

## **Attachment 4**

### **The Final Environmental Impact Report for the Humboldt County General Plan Update (SCH # 2007012089)**



**GENERAL PLAN**

**Humboldt County General Plan Update  
Final Environmental Impact Report**

**SCH# 2007012089**

**September 25, 2017**

HUMBOLDT COUNTY BOARD OF SUPERVISORS

- First District: Rex Bohn
- Second District: Estelle Fennell
- Third District: Mark Wilson
- Fourth District: Virginia Bass
- Fifth District: Ryan Sundberg

HUMBOLDT COUNTY PLANNING COMMISSION

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HUMBOLDT COUNTY PLANNING AND BUILDING DEPARTMENT

John Ford, Planning Director

PROJECT STAFF

- Michael Richardson: Supervising Planner
- John Miller: Senior Planner
- Michael Wheeler: Senior Planner
- Lisa Shikany: Senior Planner
- Jerry von Dohlen: GIS Analyst

Note: The GPU has been years in the making, and there are many former Supervisors, Planning Commissioners and project staff not listed above that also contributed to this EIR.

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# Chapter 1. Introduction

## 1.1. Purpose of Final EIR

This document, together with the Revised Draft Environmental Impact Report (RDEIR), is the Final Environmental Impact Report (Final EIR) for the Humboldt County General Plan Update (State Clearinghouse Number 2007012089). The RDEIR identified the likely environmental consequences of the project and recommended mitigation measures to reduce or eliminate significant impacts. This document responds to public comments on the RDEIR, revises the RDEIR as necessary, and provides a Mitigation Monitoring and Reporting Program (MMRP) for the project.

According to the California Environmental Quality Act (CEQA) (as amended January 1, 2016), lead agencies are required to consult with public agencies having jurisdiction over a proposed project and to provide the general public with an opportunity to comment on the RDEIR. For this project, Humboldt County is the lead agency. This document has been prepared to respond to comments received on the RDEIR and to clarify any errors, omissions, or misinterpretations of the analysis or findings in the RDEIR.

This document, together with the RDEIR, will constitute the Final EIR if Humboldt County certifies the Final EIR as complete and adequate under CEQA.

## 1.2. Environmental Review Process

The RDEIR was made available for public review from April 19 through June 30, 2017. The general public was advised of the availability of the RDEIR through notification via email and Notices of Availability mailed to neighbors of the project site. Public agencies and interest groups were also notified by mail. The RDEIR was posted on the County's website on April 29, 2016.

During the public review period on the RDEIR, written comments were made. A copy of written comments on the RDEIR and responses to the comments can be found in Chapter II of this document.

The Final EIR will be presented to the Humboldt County Board of Supervisors at its meeting scheduled for October 10, 2017 in the Board of Supervisors Chamber, Humboldt County Courthouse, 825 Fifth Street, Eureka, California 95501. Before acting on the project, the Board of Supervisors must certify the Final EIR and adopt the MMRP (see Chapter IV of this document). In addition, the Board of Supervisors must make the necessary findings for the adoption of mitigation measures associated with the project.

## 1.3. Report Organization

This document consists of the following chapters:

- *Chapter I: Introduction.* This chapter includes a discussion of the purpose and organization of the Final EIR.
- *Chapter II: Comment Letters and Responses for the RDEIR.* This chapter contains the names of individuals and agencies commenting on the RDEIR and reproductions of letters and emails received on the RDEIR. The comments are numbered in the margins of the comment letters and responses are keyed to the comment numbers. Where revisions to the RDEIR are appropriate, these are summarized and the actual text changes are shown in Chapter III.
- *Chapter III: RDEIR Text Changes.* This chapter contains corrections or clarifications that have been made based on comments received on the RDEIR or for other reasons. The changes show language that has been added to or deleted from the RDEIR. Underlined text represents language that has been added to the RDEIR; text in ~~strikeout~~ has been deleted from the RDEIR.
- *Chapter IV: Mitigation Monitoring and Reporting Program.* This chapter identifies mitigation measures referenced in the EIR as necessary to avoid or reduce the project's potentially significant impacts and provides a program for implementation and monitoring of these measures. The timing and entity responsible for monitoring are identified.

## Chapter 2. Comment Letters and Responses for the RDEIR

This chapter includes a reproduction of each comment letter (including emails) that addressed the RDEIR and was received during the public review period. Each letter is followed by responses to comments made in the letter.

**COMMENT NUMBER**

### A. State and Regional Agency Comments

- 1. California Department of Transportation ..... A1-1 to A1-5
- 2. Regional Water Quality Control Board..... A2-1 to A2-2
- 3. State of California, Governor’s Office of Planning and Research  
And Division of Oil Gas and Geothermal Resources ..... A3-1 to A3-2

### B. Local Agency Comments

- 1. Humboldt County Association of Governments..... B1-1 to B1-46

### C. Public and Public Interest Group Comments

- 1. Coalition for Responsible Transportation Priorities.....C1-1 to C1-4
- 2. Marissa D’ Arpino.....C2-1to C2-16
- 3. Mercer Fraser..... C3-1
- 4. Humboldt Coalition for Property Rights... ..... C4-1 to C4-23
- 5. Kent Sawatzky... ..... C5-1
- 6. Food Fiber and Flowers... .....C6-1 to C6-2
- 7. Green Diamond Resource Company... ..... C7-1 to C7-34
- 8. Steven S. Madrone.....C8-1

## A. State and Regional Agency Comments

## Letter A1 California Department of Transportation

STATE OF CALIFORNIA—CALIFORNIA STATE TRANSPORTATION AGENCY

EDMUND G. BROWN Jr., Governor

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 1, P.O. BOX 3700  
 PHONE (707) 441-4693  
 FAX (707) 445-6314  
 TTY 711  
 www.dot.ca.gov



*Making Conservation  
 a California Way of Life.*

June 30, 2017

1-HUM-General  
 SCH# 2007012089  
 Humboldt GPU DEIR

Mr. Michael Richardson Supervising Planner  
 Community Development Department  
 County of Humboldt  
 3015 H Street  
 Eureka, CA 95501

Dear Mr. Richardson:

Thank you for including Caltrans in the environmental review process for the Recirculated Draft Environmental Impact Report (RDEIR) for the Humboldt County General Plan Update (GPU). The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Caltrans Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lens of our mission and state planning priorities of infill, conservation, and travel efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with lead agencies and project proponents on all development projects that utilize the multimodal transportation network. We provide these comments consistent with the State's smart mobility goals that support a vibrant economy and build communities, not sprawl. The following comments are in response to the Draft EIR for the Humboldt County GPU.

Caltrans' mission and vision, as well as a number of goals and policies, have been revised to better reflect recent legislation including the following:

Assembly Bill (AB) 857, **Infrastructure Planning: Priorities and Funding** (2002), requires the State to adopt consistent planning and capital spending priorities. It establishes three priorities that encourage all state agencies to promote infill development within existing communities, protect environmental and agricultural resources, and encourage efficient development patterns overall.

Assembly Bill 32, **The California Global Warming Solutions Act of 2006**, mandates a reduction of Greenhouse Gas (GHG) emissions most responsible for climate change. Nearly 40 percent of emissions in California come from the transportation sector.

The **Sustainable Communities and Climate Protection Act of 2008**, or Senate Bill (SB) 375, legislation that required regions throughout California to improve their long-term Regional Transportation Plans (RTPs) to reflect more efficient land use, improved transportation, and

A1-1

reduced GHG emissions.

Assembly Bill 1358 (2008), the California **Complete Streets Act**, requires that the legislative body of a city or county, upon any substantive revision of the circulation element of the general plan, modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.

Senate Bill 391 (2009), **California Transportation Plan**, adds new requirements to meet California's climate change goals under Assembly Bill 32. SB 391 requires the state's long-range transportation plan (California Transportation Plan) to identify the "statewide integrated multimodal transportation system" needed to reduce greenhouse gas emissions from current levels by 2020, and 80-percent below the 1990 levels by 2050.

Senate Bill 743 (2013), "**The Kings Arena Bill**", exempted the Sacramento Kings Arena from CEQA compliance and attempts to promote infill development through a change in how determinations of significance are measured for transportation impacts under CEQA. New housing, commercial and office uses located within Transit Priority Areas are now exempt from CEQA. Outside of Transit Priority Areas, the Governor's Office of Planning and Research has the discretion to identify new measures of significance for determining transportation impacts under CEQA, which is expected to include Vehicle Miles Traveled (VMT).

In April of 2015, Governor Brown issued **Executive Order (EO) B-30-15** establishing a California GHG reduction target of 40 percent below 1990 levels by the year 2030, which is a mid-term goal that is consistent with California's existing long-term commitment to reduce emissions 80 percent under 1990 levels by 2050. In addition, the Governor is committed to reduce by one-half current petroleum use in cars and trucks; and manage farm and rangelands, forests and wetlands to store more carbon.

In 2016, Caltrans completed California Transportation Plan 2040, which establishes a new model for developing ground transportation systems, consistent with the above-referenced legislation:

*[Regional] plans represent a shift in long-term planning away from simply a list of transportation projects and towards a strategy for sustainable growth. Their plans value efficient land use by proposing to locate more housing closer to job centers; they recognize consumer demand by proposing to invest in numerous modes of transportation—roads, public transit, walking, and biking facilities. They value taxpayer investments by proposing to spend more on taking care of our existing assets before building more. Regions have adopted growth plans, and will soon begin revising them, to deliver the more sustainable transportation system now required by California law.*

A1-1

Over the next 25 years, California will be working to improve transit, reduce long-run repair and maintenance costs of roadways, developing a comprehensive assessment of climate-related vulnerabilities, and improving the efficiency of operations on existing facilities using transportation demand management and new technologies rather than continuing to expand capacity on existing roadways.

A1-1

We request that the Humboldt County General Plan Update strive to address transportation challenges including: transportation needs of demographic groups, specifically the youth, the aging, and low-income groups or areas that qualify for State “disadvantaged” or “severely disadvantaged” status. Suggested methods for providing a more robust transportation system include the expansion of transit capacity, frequency, and connectivity; higher proportion of funding for walking and biking projects; greater focus on more efficient land uses and denser development near transit; support for streamlined CEQA review of infill projects; and greater coordination between government and stakeholders.

A1-2

We agree with and support the County’s determination of significant and unavoidable VMT impacts within the Circulation Element of the RDEIR. With respect to VMT impacts, we have the following comments:

- Increasing VMT, whether on a per capita basis or as an absolute value, is inconsistent with State efforts to reduce GHG. County land use decisions have the potential to impact State efforts to reduce VMT on State highways.
- The “Area of Known Controversy” related to dispersed versus compact development in the General Plan Update could lead to significant impacts as a contributing factor to increasing VMT.
- Without existing or proposed Measures of Effectiveness (MOEs) for reducing VMT, we request that the County, through the implementation of the General Plan, seek to maintain consistency between the Circulation Element of the General Plan, California Transportation Plan 2040, the Regional Transportation Plan developed by Humboldt County Association of Governments (HCAOG), the Regional Transportation Planning Agency (RTPA) for Humboldt County.

A1-3

We request that the County work with Caltrans and HCAOG to establish meaningful VMT reduction strategies.

Page 3.5-9 of the Transportation Section of the Revised Draft Environmental Impact Report describes State Route 299 as a California Legal Network Highway that allows STAA (Surface Transportation Assistance Act) trucks. Please note that with the completion of the Buckhorn Grade projects in Shasta County last fall, SR 299 is in the process of being designated an STAA Terminal Access Route.

A1-4

Also on page 3.5-9 of the Transportation Section is a discussion of the Caltrans project through

A1-5

Richardson Grove State Park. We request that the RDEIR's description of the project be revised for clarity. Instead of attributing the controversy to the removal of trees (no old growth trees will be removed), the controversy can be attributed to "road improvements within a grove of old growth redwood trees, as well as concerns regarding growth inducing impacts."

A1-5

Caltrans requests to participate in the County's update of the Local Coastal Program in an effort to coordinate long-range planning efforts for adapting to Sea Level Rise. Caltrans District 1 is interested in the Humboldt Bay Area Plan and other planning areas where State highway facilities are vulnerable to the effects of Climate Change.

Caltrans offers a number of planning grants to assist the County in working to further State goals and initiatives recently established through legislation. Please visit the Caltrans Division of Transportation Planning web page, which includes a tab for grant programs:  
<http://www.dot.ca.gov/transplanning/index.html>.

A1-6

## Responses to California Department of Transportation - Letter A1

**Comment A1-1:** This comment states the GPU should strive to address transportation challenges. Suggestions include improved transit, increased funding for walking and bicycling projects, denser land uses near transit, streamlining CEQA review of infill projects, and improved coordination among stakeholders including government.

**Response to Comment A1-1:** Comment noted. These are all desirable goals of the GPU but the comment does not address the RDEIR.

**Comment A1-2:** This comment states the GPU should strive to address transportation challenges. Suggestions include improved transit, increased funding for walking and bicycling projects, denser land uses near transit, streamlining CEQA review of infill projects, and improved coordination among stakeholders including government.

**Response to Comment A1-2:** Comment noted. These are all desirable goals of the GPU but the comment does not address the RDEIR.

**Comment A1-3:** Caltrans agrees that VMT impacts are significant and unavoidable. However, they assert this is inconsistent with State efforts to reduce VMT. The “dispersed vs. compact development” contributes to increased VMT. They state there should be consistency among the General Plan Circulation Element, the California Transportation Plan 2040, and the Regional Transportation Plan developed by HCAOG. Finally, they recommend the County work with Caltrans and HCAOG to develop VMT reduction strategies.

