

On 12/30/2016, Humboldt County Public Works Land Use Division audited our files in regard to Public Comment on Traffic Impact Fees. During that inspection, four documents were discovered that had not been previously published on the County website.

Those four documents are attached.



February 11, 2016

Thomas Mattson
Public Works Director
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Brian Gerving
Director of Public Works
City of Eureka
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Mr. Mattson and Mr. Gerving:

The Coalition for Responsible Transportation Priorities (CRTP) is an organization whose mission is to promote transportation solutions that protect and support a healthy environment, healthy people, healthy communities and a healthy economy on the North Coast of California. CRTP appreciates the opportunity to comment on the proposed Greater Eureka Area Traffic Impact Fee (GEATIF).

CRTP supports the idea of a traffic impact fee in the area. That is, we agree that local developers should pay their fair share of the costs associated with the transportation impacts of their developments. However, we do not believe that level of service (LOS) is an appropriate basis for measuring transportation impacts or for directing GEATIF revenues, as has been used by consultants TJKM in their initial report.

LOS is an outdated metric which is increasingly recognized as leading to unintended consequences when used to measure the impacts of development and to determine appropriate mitigation. One researcher succinctly summarizes: "The use of LOS is often criticized for its bias towards automobiles at the expense of bicycling, transit, and walking, and it complicates smart growth or compact development."¹ We agree with this criticism.

Furthermore, the use of LOS and other measures of automobile congestion to assess transportation impacts has led to mitigation measures which add automobile capacity to the road system. This tendency can be seen in the TJKM report, which includes several capacity-adding projects in its list of proposed uses for future GEATIF revenues. However, there is a growing consensus in transportation planning that adding capacity

¹ Henderson, Jason. 2011. "Level of service: the politics of reconfiguring urban streets in San Francisco, CA." *Journal of Transport Geography* 19(6): 1138-1144.



induces new travel and does not reduce congestion. We highly recommend that County and City staff review the literature on induced travel. A recent policy brief for the National Center for Sustainable Transportation, appropriately titled “Increasing Highway Capacity Unlikely to Relieve Traffic Congestion,” contains a concise summary.²

The increased vehicular traffic and neglect of alternate transportation options which result from use of LOS as a transportation impact metric make it ill-suited for two of the most urgent tasks in transportation planning today: reducing greenhouse gas emissions and designing livable communities. In recognition of these facts, SB 743 directed the Governor’s Office of Planning and Research (OPR) to replace LOS standards in the CEQA Guidelines with a new measure which reflects the need to “promote the state’s goals of reducing greenhouse gas emissions and traffic-related air pollution, promoting the development of a multimodal transportation system, and providing clean, efficient access to destinations.” In response, OPR is currently in the process of finalizing CEQA Guidelines revisions which direct the use of vehicle miles traveled (VMT) as the new metric for measuring transportation impacts. As OPR notes in its latest proposal, “vehicle miles traveled directly relates to emissions of air pollutants, including greenhouse gases, energy usage, and demand on infrastructure, as well as indirectly to many other impacts including public health, water usage, water quality and land consumption.”³

We strongly urge the GEATIF to follow the lead of the new CEQA Guidelines and use VMT as its measure of transportation impacts rather than LOS. Furthermore, keeping in mind all of the direct and indirect impacts for which VMT is an important indicator, mitigation projects funded through GEATIF revenues should not seek to add vehicular capacity to local roads. Rather, GEATIF revenues should mitigate increases in VMT caused by new development by funding projects which reduce emissions, improve local health and welfare, and reduce infrastructure degradation—notably improvements to bicycle, pedestrian, and mass transit infrastructure and service.

Thank you for your consideration of our comments.

Sincerely,

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Campaign Coordinator
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colin@transportationpriorities.org

² Handy, Susan. October 2015. “Increasing Highway Capacity Unlikely to Relieve Traffic Congestion.” National Center for Sustainable Transportation. Available online at http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf.

³ Governor’s Office of Planning and Research. January 2016. Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA. Available online at https://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf.

Humboldt Community Services District

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

May 14, 2015

Estelle Fennell, Chair
Humboldt County Board of Supervisors
825 Fifth Street, Room 111
Eureka, CA 95501

Subject: Martin Slough Interceptor Traffic Mitigation Fee Process

Dear Chair Fennell,

As a part of the 2004 Martin Slough Interceptor Project Environmental Impact Report, Mitigation Measure 11-3.1 entitled *Limit Connections to Martin Slough Interceptor Pending Development of a Memorandum of Agreement to Identify Mitigation for Cumulative Traffic Impacts, and Implementation of a Circulation Improvement Fund Program*, was adopted.

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.

As you can see, without the Program in place, the County will likely be unable to meet its housing element requirements effecting local development and the local economy. In partial fulfillment of the Mitigation Measure, an MOA between the City and County was signed in 2006. There was apparently no follow up. On April 20 of this year, the

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County hosted a meeting to "kick off" a new effort to get the Program done and the fee in place. City and County staff have reported that by June 2, 2015 they will have a new MOA completed.

