Board feels it is imperative that the Martin Slough basin is treated as a standalone mitigation area. We took on 64% of the approximate \$20 Million MSI Project costs based upon assurances that any development within the Martin Slough basin would drive a mitigation fund to deal with necessary traffic improvements within the Martin Slough basin.

The City and County's current proposal expands the scope of the boundary that will be included in the traffic mitigation fee to address long standing traffic issues beyond the Martin Slough project area. Let it be clear that HCSD is not against the idea of a larger traffic study area. However, we do feel that all fees collected from development within the Martin Slough basin must be utilized within the Martin Slough Project area to mitigate potential traffic impacts. Further, this is the approach that both HCSD and the City presented to the public when garnering support for the Martin Slough Interceptor project.

In conclusion, we are not contesting the necessity for a traffic mitigation fee. In fact, we are very supportive of the creation and implementation of a Traffic Impact Fee that achieves compliance with the MSI Mitigation Measure 11-3.1. However, we are concerned about the proposed fee as presented. We feel the funds generated within the Martin Slough basin need to be used to mitigate the impacts of growth in the Martin Slough basin. As we mentioned in our February 26, 2016 letter, the District feels that it is important that the fee process must be as transparent as possible and include definable parameters. Mitigation measure 11-3.1 was solely based upon Martin Slough. Therefore, it is our opinion that the traffic fee should also represent the same area.

Thank you for the opportunity to present this matter for your review and consideration. Should you have any question or require additional information, please feel free to call me.

Sincerely,

HUMBOLDT CSD



David Hull

General Manager

c: HCSD Board of Directors

Humboldt Community Services District

Dedicated to providing high quality, cost effective water and sewer service for our customers

February 26, 2016

Tom Matson
Director of Public Works
County of Humboldt
1106 Second Street
Eureka, CA 95501

Brian Gerving
Director of Public Works
City of Eureka
531 K Street
Eureka, CA 95501

Subject: Comments Regarding the Greater Eureka Area Interim Traffic Impact Fee

Dear Mssrs. Matson and Gerving,

On February 9, 2016, the Greater Eureka Area Municipal Advisory Committee (GEAMAC) hosted a presentation by the County of Humboldt and the City of Eureka entitled *Informational Meeting Regarding the Development of the Greater Eureka Area Traffic Impact Fee (GEATIF)*. The Board of Directors of the Humboldt Community Services District (District) reviewed and discussed the information presented at the GEAMAC meeting at their regular Board meeting of February 23, 2016. At that meeting, the Board took action to provide you with the following comments.

District's Interest in the Interim GEATIF Process

The District's interest in the Interim GEATIF process stems from the District's role in the Martin Slough Interceptor project (MSI). The MSI was a joint project between the District and the City of Eureka to construct new wastewater collection and conveyance components that include new collection lines connecting up to 16 existing lift stations to a new gravity wastewater collection pipeline; a new pump station; and new force main and appurtenant improvements. Although many of the lift station improvements tying into the main interceptor are still under construction, the main interceptor was completed in 2014. The City of Eureka now owns and operates the system with a 36% allocated volumetric capacity and the District pays for and receives the remaining 64% of the volumetric capacity. The 36% City of Eureka Project cost-share was approximately \$6 million and the 64% HCSO cost-share was approximately \$11 million.

The Environmental Impact Report certified by the City of Eureka and the District for the MSI project contained a mitigation measure that reads:

Mitigation Measure 11-3.1 states:

"The City (of Eureka) shall cooperate with local governments in the Project area to enter into a Memorandum of Agreement (MOA) to develop and implement a suitable "Cumulative Traffic Assessment and Mitigation Program" (Program). The aim of the MOA, and of the resulting Program, will be to

formally identify indirect or cumulative traffic and circulation impacts, and the required improvements necessary to offset indirect or cumulative impacts, within the areas of the City of Eureka and the County of Humboldt that will be served, whether directly or indirectly, by the Martin Slough Interceptor Project.

The City shall prohibit connections to the Martin Slough Interceptor or to any part of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until the MOA and the Program are in place and appropriate funding has been secured for improvements identified in the Program. The methodology for creating the Circulation Improvement Fund Program shall be identified as part of the MOA and the Program. Payments to the circulation improvement fund shall be secured for each connection to the wastewater collection system prior to the authorization by the City of that connection.

Therefore, since the District is responsible for the majority of the cost of the Martin Slough Interceptor project and since that project cannot be fully utilized until the Cumulative Traffic Assessment and Mitigation Program is in place and appropriate funding has been secured for improvements identified in the Program (i.e. the Interim GEATIF) mandated as a part of Mitigation Measure 11-3.1 is completed, the District is extremely interested in the expedited completion of an Interim GEATIF.