**Response to Comment A1-3:** Comment noted. The DEIR concludes the patterns of development in the County are well-established and will not change substantially due to the very modest growth projections for the GPU. Indeed, the County shares the concerns of Caltrans and HCAOG to reduce VMT, in part through consistency with goals of, and cooperation with, all applicable agencies.

**Comment A1-4:** This comment states that recent projects on SR 299 at the Buckhorn Grade are resulting in enhanced STAA designation status that should be reflected.

**Response to Comment A1-4:** The text of the second paragraph on page 3.5-9 of the RDEIR is revised to reflect this upgraded status as follows:

“Additionally, there is an economic effect on transportation costs due to the limitations on large STAA truck sizes on both U.S. 101 at Richardson Grove and on State Route 299 at Buckhorn Grade. Because of the restrictions on the length of trucks that can travel this route into the County, goods often need to be transferred to smaller trucks, which increase the transportation cost of goods shipped to and from the County. With completion of the Buckhorn Grade projects in Shasta County in 2016, State Route 299 is in the process of being designated an STAA Terminal Access Route. State Route 299 from Arcata to Trinity County is considered a California Legal Network highway and allows that will allow STAA trucks.”

**Comment A1-5:** In this comment, Caltrans request that the description of the reason for controversy surrounding an improvement project in Richardson Grove State Park be revised so that the controversy is attributed to “road improvements within a grove of old redwood trees, as well as concerns regarding growth inducing impacts.”

**Response to Comment A1-5:** The text of the third paragraph on page 3.5-9 of the RDEIR is revised to reflect the suggested language:

“ Caltrans has completed a Final EIR (SCH # 2009012070) for a project to provide access for larger trucks on U.S. 101 through Richardson Grove State Park near the Humboldt County line. The proposed project extends from post mile (Humboldt) 1.1 to post mile (Humboldt) 2.2 and would include minor realignments and widening of the existing roadway, culvert improvements, and repaving the roadway. This project has been controversial because it involves ~~road improvements and the removal of trees within a State Park~~ road improvements within a grove of old growth redwood trees, as well as concerns regarding growth inducing impacts.

**Comment A1-6:** Caltrans requests to participate in the County's update of the Local Coastal Program in an effort to coordinate long-range planning efforts for adapting to Sea Level Rise. Caltrans District 1 is interested in the Humboldt Bay Area Plan and other planning areas where State highway facilities are vulnerable to the effects of Climate Change. Caltrans offers a number of planning grants to assist the County in working to further State goals and initiatives recently established through legislation.

**Response to Comment A1-6:** Comment noted. The County is committed to working collaboratively with CalTrans to mitigate the impacts of sea level rise on its facilities.

Regional Water Quality Control Board - Letter A2



North Coast Regional Water Quality Control Board

June 29, 2017

Mr. Michael Richardson
Humboldt County Community Development Services
3015 H Street
Eureka, CA 95501

Dear Mr. Richardson:

Subject: Comments on the General Plan 2017 DEIR, SCH No. 2007012089

Thank you for the opportunity to comment on the Draft Environmental Impact Report (DEIR) for the 2017 General Plan Amendment and tentative language adopted by the Humboldt County Board of Supervisors (Board of Supervisors). The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible State agency with jurisdiction over the quality of groundwater and surface waters (including wetlands) and the protection of the beneficial uses of those waters.

Regional Water Board staff reviewed the tentative language adopted by the Board of Supervisors and the DEIR dated April 2017 for the General Plan, and offer the following comments. The general comments are listed below. In the case of specific suggested language related to climate change, which we hope the Board will consider, we have identified it in strikeout / underline in the attached documents: Chapters 9, 11, 14, and 15 of the 'Chapters Tentatively Approved by the Board of Supervisors (2015) showing edits From Planning Commission Draft (2012)'.

GENERAL COMMENTS

The Regional Water Board would like to be viewed as a partner with the County in water quality protection. We have worked closely with the County on a project-by-project basis in the past and we look forward to continuing to do so.

Regional Water Board staff shares the concerns of the California Department of Fish and Wildlife (CDFW) related to aquatic species and habitat and supports their recommendations. Below is a list of the general categories our agency is concerned about as they relate to water quality and beneficial uses. Regional Water Board authorities and that of CDFW coincide with respect to several of these important issues.

- Surface water and groundwater
• Aquatic species and wildlife
• Riparian and instream habitat

A2-1

- Watershed planning
- Wetlands
- Water supply
- Storm water
- Low Impact Development
- Cannabis-related impacts

#### Climate Change

The issue of climate change will likely evolve and change over the timeframe addressed in this General Plan. Regional Water Board staff encourage Humboldt County to proceed with due diligence to address issues related to climate change that can affect any number of water quality and beneficial uses. The County should consider the following:

- Climate change is a risk multiplier when it comes to water quality conditions. That is, existing water quality impacts and landscape vulnerabilities are likely to worsen under future altered climatic conditions.
- Forward thinking and planning is essential to reducing risks associated with potential climate change impacts. Climate change adaptation plans should be incorporated into the County's General Plan.
- Numerous mitigation measures appropriate to adapt to changing climatic conditions have multiple environmental benefits (e.g. forest retention for carbon sequestration may reduce erosion and subsequent sediment discharge from hillslopes). Use of such measures should be a high priority now and in the future.
- The County is advised to conduct and/or participate with Cities to conduct a comprehensive climate change assessment specific to the potential effects of drought, high intensity winter storms, and sea level rise (SLR) on wastewater infrastructure. The effect of such altered conditions should be assessed with respect to wastewater treatment facilities, sewerage collection systems, disposal areas, and vulnerable areas serviced by onsite waste treatment systems (OWTS). Vulnerable areas of most concern include floodplains and the low gradient areas (e.g. diked and drained wetlands) surrounding Humboldt Bay.

A2-2

## Responses to Regional Water Quality Control Board (RWQCB) - Letter A2

**Comment A2-1:** The comment begins with general statements, “The Regional Board would like to be viewed as a partner with the County in water quality protection...Regional Board staff shares the concerns with CDFW related to aquatic species and habitat and supports their recommendations.” The comment lists issues shared in common with CDFW including surface water and groundwater.

**Response to Comment A2-1:** Comment noted. CDFW did not comment on the DEIR, but their recommendations and suggestions over the years have been incorporated into the GPU, which is supported by the RWQCB.

**Comment A2-2:** The comment encourages the County to “proceed with due diligence to address issues related to climate change that can affect any number of water quality and beneficial uses.” The comment identifies considerations and issues for developing a climate change adaptation strategy.

**Response to Comment A2-2:** Comment noted. The considerations raised by the RWQCB will be relevant for development of the County’s Climate Action Plan which will be developed through Implementation Measure AQ-IM3:

“**AQ-IM3. County-wide Climate Action Plan.** Develop and implement a Climate Action Plan that effectively mitigates the carbon emissions attributable to this Plan, consistent with the requirements of the state Global Warming Solutions Act and subsequent implementing legislation and regulations.”

Letter A3 - State of California, Governor's Office of Planning and Research and Division of Oil Gas and Geothermal Resources



EDMUND G. BROWN JR.  
GOVERNOR

June 8, 2017

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

Michael Richardson  
Humboldt County Planning Division  
3015 H Street  
Eureka, CA 95501

Subject: Humboldt County General Plan Update  
SCH#: 2007012089

Dear Michael Richardson:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on June 7, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

A3-1

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2007012089  
**Project Title** Humboldt County General Plan Update  
**Lead Agency** Humboldt County

**Type** EIR Draft EIR  
**Description** The project consists of updating the Humboldt County General Plan (referred to as the proposed General Plan Update or GPU for purposes of this EIR). A complete project description is in chapter 2 of this EIR, but in Summary, the GPU is intended to be a comprehensive update of the County's current 1984 General Plan. The General Plan expresses the community's goals for the distribution of future land uses for approximately the next 20 years, both public and private, and establishes policies, standards and implementation measures for future development. It reviews and revises the basic assumptions regarding population projections and future land use demand and proposes land use designations and diagrams (maps), together with policies to meet that demand in a manner consistent with State law.

**Lead Agency Contact**

**Name** Michael Richardson  
**Agency** Humboldt County Planning Division  
**Phone** 707-268-3723 **Fax** 707 268-3792  
**email**  
**Address** 3015 H Street  
**City** Eureka **State** CA **Zip** 95501

**Project Location**

**County** Humboldt  
**City**  
**Region**  
**Lat / Long**  
**Cross Streets**  
**Parcel No.**  
**Township** **Range** **Section** **Base** HB&M

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** update to GP

**Project Issues** Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Aesthetic/Visual; Coastal Zone; Economics/Jobs; Forest Land/Fire Hazard; Schools/Universities; Septic System; Sewer Capacity; Solid Waste; Vegetation; Wetland/Riparian; Growth Inducing; Cumulative Effects; Agricultural Land

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 1E; Department of Parks and Recreation; Department of Water Resources; Caltrans, District 1; Regional Water Quality Control Board, Region 1; Native American Heritage Commission

**Date Received** 04/21/2017 **Start of Review** 04/24/2017 **End of Review** 06/07/2017

A3-1



State of California • Natural Resources Agency  
 Department of Conservation  
**Division of Oil, Gas, and Geothermal Resources**  
**Northern District – Sacramento**  
 801 K Street • MS 18-05  
 Sacramento, CA 95814  
 (916) 322-1110 • FAX (916) 445-3319

Edmund G. Brown Jr., Governor  
 Kenneth A. Harris Jr., State Oil and Gas Supervisor

CLEAR  
 6-7-17  
 E

June 6, 2017

Governor's Office of Planning & Research

JUN 06 2017

STATE CLEARINGHOUSE

State Clearinghouse  
 PO Box 3044  
 Sacramento, CA 95812-3044

Subject: CEQA project: SCH #2007012089  
 Lead Agency: Humboldt County  
 Project Title: Humboldt County General Plan Update

Ladies/Gentlemen:

The Division of Oil, Gas, and Geothermal Resources (Division) oversees the drilling, operation, maintenance, and plugging and abandonment of oil, natural gas, and geothermal wells. Our regulatory program emphasizes the wise development of oil, natural gas, and geothermal resources in the state through sound engineering practices that protect the environment, prevent pollution, and ensure public safety. Northern California is known for its rich gas fields and Humboldt County for one of the first oil fields in California at Petrolia.

From the California Office of Historic Preservation:

"California's first drilled oil wells that produced crude to be refined and sold commercially were located on the North Fork of the Mattole River approximately three miles east of here. The old Union Mattole Oil Company made its first shipment of oil from here, to a San Francisco refinery, in June 1865. Many old well heads remain today."

The Division maintains digital production data dating back to 1977. From the years 1977 to 2016 64,232,699 (Mcf) of natural gas was produced from gas wells located in Humboldt County (Figure 1). Currently there are two active fields and one idle field in Humboldt County (Figures 2 and 3). Tompkins Hill Gas Field, located approximately 1-mile north of Fortuna, has 22 active wells and 17 idle wells. The Grizzly Bluff Gas Field located near Ferndale has 3 active wells and 7 idle wells. The Petrolia Gas field has 3 idle wells that are shut in and not producing gas. We do not have any records of the oil production.

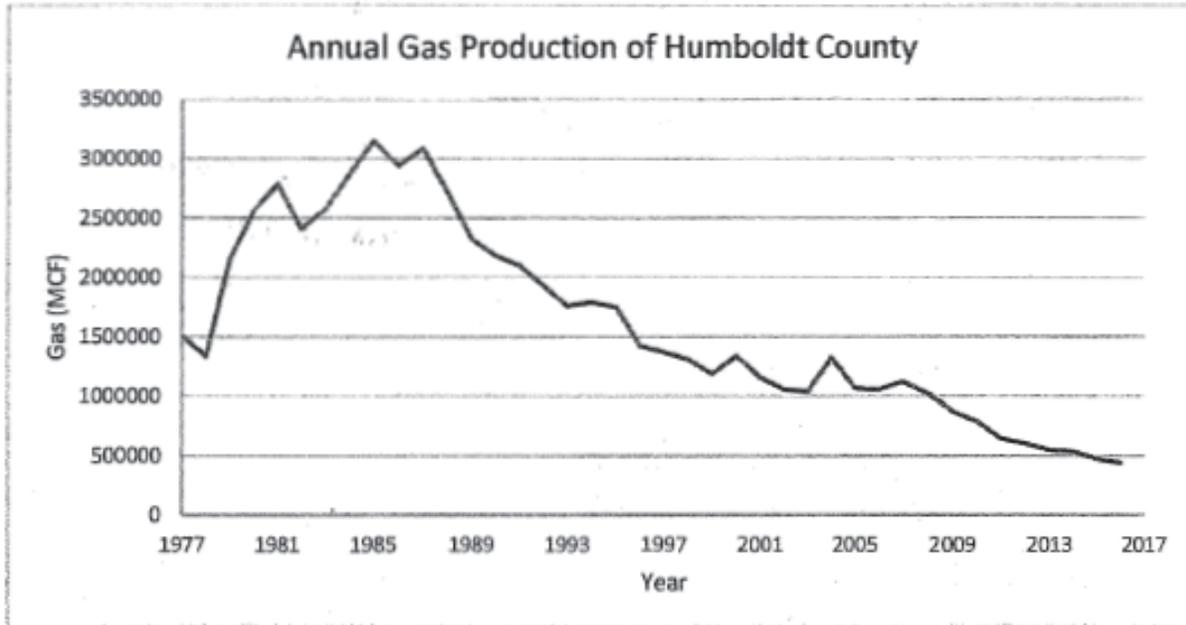
Data for wells located on private and public land shown on the maps can be found at the Division's websites:

<http://maps.conservation.ca.gov/doggr/wellfinder/#close>

<https://secure.conservation.ca.gov/WellSearch>

A3-2

State Clearinghouse  
 CEQA project: SCH#2007012089  
 June 6, 2017  
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**Figure 1** Annual production of natural gas from Humboldt County 1977-2016.

