

## **Richardson, Michael**

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**From:** lynne@saxtonlegal.com  
**Sent:** Tuesday, December 13, 2016 4:05 PM  
**To:** Richardson, Michael  
**Cc:** Ed Voice  
**Subject:** Water Quality Testing for Southern Humboldt Community Park

Hello Michael -

I'm an attorney representing Ed Voice regarding the Park's EIR matter. I spoke with Kathryn Lobato's office seeking a copy of the water quality testing that was done in February 2016, that was referenced in the final EIR. Her assistant informed me that Ms. Lobato is sending a copy to you and that I can get a copy through you. It's unclear why she won't send me a copy directly.

Regardless, I'm writing to give you a heads up that she's sending the test results to you and to request that you email a copy to me as soon as you receive it. Mr. Voice previously sent you a PRA, if you need that.

Thank you very much for your time and attention on this issue.

Lynne Saxton  
Saxton & Associates  
912 Cole Street, Ste. 140  
San Francisco, CA 94117  
(415) 317-6713

**Richardson, Michael**

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**From:** Nielsen, Christian  
**Sent:** Thursday, December 01, 2016 9:59 AM  
**To:** 'evoice@mchsi.com'  
**Subject:** complaint of possible violation FYI  
**Attachments:** 222091014 Custom Notice Southern Hum Park.pdf

Attached is the most recent complaint notice for case VIO-16-262 on APN 222-091-014.

Please contact the person listed at the bottom of the letter for any questions regarding this case.

Thank you.

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, October 03, 2016 2:35 PM  
**To:** Santos, Steven A  
**Cc:** Richardson, Michael  
**Subject:** Fwd: "Paint and Sip Party" at the Southern Humboldt Community Park?  
**Attachments:** scan0001.pdf

Dear Steven Santos,

I wish to file a complaint, please see attachment and email below.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Monday, October 3, 2016 1:54:54 PM  
**Subject:** RE: "Paint and Sip Party" at the Southern Humboldt Community Park?

Here's a link to the complaint form:

<http://www.humboldt.gov/DocumentCenter/Home/View/185>

The Development Assistance Division manager is Steven Santos. His email is [sasantos@co.humboldt.ca.us](mailto:santos@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Monday, October 03, 2016 1:51 PM  
**To:** Richardson, Michael  
**Subject:** Re: "Paint and Sip Party" at the Southern Humboldt Community Park?

Do I submit it to You? If not please give me the email of the person I can submit a complaint.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Monday, October 3, 2016 1:37:02 PM  
**Subject:** RE: "Paint and Sip Party" at the Southern Humboldt Community Park?

Seems like you would file a complaint.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Monday, October 03, 2016 1:35 PM  
**To:** Richardson, Michael  
**Subject:** Re: "Paint and Sip Party" at the Southern Humboldt Community Park?

Thank you, do I need to file a complaint or can you contact the Park Board and ask them why they keep having events at the Park and in the barn without authorization and permission from the Planning Director?

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Monday, October 3, 2016 1:03:22 PM  
**Subject:** RE: "Paint and Sip Party" at the Southern Humboldt Community Park?

I have no information that our office specifically authorized any of the events you reference, or that the compliance agreement has changed.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Saturday, October 01, 2016 3:57 PM  
**To:** Richardson, Michael  
**Cc:** Wall, Robert; Werner, Steve  
**Subject:** Fwd: "Paint and Sip Party" at the Southern Humboldt Community Park?

Michael,

Did the Planning Department authorize and give permission for the Southern Humboldt Community Park to have and provide events at the main barn area and other area's on the Park property during 2016 for an event planning business called "Above and Beyond Creations"?

[https://www.facebook.com/events/246055345775924/?active\\_tab=highlights](https://www.facebook.com/events/246055345775924/?active_tab=highlights)

<https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/?fref=nf>

[https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/photos/?tab=album&album\\_id=587044044789305](https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/photos/?tab=album&album_id=587044044789305)

Did the Planning Department authorize and give permission for the Southern Humboldt Community Park to have wedding receptions in the main barn in 2016?

<http://www.faunarosephotography.com/blogging/2016/7/5/huber-wedding>

Has the compliance agreement between the SHCP Board and the County Planning Department been change or altered to allow for these events without obtaining a written request and approval?

"To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement."

Thank you,  
Ed Voice



## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Saturday, October 01, 2016 3:57 PM  
**To:** Richardson, Michael  
**Cc:** Wall, Robert; Werner, Steve  
**Subject:** Fwd: "Paint and Sip Party" at the Southern Humboldt Community Park?  
**Attachments:** SHCP Compliance Agreement.docx

Michael,

Did the Planning Department authorize and give permission for the Southern Humboldt Community Park to have and provide events at the main barn area and other area's on the Park property during 2016 for an event planning business called "Above and Beyond Creations"?

[https://www.facebook.com/events/246055345775924/?active\\_tab=highlights](https://www.facebook.com/events/246055345775924/?active_tab=highlights)

<https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/?fref=nf>

[https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/photos/?tab=album&album\\_id=587044044789305](https://www.facebook.com/Above-and-Beyond-Creations-516308671862843/photos/?tab=album&album_id=587044044789305)

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<http://www.fanarosephotography.com/bloggng/2016/7/5/huber-wedding>

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"To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement."

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, September 30, 2016 4:46 PM  
**To:** scott morgan  
**Cc:** Richardson, Michael  
**Subject:** Re: Project SCH # 2010092037 Southern Humboldt Community Park DEIR  
**Attachments:** 1 DDW Comments on DEIR-9-20-2016.pdf; 1 SHCP DEIR-DDW Project Referral Form.pdf

Dear Director Morgan, State Clearinghouse, Office of Planning and Research,

I have another question concerning SCH # 2010092037, e.g. the Southern Humboldt Community Park DEIR: <http://www.ceqanet.ca.gov/DocDescription.asp?DocPK=701716>

It has to do with the Humboldt County Planning Department (Lead agency for CEQA) sending a referral for this DEIR (SCH # 2010092037) to the State Water Resources Control Board Division of Drinking Water (DDW) for comments after the comment period had expired (see attachment). And now that DDW made comments, recommendations and has stated concern regarding the DEIR, we have found out that the lead agency will not be including the DDW comments on the record for the DEIR?

Since this request or referral was made by the lead agency and no fault of DDW, I wanted to know why their comments will not be on the record for the DEIR?

Ed Voice

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**To:** "scott morgan" <[scott.morgan@opr.ca.gov](mailto:scott.morgan@opr.ca.gov)>  
**Cc:** "Michael Richardson" <[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)>, [cristinacruznavarro@conservation.ca.gov](mailto:cristinacruznavarro@conservation.ca.gov)  
**Sent:** Thursday, September 29, 2016 2:01:04 PM  
**Subject:** Re: Project SCH # 2010092037 Southern Humboldt Community Park DEIR

Dear Director Morgan, State Clearinghouse, Office of Planning and Research,

I wanted to know why the California Department of Conservation was not sent a referral to review and or make comments/recommendations concerning the project SCH # 2010092037, e.g. the Southern Humboldt Community Park DEIR?

I have included the lead agencies email (Michael Richardson) and also California Department of Conservation CEQA review unit email as well. Please let me know if you have any other questions concerning my request,

<http://humboldt.gov/DocumentCenter/View/54894>

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, September 26, 2016 10:02 PM  
**To:** Dolf, Benjamin; Richardson, Michael  
**Cc:** Martel, Melissa; Hawkins, Carolyn; Ralph Emerson; Tina Stillwell; Jennie Short (jshort@garbervillesd.org)  
**Subject:** Re: DEH Response to SHCP Planning Project

Hi Benjamin,

Thank you, and you bring up a good point, that even though this project is required to prepare and produce an EIR, there was no discussion, no technical detail or analysis concerning on-site wastewater treatment, let alone for 800 park visitors per day, not one word, Only the construction and implantation of new bathrooms and that about sums it up.

And also given the fact all the proposed new bathrooms are located in the flood plain, wetlands, near seasonal creeks and Garberville Sanitary District (GSD) "Sphere of Influence" (SOI):

### ***What is a sphere of influence?***

*State law defines a sphere of influence as "the probable physical boundary and service area of a local agency." All boundary changes, such as annexations and detachments, must be consistent with adopted spheres of influence with limited exceptions.*

You would think GSD would like to know where the SHCP on-site wastewater from 800 park visitors a day will end up, since the Garberville public water intake gallery is just down stream (South Fork Eel River) and hydraulically connected to the SHCP property? . In fact everything drains to the river from that property, everything, read the BO and PWA Report/Study.

But according to you, no one will know until the project gets approved and they submit their plans to DEH? It makes no sense, its the cart before the horse, not CEQA.

I have copied Michael Richardson so maybe he could shed some light on this discussion.

Thank you again,  
Ed Voice

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**From:** "Benjamin Dolf" <[BDolf@co.humboldt.ca.us](mailto:BDolf@co.humboldt.ca.us)>  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Cc:** "Melissa Martel" <[MMartel@co.humboldt.ca.us](mailto:MMartel@co.humboldt.ca.us)>, "Carolyn Hawkins" <[CHawkins@co.humboldt.ca.us](mailto:CHawkins@co.humboldt.ca.us)>  
**Sent:** Monday, September 26, 2016 5:14:34 PM  
**Subject:** DEH Response to SHCP Planning Project

Hi Ed,

We have completed our review of the Planning Dept. referral of the Southern Humboldt Community Park project. When we receive a referral, the Project Description gives us the scope of our review. For your benefit, the Project Description is copied below:

*This project would add a Public Recreation (PR) designation to the Garberville Community Plan, change the County's General Plan land use designation for the entire site to the Public Recreation (PR) designation. The current land use designation is a combination Agricultural Rural with a 5- to 20-acre minimum lot size on 256 acres and Agricultural Lands with a 20-acre minimum lot size on 150 acres. This project would add a Public Facility (PF) zoning designation to the Zoning Ordinance and change the zoning of 87 acres from Agriculture Exclusive (AE) to Public Facilities (PF). A Qualified (Q) zone would be added to the 318.7 acres in the AE zoning to allow for recreational uses such as ballfields in the AE areas. The current zoning is Agriculture Exclusive (AE) on all 405.7 acres. The discretionary entitlements being requested by the applicant include the following: General Plan amendment, Rezoning, Conditional Use Permit for Medium and Large Events, and a Special Permit for reduced setbacks to a wetland.*

DEH's review was therefore in the context of re-zoning and general plan amendment(s) associated with the proposed project. The referral has been returned "Approved", with the following comment from our office:

*"Prior to development of the site(s) for bathroom, kitchen, or greywater use, a design for onsite wastewater treatment systems must be submitted along with required permits."*

Also, be assured that DEH's standards for separation from groundwater will hold, and that the "Special Permit for reduced setbacks to a wetland" will not allow SHCP to deviate from our onsite wastewater treatment regulations and the inherent groundwater protection measures therein.

Feel free to call or email me if you have any questions or comments on DEH's response.