The Board of Directors of the Humboldt Community Services District (District) are extremely concerned that this process has taken nine-years and may take another one to two-years to complete. The District was responsible for 64-percent of the total construction costs for the Martin Slough Interceptor Project, which totals more than \$11 million. With all of the public monies invested in the Martin Slough Interceptor Project, the District is disappointed with the County's lack of progress on this Program.

Therefore, the District insists that the Board of Supervisors of the County of Humboldt:

- Approve the MOA with the City of Eureka at the Board of Supervisors' June 2, 2015 Board meeting; and
- Direct County Public Works to propose an interim Program process, including a legal and technical analysis of the interim fee, at the June 2, 2015 Board of Supervisors meeting; and
- Make the development and initiation of an Interim Program a top priority with it to be implemented no later than July 1, 2015; and
- Direct County Public Works staff to retain a consultant to begin working on the Program no later than July 1, 2015; and
- Include a District representative in any and all meetings and communications regarding the interim and final Program and fee establishment.

The District sincerely hopes that the Board of Supervisors understands the necessity to establish an interim Program and fee and to initiate the Program process is an extremely high priority. We look forward to working with you to quickly resolve this issue.

Very truly yours,

HUMBOLDT CSD



David L. Saunderson
President, Board of Directors

C: Tom Mattson, Humboldt County Public Works
Greg Sparks, Eureka City Manager
Paul Brisso, District Counsel
Board of Directors, HCSD



CITY OF EUREKA

CITY COUNCIL

531 K Street • Eureka, California 95501-1146 • (707) 441-4172

May 22, 2015

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

Subject: Traffic Impact Fee Study and Interim Fee Structure

Dear Humboldt County Board of Supervisors,


The City Council of the City of Eureka approved the Memorandum of Agreement (MOA) that is attached to this letter at its regular Council Meeting on May 19th. City and county staff worked together to prepare the mutually acceptable MOA, which defines the roles and responsibilities assigned to both entities. The final approved MOA authorizes county and city staff to prepare a Request for Proposal to solicit a qualified consultant who can perform the Traffic Impact Fee Study.

As you are aware, timing is critical. The City is legally bound to restrict all development in areas affected by the Martin Slough Project. Specifically, pursuant to Mitigation Measure 11-3.1 in the certified Environmental Impact Report for the Martin Slough Interceptor project, the City is required to prohibit connections to the Martin Slough Interceptor, or to any of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project. Previous attempts to complete the MOA and initiate the Impact Fee Study were unsuccessful and, now that the Martin Slough system is operational, it is imperative that the Study be completed quickly.

Staff estimates that an 8-10 month time period will be needed to select a consultant and complete the study. Therefore the City of Eureka recommends an "interim traffic impact fee structure." Payment of the interim fees will allow development to proceed without delays caused by the incomplete Impact Fee Study. The City suggests that county staff continue to work with our staff in developing the Interim Fee Structure, obtaining the technical information and provide guidance for a reasonable and appropriate structure that can be utilized in the short term until the Study is complete.

Please feel free to contact me at 441-4140 should you have questions or wish to discuss the City's recommendations further. On behalf of the City, we look forward to working with Humboldt County toward the goal of appropriate traffic impact mitigation.

Respectfully,


Greg L. Sparks, City Manager

C: Mayor & City Council Members
Bob Bronkall, PE/LS, Deputy Director, Department of Public Works—Land Use Division
Charles Roecklein, City Engineer

**Memorandum of Agreement
Between
City of Eureka and County of Humboldt
For Planning and Establishment of a
Traffic Impact Fee Program
To be implemented within the Greater Eureka Area
May 2015**

1. Purpose

This Memorandum of Agreement (MOA) reflects the commitment of the County of Humboldt (County) and the City of Eureka (City) to collaborate in the planning and establishment of a program that will assess fees to fund transportation infrastructure improvements needed to support development within the Greater Eureka Area (GEA). The GEA encompasses all of the City of Eureka, a large portion of Humboldt Community Services District (HCSD) and other unincorporated areas within the City's sphere of influence. A map showing the GEA is attached.

Mobility and traffic circulation are impacted by development and growth within the community. It's important to the County and the City that these impacts are mitigated and that quality of life from a traffic circulation and transportation perspective is protected. This MOA builds upon the Memorandum of Understanding (MOU) between the City of Eureka and County of Humboldt, which was executed by the Eureka City Manager on April 6, 2006, and the Chairperson of the Humboldt County Board of Supervisors on July 11, 2006. The MOU sets forth the steps necessary for the development and implementation of the Memorandum of Agreement to identify mitigation for cumulative traffic impacts and the implementation of a circulation improvement fund program set forth in the Martin Slough Interceptor Environmental Impact Report. The MOU is incorporated into this MOA by reference.