Permitting agency(s) and property owner(s) should be aware of, and fully understand, that significant and potentially dangerous issues may be associated with development near oil and gas wells. These issues are non-exhaustively identified in the following comments, and are provided by the Division for consideration by the permitting agency, in conjunction with the property owner and/or developer, on a parcel-by-parcel or well-by-well basis.

1. Maintaining sufficient access to an oil or gas well may be generally described as maintaining "rig access" to the well. Rig access allows a well servicing rig and associated necessary equipment to reach the well from a public street or access way, solely over the parcel on which the well is located. A well servicing rig, and any necessary equipment, should be able to pass unimpeded along and over the route, and should be able to access the well without disturbing the integrity of surrounding infrastructure.
2. The Division recommends that a permitting agency consider the use of surface mitigation measures as a condition for project approval, if and when appropriate. Examples of surface mitigation measures include venting systems for wells, venting systems for parking lots, patios, and other hardscape, methane barriers for building foundations, methane detection systems, and collection cellars for well fluids. The Division **does not** regulate the design, installation, operation, or adequacy of such measures. The Division recommends that such surface mitigation measures are designed, installed, and operated by qualified engineers. The permitting of surface mitigation measures falls under the jurisdiction of the permitting agency.
3. If during the course of development of a parcel any unknown well(s) is discovered, the Division should be notified immediately so that the newly discovered well(s) can be incorporated into the records and investigated.

A3-2

State Clearinghouse

CEQA project: SCH #2007012089

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Page 3

4. The Division recommends that any soil containing significant amounts of hydrocarbons to be disposed of in accordance with local, state, and federal laws. Please notify the appropriate authorities if soil containing significant amounts of hydrocarbons is discovered during development.
5. The Division recommends that any wells found in the course of this project and any pertinent information obtained after the issuance of this letter, be communicated to the appropriate county recorder for inclusion in the title information of the subject real property. This is to ensure that present and future property owners are aware of (1) the wells located on the property, and (2) potentially significant issues associated with any improvements near oil or gas wells.

No well work may be performed on any oil or gas well without written approval from the Division in the form of an appropriate permit. This includes, but is not limited to, mitigating leaking fluids or gas from abandoned wells, modifications to well casings, and/or any other re-abandonment work. (NOTE: the Division regulates the depth of any well below final grade (depth below the surface of the ground). Title 14, Section 1723.5 of the California Code of Regulations states that all well casings shall be cut off at least 5 feet but no more than 10 feet below grade. If any well needs to be lowered or raised (i.e. casing cut down or casing riser added) to meet this grade regulation, a permit from the Division is required before work can start.)

To reiterate, the permitting agency, property owner, and/or developer should be aware of, and fully understand, that the above comments are made by the Division with the intent to encourage full consideration of significant and potentially dangerous issues associated with development near oil or gas wells.

Thank you for the opportunity to comment on this project.

Sincerely,

*Charlene L Wardlow*

Charlene L Wardlow

Northern District Deputy

A3-2

**Responses to State of California, Governor's Office of Planning and Research and Division of Oil Gas and Geothermal Resources - Letter A3**

**Comment A3-1:** The Office of Planning and Research documents their referral process for the DEIR that was submitted to them April 21, 2017. Their review period began April 24, 2017 and ended June 7, 2017.

**Response to Comment A3-1:** Comment noted. The Board of Supervisors continued to accept comments on the DEIR through June 30, 2017.

**Comment A3-2:** The comment provides information about the records maintained by the Division of Oil, Gas and Geothermal Resources, and provides information to permitting agencies and property owners about permitting new oil, gas and geothermal resource extraction operations, and treatment of inadvertent discovery of existing unknown wells.

**Response to Comment A3-2:** Comment noted. The County's permitting process for new gas and oil wells includes referrals to the Division of Oil, Gas and Geothermal Resources for comments. In this way, the County helps inform applicants and nearby property owners of significant and potentially dangerous issues associated with development near oil or gas wells consistent with the recommendations from the Division.

**B. LOCAL AGENCY COMMENTS**

Letter B1 - Humboldt County Association of Governments



MEMO

DATE: June 30, 2017  
 TO: John Miller, Senior Planner, Humboldt County Planning & Building  
 FROM: Oona Smith, Senior Planner, HCAOG  
 RE: County GPUP-RDEIR (May 2017) Proofreading & Comments

Page #	Draft Version	Suggested Edit	
3.5-4	S.R. 211 is a short two-lane highway that extends from U.S. 101 to the City of Ferndale, <u>crossing the Eel River over historic Fernbridge.</u>	crossing historic Fernbridge over the Eel River	B1-1
3.5-5	...as part of the <u>2008</u> Regional Transportation Plan (see Humboldt County Regional Transportation Plan, 2008, Table HR1, Significant Roadway and the discussion on Page HR-1):...	See current 2014 RTP ("VROOM"). (Which is also now being updated – ETA Dec. 2018.)	B1-2
3.5-6	<u>Redwood Transit System.</u> In addition to the mainline route serving US 101, a separate route...	add: Tish Non-Village service. There is also Fortuna Transit, provided for seniors and persons with a disability.	B1-3
3.5-7	<b>Non-Motorized Transportation</b> (paragraph 2) Such obstructions and impediments can force pedestrians on foot <u>or who use</u> wheelchairs onto road shoulders, and into parking and bike lanes.	"or those who use..." or "or people who use..."	B1-4
3.5-7	While equine use does not constitute a <u>significant</u> portion of daily commuter travel in Humboldt County,	perceivable or noticeable or detectable	B1-5
3.5-8	...street crossings that pose pedestrian travel impediments, especially to the mobility-impaired. <u>Most facilities</u> dedicated for bicycle use are in the...	mobility-impaired. ¶ <i>{new paragraph}</i> Most facilities dedicated for bicycle use are in the...	B1-6
3.5-8	The Elk River Hikshari' Trail <u>is a</u> multiple-use, paved trail that runs between Truesdale Avenue (just south of the Bayshore Mall)	remove opening parenthesis	B1-7
3.5-8	Humboldt County <u>is</u> the lead agency in the Humboldt People Powered Pathways (HP3) funding proposal to the federal government. The HP3 proposal <u>seeks</u> transportation funding to implement local jurisdiction's plans for improving active transport systems and programs. The HP3 plan identifies approximately 25 active transport planning, implementation programs, and partnerships that identify <u>\$50</u> non-motorized transportation projects located across the Coun	is? present tense?  sought?  \$50 million worth of?	B1-8
3.5-9	Caltrans has completed a Final EIR (SCH # 2009012070) for a project to provide access for larger trucks on U.S. 101 through Richardson Grove State Park near the Humboldt County line.	Completed and EIR Addendum, FONSI, and NOD in May 2017. dot.ca.gov/dist1/d1projects/Richardson_grove	B1-9
3.5-10	...the only airport in the County with scheduled passenger flights, and passenger enplanements are		B1-10

Page #	Draft Version	Suggested Edit	
	expected to increase from 98,453 in 204 to 167,000 in 2024 (Arcata-Eureka Airport Master Plan Report, Chapter 2 Airport Role and Activity)	typo: 2004 add comma after Chapter 2	B1-10
3.5-11	Any other area that requires dredging is the responsibility of local <u>governments, in this area that is the Harbor District.</u>	...governments; in this area the Harbor District is that agency.	B1-11
3.5-12	Implementation of the proposed General Plan Update would increase the amount of traffic on roadways and could increase the potential for conflict with agricultural vehicles.	<i>Move to analysis section</i>	B1-12
3.5-12	...found that <u>Pedestrian</u> and bicycle safety is generally poor in Humboldt <u>County when compared to</u> other rural counties. There are substantially higher bicycle injuries and fatality rates in Humboldt County than all other rural areas in California. Bicycle injury and fatality rates are also significantly higher than the state average, particularly for youth and the <u>05-24 age groups</u> . In spite of this, bicycle and pedestrian injuries and fatalities are decreasing in Humboldt County.	pedestrian ...County compared to...  ...and the 15-24? age groups?	B1-13
3.5-13	...are to support the <u>Regional</u> transportation planning process <sup>4</sup> , to evaluate potential improvements...	regional	B1-14
3.5-14	...volume to capacity ratio...	volume-to-capacity	B1-15
3.5-14	...the volume <u>to capacity</u> ratio is used to measure LOS.	volume-to-capacity	B1-15
3.5-14	<b>2010 Scenario</b> The transportation analysis <u>zones</u> cover the entire County and each <u>city and</u> include existing and projected future population and employment levels.	and each city, and <i>?The zones include pop and emp levels?</i>	B1-16
3.5-14	<b>2028 Scenario</b> ... <u>worse-case</u> scenario.	worst?	B1-17
3.5-15	As shown, the forecast <u>18 year</u> and 30-year growth...	18-year	B1-17
3.5-18	There are no are no adopted plans, ordinances or policies	There are no <del>are no</del> adopted plans,...	B1-18
3.5-18 to 19	The Eureka Community Plan contains a general goal that does not include an MOE: Policy <u>4220.1</u> "the County shall strive to maintain a Level of Service of C or better on arterials in the Planning Area. The acceptable level of service goal will be consistent with the financial resources available and the limits of technical <u>feasibility</u> . Plans adopted by HCAOG do not contain required MOEs or LOSs.	... 4220.1, "the...  feasibility." {end quote here?}	B1-19
3.5-19	The County General Plan Update seeks to reduce vehicle miles traveled per person by <u>providing</u> balanced transportation opportunities, <u>whereby</u> the needs of motorized vehicles, public transit, bicyclists, and pedestrians are <u>considered</u> during land use and transportation planning.	Awk: the provision and the consideration seems backwards—?	B1-20
3.5-19	Policy C-P2, Consideration of Land Uses in Transportation Decision Making, <u>notes</u> that a comprehensive planning approach be utilized that	<del>notes</del> <u>mandates or stipulates</u> <i>Policy C-P2 doesn't consider what</i>	B1-21

Page #	Draft Version	Suggested Edit	
	considers the <u>transportation consequences of land use changes to avoid</u> operational and economic impacts.	<i>consequences land use changes will have on transportation (as this awkwardly states); it directs the County to decide on transportation projects based on existing and planned future land development. General Plan (Jan. 3, 2017): C-P2. Consideration of Land Uses in Transportation Decision Making. Transportation decisions shall be based on a comprehensive planning approach that considers existing land uses, principally permitted land uses and future land development as proposed in adopted County plans and plans of other governmental agencies.</i>	B1-21
3.5-20	Table 3.5-7 lists only one road in the City of Eureka, that would be affected by the implementation of General Plan Update, and countywide growth expected to occur <u>during planning</u> period, that is the responsibility of Caltrans.	<i>{awfully complicated syntax} add comma or delete comma: ...one <u>road</u>, in the City of <u>Eureka</u>, that would be affected by the implementation of General Plan Update, and countywide growth expected to occur during <u>the</u> planning...</i>	B1-22
3.5-20	development for each <u>affect</u> jurisdiction. <u>Policy C-P5, Level of Service Criteria</u> , requires that the County shall strive to maintain level of service “C” on all roads and intersections except U.S. 101, where level of service D is acceptable, and advises that the County should not adversely affect Level of Service and/or Quality of Service for other modes of transportation, if possible. This policy compliments policies contained in the City of Eureka General Plan. <u>Policy C-P6, Jurisdictional Coordination and Integration</u> , furthers the level of service standard consistency between the County...	affected  <i>Still relying on LOS?</i>	B1-23
3.5-20	Policy C-P7, Joint Use of Traffic Models, <u>encourages</u> the County-Wide Transportation Plan (CWTP) and projects....to use area-wide travel demand models.	<i>How do you encourage a plan to use TDM?</i>	B1-24
3.5-20	Mitigation 3.5.3.1.a ...with new large scale development...	large-scale	B1-25
3.5-23	3. Consider widening the curbs to provide additional travel lanes, bike lanes, 2WLTL, medians, parking lanes, and sidewalks, all as needed to meet demands.	<i>You’d have to widen <u>in between</u> curbs, no? (i.e., widen the ROW. Widening the curb will only provide additional sidewalk; it will narrow all the other lanes)</i>	B1-26
3.5-23	C-Px. Countywide Traffic Impact Fee Program. In coordination with the cities within the County, <u>shall develop</u>	typo (missing subject)	B1-27
3.5-24	Conclusion ...fall to LOS “D/E”; therefore, implementation of the General Plan Update would result	<i>This is inconsistent with SB 743.</i>	B1-28

