

Attn: Martha Spencer
Humboldt County Planning Department
Community Development Services
3015 H Street
Eureka, CA 95501

March 10, 2009

Dear Planning Commission and Staff,

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the 2009 Housing Element for Humboldt County.

We have concerns about the lack of specificity in this DEIR when assessing the cumulative impacts of the Housing Element. This document is written as a supplemental EIR which only measures whether impacts are significantly greater than they have been in previous housing element cycles. Since some impacts have been “significant and unavoidable” in the past, we believe it is time to examine whether these impacts really are unavoidable. Other impacts that have not been considered significant in the past certainly will be significant due to cumulative impacts. Third, there are substantial changes in this cycle that will require closer analysis of impacts:

- The state-mandated housing allocation for the Humboldt County as a whole is substantially greater this year (4,747 units compared with 3,975 in the last cycle). While we hope HCAOG’s allocation of that number will reduce the share that the unincorporated must plan for, the County’s number will still likely be greater than in the last cycle. This will require that land be made available to produce a greater number of housing units than before.
- Greenhouse gas emissions are now a factor in CEQA compliance and potential impacts of this project are substantial.
- Planning tools for focusing development in more compact and walkable communities are more available today, making many previously unavoidable impacts now avoidable through smarter planning.

Below we outline specific places where we believe closer analysis of impacts, and exploration of alternative policies would be helpful in developing an EIR that properly assesses the impacts so that decision-makers can select the alternative that adequately meets our housing needs and minimizes environmental impacts.

Defining Infill and Outfill

Whether or not a development occurs within an Urban Development Area (UDA) is the simplest test of whether that development qualifies as infill. Yet, this criterion is not widely used to clarify how much outfill development occurred in previous housing cycles, and what proportion

of land in the Land Inventory for the 2009 Housing Element is outside the UDA. Accordingly, we recommend the following changes:

- The table on page 11 should include information on what amount and proportion of land area is in the UDAs.
- Chapter 3, Project Description, should include information on what number and proportion of planned units in the land inventory are in existing UDAs, what number and proportion are on land zoned as agricultural land, and what proportion are on land zoned as timber.
- An alternative land inventory should be developed which meets the RHNA allocation without requiring subdivision of any existing parcel outside the UDAs. Rezoning UDA land to higher densities would probably be required.

Findings in the Health Impact Assessment indicate that in addition to preserving resource lands, focusing growth in the developed areas will have many positive health impacts as well.¹ Walkable communities that stem in part from focused growth are consistent with the County's 2007 resolution in recognition of the importance of transportation and land use in reversing negative health trends.²

Prioritizing Protection of Agricultural and Timber Lands

The land inventory, a component of the housing element that identifies land available for development of housing, includes many parcels that are currently zoned as Agricultural and as Timber. According to the DEIR, 17% of the units in the previous cycle were built on land zoned for agriculture. Loss of agricultural acreage is not quantified. The DEIR must quantify the acreage lost in the cycles for which this DEIR is supplemental, and number of units planned for in the Land Inventory on resource lands. Impacts to timberlands should be quantified in the same manner.

The alternative Land Inventory suggested above would not require subdivision of agricultural or timber lands outside UDAs, thus reducing impacts to resource lands. Up-zoning areas within the Urban Development Areas to higher densities may be required to make adequate sites available to meet the housing need without relying on subdivision of resource lands to meet these needs.

We are wary of the re-designation of various agricultural land uses (AL, AG, Agricultural Suburban, etc.) to Rural Residential and Residential Estates land use types. Even if rules over the development of these lands remain the same for now, changing what we call these lands will change how people view them in time. This puts resource lands at risk. If simplification of land use types is required, rural lands should be designated as Timber, TPZ, Agricultural or Agricultural Exclusive. Furthermore, efforts should be made to keep parcels large enough for a household to earn adequate income from the parcel based on the resource it can sustainably produce.

Open Space Zoning

A cursory examination of the Land Inventory reveals several lots in Shelter Cove. This is unfortunate, because Shelter Cove is not an area where substantial housing needs exist. Furthermore, many lots in Shelter Cove are unbuildable, but continue to be placed back on the market after confiscation by the County. An "Open Space" zone needs to be developed for parcels that are undevelopable, as well as for lands that are inappropriate for development.

Parking Impacts

Assessment of parking impacts is included in the DEIR, probably because these impacts are listed in Appendix G of the CEQA guidelines. We view parking impacts as a social issue, not an environmental issue. There is enough agreement on this that proposed changes to CEQA guidelines currently under consideration include the removal of parking impacts from Appendix G.³ While that change will not become official before the Housing Element is complete, CEQA allows local jurisdictions substantial leeway in establishing levels of significance for this impact. Furthermore, there are several tools available to a jurisdiction to reduce demand for parking and bring it into line with supply, such as “right-price” parking.⁴ We encourage the County to consider these tools as this Element and General Plan go forward.