2. Background

The initial step in establishing the Traffic Impact Assessment Program is to perform a traffic impact assessment and nexus study (Traffic Impact Study) for the Greater Eureka Area. Because the GEA encompasses multi-jurisdictional areas, the City and County wish to jointly analyze this area to ensure that development in the region proportionately funds regional impacts to transportation facilities.

This MOA establishes the commitments and requirements of each party working together to issue a Request for Proposals (RFP) and complete the Traffic Impact Study that will identify appropriate sources and levels of funding for governmental transportation facilities necessary to serve growth in the Greater Eureka Area, as defined in the Greater Eureka Area Traffic Model and other calibrated traffic models. The County agrees to

Memorandum of Agreement Between City of Eureka and County of Humboldt for Planning and Establishment of a Traffic Impact Fee Program To be Implemented within the Greater Eureka Area, May 2015

issue the RFP and receive proposals from qualified consultants who are able to perform the necessary study tasks. The City will participate by reviewing and commenting on the RFP prior to issuance, reviewing proposals with the County after they are submitted, and helping select the consultant to perform the Study.

3. Agreement

The parties to this MOA agree to work together to establish appropriate funding mechanisms for governmental facilities necessary to serve growth in the Greater Eureka Area. Although this MOA does not bind the parties to adopt the impact fees that result from the Traffic Impact Study, either in part or in whole, the conditions of the certified EIR for the Martin Slough Interceptor Project do require a fee to be assessed. Mitigation Measure 11-3.1 in the EIR requires the following specific outcomes:

- “...formally identify indirect or cumulative traffic and circulation impacts [resulting from the Martin Slough Project], and the required improvements necessary to offset traffic and circulation impacts...”
- “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.”

Section 1. Transportation and Planning Relationships

City and County rely upon cooperative relationships that are part of the ongoing local and regional transportation planning process. The process is continuous, cooperative, and comprehensive and each entity recognizes that they have a shared interest in or responsibility for the local and regional effects of future development within their respective jurisdictions.

Section 2. Purpose and Objective

The purpose of this MOA is to commit each agency to the working relationships necessary to prepare the Traffic Impact Study for the Greater Eureka Area. This MOA will also assist in compliance with the Cumulative Traffic Impact Assessment and Mitigation Program (Program) pursuant to Mitigation Measure 11-3.1 in the certified Environmental Impact Report for the Martin Slough Interceptor project. This measure requires that the City prohibit connections to the Martin Slough Interceptor, or to any of the City’s wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until a MOA and Program are in place and appropriate funding has been secured for the improvements identified in the Program.

Memorandum of Agreement Between City of Eureka and County of Humboldt for Planning and Establishment of a Traffic Impact Fee Program To be Implemented within the Greater Eureka Area, May 2015

This MOA will also provide for the development and implementation of provisions contained in Section 4220 of the County's General Plan, Volume II, Eureka Community Plan; specifically the Goals and Policies of Sections F & G, p. 72, which call for a financing program for future circulation improvements and coordination with other agencies and jurisdictions. Work completed under the MOA will contribute to the County of Humboldt and City of Eureka General Plan Updates.

The Traffic Impact Study will formally identify indirect or cumulative traffic and circulation impacts resulting from development in the Greater Eureka Area. This will include the areas directly or indirectly served by the Martin Slough Interceptor Project. The Traffic Impact Study is intended to identify the required improvements necessary to offset those impacts along with the methodology for securing funding for the required improvements.

The Traffic Impact Study prepared as a result of this MOA, together with this MOA, will complete the following steps identified in the MOU regarding transportation planning in the Greater Eureka Area. Specifically, this MOA will:

1. Satisfy the requirement to enter into an MOA to develop a cumulative traffic impact assessment and mitigation program, pursuant to Martin Slough EIR Mitigation Measure 11-3.1;
2. Identify and implement interim sanitary sewer connection restrictions;
3. Identify the indirect and/or cumulative traffic and circulation impacts within the Greater Eureka Area through the use of the Greater Eureka Traffic Model and other calibrated traffic models as may be required to achieve accurate analyses;
4. Identify the improvements and associated costs necessary to offset such traffic impacts;
5. Develop a project prioritization and construction timing methodology that strives to have the required improvements in place to offset such traffic impacts before they occur;
6. Develop and propose an appropriate funding methodology to secure funds for the required improvements.

Section 3. Agency Commitments

RFP: County shall provide staff and funding to prepare and process the overall Traffic Impact Fee Study RFP and to hire the selected consultant. City and County shall provide the appropriate personnel to coordinate the issuance, review, and recommendation of the consultant to perform the work. The contract for the Study shall be between the County and the consultant.

Traffic Impact Fee Study: County shall provide staff to perform the engineering analysis and provide cost estimates for improvements on County facilities and major roads (arterials and collectors) within the limits of the Greater Eureka Traffic Model Area. City