**Benjamin W. Dolf**

Environmental Health Specialist I

Land Use Program

[DHHS Public Health, Division of Environmental Health](#)

100 H St., Suite 100

Eureka, CA 95501

Ph: (707) 268-2235

Fx: (707) 441-5699

## Richardson, Michael

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**From:** Arnold, Andrea  
**Sent:** Friday, September 23, 2016 2:46 PM  
**To:** Hawkins, Carolyn; Molofsky, Adam  
**Cc:** Richardson, Michael  
**Subject:** FW: Planning Project 6111 (DEH Referral)

Carolyn & Adam

The file is on Ben's desk – this is related to the Southern Humboldt Park project – Please respond directly to Michael as I will be leaving on vacation

Michael

I have forwarded your email to Carolyn Hawkins and Adam Molofsky for a response

**Andrea Arnold**  
**Office Services Supervisor**  
**DHHS Public Health**  
**Division of Environmental Health**  
**100 H Street, Suite 100**  
**Eureka, CA 95501**  
**(707)268-2219**  
**[Environmental Health | Humboldt County, CA - Official Website](#)**

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**From:** Richardson, Michael  
**Sent:** Friday, September 23, 2016 2:17 PM  
**To:** Arnold, Andrea <[AArnold@co.humboldt.ca.us](mailto:AArnold@co.humboldt.ca.us)>  
**Subject:** RE: Planning Project 6111 (DEH Referral)

Hi Andrea,

I'm looking for your office's comments on this project. I can't seem to find it, and hope I haven't missed them somehow. Have your office's recommendations been sent/uploaded?

Thanks!

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** Arnold, Andrea  
**Sent:** Tuesday, September 20, 2016 1:01 PM  
**To:** Richardson, Michael  
**Subject:** RE: Planning Project 6111 (DEH Referral)

No, it is fine not to re-send them, I just wanted to make sure.

**Andrea Arnold**  
**Office Services Supervisor**

**DHHS Public Health**  
**Division of Environmental Health**  
**100 H Street, Suite 100**  
**Eureka, CA 95501**  
**(707)268-2219**  
**Environmental Health | Humboldt County, CA - Official Website**

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**From:** Richardson, Michael  
**Sent:** Tuesday, September 20, 2016 12:22 PM  
**To:** Arnold, Andrea <[AArnold@co.humboldt.ca.us](mailto:AArnold@co.humboldt.ca.us)>  
**Subject:** RE: Planning Project 6111 (DEH Referral)

I'm not planning on sending out hard copies of the referral, but I'm glad to do that if it will help simplify things for your office.

Thanks for your help!

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** Arnold, Andrea  
**Sent:** Tuesday, September 20, 2016 11:52 AM  
**To:** Richardson, Michael  
**Subject:** RE: Planning Project 6111 (DEH Referral)

I see this project on our referral list – are you sending the typical referral through inter office mail as well? I am just wanting to prepare our office assistant for how to clear up our internal project.

Thank you

**Andrea Arnold**  
**Office Services Supervisor**  
**DHHS Public Health**  
**Division of Environmental Health**  
**100 H Street, Suite 100**  
**Eureka, CA 95501**  
**(707)268-2219**  
**Environmental Health | Humboldt County, CA - Official Website**

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**From:** Richardson, Michael  
**Sent:** Monday, September 19, 2016 5:44 PM  
**To:** Arnold, Andrea <[AArnold@co.humboldt.ca.us](mailto:AArnold@co.humboldt.ca.us)>  
**Cc:** Santos, Steven A <[sasantos@co.humboldt.ca.us](mailto:sasantos@co.humboldt.ca.us)>; Evans, Bill <[BEvans@co.humboldt.ca.us](mailto:BEvans@co.humboldt.ca.us)>  
**Subject:** RE: Planning Project 6111 (DEH Referral)

Hi Andrea,

I generated the standard project referrals for this project just a moment ago. Please let me know if there's anything else I can do to assist you.

Thanks!

- Michael Richardson  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** Evans, Bill  
**Sent:** Thursday, September 15, 2016 1:16 PM  
**To:** Arnold, Andrea  
**Cc:** Santos, Steven A; Richardson, Michael  
**Subject:** Planning Project 6111 (DEH Referral)

Andrea,

Michael Richardson will be re-generating referrals for this project through OnTrack in the near future.

This will allow DEH to process its referral online as you are used to doing.

Bill

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Bill Evans, Systems Analyst      Office: (707) 268-3777  
[Bill.Evans@co.humboldt.ca.us](mailto:Bill.Evans@co.humboldt.ca.us)      Fax: (707) 268-3792

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Development Assistance Division  
[Planning & Building Department](#)  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

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**From:** Arnold, Andrea  
**Sent:** Thursday, September 15, 2016 9:34 AM  
**To:** Evans, Bill <[BEvans@co.humboldt.ca.us](mailto:BEvans@co.humboldt.ca.us)>  
**Subject:** FW: Attached Image

**Andrea Arnold**  
**Office Services Supervisor**  
**DHHS Public Health**  
**Division of Environmental Health**  
**100 H Street, Suite 100**  
**Eureka, CA 95501**  
**(707)268-2219**  
**[Environmental Health | Humboldt County, CA - Official Website](#)**

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**From:** [ah08j@envirohealth.com](mailto:ah08j@envirohealth.com) [<mailto:ah08j@co.humboldt.ca.us>]  
**Sent:** Thursday, September 15, 2016 9:25 AM  
**To:** Arnold, Andrea <[AArnold@co.humboldt.ca.us](mailto:AArnold@co.humboldt.ca.us)>  
**Subject:** Attached Image

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, September 23, 2016 11:16 AM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park DEIR, Division of Drinking Water comments

Michael,

I just needed to finish my thoughts from yesterday, which for the most part are health/safety concerns that are directly and indirectly included in the Division of Drinking Water comments, concerns, recommendations and conclusions for the SHCP DEIR. That is why it is so very important to include these comments from DDW into the record of the DEIR, not just "outside of the EIR" as you stated in your email response below.

In enacting CEQA, the Legislature found and declared, among other things, that:

“[i]t is necessary to provide a high-quality environment that at all times is healthful and pleasing to the senses and intellect of man” (Pub. Resources Code, § 21000(b))

“[I]t is the intent of the Legislature that the government of the state take immediate steps to identify any critical thresholds for the health and safety of the people of the state and take all coordinated actions necessary to prevent such thresholds being reached” (Pub. Resources Code, § 21000(d))

The CEQA Guidelines are required to define a “significant effect on the environment” as occurring where, among other things: “the environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly” (Pub. Resources Code, § 21083(a)(3))

The EIR must identify and focus on the significant effects of proposed projects. EIRs should include “health and safety problems caused by the physical changes” and EIRs shall analyze “the effect of attracting people to the location and exposing them to the hazards found there” (CEQA Guidelines, § 15126.2(a))

“Environment” is defined as “the physical conditions which exist within the area which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, noise, objects of historic or aesthetic significance” (Pub. Resources Code, § 21060.5)

A significant effect on the environment is “a substantial, or potentially substantial, adverse change in the environment” (Pub. Resources Code, § 21068)

Thus, project effects on the “environment” (e.g., on air or water) may directly or indirectly cause “substantial adverse effects on human beings” (e.g., on health, presumably) Through no fault of their own, DDW was requested to make comments and they did. And in doing so their comments should be included on the record for the SHCP DEIR.

Thank you,  
Ed Voice

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**From:** evoice@mchsi.com  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>

**Sent:** Thursday, September 22, 2016 2:42:20 PM  
**Subject:** Re: Southern Humboldt Community Park DEIR

And Michael,

assuming you sent them a referral after the fact, their concerns, comments and recommendations are directly tied to the DEIR, and as such should be included in the DEIR as state agency comments. In fact it was a County agency (DEH) that first solicited their assistance for comments. And during that conversation it was revealed they were never notified. Given the complexity, scope and development planned, what would it hurt to include their comments on the record for comments?

Ed Voice

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**From:** evoice@mchsi.com  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Thursday, September 22, 2016 12:33:32 PM  
**Subject:** Re: Southern Humboldt Community Park DEIR

OK, Thank you,

However, they did state "**our office highly recommends that the following conditions be met prior to approval of the project**"?

Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Thursday, September 22, 2016 12:26:38 PM  
**Subject:** RE: Southern Humboldt Community Park DEIR

No, but they'll be provided to the Planning Commission outside of the EIR, and conditions of approval may be added to the project based on their recommendations.

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**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Thursday, September 22, 2016 12:00 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park DEIR

?

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**To:** "Michael Richardson" <[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)>  
**Cc:** "Robert Wall" <[rwall@co.humboldt.ca.us](mailto:rwall@co.humboldt.ca.us)>, [countycounsel@co.humboldt.ca.us](mailto:countycounsel@co.humboldt.ca.us)  
**Sent:** Wednesday, September 21, 2016 1:30:18 PM  
**Subject:** Fwd: Southern Humboldt Community Park DEIR

Michael,

Will these comments and concerns by the State Division of Drinking Water be included with the response to comments for the SHCP DEIR?

Thank you,

Ed Voice

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**From:** "Ronnean@Waterboards Lund" <[Ronnean.Lund@waterboards.ca.gov](mailto:Ronnean.Lund@waterboards.ca.gov)>  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Sent:** Wednesday, September 21, 2016 9:29:32 AM  
**Subject:** RE: Southern Humboldt Community Park DEIR

Hi Ed.

Yes, as a matter of fact, we sent our comments to them yesterday. Attached is a copy of our response to the Planning Department.

Ronnean Lund, Sanitary Engineer/State Water Resources Control Board, Division of Drinking Water/364 Knollcrest Drive, Suite 101, Redding, CA 96002/(w☎)(530) 224-6505/(c☎)(707) 616-5500/(☎fax) (530) 2244844/✉ / [Ronnean.Lund@waterboards.ca.gov](mailto:Ronnean.Lund@waterboards.ca.gov)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Wednesday, September 21, 2016 9:27 AM  
**To:** Lund, Ronnean@Waterboards  
**Subject:** Southern Humboldt Community Park DEIR

Hi Ronnean,

Just checking to see if your department has made comments to the Southern Humboldt Community Park DEIR?

Thank you,

Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, September 19, 2016 11:03 AM  
**To:** Richardson, Michael  
**Cc:** Wall, Robert  
**Subject:** Fwd: GSD Concerns  
**Attachments:** GSD concern about SHCP water usage DEIR.pdf; GSD 5-29-15 comments.pdf

Thank you Michael,

Question, how come the information provided by GSD was not included in the DEIR? i.e:

*"The primary concerns we have are with the quantity of water diverted from the river by a community park that is managed by a private board and does not provide potable water to local residents. All water diverted before our intake gallery is less water available for customer health and safety demands. Impact, collaboration, overall water use plan and regulations are among our other concerns which we want to address, with nobody better qualified to assist in solving those issues than a public water purveyor that is governed by regulatory agencies and operated by certificated operators."*

And since GSD is stating in this email the SHCP and their project is located in the GSD "Sphere of Influence" and "does not provide potable water to local residents", how come this information and or discussion was not included in the DEIR?

This email is from a year before the SHCP DEIR was made public, given the fact GSD has "health and safety" concerns, how were these concerns addressed in the DEIR?

Thank you,  
Ed Voice

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Monday, September 19, 2016 10:13:44 AM  
**Subject:** RE: GSD Concerns

[Please see attached.](#)

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Saturday, September 17, 2016 9:34 PM  
**To:** Richardson, Michael  
**Subject:** Fwd: GSD Concerns

Hi Michael,

Please see attachment, can you email a copy of the letter talked about from GSD? Its starts on the bottom of page 1, thru to top of page 2. It states GSD has concerns about the amount of water the SHCP wants to use from the SF Eel, just up stream from GSD? Can you send me that letter from GSD he is referencing?