Air Quality Impacts

Greenhouse Gas Emissions must be addressed in this document. CEQA Guideline changes currently under consideration⁵ would be a useful guide for outlining the potential impacts.

Particulate matter below 10 microns (PM10) is the pollutant for which parts of Humboldt County have noncompliance issues. The DEIR suggests that urban development might concentrate PM10 pollution. We argue that development in rural areas with dirt roads puts people at greater risk of PM10 exposure due to kicked up dust. Road dust is the largest source of PM10 emissions in Humboldt County.⁶

Airborn asbestos impacts have not been addressed in the DEIR. Airborn asbestos can be released in areas with serpentine soils when there is grading or other disturbances.⁷ The DEIR should quantify the number of planned units that are coincident with serpentinite. Also please incorporate the comments submitted by the Health Humboldt Coalition on 3-8-07 on potential impacts of airborne asbestos related to grading and development in areas known to have serpentinite.⁸

Cumulative Hydrology Impacts

Impacts on watersheds are not well measured in this DEIR. As a larger proportion of a watershed is developed, hydrological function will change. The DEIR should quantify the percentage of each watershed that is currently developed, and how much of each watershed is projected for development in this Land Inventory. It should also include the number and percentage of the proposed units in the inventory that occur in the 100 year flood plain, and the number and percentage that were built in the flood plain in past Housing Element cycles?

Municipal water and sewer service minimizes residential impacts on watersheds as well. Water drawn from wells and creeks can reduce instream flows, impacting wildlife and other residential users. Septic systems have a greater chance of failure than municipal sewage systems, resulting in inevitable impacts to water quality. For units developed in the previous cycle and units proposed in the 2009 Land Inventory, The DEIR should quantify the number and percentage of units that have/will have municipal water and municipal sewer.

The Local Coastal Plan (LCP) is an important tool for protecting water quality. Is the Housing Element consistent with the LCP? Are rules for the county with regard to protecting water quality consistent between the LCP and inland areas? We believe Agricultural lands should be protected in the same manner in the Inland Zone as they are in the Local Coastal Plan.

Conclusion

Significant avoidable impacts will occur under the preferred alternative of the Housing Element. We urge the County to develop an alternative Land Inventory that can avoid these impacts to our air quality, water quality, resource lands and quality of life.

Sincerely,



Chris Rall – Policy Director
Healthy Humboldt Coalition

CC:

Board of Supervisors

¹ Health Impact Partners, Humboldt County Department of Health and Human Service Public Health Branch, and Humboldt Partnership for Active Living. 2008. Humboldt County General Plan Update Health Impact Assessment. Available at: <http://www.humpal.org/hia.html>

² Humboldt County Board of Supervisors. April, 2007. Resolution Recognizing the Need to Change Nutrition and Physical Activity Environments. Available at:

<https://co.humboldt.ca.us/board/agenda/questys/MG100580/AS100626/AI105052/DO105053/BOSAagendaItem.pdf>

³ Governor's Office of Planning and Research. Jan. 8, 2009. Preliminary Draft CEQA Guideline Amendments for Greenhouse Gas Emissions And Public Workshop Announcement. Available at:

http://opr.ca.gov/ceqa/pdfs/Workshop_Announcement.pdf

⁴ Shoup, Donald. 2005. The High Cost of Free Parking, Chicago: Planners Press. First chapter available at:

<http://shoup.bol.ucla.edu/Chapter1.pdf>

⁵ See endnote 3.

⁶ North Coast Unified Air Quality Management District. 1995. particulate Matter (PM10) Attainment Plan.

Available at: <http://www.ncuaqmd.org/files/NCUAQMD%20Attainment%20Plan%205-95.pdf>

⁷ Facts About Rock and Soil in Lake County Containing Asbestos. Available at:

<http://ucce.ucdavis.edu/files/filelibrary/1271/17438.pdf>

⁸ Dave Spreen. 2007. Comments on Mineral Resources Element. Available at:

[http://co.humboldt.ca.us/gpu/docs/FirstDraftComments/Group2Comments/3-8-2007%20Healthy%20Humboldt%20\(1\).pdf](http://co.humboldt.ca.us/gpu/docs/FirstDraftComments/Group2Comments/3-8-2007%20Healthy%20Humboldt%20(1).pdf)