Open and Transparent Process

The District's Board of Directors is very supportive of the GEATIF and is committed to ensuring the process is open and transparent. The Board believes that the GEAMAC is an appropriate venue to hold presentations and stakeholder input meetings on the proposed GEATIF. In addition, the Board encourages the City and County to continue to involve the District's General Manager in the GEATIF planning process.

Support the Establishment of an Interim GEATIF to Move the Process Forward

The District's Board of Directors is supportive of the establishment of an Interim GEATIF. The District believes that an Interim fee is the most expeditious method to obtain compliance with the Martin Slough EIR's mitigation requirement.

The Interim GEATIF Should be Based Upon the Information Generated from the Forster Gill Traffic Study, Which is Presumably Supported by TJKM Engineers.

The District believes that utilizing existing relevant traffic studies and traffic mitigation information is the quickest way to establish the interim GEATIF and gain compliance with the requirements of the Martin Slough EIR Mitigation Measure 11-3.1. A 2009 traffic study

Matson/Gerving
Interim Traffic Impact Fee
February 25, 2016
Page 3 of 3

created for the Ridgewood Village Development (aka Forster Gill) appears to not only cover the Martin Slough Basin, but also includes traffic mitigation projects and costs and was created by the same consultant that is presently contracted to produce the Interim and Final GEATIF. The District requests that the information and traffic study boundary used in the Traffic Impact Study for the Ridgewood Village Development to be used to craft the Interim GEATIF.

Funds from the Interim and Final GEATIF Should be Spent Within the Martin Slough Basin Boundaries.

As previously noted, the need for an Interim GEATIF arises from Mitigation Measure 11-3.1 contained in the Martin Slough Interceptor EIR. The District's Board of Directors concluded that, in consideration of its constituents best interests, and to meet the nexus criteria that charges on new developments have a relationship to that development, any funds accumulated as the result of development projects within the Martin Slough Basin boundary (as identified by SHN City of Eureka Martin Slough Interceptor Project Map dated January 2004) be applied toward traffic mitigation projects within that same specified area for both the interim GEATIF and final GEATIF. Similarly, it may be logical for the City and County to treat projects in other geographic basins in a similar manner i.e., funds generated in those geographic basin areas be applied to traffic mitigation projects in those specific geographic basin areas.

It is not the District's intent to hinder the development of a comprehensive traffic study for the City of Eureka proper and/or the County of Humboldt. We are, however, committed to ensuring that promises made to our community to gain their acceptance and assume 64% of the debt of the Martin Slough Interceptor project are fulfilled.

The District appreciates the opportunity to participate in, and comment on, the Draft Greater Eureka Area Interim Traffic Impact Fee and fee development process. The District sincerely hopes that the City of Eureka and County of Humboldt understand the necessity to not delay in the establishment and implementation of an interim GEATIF. We look forward to continuing to work with the City and County to quickly resolve this issue.

Very truly yours,

HUMBOLDT CSD,

Alan Bongio
President, Board of Directors

C: Paul Brisso, District Counsel
HCSD Board of Directors

Hegler, Suzanne

From: HumCPR <humcpr@gmail.com>
Sent: Monday, April 04, 2016 7:08 PM
To: Planning Clerk
Cc: bgerving@ci.eureka.ca.gov; Mattson, Tom; Bass, Virginia; Bohn, Rex; Fennell, Estelle; Lovelace, Mark; Sundberg, Ryan
Subject: HumCPR comments on GEATIF for Planning Commission meeting of 4/7/16
Attachments: HumCPR Letter to the Planning Commission - GEATIF.pdf

Hello,

Please accept the submission of the attached letter for inclusion as public comment with regards to the Humboldt County Department of Public Works presentation to the Planning Commission on Traffic Impact Fees, slated for the Commission's meeting on April 7th, 2016.

Best regards,

Alec Ziegler

--

Humboldt Coalition for Property Rights
(707) 268-8773
www.HumCPR.org



April 4th, 2016

Robert Morris, Chair
Humboldt County Planning Commission
825 Fifth Street
Eureka, CA 95501

RE: The Greater Eureka Area Traffic Impact Fee (GEATIF)

Dear Chairman Morris,

With this letter, Humboldt Coalition for Property Rights wishes to express our extreme concerns with regards to the proposed implementation of the Greater Eureka Area Traffic Impact Fee. HumCPR does not contest the necessity for improvements to local infrastructure nor to the concept of an impact fee in and of itself. We also applaud both the City of Eureka and the County of Humboldt for taking steps to develop a satisfactory and appropriate method of combating increased strain on Humboldt's roadways.