Thanks



## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, August 31, 2016 11:08 AM  
**To:** Richardson, Michael  
**Cc:** Kristin Vogel  
**Subject:** SHCP DEIR 2010 US Census population living within Garberville

Hi Michael,

While I was looking at the Traffic section of the DEIR again, I found this statement on page 4-16-24:

***"Garberville and Redway are the business centers of Southern Humboldt County, with a greater concentration of businesses in Garberville. While Garberville is a busy business hub for the Southern Humboldt community, the population living within the town of Garberville is only 193 persons based on 2010 Census data. By contrast, the neighboring town of Redway has a much higher population of 1,225 persons and is 3.8 miles from the park"***

I don't know about you, but that number of "193" seemed low to me, so I looked it up and guess what the correct number was 913. I have included a link to the 2010 US Census report below:

<https://www.census.gov/2010census/popmap/ipmtext.php?fl=06:0628154>

The correct information is very important, given the fact the project wants to use all the public parking in Garberville (709) for their events greater than 800 and would impact 913 people, not 193.

Just thought you should know,

Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Tuesday, August 30, 2016 6:07 PM  
**To:** Richardson, Michael  
**Subject:** SHCP DEIR

I have a couple questions:

1. On Page 4-16-8, it states; "Roadway Capacity: The existing volumes on Sprowel Creek Road west of Garberville are substantially below the assumed threshold of 5,000 vehicles per day".

Question:

- a) How was it determined Sprowel Creek Road west of Garberville is "substantially below the assumed threshold of 5,000 vehicles per day"?
- b) Who determined Sprowel Creek road has a threshold of 5000 vehicles per day?
- c) Do those 5000 vehicles per day include 26,000 lbs GVWR and larger commercial trucks?

2. On Page 4-16-14 it states; "It should be noted that for parks included in the survey of daily trips that were of approximately the same size as the proposed project, the actual numbers of trips were below the average, so this further adds to the conservative estimate of the number of trips the project is expected to generate"

Question:

- a) How was it determined, e.g. daily trips in a survey "were of approximately the same size as the proposed project"?
- b) Please name the other parks that were used in the survey?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, July 27, 2016 2:01 PM  
**To:** Richardson, Michael  
**Cc:** Nielsen, Michelle; Amy Skewes-Cox  
**Subject:** Re: REVISED Initial Study and Draft Mitigated Negative Declaration for Seasonal Water Solutions CUP and SP, SCH 2007062070  
**Attachments:** Jefferies CHP Letter MND.odt; Jefferies Seasonal Water Solutions Initial Study and Draft Mitigated Negative Decl....pdf

Michael, please see attachment.

This project MND was made public and advertised for public and agency comments in November 2015 and has just now come back to the Planning Commission for review.

Ed Voice

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Michelle Nielsen" <MNIelsen@co.humboldt.ca.us>  
**Sent:** Wednesday, July 27, 2016 1:45:25 PM  
**Subject:** RE: REVISED Initial Study and Draft Mitigated Negative Declaration for Seasonal Water Solutions CUP and SP, SCH 2007062070

The DEIR for the SHCP discusses items that were known and reasonably foreseeable as of the date of the Notice of Preparation. The project you reference was not submitted to our office until recently, after the Notice of Preparation was issued.

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, July 27, 2016 1:21 PM  
**To:** Richardson, Michael; Nielsen, Michelle  
**Cc:** garry@streamlineplanning.net; Amy Skewes-Cox  
**Subject:** Fwd: REVISED Initial Study and Draft Mitigated Negative Declaration for Seasonal Water Solutions CUP and SP, SCH 2007062070

How come this project was not included or discussed, e.g. reasonable and foreseeable projects in the area for the SHCP GPA/DEIR/CUP, less than a half mile down stream and on Sprowel Creek Road? It would add to the traffic issues already raised in the SHCP DEIR and vice versa.

And there is nothing about the SHCP GPA/DEIR/CUP included in the Seasonal Water Solutions CUP, why not?

One would hope the direct and indirect cumulative effects concerning increased traffic on Sprowel Creek Road with both projects using the same county road would be discussed and addressed the effects in more detail?

Thanks  
Ed Voice

---

**From:** "Michelle Nielsen" <>  
**To:** "evoice" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Wednesday, July 27, 2016 12:27:13 PM

**Subject:** REVISED Initial Study and Draft Mitigated Negative Declaration for Seasonal Water Solutions CUP and SP, SCH 2007062070

Good afternoon Ed. The attached document is being provided as previously requested. This project is slated to be heard by the Humboldt County Planning Commission at a public hearing on Thursday, September 1, 2016. The requisite public notices will be mailed and published in accordance with the applicable laws shortly. Please pass along any comments you may have directly to me. Best regards, Michelle

Michelle Nielsen, Planner

[Planning & Building | Humboldt County, CA - Official Website](#)

3015 H Street | Eureka, CA 95501

Direct: 707-268-3708

Main: 707-445-7541

Fax: 707-268-3792

[mnielsen@co.humboldt.ca.us](mailto:mnielsen@co.humboldt.ca.us)

*I'll be out of the office 7/28 and 7/29. Due to my project assignments my availability will be limited and to expect to a delayed response. Thank you for your patience.*

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Thursday, June 30, 2016 8:48 AM  
**To:** Richardson, Michael; Amy Skewes-Cox; Kathryn Lobato; Brad Job  
**Cc:** redwaycsd@gmail.com; Tina Stillwell; Ralph Emerson; KMUD News; keitheasthouse57  
**Subject:** South Fork Eel River @ 30 cfs June 30, 2016

Its official, today, @ [http://waterdata.usgs.gov/ca/nwis/uv?site\\_no=11476500](http://waterdata.usgs.gov/ca/nwis/uv?site_no=11476500) the South Fork Eel River discharge is at 30 cfs.

Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Thursday, June 23, 2016 12:13 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Fwd: SHCP GPA/CUP/DEIR  
**Attachments:** SHCP request services from GSD Nov 2011.pdf; GSD Annexation SHCP Group response to Herb Schwartz (1).pdf; SHCP Dennis Huber to GSD Re\_Annexation Sept 2013.pdf; SHCP - CDPH Pre-Planning Drinking Water Grant Application.pdf

Michael,

- 1) Since the DEIR does not address any water source(s) being proposed, either past or present, other than on-site, e.g. an untreated spring, well and river water.
- 2) or was there any past information or history and or future discussion provided in the DEIR as to the claim(s) by the Park Board they had been receiving treated metered water from the Garberville Water Company (GWC 1960's to 2004) and the Garberville Sanitary District (GSD 2004 to 2014) or requested their property be included in the GSD jurisdictional boundary, licensed and permitted place of use for a metered water service connection.
- 3) and now since GSD has proposed a condition of approval only to include GSD water service for public consumption,
- 4) which would require the Park Board to submit and petition by application; Humboldt LAFCo, GSD and the State Waterboard to include the park property into the GSD jurisdictional boundary and licensed/permited place of use,

Maybe the DEIR should reflect that information and you would consider re-circulation at this point?.

See attachment(s).

Thank you,  
Ed Voice

---

**From:** evoice@mchsi.com  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
**Sent:** Wednesday, June 22, 2016 5:10:25 PM  
**Subject:** Re: SHCP GPA/CUP/DEIR

The SHCP would need to go through an annexation process, which includes Humboldt LAFCo. And since the Park Board wants to retain and keep their development rights to 54 potential parcels that could be subdivided, the annexation of the Park property could potentially induce growth, Could GSD make these conditions as part of the the SHCP DEIR approval?

The fact that this was not included in the current DEIR, e.g. reasonable foreseeable. The correct and complete definition of all reasonably foreseeable elements of a proposed project is the single most important element of the CEQA compliance process.

<http://www.humboldtlafo.org/sites/default/files/Application%20Materials/Application%20Checklist.pdf>

<http://www.humboldtlafo.org/sites/default/files/Application%20Materials/Final%20Fee%20Schedule.pdf>

Ed Voice

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
**Sent:** Wednesday, June 22, 2016 3:57:37 PM  
**Subject:** RE: SHCP GPA/CUP/DEIR

I'm not clear what the implications are.

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, June 22, 2016 11:20 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR

OK, Thank you.

What would happen if the Garberville Sanitary District (GSD) Board made a requirement included in the SHCP GPA/CUP/DEIR that would require SHCP to be annexed (at their own expense) into the GSD jurisdictional boundary from a new GSD water service connection at the Park for public consumption before GSD would approve the project?

Because that is what happened yesterday during a special GSD Board meeting. The GSD Board voted unanimously by resolution to included that condition as part of its approval with two other restriction from the South Fork Eel River.

Thanks

Ed Voice

---

**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Cc:** "Lynne Saxton" <[lynne@saxtonlegal.com](mailto:lynne@saxtonlegal.com)>  
**Sent:** Wednesday, June 22, 2016 8:43:19 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR

Nothing from CHP or Caltrans or CDF. Their review period ended after the state mandated deadline for comments based on the date they received the DEIR.

---

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [evoice@mchsi.com]  
**Sent:** Tuesday, June 21, 2016 6:18 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR

Thank you, so nothing from the CHP or Caltrans or CDF? How come the Clearinghouse ended agency comments June 13th?

Ed Voice

---

**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Tuesday, June 21, 2016 5:04:43 PM  
**Subject:** RE: SHCP GPA/CUP/DEIR

Yes. Please see attached.

---

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Tuesday, June 21, 2016 11:09 AM

**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/CUP/DEIR

Morning Michael,

Did you receive any new comments, e.g. SHCP GPA/DEIR, from the CHP, Caltrans or CDF/Cal-Fire you can send me?

Thanks

Ed Voice

---

**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "evoice" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Sunday, June 19, 2016 8:21:41 PM  
**Subject:** RE: SHCP GPA/CUP/DEIR

I sent the DEIR to Redway CSD last week, care of Linda Sutton. The deadline for comments on the draft is June 27.

---

**From:** evoice [[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
**Sent:** Saturday, June 18, 2016 9:35 AM  
**To:** Richardson, Michael  
**Subject:** RE: SHCP GPA/CUP/DEIR

Did you know the Redway Community Services District was not noticed with the Deir?

And what is the final date for comments?

----- Original message -----

From: "Richardson, Michael" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
Date: 6/18/2016 7:52 AM (GMT-08:00)  
To: evoice <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
Subject: RE: SHCP GPA/CUP/DEIR

Yes

---

**From:** evoice [[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
**Sent:** Friday, June 17, 2016 11:07 PM  
**To:** Richardson, Michael  
**Subject:** RE: SHCP GPA/CUP/DEIR

Are the allowed uses in the compliance agreement what you are calling "existing non-conforming uses"?

Sent from my U.S. Cellular® Smartphone

----- Original message -----

From: "Richardson, Michael" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
Date: 6/12/2016 6:39 PM (GMT-08:00)  
To: [evoice@mchsi.com](mailto:evoice@mchsi.com)  
Cc: Lynne Saxton <[lynne@saxtonlegal.com](mailto:lynne@saxtonlegal.com)>  
Subject: RE: SHCP GPA/CUP/DEIR

To accommodate the scale of the public assembly and recreation they are proposing, a change to the zoning is necessary. If they were to propose uses that are consistent with the existing zoning, including existing non-conforming uses, they would not need to rezone the property. The No Project alternative included in the DEIR evaluates that scenario.

---

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
**Sent:** Sunday, June 12, 2016 3:10 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR

Hi Michael,

I know I have asked this question before, but I have not been able to get an answer from you or anyone else at Planning over the years, so let me ask again.

Over the years (2009-2016), the Park Board has explained from their website, newspapers articles and on KMUD radio (as recently as June 8th 2016 7 pm) that rezoning and changing the land use classification from AE/AL/AR to PF/PR for the SHCP property is required by Humboldt County even for the smallest of public activities, even public access for low-impact recreation activities to all parts of the park, including Tooby Memorial Park.