Page #	Draft Version	Suggested Edit
	in a potentially significant impact.	
3.5-25	...Kmart <u>Traffic Signal</u> to Washington Street, Broadway has a TWLTL. The Broadway corridor is approximately 3 miles in length.	traffic signal
3.5-25	(City of Eureka General Plan Update Mobility Policy <u>Paper</u> )	Paper)
3.5-25	...would <u>reduce the</u> LOS of the U.S. 101 Broadway corridor <u>at or below</u> "D," which is the General Plan update LOS standard...	reduce <u>to</u> the at or <u>to</u> below
3.5-26	Mitigation Measure <u>3.5.3.1.d</u> , impacts related to the future capacity of U.S 101 would be reduced and LOS D is considered acceptable on U.S. 101.	3.5.3.2.d
3.5-26	Main Street and Fortuna Blvd (North and South) in Fortuna <u>are the former alignment</u> of U.S. 101, prior to the construction of the freeway along the western edge of the City.	... <u>were the formerly alignment</u> U.S. 101...
3.5-26	Intersection improvements at 12th and <u>Main also</u> required. After mitigation, these intersections will drop to D. <u>Policy TC-1.2 says</u> LOS D is acceptable on Main Street.	...Main <u>are</u> also... <u>Fortuna General Plan</u> Policy TC-1.2 says...
3.5-26	See the discussion of Impact <u>3.5.3.2.-4</u> above for a discussion of General Plan	Wrong #
3.5-26	<u>improvements</u> , typically include <u>the addition of</u> travel lanes, and this would mean adding lanes to areas that are largely built out, <u>leaving little</u> available space to create new lanes without taking land from adjacent <u>properties. or degrade</u> the desired downtown amenities in the area. <i>{This is a really looong sentence.}</i>	{ <del>improvements,</del> <i>(delete comma)</i> typically include <u>adding</u> travel lanes, and this would mean adding lanes to areas that are largely built out, <u>where there is</u> little available space to create new lanes without taking land from adjacent <del>properties,</del> <i>(delete period)</i> or degrading <del>the desired</del> downtown amenities in the area. <i>{You don't really degrade desired (i.e. non-existing) amenities. Do you mean desirable?}</i>
3.5-27	...Kenmar Road/U.S. 101 North Ramps...	...Kenmar Road/U.S. 101 north ramps...
3.5-27	See the discussion of Impact <u>3.5.3.2.-4</u> above for a discussion of General Plan Update Circulation Element policies relating to minimum LOS standards and jurisdictional coordination. In particular, the General Plan Update Circulation Element includes the following policy relating to minimum LOS standards, C-P5, Level of Service Criteria, which strives to maintain a LOS "C" on all roadway segments, except for any portion of U.S. 101, where Level of Service D would be acceptable. See Impact <u>3.5.3.12.c-1</u> above, for a discussion of how Policies C-P6 Jurisdictional Coordination and Integration, and C-P7 Joint Use of Traffic Model, lessen potential impacts.	Policy #

B1-29

B1-30

B1-31

B1-32

B1-33

B1-34

B1-35

B1-36

B1-37

B1-38

5

Page #	Draft Version	Suggested Edit	
3.5-28	...that could <u>Conflict</u> with an...	...that could conflict with an...	B1-39
3.5-28	c) Conflict with an applicable congestion management program,...	b)	B1-40
3.5-29	Mitigation Measure <u>3.5.3.2.a</u> will add...	Policy C-IMX7	B1-41
3.5-30	...has established airport land use compatibility plans for each airport, except <u>Samoa Field</u> .	and Hoopa?	B1-42
3.5-30	...Humboldt County Airport contains of future airport operations <u>forecasts</u> .	contains <u>forecasts</u> of future airport operations.	B1-43
3.5-31	Aviation <u>Systems</u> Element. Samoa Field, Hoopa Airport, and Shelter Cove Airport are not anticipated to experience increases in aircraft operations in the next 20 years. The airport master plans identify the improvements <u>if any that</u> may be required to accommodate future aircraft operations.	System  ,if any, that...	B1-44
3.5-32	<b>Analysis of Relevant General Plan Update Policies</b> ...Circulation Element contains policies to ensure that roadway design <u>reduces</u> roadway safety hazards and <u>accommodate</u> multi-modal <u>users</u> .	accommodates "multi-modal users" — It is better policy to accommodate <i>multi-modes</i> . That way you also accommodate the hypothetical users who use only a single mode.	B1-45
	The Circulation Element includes policies and standards <u>that that</u> relate to	that <del>that</del>	B1-46

## Responses to Humboldt County Association of Governments - Letter B1

**Comment B1-1:** This comment suggests that a sentence relating to State Route 211 in the environmental setting be revised for clarity.

**Response to Comment B1-1:** To provide additional clarity regarding State Route 211, the discussion of State Highways/Routes on Page 3.5-4 of the RDEIR is revised as follows:

- S.R. 211 is a short two-lane highway that extends from U.S. 101 to the City of Ferndale, crossing historic Fernbridge over the Eel River ~~over historic Fernbridge~~.

**Comment B1-2:** This comment identifies an error in the reference to the current Humboldt County Regional Transportation Plan, which should be 2014 and not 2008.

**Response to Comment B1-2:** To correct the reference to the discussion of Regionally Significant Streets and Roadways in the Humboldt County Regional Transportation Plan, the text at the top of Page 3.5-5 of the RDEIR is revised as follows:

"In addition, Humboldt County has identified the following roads as Regionally Significant Streets and Roadways as part of the ~~2008~~2014 Regional Transportation Plan (see HCAOG 20-Year Humboldt County Regional Transportation Plan, 2014, 2008 Table HR Streets-1 Regionally, Significant Roadways and the discussion on page HR 4 of the "Existing Roadway System" from page 24 to 28):"

**Comment B1-3:** The comment adds missing information regarding the following transit service providers: Tish Non-Village service and Fortuna Transit.

**Response to Comment B1-3:** To supplement the information regarding transit service providers, the discussion after the heading "Redwood Transit System" on Page 3.5-6 of the RDEIR is revised as follows:

**Redwood Transit System.** The Redwood Transit System (RTS) consists of "mainline" commuter service along the U.S. 101 corridor from Scotia to Trinidad. Regular commute service is available to McKinleyville, as well as regional service to the California Redwood Coast – Humboldt County Airport. Although some trips serve the entire corridor, most trips provide service only along shorter sections of the route. Service was recently added to southern Humboldt, now connecting Garberville, Redway, Phillipsville, Miranda, Myers Flat, and Weott with the Humboldt Bay area. In addition to the mainline route serving U.S. 101, ~~a separate route~~ Tish Non-Village service provides service between Willow Creek and various locations in Arcata and McKinleyville.

and...

**Fortuna Transit.** The City of Fortuna operates Fortuna Transit, which provides transportation within the City limits to seniors or persons with a disability.

**Comment B1-4:** The comment suggests edits to a sentence relating to the American with Disabilities Act (ADA) for Non-Motorized Transportation to improve readability. To clarify a statement regarding the American with Disabilities Act (ADA),

**Response to Comment B1-4:** Page 3.5-7 of the RDEIR is revised as follows:

“Pedestrian facilities, primarily sidewalks and crosswalks, are also most commonly provided in the urban areas. Most pedestrian facilities were constructed prior to the American with Disabilities Act (ADA) and are therefore not compliant. Compliance issues include inadequate sidewalk width, excessive cross-slope, inadequate curb ramps at intersections, and obstacles in the sidewalk. Such obstructions and impediments can force pedestrians on foot or those who use wheelchairs onto road shoulders, and into parking and bike lanes. Over time, the County Department of Public Works is upgrading pedestrian facilities to be ADA compliant.”

**Comment B1-5:** The comment recommends a better word choice to describe the proportion of commuters using horses.

**Response to Comment B1-5:** To clarify a statement regarding equine commuters, the paragraph at the top of Page 3.5-7 of the RDEIR is revised as follows:

“Rural areas and small communities do not often have pedestrian facilities that are separated from the roadway. Pedestrians and bicyclists frequently utilize roads in Humboldt County that lack sidewalks and/or bicycle lanes. As a result, sharing of roadways by pedestrians, car and truck drivers, bicyclists, and even equestrians, is common in many rural areas. While equine use does not constitute a ~~significant~~ detectable portion of daily commuter travel in Humboldt County, equestrian trails can be a significant recreational resource. A number of community and public land trail systems provide transportation and recreation opportunities; however, most of the facilities dedicated exclusively for non-motorized use are provided only in urban areas of the County.”

**Comment B1-6:** The comment identifies a missing space between paragraphs.

**Response to Comment B1-6:** To correct paragraph spacing, the second paragraph from the top of Page 3.5-8 of the RDEIR is revised as follows:

Pedestrian facilities are most commonly found in the County’s seven cities and larger unincorporated communities. Sidewalks and pathways of varying width are found in commercial areas, residential neighborhoods, and near schools. In many cases, existing sidewalks meet only the minimum ADA standards and often are obstructed by utility poles, signposts, and other obstacles. There are also sidewalk gaps, uncontrolled intersections, and street crossings that pose pedestrian travel impediments, especially to the mobility-impaired.

Most facilities dedicated for bicycle use are in the urban and suburban areas of the County, with bicycle lanes in place in Eureka, Arcata, McKinleyville and Fortuna. The City of Arcata provides the most interconnected system of bicycle lanes/routes that facilitates access to and from a number of trip-generating areas. In Eureka, the bike lane/route system includes both north-south and east-west lanes; however, not all trip generating areas are connected. Fortuna has limited systems of bike lanes and designated routes.

**Comment B1-7:** The comment identifies an open parenthesis at the top of Page 3.5-8.

**Response to Comment B1-7:** To the open parenthesis, the last paragraph from the top of Page 3.5-8 of the RDEIR is revised as follows:

“The Elk River Hikshari’ Trail is a multiple-use, paved trail that runs between Truesdale Avenue (just south of the Bayshore Mall) 1.5 miles south to the Pound Road Park & Ride lot, off the Herrick Avenue and Highway 101 interchange.”

**Comment B1-8:** The comment identifies outdated references to the Humboldt People Powered Pathways (HP3) non-motorized funding proposal.

**Response to Comment B1-8:** To revise the references to the HP3 proposal, the first paragraph of Page 3.5-9 of the RDEIR is revised as follows:

“In conjunction with other cities and counties across the nation, Humboldt County is was the lead agency in a funding proposal to the federal government in 2009, called the Humboldt People Powered Pathways (HP3) funding proposal to the federal government. The HP3 proposal seeks sought transportation funding to implement local jurisdiction’s plans for improving active transport systems and programs as part of 2010 Campaign for Active Transportation. The Campaign for Active Transportation was a national effort aimed at the inclusion of a program that provides funding for non-motorized systems (vs. singular projects) as a permanent program in the federal transportation legislation reauthorization. The HP3 plan identifiesd approximately 25 active transport planning, implementation programs, and partnerships that identify related to approximately \$50 million of non-motorized transportation projects located across the County. Although the HP3 funding proposal was unsuccessful, a number of the individual projects included in the proposal have since been funded and the interagency coordination to improve active transport systems and programs continues.”

**Comment B1-9:** The comment provides updates to references to the Caltrans Richardson Grove project.

**Response to Comment B1-9:** To revise the references to the Caltrans Richardson Grove project, the second paragraph from the bottom of Page 3.5-9 of the RDEIR is revised as follows:

“Caltrans has completed a Final EIR (SCH # 2009012070) and Addendum to the EIR, a Finding of no Significant Impact, and a Notice of Determination in May 2017 (see project web page at [http://www.dot.ca.gov/dist1/d1/projects/richardson\\_grove/](http://www.dot.ca.gov/dist1/d1/projects/richardson_grove/)) for a project to provide access for larger trucks on U.S. 101 through Richardson Grove State Park near the Humboldt County line. The proposed project extends from post mile (Humboldt) 1.1 to post mile (Humboldt) 2.2 and would include minor realignments and widening of the existing roadway, culvert improvements, and repaving the roadway. This project has been controversial because it involves road improvements and the removal of trees within a State Park as well as concerns regarding growth inducing impacts.”

**Comment B1-10:** The comment corrects a missing number in a reference to a year in a in a sentence regarding scheduled passenger flights.

**Response to Comment B1-10:** To correct a missing number in a sentence regarding scheduled passenger flights, the first paragraph from the bottom of Page 3.5-10 of the RDEIR is revised as follows:

“Air travel is a growing transportation option in Humboldt County with passenger enplanements at California Redwood Coast – Humboldt County, the only airport in the County with scheduled passenger flights, and passenger enplanements are expected to increase from 98,453 in 2004 to 167,000 in 2024 (Arcata-Eureka Airport Master Plan Report, Chapter 2, Airport Role and Activity Forecasts). Several daily flights are provided, connecting Humboldt County with San Francisco and Portland, Oregon. The airport continues to work to add more flights to more destinations.”

**Comment B1-11:** The comment suggests a clarification for a confusing sentence regarding annual maintenance dredging of Humboldt Bay.

**Response to Comment B1-11:** To clarify the description of annual maintenance dredging of Humboldt Bay, the third from the last paragraph from the bottom of Page 3.5-11 of the RDEIR is revised as follows:

Annual maintenance dredging of Humboldt Bay is vital to maintaining safe and navigable access. Federal channels in Humboldt Bay are dredged by the U.S. Army Corps of Engineers. Any other area that requires dredging is the responsibility of local governments; in this area ~~that is the Harbor District~~ is that agency.

**Comment B1-12:** The comment recommends that a sentence in the environmental baseline section under road safety describing an effect of implementing the General Plan Update be moved to the impact analysis section.

**Response to Comment B1-12:** To address the misplaced statement, the third from the last paragraph from the bottom of Page 3.5-12 of the RDEIR is revised as follows:

“The operation of agricultural vehicles on roadways may also affect traffic on rural roadways in the unincorporated area. Agricultural activities are an important element of the local economy and agricultural vehicles operate regularly on County roadways. Agricultural vehicles are slow moving vehicles and considered incompatible with other motorists. ~~Implementation of the proposed General Plan Update would~~ increases in the amount of traffic on roadways and could increase the potential for conflict with agricultural vehicles.”

**Comment B1-13:** The comment recommends that a misplaced capital letter and a sentence be clarified and asks that a reference to persons between the ages of 5 and 24 be clarified.

**Response to Comment B1-13:** In researching the source of the reference, the web address was found to have been changed. To address the misplaced statement and correct the website reference, the second from the last paragraph from the bottom of Page 3.5-12 of the RDEIR is revised as follows:

“Another factor that can impact roadway safety is the incompatibility of some unincorporated area roadway and highway facilities with multi-modal transportation uses. Many existing roadways and intersections in the County do not contain pedestrian or bicycle facilities. Humboldt County Transportation-

Disadvantaged Populations Report, 2006," (<http://www.naturalresourceservices.org/TDP.html> [http://www.nrsrcaa.org/path/pdfs/HumCoTDPReport5\\_06.pdf](http://www.nrsrcaa.org/path/pdfs/HumCoTDPReport5_06.pdf)) found that pedestrian and bicycle safety is generally poor in Humboldt County when compared to other rural counties. There are substantially higher bicycle injuries and fatality rates in Humboldt County than all other rural areas in California. Bicycle injury and fatality rates are also significantly higher than the state average, particularly for youth and the ages 05 five to–24 age groups. In spite of this, bicycle and pedestrian injuries and fatalities are decreasing in Humboldt County."