However, HumCPR's various concerns with the GEATIF necessitate that our organization express our opposition to the impact fee in its current form. Chief among our concerns is that the GEATIF goes far beyond the acceptable scope of the project. It is widely recognized that the Martin Slough Interceptor Project Environmental Impact Report is the catalyst for the development of a traffic impact fee. However, the proposed interim impact fee has expanded its range of influence well beyond the Martin Slough Interceptor's original project area. HumCPR feels that such an unwarranted expansion of scope is an alarming example of bureaucratic overreach devoid of the proper amount of public input and discussion.

HumCPR has further concerns that, contrary to public opinion expressed at multiple informational GEATIF meetings held at the Humboldt Community Services District headquarters, the City and the County have not reduced the scope of the GEATIF impact fee area. The City and County have also failed to provide adequate justification for the parameters of the project as currently proposed. Likewise, HumCPR feels the City and County did not give proper consideration to the objections raised by HCSO as outlined both at GEATIF informational meetings and via a letter submitted to the Humboldt County Planning Commission on March 24th, 2016.

HumCPR asks that the current proposed GEATIF project be amended to reduce its scope of influence

Hegler, Suzanne

From: Humboldt Association of Realtors <ida@harealtors.com>
Sent: Tuesday, April 05, 2016 4:04 PM
To: Fennell, Estelle; Lovelace, Mark; Bohn, Rex; Sundberg, Ryan; Bass, Virginia
Cc: Planning Clerk
Subject: Traffic Impact Fee
Attachments: 4-4-16 Traffic Impact Letter.pdf

Dear County Board of Supervisors and Planning Commission,
Please see the attached letter from Humboldt Association of Realtors® addressing the proposed Martin Slough Interceptor Traffic Impact Fee.

~ Ida

Ida Heinen, Executive Officer
Humboldt Association of Realtors
707-442-2978/Phone, 707-442-7985/Fax
CELL – 707-362-9511



April 4, 2016

Humboldt County Board of Supervisors
Mark Lovelace, Chair
825 5th Street
Eureka, CA 95501


RE: Proposed Traffic Impact Fee

Dear Mr. Lovelace and Board,

The Humboldt Association of Realtors® shares the concerns of the Humboldt Community Services District and those of the Greater Eureka Area Municipal Advisory Committee with regard to the draft interim traffic impact fee report presented by City and County staff at the GEAMAC meeting on March 8, 2016.

The Association is not disputing the necessity of the traffic mitigation fee but is concerned with the current proposal as it relates to the boundaries identified in the current plan, which exceed those originally presented for the Martin Slough Interceptor Project. HAR would like to express our support of the attached letters from HCSD and GEAMAC and request that the boundaries of the Martin Slough Interceptor Project be confined to those in the original proposal.

Sincerely,


Brenda Lockhart
Board President


Jeff Ragan

Government Relations - Chair

cc: Robert Morris, Humboldt County Planning Commission

PRESIDENT
Brenda Lockhart

PRESIDENT-ELECT
Kristi Machado

SECRETARY/TREASURER
Elizabeth Campbell

PAST PRESIDENT
Jeremy Stanfield

DIRECTORS
Kevin Dreyer
Marci Ebert
Lia Foersterling

Kyra O'Rourke
Joe Matteoli
Andy Parker
Marci Pigg
Kim Quintal
Robin Ronay-MLS
Michelle Voyles
Dean Wilson
Joyce West

AFFILIATE LIAISON
Kim Preston

EXECUTIVE OFFICER
Ida Heinen

March 9, 2016

Humboldt County Board of Supervisors
Mark Lovlace, Chairman
825 5th Street
Eureka, Ca 95501

Ref: Proposed Interim Traffic Mitigation Fee Proposal

Chairman Lovelace and members of the Board:

At the March 8th meeting of the Greater Eureka Area Municipal Advisory Committee, County Public Works Staff, City of Eureka Staff and their third party consultant presented a revised draft of a proposed Interim Traffic Mitigation Fee.

Following the staff presentation and more than two hours of public comment the committee determined that they could not support the current proposal for the following reasons:

- 1) The review of alternatives required in the fee foundational documents has never been undertaken.
- 2) There is concern that the fee boundary as proposed is inconsistent with the provisions of the Martin Slough EIR.
- 3) At the revised growth levels, the fee would have difficulty funding even a small portion of the proposed projects.

Sincerely,

Glenn Ziemer
Chair- GEAMAC