So my question(s):

1) If there were no public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive [Zone](#) and access to the property only included day to day; walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups, would the County still require the same rezoning and land use changes as included in the current SHCP GPA/CUP/DEIR for those activities?

2) Does the SHCP property only require the proposed GPA rezoning, land use changes and Conditional Use Permit because of the permeate construction, magnitude, frequency and duration of; public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone?

3) How come there was no "Alternative" included in the DEIR that just included what was allowed and included in the "Compliance Agreement" (see attachment)?

Thank you,

Ed Voice

<http://www.redwoodtimes.com/general-news/20101006/chp-does-not-support-large-events-at-park>

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, June 22, 2016 5:31 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** GSD recommendations SHCP GPA/CUP/DEIR  
**Attachments:** special meeting statement for park EIR 6-21-16.docx

Here are the GSD recommendations, approved by the GSD Board (see attachment),

Ed Voice

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
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Because that is what happened yesterday during a special GSD Board meeting. The GSD Board voted unanimously by resolution to include that condition as part of its approval with two other restrictions from the South Fork Eel River.

Thanks  
Ed Voice

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**Subject:** RE: SHCP GPA/CUP/DEIR

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**Cc:** Lynne Saxton <[lynne@saxtonlegal.com](mailto:lynne@saxtonlegal.com)>  
**Subject:** RE: SHCP GPA/CUP/DEIR

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**Cc:** Lynne Saxton  
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3) How come there was no "Alternative" included in the DEIR that just included what was allowed and included in the "Compliance Agreement" (see attachment)?

Thank you,  
Ed Voice

<http://www.redwoodtimes.com/general-news/20101006/chp-does-not-support-large-events-at-park>

## Richardson, Michael

---

**From:** Costa, Holly N SPN <Holly.N.Costa@usace.army.mil>  
**Sent:** Tuesday, June 14, 2016 10:11 AM  
**To:** evoice@mchsi.com  
**Cc:** Brown, Gregory G SPN; Galacatos, Katerina SPN; Richardson, Michael; Brad Job; Jennifer@Wildlife Olson; Jane@Wildlife Arnold; Van Hattem, Michael@Wildlife; Kathryn Lobato; Amy Skewes-Cox  
**Subject:** RE: Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca

I believe that is what they submitted to us to verify. In most cases, an applicant will send a map to us to verify the accuracy of it and make an official determination of jurisdiction. Once we have determined that the information provided is correct and that the boundaries of the features mapped are accurate, we will provide a verified map back to the applicant with a Corps label with the castle logo on it stating what features we have jurisdiction over. If the map doesn't have that label, then we have not officially verified it.

Holly

\*\*\*\*\*

Holly Costa  
U.S. Army Corps of Engineers  
San Francisco District Regulatory Division North Branch Chief  
1455 Market Street, 16th Floor  
San Francisco, CA 94103  
(415) 503-6780  
(415) 503-6690 (fax)

<http://www.spn.usace.army.mil/Missions/Regulatory.aspx>

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Tuesday, June 14, 2016 10:01 AM  
To: Costa, Holly N SPN <Holly.N.Costa@usace.army.mil>  
Cc: Brown, Gregory G SPN <Gregory.G.Brown@usace.army.mil>; Galacatos, Katerina SPN <Katerina.Galacatos@usace.army.mil>; Michael Richardson <mrichardson@co.humboldt.ca.us>; Brad Job <bradj@pacificwatershed.com>; Jennifer@Wildlife Olson <jennifer.olson@wildlife.ca.gov>; Jane@Wildlife Arnold <jane.arnold@wildlife.ca.gov>; Van Hattem, Michael@Wildlife <Michael.vanHattem@wildlife.ca.gov>; Kathryn Lobato <kathryn@sohumpark.org>; Amy Skewes-Cox <amysc@rtasc.com>  
Subject: [EXTERNAL] Re: Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca

Dear Holly Costa, USACE,

If the Wetland JD has not been finalized, then how is it that included in the attachment (page 22), submitted by the property owner/project applicant (Southern Humboldt Community Park Board), project consultant (Pacific Watershed Associates, Inc) and publicly circulated for public and agency review/comments by the Lead Agency (Humboldt County CEQA DEIR) can it state: "Army Corps of Engineers Jurisdictional Wetland Delineation Map"?

Is this "Army Corps of Engineers Jurisdictional Wetland Delineation Map" included in this study/report and DEIR on page 22 of the attachment from USACE?

Thank you,  
Ed Voice

---

From: "Holly N SPN Costa" <Holly.N.Costa@usace.army.mil>  
To: evoice@mchsi.com  
Cc: "Gregory G SPN Brown" <Gregory.G.Brown@usace.army.mil>, "Katerina SPN Galacatos" <Katerina.Galacatos@usace.army.mil>  
Sent: Thursday, June 9, 2016 3:31:39 PM  
Subject: RE: Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca

Ed,

It appears that we have not yet finalized the Jurisdictional Determination. I have asked Greg Brown, the Project Manager assigned to this project, to complete the JD as quickly as his workload allows, but at this point, there is no information to request via FOIA as we have not completed the determination.

Holly

\*\*\*\*\*

Holly Costa  
U.S. Army Corps of Engineers  
San Francisco District Regulatory Division North Branch Chief  
1455 Market Street, 16th Floor  
San Francisco, CA 94103  
(415) 503-6780  
(415) 503-6690 (fax)

Blocked<http://www.spn.usace.army.mil/Missions/Regulatory.aspx>

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Wednesday, June 08, 2016 10:29 AM

To: Heidsiek, Carol A SPN <Carol.A.Heidsiek@usace.army.mil>

Cc: Costa, Holly N SPN <Holly.N.Costa@usace.army.mil>

Subject: [EXTERNAL] Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca

I am looking for any information concerning a USACE inspection or study or 404 permit that was conducted at the Southern Humboldt Community Park property:

934 Sprowel Creek Road  
Garberville, Ca 95542

Thank you,  
Ed Voice

**Richardson, Michael**

---

**From:** evoice@mchsi.com  
**Sent:** Tuesday, June 14, 2016 10:01 AM  
**To:** Holly N SPN Costa  
**Cc:** Gregory G SPN Brown; Katerina SPN Galacatos; Richardson, Michael; Brad Job; Jennifer@Wildlife Olson; Jane@Wildlife Arnold; Van Hattem, Michael@Wildlife; Kathryn Lobato; Amy Skewes-Cox  
**Subject:** Re: Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca  
**Attachments:** Water supply\_aquatics Pacific Watershed.pdf

Dear Holly Costa, USACE,

If the Wetland JD has not been finalized, then how is it that included in the attachment (page 22), submitted by the property owner/project applicant (Southern Humboldt Community Park Board), project consultant (Pacific Watershed Associates, Inc) and publicly circulated for public and agency review/comments by the Lead Agency (Humboldt County CEQA DEIR) can it state: "Army Corps of Engineers Jurisdictional Wetland Delineation Map"?

Is this "Army Corps of Engineers Jurisdictional Wetland Delineation Map" included in this study/report and DEIR on page 22 of the attachment from USACE?

Thank you,  
Ed Voice

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**To:** evoice@mchsi.com  
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Thank you,  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Sunday, June 12, 2016 3:10 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR  
**Attachments:** SHCP compliance agreement email with Kirk Girard.eml

Hi Michael,

I know I have asked this question before, but I have not been able to get an answer from you or anyone else at Planning over the years, so let me ask again.

Over the years (2009-2016), the Park Board has explained from their website, newspapers articles and on KMUD radio (as recently as June 8th 2016 7 pm) that rezoning and changing the land use classification from AE/AL/AR to PF/PR for the SHCP property is required by Humboldt County even for the smallest of public activities, even public access for low-impact recreation activities to all parts of the park, including Tooby Memorial Park.

So my question(s):

1) If there were no public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive [Zone](#) and access to the property only included day to day; walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups, would the County still require the same rezoning and land use changes as included in the current SHCP GPA/CUP/DEIR for those activities?

2) Does the SHCP property only require the proposed GPA rezoning, land use changes and Conditional Use Permit because of the permeate construction, magnitude, frequency and duration of; public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone?

3) How come there was no "Alternative" included in the DEIR that just included what was allowed and included in the "Compliance Agreement" (see attachment)?

Thank you,  
Ed Voice

<http://www.redwoodtimes.com/general-news/20101006/chp-does-not-support-large-events-at-park>

**Richardson, Michael**

---

**From:** evoice@mchsi.com  
**Sent:** Friday, June 10, 2016 11:37 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Fwd: Wetland study or inspection; Southern Humboldt Community Park, Garberville Ca

Hi Michael,

Since the USACE Wetland report was not included in the DEIR, I spoke with Holly Costa with USACE, here's what she responded to yesterday:

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**From:** "Holly N SPN Costa" <Holly.N.Costa@usace.army.mil>  
**To:** evoice@mchsi.com  
**Cc:** "Gregory G SPN Brown" <Gregory.G.Brown@usace.army.mil>, "Katerina SPN Galacatos" <Katerina.Galacatos@usace.army.mil>  
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## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, June 07, 2016 8:23 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Visitation to Benbow Lake State Recreation area 2004-2014

Hi Michael,

Not sure if you know about this project, its the Benbow Dam Removal Project  
MND: [http://www.parks.ca.gov/pages/980/files/11507\\_benbow\\_dam\\_removal\\_project\\_mnd.pdf](http://www.parks.ca.gov/pages/980/files/11507_benbow_dam_removal_project_mnd.pdf)

I wanted to point it out for three reasons:

1. Just up stream on the South Fork Eel River, 3.7 miles from the SHCP/GPA/CUP/DEIR project, scheduled to start 2016.
2. And See page 21, item 2.8, it documents the amount of visitors to Benbow Lake State Park for day use and camping from 2004~2014.
3. Wanted to point out how close this project was to the SHCP GPA/CUP project and how much more discussion about Threatened & Endangered species were documented for the area than what was not discussed or described in the SHCP DEIR.

It's amazing and unbelievable to me, that the Park Board is claiming in the DEIR the SHCP gets more visitors than the Benbow Lake State Park and Recreation Area on average every year? This is the reason I wanted to know how the Park Board came up with their total of 46,000 "Visitor Days" a year?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, June 01, 2016 12:54 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR Traffic Appx E.

If you read all the current information/propaganda about the Park Boards GPA/CUP/DEIR from their website, listen to all the public radio talk shows the Park Board has been on (KMUD) since April, you will note they don't talk about or want to elaborate about Concerts, Festivals, Parking, Camping, Traffic, Water, Wildlife or any of the Large/Medium attendance levels and commercial events they are proposing in the DEIR, they only want to talk (in public) about how groovy their farm is, how the community wants events and how great it is for the children to have sports fields. Its like Concerts and Festivals do not exist. And from what I read in your NOC, its that same kind of omission.

Come on, what is the largest development scheme in this project, its the CUP for a commercial concert and festival venue site, plain and simple. But yet (besides having to read an 800 page document), not the public or agency's would have a clue.

Ed Voice

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
**Sent:** Wednesday, June 1, 2016 11:38:58 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR Traffic Appx E.

I'm not sure what you mean when you say, "it would seem the Lead Agency (County) is complicit as well".

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, June 01, 2016 10:52 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR Traffic Appx E.

Thank you Michael, and yes, your conversation with Garberville CHP (Commander Brett Fabbri) when they expressed a willingness to review the DEIR was because he were disappointed about what was said. He called you because of what was stated in the opening page of the Traffic Plan, there was never any "consultations", right? All I can say (IMHO) Commander Brett Fabbri was understandably concerned about the accusations made in the Traffic Plan concerning "consultations" and they that did NOT take place, when we talked and emailed back in February.