**Comment B1-14:** The comment recommends that a misplaced capital letter be corrected.

**Response to Comment B1-14:** To address the misplaced statement, the second from the last paragraph on Page 3.5-13 of the RDEIR is revised as follows:

"The traffic impacts resulting from General Plan Update land uses were evaluated by TJKM Transportation Consultants using the latest Humboldt County Travel Demand Model. The Humboldt County Travel Demand Model was updated in 2013 by the Humboldt County Association of Governments (HCAOG) and the California Department of Transportation (Caltrans) to forecast travel patterns in both rural and urbanized portions of Humboldt County. The main purposes of the Humboldt County Travel Demand Model are to support the rRegional transportation planning process<sup>1</sup>, to evaluate potential improvements to the roadway system, and evaluate the impacts of land use changes in the County. The model also includes limited transit and non-motorized analysis capabilities. The base year for the model is 2010, with a forecast year of 2040."

**Comment B1-15:** The comment suggests that the phrase "volume to capacity" be revised to add hyphens.

**Response to Comment B1-15:** Although adding hyphens may be correct grammar, this phrase is in common usage with and without hyphens and the Transportation Research Board's Highway Capacity Manual, an authoritative source for methodologies used to calculate ratios of volume to capacity for transportation facilities, does not use hyphens in this phrase. Therefore, no further response is required under CEQA.

**Comment B1-16:** The comment suggests that the description of transportation analysis zones is confusing.

**Response to Comment B1-16:** To address this possible confusion, the second from the second sentence below the heading "2010 Scenario" Page 3.5-14 of the RDEIR is revised as follows:

"The transportation analysis zones cover the entire County and each city, and include contain data representing existing and projected future population and employment levels."

**Comment B1-17:** The comment suggests that the phrase "worse-case" should be corrected to read "worst-case." The comment also suggests that the phrase "18 year" be corrected to add a hyphen.

**Response to Comment B1-17:** To correct this grammar error, the second to last sentence in the last paragraph on Page 3.5-14 of the RDEIR is revised as follows:

“Consequently, an interim year (2028) scenario was developed using the 2028 population from the DOF and 2028 employment from Caltrans 2015 Economics Forecasts, and analyzed as a worst-case scenario.”

To correct the hyphen, the first sentence in the first paragraph on Page 3.5-15 of the RDEIR is revised as follows:

“As shown, the forecast 18-year and 30-year growth in both households and employment is relatively modest.”

**Comment B1-18:** The comment recommends that repeated words in a sentence be deleted.

**Response to Comment B1-18:** To correct this grammar, the first sentence in the second paragraph on Page 3.5-18 of the RDEIR is revised as follows:

“There are no ~~are no~~ adopted plans, ordinances or policies establishing measures of effectiveness for the performance of the circulation system in Humboldt County.”

**Comment B1-19:** The comment recommends that a policy from the Eureka Community Plan be placed in quotes.

**Response to Comment B1-19:** To ensure that the reader knows that this policy is quoted verbatim, the second sentence in the second paragraph on Page 3.5-19 of the RDEIR is revised to add quotes as follows:

“The Eureka Community Plan contains a general goal that does not include an MOE: Policy 4220.1, ‘the County shall strive to maintain a Level of Service of C or better on arterials in the Planning Area. The acceptable level of service goal will be consistent with the financial resources available and the limits of technical feasibility.’”

**Comment B1-20:** The comment suggests that the wording of a sentence relating to a goal of the General Plan Update to reduce vehicle miles traveled should be revised for clarity.

**Response to Comment B1-20:** To clarify the reference to Circulation Element goals, the second sentence in the third to last paragraph on Page 3.5-19 of the RDEIR is revised as follows:

“Due to already established auto-oriented land use patterns, the private automobile would likely continue to be the dominant mode of transport in Humboldt County. The General Plan Update seeks to reduce vehicle miles traveled per person by considering the needs of motorized vehicles, public transit, bicyclists, and pedestrians during land use and transportation planning and by providing balanced transportation opportunities, ~~whereby the needs of motorized vehicles, public transit, bicyclists, and pedestrians are considered during land use and transportation planning.~~”

**Comment B1-21:** The comment points out that Policy C-P2, Consideration of Land Uses in Transportation Decision Making, is mischaracterized and states that it directs the County to decide on transportation projects based on existing and planned future developments.

**Response to Comment B1-21:** To correct the description of Policy C-P2, the second sentence in the first paragraph on Page 3.5-20 of the RDEIR is revised as follows:

"Policy C-P2, Consideration of Land Uses in Transportation Decision Making, ~~notes~~ requires that a comprehensive planning approach be ~~utilized~~ used in transportation decision making, that considers ~~the transportation consequences of land use changes to avoid operational and economic impacts existing and proposed land uses.~~"

**Comment B1-22:** The comment states that complicated syntax is used to describe Table 3.5-7 and suggests a revision.

**Response to Comment B1-22:** To improve the description of Table 3.5-7, the first sentence in the third paragraph on Page 3.5-20 of the RDEIR is revised as follows:

"Table 3.5-7 lists only one road in the City of Eureka, that would be affected by the implementation of General Plan Update, and countywide growth expected to occur during the planning period, ~~that~~ which is ~~the responsibility~~ under the jurisdiction of Caltrans and not Humboldt County."

**Comment B1-23:** The comment correctly states that in the description of Policy IS-P7, Mitigation of Cross-jurisdictional Impacts, "affected" should be used rather than "affect" and asks if the County is still relying on Level of Service as a transportation metric, likely relating to the future implementation of Senate Bill 743 substituting vehicle miles traveled for level of service as the metric of transportation impact across the state.

**Response to Comment B1-23:** For a response to the comment relating to the use of LOS rather than VMT, see response to comment C1-1 on page 2-43. To improve the description of Policy IS-P7, Mitigation of Cross-jurisdictional Impacts, the third sentence in the third paragraph on Page 3.5-20 of the RDEIR is revised as follows:

"Community Infrastructure and Services Element Policy IS-P7, Mitigation of Cross-jurisdictional Impacts, directs the County to work with cities to mitigate impacts associated with new development for each affected jurisdiction."

**Comment B1-24:** The comment indicates that in the description of Policy C-P7, Joint Use of Traffic Models, is confusing.

**Response to Comment B1-24:** To improve the description of Policy C-P7, the last sentence in the third paragraph on Page 3.5-20 of the RDEIR is revised as follows:

"Policy C-P7, Joint Use of Traffic Models, encourages the use of area-wide travel demand models in the preparation of the County-Wide Transportation Plan (CWTP) and in evaluating projects with potentially significant transportation impacts ~~to use area-wide travel demand models.~~"

**Comment B1-25:** The comment corrects grammar in the introduction to Mitigation 3.5.3.1.a.

**Response to Comment B1-25:** The following edits area made to correct the grammar in the introduction to Mitigation 3.5.3.1.a,

“Mitigation 3.5.3.1.a. The following policies shall be added to the Circulation Element and would require the implementation of transportation demand management programs with new larger-scale development in the unincorporated area.”

**Comment B1-26:** The comment corrects grammar in Section F(3) of implementation measure C-IMX7, Congestion Relief Planning and Implementation Program, of Mitigation Measure 3.5.3.2.a.

**Response to Comment B1-26:** The following edits are made to clarify C-IMX7, Congestion Relief Planning and Implementation Program of Mitigation Measure 3.5.3.2.a:

“3. Consider widening the curbs roadway/right-of-way to provide additional travel lanes, bike lanes, 2WLT, medians, parking lanes, and sidewalks, all as needed to meet demands.”

**Comment B1-27:** The comment identifies a missing word in policy C-Px. Countywide Traffic Impact Fee Program, of Mitigation Measure 3.5.3.2.a.

**Response to Comment B1-27:** The following edit is made to correct the wording of C-Px. Countywide Traffic Impact Fee Program, of Mitigation Measure 3.5.3.2.a:

“C-Px. Countywide Traffic Impact Fee Program. In coordination with the cities within the County, ~~shall~~ develop and implement a countywide traffic impact fee program that addresses impacts on major roads resulting from development in cities and unincorporated areas. Adopt this fee within one year of the adoption of the General Plan Update. A traffic impact fee is currently being evaluated for the Greater Eureka Area, encompassing the Eureka urbanized area.”

**Comment B1-28:** The comment asks if the conclusion for Impact 3.5.3.2.-1, Unacceptable LOS on U.S. 101 Between S.R. 255 in Arcata and 6th Street in Eureka, using Level of Service as a transportation metric is consistent with Senate Bill 743.

**Response to Comment B1-28:** For a response to the comment relating to the use of LOS rather than VMT, see response to comment C1-1 on page 2-43.

**Comment B1-29:** The comment notes that the words “Traffic Signal” are incorrectly capitalized in the second paragraph of Impact 3.5.3.2-2: Unacceptable LOS on U.S. 101/Broadway, City of Eureka, on page 3.5-25.

**Response to Comment B1-29:** The following edit is made to the third sentence in the second paragraph of Impact 3.5.3.2-2:

“From approximately 800 feet south of the Kmart ~~T~~traffic ~~S~~signal to Washington Street, Broadway has a TWLTL.”

**Comment B1-30:** The comment notes that an end parenthesis is missing in the third paragraph of Impact 3.5.3.2-2: Unacceptable LOS on U.S. 101/Broadway, City of Eureka, on page 3.5-25.

**Response to Comment B1-30:** The following edit is made to the final sentence in the third paragraph of Impact 3.5.3.2-2:

“While limited relief could be achieved through optimized signal timing, changes in traffic patterns occur routinely and signal timing should therefore be modified as necessary to reflect such changes (City of Eureka General Plan Update Mobility Policy Paper (<http://www.eureka2040gpu.com/Links/pdfs/Mobility%20Policy%20Paper%203-23-15.pdf>)).”

**Comment B1-31:** The comment suggests that inappropriate wording is used to describe the conclusion to Impact 3.5.3.2-2: Unacceptable LOS on U.S. 101/Broadway, City of Eureka.

**Response to Comment B1-31:** The following edit is made to the final paragraph of Impact 3.5.3.2-2 on page 3.5-26:

“The traffic model projects that buildout of the General Plan Update, in conjunction with the implementation of city general plans within the County, would result in traffic levels that would reduce the LOS of the U.S. 101 Broadway corridor ~~at or below~~ to LOS “D<sub>7</sub>” or below, which is the General Plan update LOS standard and the LOS concept established by Caltrans for this facility. Therefore, this would be a potentially significant impact.”

**Comment B1-32:** The comment notes that an incorrect reference to another mitigation measure is made in the paragraph below the heading “Level of Significance after Mitigation” of Impact 3.5.3.2-2: Unacceptable LOS on U.S. 101/Broadway, City of Eureka, on page 3.5-26.

**Response to Comment B1-32:** The following edit is made to the Analysis paragraph of Impact 3.5.3.2-2 on page 3.5-26:

“However, with implementation of Mitigation Measure 3.5.3.2.d, impacts related to the future capacity of U.S. 101 would be reduced and LOS D is considered acceptable on U.S. 101.”

**Comment B1-33:** The comment suggests a correction to a poorly worded sentence in the second paragraph of Impact 3.5.3.2.-3: Unacceptable LOS on Main St, Between 7th St and 13th Street, Fortuna on page 3.5-26.

**Response to Comment B1-33:** The following edit is made to the first sentence of the second paragraph of Impact 3.5.3.2.-3 on page 3.5-26:

“Main Street and Fortuna Boulevard (North and South) in Fortuna ~~are~~ were the formerly alignment of U.S. 101, prior to the construction of the freeway along the western edge of the City.

**Comment B1-34:** The comment suggests corrections and clarifications to last two sentences in the second paragraph of Impact 3.5.3.2.-3: Unacceptable LOS on Main St, Between 7th St and 13th Street, Fortuna on page 3.5-26.

**Response to Comment B1-34:** The following edit is made to the last two sentences of the second paragraph of Impact 3.5.3.2.-3 on page 3.5-26

“The City of Fortuna General Plan Draft EIR determined that no additional lanes would be needed in this area, however it states that the 9th Street and Main Street and 12th Street and Main Street intersections will drop to F in 2030, and includes a mitigation measure for a signalized new left-turn lane to east and west approaches to the 9th Street and Main Street intersection. Intersection improvements at 12th and Main are also required. After mitigation, these intersections will drop to D. Fortuna General Plan Policy TC-1.2 says LOS D is acceptable on Main Street.”

**Comment B1-35:** The comment identifies an incorrect section reference at the top of page 3.5-27 in the “Analysis of Relevant General Plan Update Policies” of Impact 3.5.3.2.-3.

**Response to Comment B1-35:** The following edit is made to make the correct the reference Impact 3.5.3.2.-1 at the bottom of page 3.5-26:

“See the discussion of Impact 3.5.3.2.-4 above for a discussion of General Plan Update Circulation Element policies relating to minimum LOS standards and jurisdictional coordination.”

**Comment B1-36:** The comment suggests edits to improve the readability of a sentence in the Conclusion of Impact 3.2.3.2-3.

**Response to Comment B1-36:** The following edit is made to improve the readability of a sentence in the Conclusion of Impact 3.2.3.2:

“Based on the travel demand model, growth projected to occur during General Plan Update planning period in conjunction with the growth in the cities within the County would reduce the LOS of the segments of Main Street in Fortuna, between 7th Street and 13th Street to LOS D. However, any mitigation involving capacity improvements, typically include ~~the addition of~~ travel lanes, and this would mean adding lanes to areas that are largely built out, leaving where there is little available space to create new lanes without taking land from adjacent properties. or degrading the desired downtown amenities in the area. Therefore, this impact would be significant and unavoidable.”

**Comment B1-37:** The comment notes that the words “North Ramps” and “South Ramps” are incorrectly capitalized in the second to last paragraph of Impact 3.5.3.2-4: Unacceptable LOS on Kenmar Road between U.S. 101 NB Ramps and S. Fortuna Blvd, Fortuna, on page 3.5-27.

**Response to Comment B1-37:** The following edit is made to the second to last paragraph of Impact 3.5.3.2-4:

“The Fortuna General Plan EIR identifies the following mitigation programs that will improve the operation of this segment and related intersections: South Fortuna

Boulevard-Ross Hill Road/Kenmar Road - implement right-turn overlap phasing on both Kenmar Road approaches; Kenmar Road/Eel River Drive – the northbound Eel River Drive approach will need to be widened to provide a right-turn lane; Kenmar Road/U.S. 101 North Ramps – signalize and operate with permitted left-turn phasing (no additional lanes would be needed); Kenmar Road/U.S. 101 South Ramps – signalize, add a right-turn lane on the eastbound approach and operate with permitted left-turn phasing. Upon implementation of these improvements this segments and associated intersections would operate at LOS “C” or better.”

**Comment B1-38:** The comment identifies an incorrect section reference is made at the bottom of page 3.5-27 in the “Analysis of Relevant General Plan Update Policies” of Impact 3.5.3.2-4.

**Response to Comment B1-38:** The following edit is made to correct the reference to Impact 3.5.3.2-4 at the bottom of page 3.5-27:

“See the discussion of Impact 3.5.3.2-4 -1 above for a discussion of General Plan Update Circulation Element policies relating to minimum LOS standards and jurisdictional coordination. In particular, the General Plan Update Circulation Element includes the following policy relating to minimum LOS standards, C-P5, Level of Service Criteria, which strives to maintain a LOS “C” on all roadway segments, except for any portion of U.S. 101, where Level of Service D would be acceptable. See Impact 3.5.3.2-~~4~~ -1 above, for a discussion of how Policies C-P6 Jurisdictional Coordination and Integration, and C-P7 Joint Use of Traffic Model, lessen potential impacts.”

**Comment B1-39:** The comment notes that the word “Conflict” is incorrectly capitalized in the first paragraph of Impact 3.5.3.3 Regional Level of Service Standard, on page 3.5-28.

**Response to Comment B1-39:** The following edit is made to the first paragraph of Impact 3.5.3.3:

“Implementation of the General Plan Update would generate levels of development that result in increased traffic volumes on roads within the County that could ~~C~~conflict with an applicable regional level of service standard.”

**Comment B1-40:** The comment identifies an incorrect reference to Appendix G of the CEQA Guidelines in the middle of page 3.5-28 of Impact 3.5.3.3 Regional Level of Service Standard.

**Response to Comment B1-40:** The following edit is made to make the correct Appendix G to the CEQA Guidelines reference in Impact 3.5.3.3 in the middle of page 3.5-28:

“~~e)b)~~ Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.”

**Comment B1-41:** The comment suggests that an additional reference should be made in the discussion of “Mitigation” in Impact 3.5.3.3 Regional Level of Service Standard to

identify the new implementation measure number that is added by Mitigation Measure 3.5.3.2.a, which addresses this impact topic.

**Response to Comment B1-41:** The reference in the mitigation discussion in Impact 3.5.3.3 clearly identifies Mitigation Measure 3.5.3.2.a, which contains new implementation measure C-IMX7. No changes to the RDEIR are required.

**Comment B1-42:** The comment suggests that a reference should be made to the Hoopa Airport in the third paragraph under Impact 3.5.3.4: Air Traffic.

**Response to Comment B1-42:** The sentence states that “The Humboldt County Airport Land Use Commission has established airport land use compatibility plans for each airport, except Samoa Field.” The 1993 Airport Land Use Compatibility Plan, Humboldt County Airports states in the section titled “Function and Authority” on page 1-1 that “(t)he (Airport Land Use Compatibility Plan, Humboldt County Airports) pertains to the land uses surrounding the following airports” and specifically lists Hoopa Airport but does not list Samoa Field. Therefore, the statement that the Airport Land Use Compatibility Plan, Humboldt County Airports establishes airport land use compatibility plans for Hoopa Airport and not Samoa is correct. No changes to the RDEIR are required.

**Comment B1-43:** The comment suggests edits to improve the readability of a sentence in the first full paragraph of Impact 3.5.3.4: Air Traffic on page 3.5-31.

**Response to Comment B1-43:** The following edit is made to improve the readability of the first sentence of the last paragraph on page 3.5-30 under Impact 3.5.3.4: Air Traffic:

“The Arcata-Eureka Airport Master Plan Report (September 2005) for the California Redwood Coast – Humboldt County Airport contains forecasts of future airport operations ~~forecasts~~.”

**Comment B1-44:** The comment suggests two edits to correct a reference to the Regional Transportation Plan and to improve the readability of a sentence in the last paragraph under Impact 3.5.3.4: Air Traffic at the top of page 3.5-31.

**Response to Comment B1-44:** The following edit is made to the first paragraph on page 3.5-31 under Impact 3.5.3.4: Air Traffic:

“Aircraft operations at the Dinsmore, Garberville, Murray Field, and Rohnerville airports are expected to increase by between 15 and 18 percent between 2010 and 2025 according to Table AS3 Aviation Activity Forecast – Annual Operations, of the Regional Transportation Plan Aviation Systems Element. Samoa Field, Hoopa Airport, and Shelter Cove Airport are not anticipated to experience increases in aircraft operations in the next 20 years. The airport master plans identify the improvements, if any, that may be required to accommodate future aircraft operations.”

**Comment B1-45:** The comment suggests a grammar edit to the last sentence in the first paragraph under “Analysis of Relevant General Plan Update Policies” of Impact 3.5.3.5: Road Safety on page 3.5-32.

**Response to Comment B1-45:** The following edit is made to the above referenced sentence of Impact 3.5.3.5: Road Safety on page 3.5-32:

“... The Circulation Element contains policies to ensure that roadway design reduces roadway safety hazards and accommodates multi-modal users.”

**Comment B1-46:** The comment suggests a grammar edit to the first sentence of the second paragraph under “Analysis of Relevant General Plan Update Policies” of Impact 3.5.3.5: Road Safety on page 3.5-32.

**Response to Comment B1-46:** The following edit is made to the above referenced sentence of Impact 3.5.3.5: Road Safety on page 3.5-32:

“The Circulation Element includes policies and standards that ~~the~~ relate to safe circulation facilities for all transportation modes...”

**C. PUBLIC AND PUBLIC INTEREST GROUP COMMENTS**

## Letter C1 Coalition for Responsible Transportation Priorities



May 29, 2017

John Miller  
 County of Humboldt  
 Planning and Building Department  
 3015 H Street  
 Eureka, CA 95501  
 via email: [gpu@co.humboldt.ca.us](mailto:gpu@co.humboldt.ca.us)  
 cc: [mrichardson@humboldt.ca.us](mailto:mrichardson@humboldt.ca.us)

**RE: Comments on Proposed Revised Draft Environmental Impact Report (RDEIR) for Draft Humboldt County General Plan**

Mr. Miller:

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 Revised Draft Environmental Impact Report (RDEIR) for the County's General Plan Update (GPU). Our comments are as follows:

*Level of Service & Vehicle Miles Traveled*

The use of vehicular Level of Service (LOS) as a primary tool for assessing transportation impacts of the GPU leads is extremely problematic. 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."<sup>1</sup> We agree with this criticism.

Furthermore, the use of LOS and other measures of automobile congestion to assess transportation impacts leads to mitigation measures which add automobile capacity to the road system. This tendency can be seen in the list of circulation system improvements in Table 3.5-6 of the RDEIR, which consists of additional roadway construction projects meant to relieve congestion. However, there is a growing consensus in transportation planning that adding capacity induces new travel and does not reduce congestion. We highly recommend that the

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

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C1-1



literature on induced travel be carefully reviewed and considered. 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.<sup>2</sup>

The fact that the RDEIR considers “unacceptable LOS on roadways in the County” (Impact 3.5.3.2) to be a potentially significant impact of the GPU leads to counterproductive and internally inconsistent mitigation measures. Other than some Transportation Demand Management (TDM) strategies which the RDEIR itself admits would be difficult to implement effectively (p.3.5-21), these mitigation measures are designed to decrease congestion—i.e., increase speed of travel—by adding capacity, and will therefore induce additional vehicle miles traveled (VMT). This is an inevitable result of any project which decreases congestion by adding capacity, because the increased speed of travel resulting from such projects is what actually induces additional VMT.<sup>3</sup> Meanwhile, increased VMT is considered a significant and unavoidable impact of the GPU. This internal inconsistency within the RDEIR should be addressed by replacing LOS with VMT as the primary vehicular impact measure.

C1-1

The RDEIR shows that Humboldt County already has a high VMT per capita and that the GPU will exacerbate this problem. Tables 3.5-4a and 3.5-4b project VMT to increase at nearly twice the rate of population increase through 2040, and at nearly three times the rate in the near term (through 2028). At p.3.5-19, the RDEIR attributes not only current high VMT but future disproportionate VMT growth to “already established auto-oriented land use patterns.” However, this defies common sense. Existing land use patterns influence but do not dictate the pattern of future development—that is in large part the purpose of the GPU. Similarly, there is no fixed correlation between “levels of development” and VMT, as implied on p.3.5-19 of the RDEIR. Rather, it is the type and pattern of development which determines the impacts on VMT.

C1-2

In this case, a review of the GPU’s proposed land use maps and circulation system improvements make it clear that increased VMT will be the result of growth planned largely for the outskirts of population centers—in other words, sprawl. But instead of proposing to mitigate increased VMT by modifying the land use planning in the GPU which causes it, the only proposed mitigation measure which even mentions land use limits itself to the consideration of

<sup>2</sup> 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](http://www.dot.ca.gov/newtech/researchreports/reports/2015/10-12-2015-NCST_Brief_InducedTravel_CS6_v3.pdf).

<sup>3</sup> Cervero, Robert. 2003. “Road Expansion, Urban Growth, and Induced Travel: A Path Analysis.” *Journal of the American Planning Association* 69(2): 145-163.



*future* land use decision making. In other words, the RDEIR adopts an aspirational and largely unenforceable mitigation measure in place of a concrete and meaningful one.

Additionally, Proposed GPU Policy C-P5, establishing a minimum LOS for county roadways, is likely to ensure additional capacity increases and thus VMT increases for the life of the General Plan. An effective mitigation measure for increased VMT would be removal of Policy C-P5.

VMT is used as a “measure of congestion” in the RDEIR (p.3.5-20) and the discussion of VMT impacts beginning at p.3.5-18 is largely limited to congestion, but it is a much more meaningful indicator than that. The California Governor’s Office of Planning and Research (OPR) is currently in the process of implementing SB 743 (2013) by replacing LOS in the CEQA Guidelines with VMT. 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.”<sup>4</sup> While the amendments to the CEQA Guidelines are not yet in effect, the current draft and supporting analysis are instructive, and it would behoove the RDEIR to follow the draft to the greatest extent possible.

C1-2

In sum, the RDEIR should shift its focus away from LOS impacts. Further, the conclusion that increased VMT is an unavoidable impact of the GPU is not supportable. Reasonable mitigation measures which modify the GPU’s proposed policies, land use maps and circulation improvements while still accommodating population growth and achieving the GPU’s other goals could effectively mitigate VMT increases and must be adopted, as opposed to the speculative and unenforceable mitigation measures currently proposed.

#### *Active Transportation & Transit*

In summarizing the benefits and costs of different transportation modes, the RDEIR lists only “travel time, effort, convenience, and expense” (p.3.5-1), leaving out such critical considerations as safety, health, and greenhouse gas (GHG) emissions. It is thus perhaps unsurprising—but nevertheless unacceptable—that modes which may take more time but which promote greater health and safety and lower GHG emissions such as walking, bicycling and transit are given substantially less serious consideration than automobiles in the RDEIR. For example, the list of “issues affecting the County road system” (p.3.5-2) does not include anything about the capacity, safety or effectiveness of the road system for non-vehicular users. This is despite the fact that the document discusses in some detail how deficient the County’s

C1-3

<sup>4</sup> 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](https://www.opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf).



current bicycle and pedestrian infrastructure is, and the County’s high rate of serious accidents involving bicyclists and pedestrians is also separately identified and discussed (p.3.5-12).

Furthermore, while vehicular travel impacts are extensively and quantitatively measured and discussed, and the GPU’s proposed Policy C-P25 directs the County to adopt objective bicycle and pedestrian LOS/Quality of Services standards for County roads, the RDEIR makes no attempt to use any such standards to identify or measure the GPU’s impacts on active transportation.

Without such objective measures, it is unclear how the RDEIR can come to conclusions such as that the GPU would increase walking and bicycling trips (p.3.5-31). It is important to note, however, that since the RDEIR *does* show that the GPU will result in increased vehicular trips regardless of whether bicycle and pedestrian trips will increase, the “hazards to roadway users” identified at this point in the RDEIR are real. Vehicles are the primary type of roadway users which pose a safety hazard.