And Thank you for the NOC, its interesting you are calling the 2 acre campground with no restrictions or mitigation and proposed 24/7-365 "Educational camps", that you even say can be used for camping volunteers, vendors and staff during Large (1000 people), medium (500 people) and unlimited small events (? people)? And "performance stages" are listed as "Recreation"? When they will be used primarily and extensively for commercial public assembly, e.g. Large, Medium and unlimited small concerts, festivals, and events, how is that "Recreation"?

I did notice you did NOT include 1800 sq ft of proposed new construction and permanent bathrooms under "Waste Treatment"? But the 5000 sq ft of "Office" and 20 employees was interesting. Or that the Park Board wants to increase its daily attendance to 800 per day, which is an increase of 790% in growth.

Not only is the Park Board playing down the increase of growth and the proposed commercial concert and festival venue site development, i.e. direct, indirect, reasonable foreseeable cumulative impacts included in this project, but it would seem the Lead Agency (County) is complicit as well.

Anyway, I know the drill, and look forward to a very passionate public debate concerning this project, which if you did not know, has stirred up yet another community controversy and concern over this projects water use and water rights between the Garberville Sanitation District and this project applicant. It was talked about on KMUD News last night and in the Newspapers...

Ed Voice

---

**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Sent:** Wednesday, June 1, 2016 7:09:42 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR Traffic Appx E.

I am not sure how the CHP's recommendations are incorporated into the DEIR. In my conversation with the Garberville CHP office, they expressed a willingness to review the DEIR. Attached is the Notice of Completion for the DEIR. The second page shows the list of agencies to receive the DEIR. The CHP is among that list, so I assume they are reviewing it.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [evoice@mchsi.com]  
**Sent:** Tuesday, May 31, 2016 7:03 PM  
**To:** Richardson, Michael

**Cc:** Lynne Saxton

**Subject:** Re: SHCP GPA/CUP/DEIR Traffic Appx E.

I understand that, but the quote goes on to say "***Recommendations from these agencies have been incorporated into this plan***"

What were the "Recommendations" and where are they in the "plan"?

As you know, the CHP has stated: "The California Highway Patrol does not support the size of the proposed events being held in this location. In my opinion, Sprowel Creek Road leading down to the park is narrow and in its current condition, is not adequate to allow for the increased traffic flow these proposed events would bring"...

How can the public be sure the CHP was sent or asked to comment? They were not for the NOP!

What "recommendations" were included in the "plan" from the CHP?

It's a lie, what else would you call it, you don't agree?

Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>

**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)

**Cc:** "Lynne Saxton" <[lynne@saxtonlegal.com](mailto:lynne@saxtonlegal.com)>

**Sent:** Tuesday, May 31, 2016 7:32:59 AM

**Subject:** RE: SHCP GPA/CUP/DEIR Traffic Appx E.

I am not clear to what extent the SHCP consulted with CHP, CalTrans and DPW prior to drafting the DEIR. The DEIR contains analysis and proposed mitigation for traffic. Those agencies have been invited to provide comments on that analysis and proposed mitigation.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [evoice@mchsi.com]  
**Sent:** Monday, May 30, 2016 3:55 PM  
**To:** Richardson, Michael  
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Hi Michael,

I email you before about this issue before the release of the DEIR and never got a response, I would like to try and ask again.

In the "TRAFFIC ASSESSMENT MANAGEMENT CONTROL PLAN" (APPENDIX E) page 579 of the online DEIR, its states in the second paragraph:

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I had contacted the California Highway Patrol (CHP) and Caltrans (February 16, 2016) spoke on the phone and emailed with Commander Brett Fabbri CHP Redway/Garberville Office, Myles Cochrane and Eli Rohi Caltrans District 1 Eureka Ca and Supervisor Kathleen Michael Caltrans Garberville Highway Maintenance Station, sharing with them this plan and pointed out the statement above. They all confirmed to me, none had been in "consultations" with their agency concerning this project and did not know about the current traffic plan for this project.

I also contracted Ken Freed during that same time, from Humboldt County Department of Public Works and stated he had not had a chance to review the document, but would not confirm or deny the "consultations" with his Department, other than the recommendations and comments made by his department for the project NOP in 2010.

Did you know the project applicant or their consultant had not been in "consultations" with the CHP or Caltrans, as it seems to mislead or misinform the Humboldt County Planning Department, Planning Commission and the Board of Supervisors? Or as its stated in the DEIR Section TRANSPORTATION/TRAFFIC 4.16-1 (page 307 online DEIR):

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My concern is just not this misinformation, but other similar misleading statements and facts in other studies and reports included in the project DEIR.

Ed Voice

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**Attachments:** NOC 4-28-16.pdf

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***"Consultations with the California Highway Patrol, the Department of Public Works and Caltrans and were held to identify traffic concerns. Recommendations from these agencies have been incorporated into this plan. Our intention is to provide a safe and efficient plan that will avoid and mitigate potential traffic impacts"***

I had contacted the California Highway Patrol (CHP) and Caltrans (February 16, 2016) spoke on the phone and emailed with Commander Brett Fabbri CHP Redway/Garberville Office, Myles Cochrane and Eli Rohi Caltrans District 1 Eureka Ca and Supervisor Kathleen Michael Caltrans Garberville Highway Maintenance Station, sharing with them this plan and pointed out the statement above. They all confirmed to me, none had been in "consultations" with their agency concerning this project and did not know about the current traffic plan for this project.

I also contracted Ken Freed during that same time, from Humboldt County Department of Public Works and stated he had not had a chance to review the document, but would not confirm or deny the "consultations" with his Department, other than the recommendations and comments made by his department for the project NOP in 2010.

Did you know the project applicant or their consultant had not been in "consultations" with the CHP or Caltrans, as it seems to mislead or misinform the Humboldt County Planning Department, Planning Commission and the Board of Supervisors? Or as its stated in the DEIR Section TRANSPORTATION/TRAFFIC 4.16-1 (page 307 online DEIR):

***"The purpose of the study was to provide County staff and policy makers with the data needed to make an informed decision regarding the potential traffic impacts of the proposed project and any associated improvements that would be required in order to mitigate these impacts to a level of less than significant as defined by the County's General Plan or other policies."***

My concern is just not this misinformation, but other similar misleading statements and facts in other studies and reports included in the project DEIR.

Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Sunday, May 29, 2016 11:57 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR Floodplain Elevation Survey  
**Attachments:** 0600601835B (2).tif; 11-09-1945A-060060.pdf

Morning Michael,

1. Do you know if there is a FEMA Floodplain Elevation Survey for the project area or property?

The reason I ask, in figure 4.4-3, 4 and 5 (page 156, 157, 158 on-line DEIR) on all three figures there are delineations of the 100-year Floodplain in relationship to the proposed location of new infrastructure, new construction, earth disturbing activities, permitted structures and wetlands/seasonal streams being mitigated for this project.

In the DEIR Section 4.9-2 "Flood Zone" (page 232 on-line DEIR) it references:

### ***FLOOD ZONES***

***A 100-year flood hazard zone has been mapped along the South Fork Eel River by the Federal Emergency Management Agency (FEMA) (FEMA, 1982). The flood hazard zone extends from the river to areas approximately 50 to 500 feet to the north and south. Nearly all of Area 1 (Tooby Memorial Park), Area 6 (Riverfront), and the northernmost part of Area 3 (Main Agricultural Area), are located within this flood hazard zone. Based on a Letter of Map Amendment issued for 1653 Kimtu Drive, near the river to the west of the project site, the 100-year base flood elevation is 350.5 feet above mean sea level (amsl) (FEMA, 2005). This suggests that there is a one percent chance each year for flood waters to reach or exceed an elevation of 350.5 feet amsl near the river at this location. No permanent structures are located within the mapped flood hazard zones, though portable toilets and a 192-square-foot trailer used as a caretaker residence are located within the flood hazard zone in Area 1.***

As good as that sounds, that LOMA case or property cited is not located on the same FEMA FIRM Panel (Flood Map) as the SHCP property or project included in this DEIR. This DEIR project site location is located in FEMA FIRM Panel 0600601835B (see attachment), same as our property when we requested and submitted LOMA case number 11-09-1945A (see attachment). On that Flood Map Panel 0600601835B the 100 year Flood elevation is 338.4 ft, as measured from the old Moody Bridge, Dec 1964 (Kolstad Elev. Survey 11-09-1945A). The same bridge that separates the Rivercrest Subdivision and the SHCP Area 1, 2, 3 and 5. Our LOMA case is right across the river from the SHCP proposed DEIR project site location, whereas the LOMA case cited in the DEIR is 1.8 miles south, upstream and on a different FEMA FIRM Panel Map.

2. So my other question is simple, why did they use LOMA case 05-09-0296A to justify their 100 year flood elevation from a completely different Flood Map Panel location (0600601830B)?

Thanks  
Ed Voice



## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, May 26, 2016 2:11 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Fw: SHCP DEIR Potable Water Source  
**Attachments:** SHCP Spring and water tank easement agreement 171546.pdf

?

----- Original Message -----

**From:** [Ed Voice](#)

**To:** [Richardson, Michael](#)

**Cc:** [Lynne Saxton](#)

**Sent:** Friday, May 20, 2016 4:28 PM

**Subject:** SHCP DEIR Potable Water Source

Hi Michael,

Can you tell me which of these springs (attachment) is the Spring that is described in the DEIR as a potable water source for the SHCP project(s)?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Thursday, May 26, 2016 12:08 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR

Michael,

I have a question concerning the figure "Appendix A. Proposed Zoning Change Map" included in the *BOTANICAL SURVEY, WETLAND DELINEATION, AND STREAM ASSESMENT RESULTS SOUTHERN HUMBOLDT COMMUNITY PARK HUMBOLDT COUNTY, CALIFORNIA*.

Its on page 745 of the on-line DEIR <http://humboldt.gov/DocumentCenter/View/54894>

It shows an area in cross-hatched orange/yellow, circa 5-10 acres for proposed Multi-Family Residential Zoning, within the DEIR study area, next to where the Garberville Sanitary District Water Treatment Plant is located. I cannot find this proposed zoning in the DEIR?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, May 26, 2016 11:24 AM  
**To:** Richardson, Michael; Brad Job  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR; GSD letter  
**Attachments:** GSD\_ltr\_PWA for SHCP water sources memo 20160302.pdf

Morning Michael,

Just wanted to know if you were aware (see attachment) of the letter sent by Garberville Sanitary District to Pacific Watershed Associates, Inc. Attn: Brad Job, Senior Civil/Environmental Engineer, Re: Independent Review of Southern Humboldt Community Park Water Supply and Demand Analysis, and Potential Impacts on Surface Water and Aquatic Habitat?

Given the date of the letter, do you know why this was not corrected or revised for the DEIR?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, May 24, 2016 2:31 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR  
**Attachments:** SHCP Water Rights s024337.pdf

I am reading the GHD and PWA water demand and consumption reports included in the DEIR and what the Park Board states in their State Water Board "Statement of Water Diversion" (see attachment) for existing use from the South Fork Eel River (S024337), the diversion of water for June, July and August was estimated almost double (see bottom page 4 of the attachment) from the South Fork Eel as what was stated in the DEIR (Appendix G Water Supply Demand page 3, Table 1, Existing Water Demands at SHCP by Source).

So my question, why is there a significant difference in water demand and consumption between their Water Board "Statement of Water Diversion" and the DEIR for current and existing water demand and consumption?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, May 23, 2016 1:35 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR

Not sure what that means? let me explain it this way; the Park Board is telling people in the community, that because they are changing the zoning and land use designation to PF & PR, this will completely eliminate any housing development for the property?

Thanks  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
**Sent:** Monday, May 23, 2016 1:21:49 PM  
**Subject:** RE: SHCP GPA/CUP/DEIR

The DEIR is not expressly considering transfer of the property to a public agency.

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**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Monday, May 23, 2016 12:34 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR

Hi Michael and Thank you for the FEMA Flood plain answer.

There are some people in the Garberville/Redway area that seem to think, that because the Park Board has proposed to rezone their private property from AE (Agriculture Exclusive) to PF (Public Facility) and change the land use designation from AL (Agriculture Lands) to PR (Public Recreation) that the Park property will be changed from private property to public property e.g. county, state or federal land.

Could you please explain, in some detail, confirm or deny this?

Thank you,  
Ed Voice

**Richardson, Michael**

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**From:** evoice@mchsi.com  
**Sent:** Friday, May 20, 2016 5:29 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** DEIR Potable Water Source  
**Attachments:** SHCP LLA Easement Survey.pdf; SHCP LLA Survey.pdf

Sorry, I forgot to send the surveys for the water tank site and waterline easement agreement.

Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, May 20, 2016 4:28 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP DEIR Potable Water Source  
**Attachments:** SHCP Spring and water tank easement agreement 171546.pdf

Hi Michael,

Can you tell me which of these springs (attachment) is the Spring that is described in the DEIR as a potable water source for the SHCP project(s)?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Thursday, May 19, 2016 7:53 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR Festival

Do you know the total number of vendors and staff that will be camping onsite during medium and large events each year? You know for large events they claim 1000 vendors, staff and volunteers. But what about small events, up to 800 people each day, will they be camping onsite too?

Here's my problem with the Area 4B camping section page 3-28, its states: "The environmental camp is proposed to be available all year long and 24 hours per day. The majority of use is expected to occur during the spring, summer, and fall months."

And what about after that days event is over (Friday or Saturday night), do you think these hundreds of vendors, staff and volunteers are just going to fall asleep in their tents and RV's? Have you ever been to a festival Michael, the party begins at the "after party", until the next day. Nothing I read mitigates this, unless you file a complaint under submission for the following year!

Thanks  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>  
**Sent:** Thursday, May 19, 2016 11:54:11 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR Festival

They don't say those areas won't be used for camping during the medium and large events, so they could be. Vendors are expected to be camping in their booths, and staff will be camping onsite during the medium and large events.

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Thursday, May 19, 2016 11:15 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR Festival

Thank you. One more, concerning camping; do you know if camping in area 3 (Farm worker camping) and area 4B will be used for camping during medium or large public assembly, festivals, concerts and events?

Thank you  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "Ed Voice" <evoice@mchsi.com>  
**Cc:** "Lynne Saxton" <lynne@saxtonlegal.com>

**Sent:** Thursday, May 19, 2016 10:51:12 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR Festival

Yes.

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**From:** Ed Voice [<mailto:evoice@mchsi.com>]  
**Sent:** Wednesday, May 18, 2016 7:36 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Re: SHCP GPA/CUP/DEIR Festival

Thank you, do you know if the same can be said in regards to Youth or Adult Sports Leagues, tournaments, jamborees or All Star Games?

Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** 'Ed Voice'  
**Cc:** [Lynne Saxton](#)  
**Sent:** Wednesday, May 18, 2016 11:54 AM  
**Subject:** RE: SHCP GPA/CUP/DEIR Festival

Since the project description is not specific on that point, I assume any one or none of the existing festivals that occur in the area would be locating on the SHCP site.

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**From:** Ed Voice [<mailto:evoice@mchsi.com>]  
**Sent:** Wednesday, May 18, 2016 10:54 AM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP GPA/CUP/DEIR Festival

Morning Michael,

So I emailed with Justin Crellin at the Mateel Community Center in Redway, asked him if the Mateel had made any future plans to bring any of their Festivals like "Summer Arts and Music Festival" to the SHCP. His response was: *"Our event and their project are completely unrelated, and as I mentioned in my last email to you, I do not know what the park's current festival plans are."*

Has the Park Board discussed or shared with you what this once a year two day festival with up to 5000 people would be, who would be producing, sponsoring or promoting this festival?

What I am trying to determine; 1) Is the Park Board moving an existing local festival down to the Park? 2) Or, are they planning a new festival, inducing growth and adding to the current mix of festivals and large events in the area, e.g. Garberville Rodeo Days (June 17-18, 2016), Reggae on the River (Aug 4-7, 2016), Northern Nights Music Festival (July 15-17, 2016), Redwood Run (June 10-12, 2016), Summer Arts and Music Festival (June 4-5 2016), Humboldt Hills Hoedown (Sept 24-25, 2016), Humboldt Hemp Fest (Nov 11-13, 2016), KMUD Block Party (May 14, 2016) SoHum Beer Fest & BBQ Smoke Off (Sept 4, 2016) & Hospice Barnyard BBQ & Brew (July 9, 2016).

Thanks  
Ed Voice

|

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, May 11, 2016 4:37 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** Fw: Southern Humboldt Community Park General Plan Amendment DEIR

Hi Michael,

Don't know if you want to take a listen, but here is an interview with Kathryn Lobato about the SHCP GPA/CUP/DEIR release (see email below for link).

Thanks  
Ed Voice

----- Original Message -----

**From:** [KMUD News](#)  
**To:** [evoice](#)  
**Sent:** Wednesday, May 11, 2016 2:24 PM  
**Subject:** Re: Southern Humboldt Community Park General Plan Amendment DEIR

Ed,

The story aired last Friday, and can be listened to here:

<https://soundcloud.com/kmudnews/southern-humboldt-community-park-releases-eir>

Best,  
Sydney

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, May 11, 2016 3:01 PM  
**To:** Richardson, Michael  
**Cc:** Lynne Saxton  
**Subject:** SHCP "2012 survey of 425 individuals"

Hi Michael,

At what point does the public get to read the "2012 survey of 425 individuals" that was stated on page 3-5 of the DEIR, since the Park Board claims this was the basis for planning this project?

*The applicant conducted extensive public outreach in its multi-year park planning process, including three initial public visioning events with 30 to 60 attendees in 2002; a series of four targeted public planning sessions beginning in 2008, with 40 to 200 attendees; and a 2012 survey of 425 individuals. This community input formed the basis for park planning efforts and shaped the proposed project.*

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, May 09, 2016 12:09 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/CUP/EIR

I am talking about whats referenced as "Daily Use" or what is also referenced as "everyday uses", a total of 180 parking spaces:

From page 2-3

*The proposed project is expected to increase the number of visitors by an estimated 800 persons per day during the peak seasons (late spring, summer, and early fall). Small events such as birthday parties, weddings, memorials, and nonprofit fundraisers are included in everyday uses.*

From the Traffic Assessment page 1 and 3:

### *Daily Uses*

*The Park is and will continue to be open for a range of activities during daylight hours and by special arrangement in the evenings. These include hiking, bicycling, dog walking, nature study, small events, bird watching, Frisbee golf, horseback riding, skateboarding, swimming, picnicking and use of the playground. These activities include a variety of community-based agricultural projects, including a farm stand. When the sports fields are constructed organized sports groups will conduct activities in the Community Facilities area. This will include games, practices, jamborees, and tournaments.*

- 1. The Main Entrance to Park Headquarters is directly off Sprowel Creek Road approximately one-mile from Garberville. There is sufficient parking for everyday activities for 75 vehicles including three handicapped spaces will be available along the entrance road and near the existing Ranch structures.*
- 2. The entrance to Tooby Memorial Park is off Sprowel Creek Road east of the Camp Kimtu Road intersection. A traffic circle will be installed to separate incoming and outgoing vehicles. Parking is available for everyday uses within the Park. Currently there is parking for 65 cars and two handicapped spaces. Additional overflow parking areas are available that can be opened when necessary.*
- 3. The Kimtu entrance on Camp Kimtu Road is approximately half a mile from the Camp Kimtu Road intersection with Sprowel Creek Road. This parking area contains 40 parking spaces with two handicapped spaces. This parking area will be reconfigured at the time the sports fields are constructed to provide additional parking spaces.*
- 4. The Lower Tooby Ranch Road entrance is not accessible to the general public for everyday use. It will be used mainly for park services and maintenance. It will also be used during some small and medium-sized events and the festival.*

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Monday, May 9, 2016 11:34:17 AM  
**Subject:** RE: SHCP GPA/CUP/EIR

In my quick reading of the existing and proposed parking facilities in the description of what is being proposed in Areas 1-3, I count a total of 365 new and existing parking spaces. At 2.5 persons per vehicle, this would be more than sufficient to accommodate 800 visitors. Maybe I'm missing something.

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]

**Sent:** Saturday, May 07, 2016 8:44 PM

**To:** Richardson, Michael

**Subject:** SHCP GPA/CUP/EIR

Michael,

We need to talk about this one, from page 4.16-17:

*Project Level 3: Activities or Projects Principally Allowed (Small Events) The implementation of projects and activities principally allowed under the new zoning and land use designations would result in new community facilities including sports fields, concessions stands, visitor amenities, and parking areas. It would also allow public assembly and small events. However, it should be noted that many of the Project Level 3 small events have historically been taking place at the project site and the proposed project would not result in changes, as described below.*

*The following small events would occur frequently with the project, with parking on the site:*

- *Birthday Parties and Informal Gatherings: With attendance typically ranging from 10 to 50 people, Tooby Memorial Playground and the large barn in the Park Headquarters have been gathering places for family birthday parties, barbeques, and similar events. Tooby Memorial Playground has served as a location for these types of events for more than four decades. This type of activity would continue with the proposed project, with no limit on the number of these types of events annually. Parking for these types of events would be in existing parking areas at Park Headquarters or Tooby Memorial Park.*
- *Weddings and Memorials: Many weddings and memorial services for community members have taken place at the park. These events would continue in Tooby Memorial Playground, the Park Headquarters, Community Commons Area, and the labyrinth in the Main Agricultural Area. Attendance would be 500 people or less.*
- *Small Fundraisers and Events: Many local nonprofit organizations and community groups have used the park for fundraising activities. Most of these events include a variety of types of amplified music including prerecorded and live performances. These types of events would continue in Tooby Memorial Playground, the Park Headquarters, and the Community Commons Area, with a maximum attendance of 1,000 people.*

Not only is it stated that "Small Events" would have "attendance under 800" and "The proposed improvements included in the project are expected to increase the number of visitors by an estimated 800 persons per day

during the peak seasons (late spring, summer, and early fall)", but there is nothing about sports events at the Sports Fields (Area 5) and according to the proposed parking estimate for "daily use", they would run out of normal everyday parking onsite with attendance over 300 people (@ 2.5 people per vehicle)?

So I don't understand how they can claim 800 or even 1000 (as stated above) per day as "daily use" and "Small Events" without mitigation and included in the CUP.

The Park has never had an event with more than 500 people before and now they want to claim 800 per day?

Looking at their numbers for parking and water demand for small events, they should cap at 300, and daily use should cap at 150 without a CUP. I can find nothing in the project reports or studies that can justify or support 800 people a day under normal daily usage. Currently, my best guess at their daily attendance level during the year would be between 25 to 30 people per day, not counting the people who live on the property.

Thanks

Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, May 09, 2016 11:30 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/CUP/EIR

Thank you,  
Ed

---

**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Monday, May 9, 2016 11:22:25 AM  
**Subject:** RE: SHCP GPA/CUP/EIR

[No, I haven't seen any percolation test data in the documents I've read.](#)

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Saturday, May 07, 2016 1:07 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/CUP/EIR

Hi Michael,

Something else I cannot find, is any kind of Septic Report or Perculation Test (a **test** to determine the absorption rate of soil for a **septic** drain field or "leach field". The results of a **percolation test** are required to properly design a **septic** system).