In fact, the increase in vehicle trips and VMT creates a serious risk of decreased safety for all roadway users and a significant impact under CEQA. The RDEIR concludes on p.3.5-33 that safety impacts would be less than significant on the basis of the GPU’s proposed goals and policies to promote safe multimodal transportation and encourage better design for bicycle, pedestrian and transit infrastructure. However, these aspirational policies do not outweigh the safety threat of additional VMT. Furthermore, the GPU’s prioritization of the convenience of vehicular road users over the safety of non-vehicular road users is made clear by the use of the vague and permissive words “should” and “if possible” in proposed Policy C-P5, which states that road improvements to address congestion “should not adversely affect Level of Service and/or Quality of Service for other modes of transportation, if possible.” This analysis applies equally to the RDEIR’s conclusion that impacts to the performance or safety of bicycle, transit and pedestrian facilities will be less than significant.

In sum, the RDEIR must provide greater attention and analysis to non-vehicular transportation impacts. Furthermore, conclusions that the roadway safety and multimodal safety and performance impacts of the GPU are less than significant are not supportable and must be revisited.

*Outdated Analysis and Trucking Impacts*

The GPU process has taken many years, and we understand the difficulty of keeping the analyses in the RDEIR up to date. Nevertheless, it is not acceptable for the RDEIR to rely on documents and analyses which are substantially outdated and reflect conditions which no longer prevail. For example, the RDEIR explicitly relies on a reports from 2002 and 2008 to describe “existing transportation system conditions” (p.3.5-1). At p.3.5-5, the RDEIR also relies

C1-3

C1-4



on the County's 2008 Regional Transportation Plan (RTP) for a list of "regionally significant streets and roadways," despite the fact that the RTP was completely overhauled in 2014. Characterizing current conditions based on documents which are 15 years old and 9 years old, respectively, and categorically out of date, simply cannot lead to supportable impact assessment.

One glaring example of outdated analysis is the claim that Humboldt County is "dependent on logging and heavy commercial truck traffic to sustain its economy" (p.3.5-5). While logging and truck transportation still play a role in the local economy, the County can no longer be said to depend on them. The most recent Census data (2015) show that the entire forestry & agriculture sector provides only 2.3% of the County's payroll and 1.6% of its employment. Even adding this sector to manufacturing, wholesale, transportation and warehousing—the other main industries dependent on heavy trucks—produces only 16% of the payroll and 13% of the employment.

The RDEIR recognizes that "a key concern for the County is the impact of heavy truckloads on deteriorating County roads" (p.3.5-9), but provides no analysis of the GPU's impact on truck traffic or County road maintenance and repair. Indeed, the word "truck" appears only once in the entire Section 3.5.3 on transportation impacts and mitigation measures, and there is no discussion at all of the GPU's impacts on efforts to maintain and repair County roads. This lack may be partly explained by the incorrect assumption that the County is still heavily dependent on industries like logging—and that therefore there is no reasonable way to limit or control heavy truck traffic. Regardless, the RDEIR must be amended to include an analysis of truck traffic and maintenance/repair impacts, along with any needed mitigation.

Thank you for your consideration of our comments.

Sincerely,

Colin Fiske  
Campaign Coordinator  
Coalition for Responsible Transportation Priorities  
colin@transportationpriorities.org

C1-4

## Responses to Coalition of Responsible Transportation Priorities - Letter C1

**Comment C1-1:** This comment asserts the General Plan Update RDEIR's usage of LOS as a primary assessment tool is inappropriate, and that LOS should be replaced with VMT.

**Response to Comment C1-1:** The RDEIR uses both level of service (LOS) and vehicle miles traveled (VMT) as assessment tools. The use of VMT as a travel metric was emphasized by SB 743, which in 2013 was enacted to facilitate/simplify CEQA approvals of infill development projects in urban areas with strong transit services. Specific guidelines to modify CEQA procedures are currently being promulgated by the Office and Planning and Research. OPR's proposed guidelines summarize the intent this way:

"Substantively, a focus on vehicle miles traveled will facilitate the production of badly-needed housing in urban locations. It will also facilitate transit projects and better uses of existing infrastructure as well as bicycle improvements. As a result, people will have better transportation options. It also means that CEQA will no longer mandate roadways that focus on automobiles to the exclusion of every other transportation option. It will no longer mandate excessive, and expensive, roadway capacity." <sup>1</sup>

The degree to which this legislative intent meshes with existing and planned conditions in Humboldt County can be argued. The guidelines clearly target urbanized areas in California and many of its features and recommendations do not seem have application to rural counties. For example, most of the important roadways in Humboldt County have two lanes as their ultimate planned width. The exceptions include some state highways and a few urban arterials. Humboldt County agencies have no plans for massive roadway widening or other capacity-increasing efforts. Table 3.5-6 lists 43 potential circulation system improvements, all two-lane local or collector streets, whose purpose is to enable the roadway system to accommodate the increased travel demand from General Plan Update development without causing unacceptable traffic congestion. In many cases, these are "missing links" in the roadway system whose need will arise as anticipated development projects occur.

Using LOS as a metric, the GPU identifies only four projects with unacceptable future conditions for which mitigation measures are investigated: US 101 north of Eureka, U.S. 101 in Eureka between 6th Street and Herrick Avenue, and sections of Main Street and Kenmar Road in Fortuna. Widening is considered impractical for the Fortuna projects. The two remaining projects recommended by the GPU are safety and operational improvements on the two sections of U.S. 101 in and near Eureka that are not classified as capacity-enhancing projects. It can be seen that the use of LOS instead of VMT has not produced any widening or capacity-enhancing projects in the County.

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<sup>1</sup> Revised Proposal on Updates to the CEQA Guidelines on Evaluating Transportation Impacts in CEQA, Governor's Office of Planning and Research, January 20, 2016

One important non-CEQA use of LOS in the analysis of new development projects enables the reviewing agencies to ensure that necessary nearby transportation improvements are identified and enacted. A VMT project analysis provides no value in these circumstances.

Because of these issues, it is appropriate for Humboldt County to continue to use both LOS and VMT as transportation assessment tools.

**Comment C1-2:** In support of the concept that VMT is a better indicator to measure transportation impacts, the RDEIR should propose and support measures that mitigate VMT increases described in the text. The Office of Planning and Research proposed guidelines to evaluate transportation impacts should be followed.

**Response to Comment C1-2:** In addition to responses to comment T1-2, it should be noted that the only factors related to increased VMT are; 1) number of vehicular trips, 2) trip length, and 3) induced travel resulting from higher speeds due to improved roadway capacity. The commenter argues that land use patterns should be more compact so that trips would be fewer and shorter. However, with the minimal growth forecasted for the County, there would hardly be the ability to realign existing and future land uses to achieve such a scenario. The earlier response also points out that there are essentially no capacity enhancing projects expected in the County during the life of the GPU, eliminating induced travel as a significant factor. Also, most would argue that "sprawl" is not an applicable description of the consequences of adoption of the Humboldt County GPU.

The references to VMT increasing at a faster rate than population and employment are partly explainable by the lack of precision inherent in estimating both current and future VMT. A variety of approaches and models are possible, all of which rely on assumptions and qualitative assessments.

**Comment C1-3:** The RDEIR should focus on non-vehicular travel including transit, walking and bicycle trips. The document should develop measures to identify or measure impacts on active transportation. Conclusions that roadway safety and multimodal safety and performance impacts of the GPU are less than significant are not supportable.

**Response to Comment C1-3:** The GPU document itself has 22 (out of 78 total) proposed goals and policies, standards and implementation measures that directly relate to active transportation – transit, walking and bicycling. These policies make it clear that the County is intent on promoting active transportation as it reviews development applications and as it develops infrastructure improvement projects. Contrary to the comment, implications that roadway safety and other features related to active transportation create significant impacts are not supported by the comment.

**Comment C1-4:** The RDEIR relies on outdated trucking statistics that do not reflect the County's diminished activities in forestry and agriculture. The impacts of truck traffic should be reanalyzed and appropriate mitigation measures should be developed.

**Response to Comment C1-4:** The commenter seems to make contradictory statements and requests: The description of truck activity in the RDEIR is outdated and overstated but the document should be revised to include an analysis of truck impacts and mitigation measures. The observation that the GPU process has taken many years to analyze possibly accounting for outdated information may be correct. However, to the same extent it may overestimate truck activity, it also overestimates negative truck impacts on the roadway system.

Letter C2 Marissa D’Arpino

PO Box 898  
Blue Lake, CA 95525  
June 9, 2107

County of Humboldt  
Humboldt County Planning and Building Department  
Michael Richardson, Supervising Long Range Planner  
mrichardson@co.humboldt.ca.us

RE: Public Comment on Revised Draft Environmental Impact Report (SCH# 2007012089 dated April 19, 2017)

- 1. What is the real impact of the County negligently not upholding the 1984 version of the Constitution? What will the impact be with this one and all of it supposed mitigations (when the County doesn’t enforce its policies, standards, and implementation measures)? C2-1
- 2. What is the real impact to the draft EIR information and conclusions by using reports and reviews that are old (some written over a decade ago)? C2-2
- 3. What is the real impact when the County is known for its culture of lawlessness (individuals not following the laws and no one filing formal complaints – by the way, where can one find the County’s complaint form and information)? C2-3
- 4. Housing: New Home Construction (p 2-5) – does this include all of the illegal building and illegal subdivisions (and that haven’t been abated and have only increased)? C2-4
- 5. Population Growth: (p 2-6) – does this include the full- and part-time people related to the marijuana industry (that has exploded over the last decade and that will increase with the new Humboldt laws)? C2-5
- 6. How does this GPU’s guiding principles (p 2-14) “preserve and enhance ...and the quality of life,” have a “...balance approach to protect natural resources...,” “...utilize common sense” particularly in the Titlow Hill area where the County has known numerous illegal activities for decades and has yet to abate them (notices of nuisance were sent out for some, but not all and now there are possibly only three families in the area who live there legally and who are not growing marijuana) and where proposed land use / zoning / marijuana growing changes will only allow more negative impact to those families? C2-6
- 7. Where is the Titlow Hill area (p 3.2-17 and 18)? The County did extensive research and reporting in relationship to its lawsuit against Bareilles. County even states that in Schmook and Villa that nothing abated. C2-7
- 8. How were the Redwood Creek housing units calculated (p 3.7-38)? Projected legal housing only? If yes, then the quantity is way too low and there will be no addresses for emergency services, nor accessible roads or driveways. C2-8
- 9. What are the real impacts to air quality (p 3.12-2) where all of the surrounding roads are dirt and there a numerous illegal subdivisions (Titlow Hill area)? C2-9
- 10. How can the County make certain assertions about air quality when it has no monitoring systems in eastern Humboldt (p 3.12-3) where the sky becomes dark and the air crunchy when there are forest fires and everything near dirt roads becomes covered with dust? C2-10
- 11. Why are farming operations, off-road equipment, etc. listed multiple times with different numbers in Table 3.12-3. Annual PM10 emissions estimated percent contribution by source (p 3.12-5)? C2-11
- 12. How can the assumptions about the daily activity on unpaved roads be true (p 3.12-6) when areas where there are marijuana growing (activities go through fall, increase when their trimmers come, and all of them go back and forth / back and forth along the roads multiple times a day and night)? C2-12
- 13. What does the County think about having odors (especially marijuana) for visitors and legal residents (p 3.12-7)? What is the cost to property owners if they are surrounded for miles by marijuana growers/processors? What is the negative impact on their property rights and ability to enjoy their own C2-13

properties (especially when the problems did not exist when their properties were purchased)? The County also claims that it has "unknown" odor causing sites (p 3.12-16), but they are well aware of thousands of marijuana growing and production sites.

C2-13

14. How does "Reduce Length and Frequency of Vehicle Trips," (p 3.13.-19 ) happen when the County is proposing to increase the quantity of parcels, number of businesses, etc. in unincorporated areas (and farther from the coast)? Here and elsewhere, where is the County going to come up with the money to implement and support these activities (the County already says that they don't have resources for the current laws on the books)?

C2-14

15. What laws does the County have or propose to mitigate light pollution that can be seen for miles and negatively impact a person's ability to enjoy the night sky and negatively impact wildlife (p 3.16-4)? Just in the last year, there are several new and large greenhouses just in the Titlow Hill area.

C2-15

There are over a hundred more pages to read and review (out of the 582 total), so I'm going to let my general statements at the beginning of this public comment stand for the rest of the pages. It would be meaningful to understand how many public comments (separated by general public, government agencies, legal entities, real estate/development businesses, etc.) continue to be participate in this process since it has be going on for over a decade (and how this compares to other counties).

C2-16

Sincerely,

Marisa D'Arpino

## Responses to Marisa D'Arpino - Letter C2

**Comment C2-1:** The comment questions the "real impact" of not adhering to the current General Plan and what the impact would be if the County doesn't enforce the General Plan Update policies, standards, and implementation measures in the future.

**Response to Comment C2-1:** This comment expresses an opinion about the implementation of the current Humboldt County General Plan, a baseline condition, and speculates that the implementation of the proposed General Plan Update will not occur. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-2:** The comment questions what the "real impact" is of the RDEIR relying on background reports that, in some cases, are over ten years old.

**Response to Comment C2-2:** The comment does not identify specific background reports of concern or impacts or mitigation measures that may be affected by such information. Section 3.0, Baseline Environmental Conditions Assumed in the RDEIR, describes the environmental setting information contained in the RDEIR. In addition, the Environmental and Regulatory Setting of each impact topic in the RDEIR describes the specific environmental setting information relied upon in that section of the RDEIR and the information that has been updated since release of the Notice of Preparation on January 22, 2007, or the Draft Environmental Impact Report, April 2, 2012. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-3:** The comment questions the "real impact" of "individuals not following the laws."