In its broadest terms, percolation testing is simply observing how quickly a known volume of water dissipates into the subsoil of a drilled hole of known surface area. And given the fact that these proposed new restrooms are located in the FEMA flood plain and their close proximity to wetlands, creeks, streams and South Fork Eel River, don't you think this report and test is required?

The project proposes 3 new restrooms in different locations on the project area (Area 1, 2 and 5) and expanding/remodeling to the existing facilities (Area 5), do you know where this Septic Report would be to review?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Saturday, May 07, 2016 8:44 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/CUP/EIR

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800 people a day under normal daily usage. Currently, my best guess at there daily attendance level during the year would be between 25 to 30 people per day, not counting the people who live on the property.

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Saturday, May 07, 2016 1:07 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/CUP/EIR

Hi Michael,

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The project proposes 3 new restrooms in different locations on the project area (Area 1, 2 and 5) and expanding/remodeling to the existing facilities (Area 5), do you know where this Septic Report would be to review?

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Saturday, May 07, 2016 10:04 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/CUP/EIR

Hi Michael,

I have some questions I cannot find answers to in the EIR:

1. Where in the proposed use for Area 4B (Environmental Camp) and Area 5 (Community Facilities/Sports Area) does it limit the number of events or attendees per event, i.e. soccer or baseball tournaments?
2. How come the events, activities and public assemble for Area 5 are not included in the CUP?

### *Community Facilities/Sport Facilities (Area 5)*

*This area is proposed to be utilized for a variety of recreational uses (see Figure 3-8). Organized and leisure sports teams would conduct games, practices and sporting tournaments at the project site. Sports activities include soccer, baseball, softball, football, and similar activities. Dog owners would have a fenced area to allow dogs' off-leash. A new skateboard park would be used for ramp riding and skills building. There would be a new playground and picnic areas for recreation activities. New uses would include sports related classes, workshops, and training camps.*

3. How was it determined that "Small Events" (attendance under 800) "*would occur under the project and would be considered allowable within the number of visitors allowed at the park daily based on the type of event held*"

4. How was it determined that "*These small events would be considered as public assembly uses under the proposed new zoning and would not require a special conditional use permit or be limited in the number of events. These types of events would be allowed to occur all year. They would occur seasonally, most often during late spring, summer, and early fall months. The majority of these small events would occur between sunrise and sunset, with a few events each year going to midnight*"

5. Can you explain what this means, for Festival/Large Events?

*The attendance would fluctuate over the course of the day and the total number of attendees on the site at any one time would be less than the 1-day total. Actual attendees would cap at 4,000 per day, with an additional 1,000 staff, vendors, and entertainers on-site.*

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** Tucker, Kevin A@DOT <kevin.tucker@dot.ca.gov>  
**Sent:** Monday, April 25, 2016 2:29 PM  
**To:** Richardson, Michael  
**Subject:** RE: Southern Humboldt Community Park

Hi Michael,

You can send it to me. I believe that Rex Jackman is the Interagency Coordinator But I work with all projects in Humboldt and Del Norte. I will get it either way.

Thank you,

Kevin Tucker  
North Planning Chief  
District 1 - Planning and Local Assistance  
California Department of Transportation  
Office: 707-441-5770  
Cell: 707-498-0573

---

**From:** Richardson, Michael [mailto:MRichardson@co.humboldt.ca.us]  
**Sent:** Monday, April 25, 2016 2:24 PM  
**To:** Tucker, Kevin A@DOT <kevin.tucker@dot.ca.gov>  
**Subject:** RE: Southern Humboldt Community Park

Hi Kevin,

The applicant just submitted a revised draft EIR for review, and I'll be sending that to your agency and all the others for review this week. Normally I'd send the CalTrans copy to the interagency coordinator, should I send the CalTrans copy to you instead? We'll be posting it to our website and submitting copies to the Clearinghouse too.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** Tucker, Kevin A@DOT [mailto:kevin.tucker@dot.ca.gov]  
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**To:** Richardson, Michael  
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**Sent:** Monday, April 25, 2016 10:10 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

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Ed Voice

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**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Monday, April 25, 2016 10:00:43 AM  
**Subject:** RE: SHCP GPA/DEIR

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**Sent:** Sunday, April 24, 2016 11:57 AM  
**To:** eureka@ghd.com  
**Cc:** Richardson, Michael; Kathryn Lobato; Wall, Robert; Fennell, Estelle  
**Subject:** Southern Humboldt Community Park: Water Supply and Demand Analysis Memorandum Attn: Rebecca Crow  
**Attachments:** SHCP - CDPH Pre-Planning Drinking Water Grant Application.pdf

Dear Rebecca Crow,

In your Water Supply and Demand Analysis Memorandum included for the Southern Humboldt Community Park (SHCP) GPA/CUP/EIR (APPENDIX G WATER SUPPLY DATA), dated September 2, 2014, it states and also assumes the water from their Upland Spring (source 2) and Tooby Park Well (source 3) are potable?

However, in November 2013, the SHCP submitted an application to California Department of Public Health (CDPH) for Pre-Planning Funding for Safe Drinking Water (see attachment) and stated you (Rebecca Crow) and your firm GHD would be used to conduct this process. In fact, on page 7 of 16 of the attachment, it goes into some detail about you and GHD.

The reason I ask this question, the SHCP application to CDPH paints a very different picture, including major deficiencies in water quality in all sources used from the SHCP property and easements, i.e. non-potable.

Here are some examples:

Source #2 or #3 were not potable and questionable to drink or not tested for human consumption? And (source #2) could be contaminated by "bacteria from animal waste and other sources" (see attachment page 4 of 16, items a, b and d)?

These deficiencies (included in the attachment) are not explained at all in your report, nor are they included or documented in the SHCP DEIR. It was stated source #2 & #3 are potable in your report and throughout the DEIR. I would like to know why there is such a night and day difference between your report and the attachment?

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However, in November 2013, the SHCP submitted an application to California Department of Public Health (CDPH) for Pre-Planning Funding for Safe Drinking Water (see attachment) and stated you (Rebecca Crow) and your firm GHD would be used to conduct this process. In fact, on page 7 of 16 of the attachment, it goes into some detail about you and GHD.

The reason I ask this question, the SHCP application to CDPH paints a very different picture, including major deficiencies in water quality in all sources used from the SHCP property and easements, i.e. non-potable.

Here are some examples:

Source #2 or #3 were not potable and questionable to drink or not tested for human consumption? And (source #2) could be contaminated by "bacteria from animal waste and other sources" (see attachment page 4 of 16, items a, b and d)?

These deficiencies (included in the attachment) are not explained at all in your report, nor are they included or documented in the SHCP DEIR. It was stated source #2 & #3 are potable in your report and throughout the DEIR. I would like to know why there is such a night and day difference between your report and the attachment?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, April 22, 2016 12:07 AM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR

John and Michael,

The correct and complete definition of all reasonably foreseeable elements of a proposed project is the single most important element of the CEQA compliance process.

CEQA applies to all “discretionary projects.” The term discretionary refers to situations in which a governmental agency can exercise its judgment in deciding whether and how to approve or carry out a project. The term project refers to the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable, and all related projects that are directly linked to the project.

So in plain english, the SHCP Board has shown a reasonably and foreseeable interest in annexation into the Garberville Sanitary Districts Jurisdictional Boundary for public water service upon completion and approval of their GPA/CUP/EIR. And my reason for making sure Humboldt LAFCo is sent a copy of the DEIR for responsible agency comment. GSD should be noticed already because they are included in the GSD SOI for future development.

Given the facts I have provided in the email(s) below, this should prove my point and concern, that the current SHCP DEIR does not contain the reasonably and foreseeable requests and applications of the SHCP Board to be included into the GSD Jurisdictional Boundary for public water service upon completion and approval of their GPA/CUP/EIR. Why, I don't know, maybe they just forgot...

Ed Voice

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**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 1:42:33 PM  
**Subject:** Re: SHCP GPA/DEIR

And last, but not least (see attachment) when the SHCP Board requested water service again from GSD under different circumstances back in 2013:

*While the GSD Board generally supports the concept of water service to the remainder of the SHCP property upon completion of the SHCP's General Plan Amendment, any service to areas outside of that contemplated in the District's current annexation project will need to be reviewed once the SHCP can provide information on the locations, type of use, quantity of use, etc. The District has a limited water source and will need to review this new useage just as we would with any other applicant's project to verify that adequate water is available to provide service.*

*The SHCP Board should be aware that any proposed water use to an area outside of the District's Jurisdictional Boundary or Place of Use will require the applicant to process a "Petition for Change in Jurisdictional Boundary" with LAFCo and a "Petition for Change in Place of Use" with the SWRCBDWR. Both of these actions must be supported and informed by an adopted CEQA document that discloses the proposed action and describes the potential impacts of the action (expanding the District's Jurisdictional Boundary and Place of Use for the area). The GSD Board encourages the SHCP to include this analysis and specifically identify the proposed locations and quantities of GSD water useage in the EIR being prepared for the SHCP GPA for any locations that the SHCP anticipates applying to GSD for future services. If the SHCP Board or their consultant has questions about what this documentation should consist of, don't hesitate to contact the GSD Capital Projects Manager to discuss these details.*

*If at the time that the meter is set, the SHCP has gained approval from LAFCo and SWRCB-DWR for the annexation of additional SHCP lands into the District's Jurisdictional Boundary and Place of Use, then the service area for that meter will be consistent with whatever has been approved, subject to any additional conditions that may be applied during that approval process.*

*The GSD Board is disappointed that the SHCP Board feels it is necessary to hold the easement to PG&E hostage by attaching conditions to granting this easement that cannot be approved in conjunction with the drinking water project. This Board has made numerous efforts, expended funds, delayed our annexation project, and provided significant support to the SHCP in their endeavors to develop their property into a park and eventually have public water. Withholding this easement to PG&E so that they can install the electrical service line to the SWTP does not seem in keeping with the SHCP's efforts to serve the best interests of the community. None of us can move forward with providing water service to any of the SHCP property until the SWTP is operational, which cannot occur without electrical service.*

*The GSD Board implores the SHCP Board to reconsider attaching conditions to granting this easement to PG&E and to do what is in all of our best interest. Please let us know as soon as possible regarding your acceptance of the conditions laid out above for the approval of the new water connection so that we can begin drafting the agreement, and if you will grant the easement to PG&E without any additional documentation.*

---

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 1:22:12 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John,

BTW, there is also this comment made by Humboldt LAFCo during the Garberville Sanitary District's Annexation CEQA project including the Southern Humboldt Community Park for water service (see attachment):

"If LAFCo feels there is insufficient information to analyze conversion effects, the annexation may include a condition that the SHC Park annexation be the subject of a GSD ordinance limiting their connection to existing water service which includes one

meter for both APN 222-091-014 and 222-241-009, the equivalent of two single family residential users (referenced on Initial Study pg. 31). This condition would require that, once the project has been reviewed and approved by the County it would have to come back to LAFCo for further review. Or LAFCo may defer the SHC Park annexation until their pending general plan amendment is completed by Humboldt County"

Thanks  
Ed Voice

---

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 12:12:25 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John, you might also want to read this. It documents everything nicely concerning the GSD SOI approval by Humboldt LAFCo and what said on the record. Please note the last couple sentences in the article below:

**Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.**

**Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.**

**Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.**

**That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.**

<http://www.redwoodtimes.com/article/ZZ/20130326/NEWS/130326323>

*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

The Humboldt County Local Agency Formation Commission (LAFCo) approved the new sphere of influence (SOI) at its most recent meeting last Wednesday, March 20, after a lengthy public comment period and discussion among the commissioners.