**Response to Comment C2-3:** The RDEIR discusses the following illegal or unpermitted activities in the description of the environmental baseline and analysis portions of the following RDEIR Chapters: cannabis cultivation, grading, land division (Chapter 3.2, Agricultural and Timber Resources); stream diversions, dumpsites (Chapter 3.3, Utilities and Services Systems); accidental spills and illegal disposal of hazardous waste (Chapter 3.7, Hazards and Hazardous Materials); water diversions (Chapter 3.10, Hydrology and Water Quality); water diversions, homeless encampments, trash dumping, and illegal filling (Chapter 3.11, Biological Resources); PM10 emissions and the extent to which this may be attributable to travel to and from remote unpermitted illegal cannabis cultivation sites (Chapter 3.12, Air Quality); illegal billboards (Chapter 3.16, Scenic Resources). The RDEIR is intended to disclose the possible environmental impacts from approving the policies, standards, and implementation measures in the General Plan Update and the population growth that is projected to occur during the General Plan Update planning period. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-4:** The comment asks if Table 2.1-4, Humboldt County Changes in Housing Units 1995-2015, includes "all of the illegal building and illegal subdivisions (and that haven't been abated and have only increased)."

**Response to Comment C2-4:** Table 2.1-4 contains data from the State Department of Finance that is benchmarked to the US Census. Humboldt County cannot verify whether or not Census data may include some or all housing units that were constructed without building permits. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-5:** The comment asks if Table 2.1-5, Humboldt County Population Growth Forecasts, includes "the full- and part-time people related to the marijuana industry."

**Response to Comment C2-5:** Table 2.1-5 includes data from the State Department of Finance that is benchmarked to the US Census. Humboldt County cannot verify whether or not Census and Department of Finance estimates include some or all "the full- and part-time people related to the marijuana industry." The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-6:** The comment asks about the effect of the General Plan Update Guiding Principles to "preserve and enhance ...and the quality of life," have a "...balance approach to protect natural resources..." " ...utilize common sense," particularly in relation to the Titlow Hill area.

**Response to Comment C2-6:** According to Section 1.4 of the General Plan Update, the Guiding Principles "provide a statement of community values and of the overall objectives of the General Plan" and "have been used to guide the drafting of the goals and policies in each plan element, to create a vision for the future, and to serve as the basis for evaluating future amendments." The RDEIR is intended to disclose the possible environmental impacts from approving the policies, standards, and implementation measures in the General Plan Update and the population growth that is projected to occur during the General Plan Update planning period. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-7:** The comment appears to ask how the Titlow Hill area "in relationship to its lawsuit against Bareilles" is addressed in the discussion of the trends relating to the increased monetary valuation of resource lands for rural residential purposes rather than resource production uses of the Agricultural and Timber Resources – Environmental and Regulatory Setting, found on pages 3.2-17 and 18 of Chapter 3.2, Agricultural and Timber Resources.

**Response to Comment C2-7:** Humboldt County Planning and Building recently issued a request for proposals to prepare an environmental impact report for Titlow Hill General Plan Amendment, Zone Reclassification, and Subdivision Application. The concerns addressed by the commenter would be best addressed in the environmental review of

that project. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-8:** The comment asks how the Redwood Creek housing units were calculated in Table 3.7-6. Housing Units Projected within High Fire Hazard Severity Areas.

**Response to Comment C2-8:** The methodology used to distribute the 1,721 dwelling units projected to be developed within the unincorporated area during the planning period can be found in Appendix T - Assumptions Used in the Development Projections. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-9:** The comment asks about the “real impacts” to air quality of dirt roads that are related to illegal subdivisions in the Titlow Hill area in particular.

**Response to Comment C2-9:** The discussion of “Criteria Air Pollutants” beginning on page 3.12-4 and Table 3.12-3, Annual PM10 emissions estimated percent contribution by source, discloses the annual PM10 emissions estimated percent contribution from unpaved road dust. Page 3.12-9 of Chapter 3.12, states that “Air Quality Attainment Plan or the General Plan Update policies, standards, or implementation measures. The potential impact of permitting cannabis cultivation sites in remote areas accessed by unpaved roads will be examined in a separate EIR to be prepared prior to the adoption of future land use ordinances for permitting cannabis activities authorized by the Medical Cannabis Regulation and Safety Act (Bus. & Prof. Code § 19300, et. seq., etc.) or the Adult Use of Marijuana Act (Prop. 64 (2016); Bus. & Prof. Code § 26000, et. seq., etc.” The comment does identify specific additional impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-10:** The comment asks how assertions about air quality, in particular those impacts relating wildland fire and dirt roads, can be made without air quality monitoring stations in eastern Humboldt County.

**Response to Comment C2-10:** All air quality data in the RDEIR is from the California Air Resources Board. Impact 3.12.4.1, Conflict with Air Quality Plan, Violate Air Quality Standard, Increase Criteria Pollutant in Non-Attainment Status, discloses impacts relating to criteria pollutants such as unpaved road dust and concludes that “(b)ecause the County is in nonattainment status for PM10, increases in PM10 emissions that could increase exceedances are significant. Implementation of the proposed General Plan Update would result in a cumulatively considerable net increase in PM10 emissions. Although applying the General Plan Update policies and standards would reduce impacts that might otherwise be greater, the impacts remain significant and unavoidable.” The comment does identify specific additional impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-11:** The comment asks why farming operations and off-road equipment, etc. are listed multiple times with different numbers in Table 3.12-3, Annual PM10 emissions estimated percent contribution by source.

**Response to Comment C2-11:** These data are compiled by the California Air Resources and presented in this format. Off-road vehicles are likely used for other activities in addition to farming operations. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-12:** The comment questions the validity of assumptions regarding the use of unpaved roads, especially relating to marijuana operations.

**Response to Comment C2-12:** Environmental effects relating to PM10 (road dust) are addressed in Impact 3.12.4.1, Conflict with Air Quality Plan, Violate Air Quality Standard, Increase Criteria Pollutant in Non-Attainment Status. See response to comment C-1-9 and C-1-10 for a discussion of the RDEIR conclusions regarding PM10. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-13:** The comment expresses concerns about existing sources of objectionable odors, especially relating to marijuana cultivation and refers to a statement on page 3.12-16 about "unknown odor causing sites."

**Response to Comment C2-13:** Existing sources of odors within the unincorporated area are described on page 3.12-7 under the headings "Odors" and "Sensitive Receptors." The RDEIR analyzes potential new sources of objectionable odors in Impact 3.12.4.3, Objectionable Odors, and states on page 3.12-16 that "It is unknown at this point what types and locations of specific establishments could be developed under implementation of the Draft General Plan, and it is possible that some uses (e.g., wastewater treatment plants) could have the potential to produce odors." The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-14:** The comment questions how General Plan Update Policy AQ-P1, Reduce Length and Frequency of Vehicle Trips, will be accomplished "when the County is proposing to increase the quantity of parcels, number of businesses, etc. in unincorporated areas."

**Response to Comment C2-14:** The analysis in "Land Use and Circulation Elements" on page 3.13-21 is related to this question and states that "(n)onetheless, as described above, the project will generate increased daily vehicle trips at buildout." The RDEIR concludes that the proposed General Plan update would exceed an adopted Greenhouse Gas significance threshold. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-15:** The comment asks how light pollution is proposed to be mitigated, in particular impacts relating to existing greenhouses with lights.

**Response to Comment C2-15:** Impact 3.16.3.3, Sources of Light and Glare, analyzes whether implementation of the General Plan Update could result in increased development that would be new sources of light that could affect day or nighttime

views. The RDEIR concludes that light and glare impacts from increased development are potentially significant and incorporates a Mitigation 3.16.3.3.a, which would add a new program to the Scenic Resources Chapter of the Conservation and Open Space Element to amend the Zoning Regulations to include lighting design guidelines for discretionary projects. Humboldt County Planning and Building Department issued a Notice of Preparation of a Draft Environmental Impact Report on April 4, 2017, for Amendments to Humboldt County Code Regulating Commercial Cannabis Activities. The County acknowledges that new unpermitted cannabis cultivation in greenhouses that uses lights during some or all of the plant production cycle has caused significant new sources of light across the landscape. The concerns expressed by the commenter that relate to cannabis production are discussed in the environmental review of that project. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

**Comment C2-16:** This comment notes the number of pages that comprise the RDEIR and indicates that the commenter would be interested in learning how many commenters continue to participate in the General Plan Update process.

**Response to Comment C2-16:** Public comments that have been received throughout the General Plan Update process, including RDEIR comments, are available on the General Plan Update webpage at <http://humboldt.gov/577/Public-Comments>. The comment does not address specific impacts or mitigation measures in the RDEIR. Therefore, no further response is required under CEQA.

Letter C3 Mercer Fraser

HARRISON  
TEMLADOR  
HUNGERFORD  
& JOHNSON

OFFICE  
10040 11th  
Lafayette, CA 94509

880 8TH STREET  
SUITE 1400  
SACRAMENTO, CA 95814  
TEL 916 362 4377  
FAX 916 382 4300



June 20, 2017

Michael Richardson  
Supervising Planner  
Advance Planning Division  
County of Humboldt  
3015 H Street  
Eureka, CA 95501  
mrichardson@co.humboldt.ca.us

**Re: Mercer Fraser Company / General Plan Update – Revised Draft EIR**

Dear Mr. Richardson:

On behalf of the Mercer Fraser Company (“Mercer Fraser”), we thank you for the opportunity to comment on the Revised Draft Environmental Impact Report (“EIR”) for the Board of Supervisors Draft of the County’s General Plan Update (“Draft GPU”). The purpose of this letter is to voice our opposition to a suggestion in the EIR that changes be made to the Draft GPU’s current definition of wetlands.

This letter will discuss the Draft GPU’s current definition of wetlands and then discuss the EIR’s suggested changes to that definition.

**Draft GPU Definition of Wetlands**

Prior to adoption of the current Draft GPU, Mercer Fraser submitted letters on May 30, and July 9, 2014 requesting the Board to adopt a wetlands definition that aligns with the US Army Corps of Engineers (the “Corps”) wetlands delineation standards. As Mercer Fraser indicated in its May 30 and July 9 letters, the Corps has exclusive jurisdiction over wetlands delineation in California.

On September 8, 2014, in response to the comments of Mercer Fraser and others, the Board approved the Draft GPU’s current definition of wetlands. This definition is found in standard BR-S11 of the Conservation and Open Space Element:

**BR-S11. Wetlands Defined.** The County considers wetlands as lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands must have all of the following three attributes: (1) at least periodically, the land supports hydrophytes, (2) the substrate is predominantly undrained hydric soil, and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.

C3-1

Mr. Michael Richardson  
 Mercer-Fraser Company – General Plan Update – RDEIR  
 June 20, 2017

(See Exhibit A.)

The above language is acceptable because it aligns with the Corps' delineation standards for wetlands.

We will now discuss the changes that the EIR suggests be made to BR-S11. These changes conflict with both the Board's prior directions and the Corps' standards.

### **The EIR's Suggested Changes to the GPU's Wetlands Definition<sup>1</sup>**

The EIR claims that the current Draft GPU language for BR-S11 is problematic because "areas cannot logically have both hydric soil substrate and non-soil substrate at the same time." However, the changes suggested in the EIR are not necessary and conflict with the Corps' wetlands delineation standards.

In "Mitigation Measure 3.11.3.2" the EIR suggests the following change to the text of BR-S11:

~~BR-S11. Wetlands Defined. The County considers wetlands as lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. Wetlands must have all of the following three attributes: (1) at least periodically, the land supports hydrophytes, (2) the substrate is predominantly undrained hydric soil, and (3) the substrate is non-soil and is saturated with water or covered by shallow water at some time during the growing season of each year.~~ An area is wetland if, under normal circumstances, (1) the area has continuous or recurrent saturation of the upper substrate caused by groundwater, or shallow surface water, or both; (2) the duration of such saturation is sufficient to cause anaerobic conditions in the upper substrate; and (3) the area's vegetation is dominated by hydrophytes or the area lacks vegetation.

(emphasis added) (See Exhibit B.)

The changes above are not necessary because there is no logical flaw in the current language of BR-S11. The substrate can contain hydric soil as well as non-soil saturated with water or covered by shallow water in the same area.

More importantly, by indicating that wetlands can lack vegetation, the wetlands definition suggested in the EIR conflicts with the Corps standards. Unlike the language suggested above, the Corps standards require that wetlands "under normal circumstances...support a prevalence of vegetation" adapted for water saturated soil. (See *Wetlands Delineation Manual*, US Army Corps of Engineers (1987) at pages 9-10, attached hereto as Exhibit C.)

<sup>1</sup> In the second paragraph of page 3.11-14 of the EIR, a statement is made that the County must follow the identification and classification policies of the California Department of Fish and Wildlife ("DFW") in its wetland delineation policies. As we outlined in our July 9, 2014 letter to the Board, the Corps and not the DFW has exclusive authority over wetlands delineation.

Mr. Michael Richardson  
Mercer Fraser Company – General Plan Update / RDEIR  
June 20, 2017

The wetlands definition currently found in BR-S11 more accurately aligns with the Corps’ wetlands standards related to vegetation. Similar to the Corps’ standards, the current version of BR-S11 requires that an area support hydrophytes (water adapted plants), at least periodically, in order for a positive wetlands determination to be made. The current language of BR-S11 also aligns with the Corps’ wetlands characteristics related to hydrology and soil.

The changes suggested by the EIR are not necessary and conflict with the Corps’ current wetlands delineation standards. The County should retain the current language found in BR-S11 of the Draft GPU.

**CONCLUSION**

We appreciate the opportunity to comment on the EIR and trust that the County will find the above comments helpful in the GPU process. Please do not hesitate to contact me if you have any questions.

Very truly yours,  
HARRISON, TEMBLADOR, HUNGERFORD &  
JOHNSON

C3-1