While other areas were added or removed from GSD's previous SOI, which was approved in 1986 and never revised until now, the continued inclusion of the entire park property sparked the most controversy.

GSD's municipal service review (MSR), a document that describes the current state of the district, its population, services, infrastructure, finances, and government, was also approved by the commission.

Approval of an MSR is usually a routine matter, but GSD's MSR has not been reviewed since 1986. At that time GSD provided wastewater treatment only. The privately-owned Garberville Water Company served homes and businesses in the Garberville area with drinking water.

GSD purchased GWC from the Hurlbutt family in 2004 and began serving all GWC's customers, including those outside GSD's legal boundaries, in November of that year.

MSRs and SOI updates are usually done together. "In this case there are very distinct issues and also it's been a long time since the last review," LAFCo executive officer George Williamson told the commissioners to explain why he was requesting they be considered separately.

Under LAFCo law in 2004, GSD was allowed to exercise its "latent power" to provide drinking water without LAFCo approval at the time it purchased GWC, Williamson continued.

"The issue is what GSD is doing now, not future physical changes" so the document is exempt from compliance with the California Environmental Quality Act (CEQA), he added.

GSD capital projects manager Jennie Short briefly described GSD's investment in improvements to its water and wastewater treatment capacity, noting that the bid period for the new drinking water plant will open this week.

Three members of the public, all property owners in the Garberville area, spoke about deficiencies in the MSR and urged the commission to do further review before approving it.

The California Public Utilities Commission, which governed GWC, did not conduct a financial review of the change in ownership until November 2006, and therefore the transfer of ownership was not legal until that time, said Garberville resident Kristin Vogel.

In January 2006 LAFCo law changed. After that date local governments must get LAFCo approval before exercising latent powers. Therefore, Vogel concluded, GSD has no legal right to serve water since LAFCo never approved it.

"I want the poor condition of the South Fork Eel River to be taken into account," she added, describing how the river has declined because of water diversions for both legal and illegal uses.

Ed Voice, whose family owns property in the Garberville area, distributed a thick packet of information and documents to the commissioners.

"These documents are a demonstration of needed additions to the MSR. These are the facts going back to 2002," he said. He pointed out that GSD boundaries are smaller than GWC, and that adding services outside district boundaries requires compliance with CEQA.

"GSD knew all about it but decided not to do anything about it," Voice said.

Don "Frenchy" Courtemanche, who also owns and lives on property close to Garberville, added that some of the 42 existing connections outside GSD boundaries are on prime agricultural land and some constitute "leapfrog development" because they are completely surrounded by non-GSD parcels. This is contrary to two of LAFCo's primary purposes: to protect ag land and to promote orderly development.

Williamson reiterated that the MSR is only a "snapshot in time," a description of current conditions, and therefore exempt from CEQA review.

"Yes, there is a checkered past - let's call it that," said 2nd district supervisor Estelle Fennell, who is one of county government's two representatives on LAFCo. But GSD's current board and staff are making a good faith effort to correct the situation, she said.

Pressed to confirm that GSD has the legal right to serve water, Williamson said that he had vetted this with other state agencies, including the California Department of Public Health, which is funding the water treatment project. The commission voted unanimously to approve the MSR and the discussion moved on to the SOI.

Representing GSD, Short explained that revising the SOI was a necessary step toward annexation that would bring all currently served areas into the district, not only SHCP. Including SHCP is appropriate, however, "in light of other processes underway."

The first public speaker, SHCP board chair Dennis Huber, explained that SHCP has applied for a General Plan Amendment (GPA) to rezone the property. As part of that application, SHCP is doing a full Environmental Impact Review to comply with CEQA. The EIR will include protection from conversion of ag land to other uses.

In fact, the park itself is the best protection because it prevents the property from being broken up into five to 20-acre ranchettes, Huber said.

Furthermore, when GSD invited members of the public to comment, people overwhelmingly supported keeping the entire park within the SOI, Huber said.

The public process was too confusing for people to understand the consequences of what they were supporting, Voice contended.

Vogel, who along with Huber, had been a member of the ad hoc committee appointed by GSD to advise them about the SOI, criticized the process. "We spent almost a year doing nothing," she said. "Then a deadline approached and things suddenly speeded up."

She suspected that "ducks got lined up" in private meetings and observed that "suggestions for different configurations [of the SOI] lasted about a second."

Huber and other speakers from SHCP all stated that the park will seek annexation to GSD once the SOI issue is settled so that it can provide drinking water to users of the park.

The park saw more than 48,500 visitor days annually in 2012, mostly hiking and "birthday parties," said executive director Kathryn Lobato. In its GPA application, SHCP seeks to retain the Agricultural Exclusive zoning with a Public Recreation overlay on most of the property for "farming with trails."

"Safe, reliable drinking water is needed... for ballfields and continued trail use," Lobato said.

Former board member Peter Ryce and current board member Eric Kirk also spoke of the need for drinking water for park users.

"The real aim of some of the speakers is to require LAFCo to do an EIR," Kirk said, adding that this would be wasteful and unnecessary since SHCP is doing an EIR. The park board has already modified its plans to accommodate findings in studies that are being done for the EIR, he added, noting that the site of the ballfields was moved when the original site was discovered to be wetlands.

To accusations that the park board has not held public meetings, Kirk responded that they are all volunteers and have been focusing their efforts on the many studies needed for the EIR. "We're just about getting to the point where we can make it public," he said.

If the park needs drinking water SHCP should rehabilitate the well in Little Tooby Park, Courtemanche said. When the county administered this picnic, playground, and river access area, the well supplied drinking water but when SHCP took it over they "parked a portapotty right over [the well]," said Courtemanche.

Finally, citing GSD's 42 water connections outside its current boundaries, Courtemanche told the commissioners that if they approve the proposed SOI, "You're giving your blessing to bad behavior," setting a precedent for other districts.

Williamson defended LAFCo staff's proposed SOI by pointing out that it is only a planning document. When GSD applies to annex land within the SOI, the review process is much more rigorous and will require some level of CEQA review.

"This county has got to practice dealing with the reality that's on the ground," said Fennell. "It's ridiculous not to include areas that are already being served."

"The park will save some [agricultural] land that would otherwise have been lost," she added. As for drinking water, "Would we rather have plastic bottles or fountains?" she asked.

Commissioner Bob McPherson, a Humboldt State University geology professor who was appointed as the public representative, said that as a geologist he was aware that the park sits on "some of the nicest farmland in the world." "As a LAFCo commissioner it's my duty to protect ag land," he said. "I would have no problem OK'ing drinking water as long as I could be promised no development" on agricultural parts of the park.

Huber responded that the EIR would "allow us to be certain" that the park was protecting ag land in perpetuity. Fennell asked Huber to describe current agricultural uses of the park. "We've made great strides," he replied. The park is working with CalFresh (formerly the food stamps program) to provide fresh fruit and vegetables for low income people, new greenhouses are being built, and the park is working with grasslands specialists to develop a grazing rotation for the large fields.

Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny. Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.

Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.

That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.

With that, the commission voted unanimously to approve the SOI as proposed.

---

**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 11:23:02 AM

**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

[http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI\\_03-20-2013.pdf](http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI_03-20-2013.pdf)

*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

*"Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project"*

*"Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere"*

*"In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area"*

Please note, there is nothing in the SHCP GPA/CUP/DEIR that references any future water service or connection by GSD for the SHCP property or the resolution made by GSD to provide a water connection to SHCP:

*1. SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.*

*2. The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:*

*a. On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.*

*b. On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.*

*c. On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.*

*3. No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.*

4. *The one new ¾” meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.*

5. *The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*

6. *As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.*

So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

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**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

Yes, It was my understanding after reading the resolutions adopted by LAFCo and GSD, after the SHCP gets approval of their GPA, CUP and EIR, those documents would be used for the SHCP Annexation process for future water service. These same conditions were also used in the GSD Annexation MND as Mitigation # 4.

<http://garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

Mitigation Measure No. 4. The GSD Board of Directors shall adopt a resolution stating that a new water meter will be installed to serve the SHCP (APN 222-091-014) to legitimize the historical delivery of water services to this limited area. GSD is not proposing to provide water service to areas outside of the proposed boundary. The following conditions, as approved by the GSD Board of Directors during the **October 9, 2012** meeting, will be applied:

Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project

Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

Michael, could you also make sure Humboldt LAFCo is sent a copy, e.g. discretionary agency comment and approval, since the SHCP was included in the Garberville Sanitary District (GSD) Sphere of Influence and Municipal Service Review for water service and included for future water service in the GSD Annexation process pending LAFCo approval, with all three adopted. mitigated and approved by Humboldt LAFCo, pending the SHCP GPA/CUP/EIR approval.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:26 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice



## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, April 22, 2016 12:07 AM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR

John and Michael,

The correct and complete definition of all reasonably foreseeable elements of a proposed project is the single most important element of the CEQA compliance process.

CEQA applies to all “discretionary projects.” The term discretionary refers to situations in which a governmental agency can exercise its judgment in deciding whether and how to approve or carry out a project. The term project refers to the whole of an action that has the potential, directly or ultimately, to result in a physical change to the environment (CEQA Guidelines Section 15378). This includes all phases of a project that are reasonably foreseeable, and all related projects that are directly linked to the project.

So in plain english, the SHCP Board has shown a reasonably and foreseeable interest in annexation into the Garberville Sanitary Districts Jurisdictional Boundary for public water service upon completion and approval of their GPA/CUP/EIR. And my reason for making sure Humboldt LAFCo is sent a copy of the DEIR for responsible agency comment. GSD should be noticed already because they are included in the GSD SOI for future development.

Given the facts I have provided in the email(s) below, this should prove my point and concern, that the current SHCP DEIR does not contain the reasonably and foreseeable requests and applications of the SHCP Board to be included into the GSD Jurisdictional Boundary for public water service upon completion and approval of their GPA/CUP/EIR. Why, I don't know, maybe they just forgot...

Ed Voice

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**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 1:42:33 PM  
**Subject:** Re: SHCP GPA/DEIR

And last, but not least (see attachment) when the SHCP Board requested water service again from GSD under different circumstances back in 2013:

*While the GSD Board generally supports the concept of water service to the remainder of the SHCP property upon completion of the SHCP's General Plan Amendment, any service to areas outside of that contemplated in the District's current annexation project will need to be reviewed once the SHCP can provide information on the locations, type of use, quantity of use, etc. The District has a limited water source and will need to review this new useage just as we would with any other applicant's project to verify that adequate water is available to provide service.*

*The SHCP Board should be aware that any proposed water use to an area outside of the District's Jurisdictional Boundary or Place of Use will require the applicant to process a "Petition for Change in Jurisdictional Boundary" with LAFCo and a "Petition for Change in Place of Use" with the SWRCBDWR. Both of these actions must be supported and informed by an adopted CEQA document that discloses the proposed action and describes the potential impacts of the action (expanding the District's Jurisdictional Boundary and Place of Use for the area). The GSD Board encourages the SHCP to include this analysis and specifically identify the proposed locations and quantities of GSD water useage in the EIR being prepared for the SHCP GPA for any locations that the SHCP anticipates applying to GSD for future services. If the SHCP Board or their consultant has questions about what this documentation should consist of, don't hesitate to contact the GSD Capital Projects Manager to discuss these details.*

*If at the time that the meter is set, the SHCP has gained approval from LAFCo and SWRCB-DWR for the annexation of additional SHCP lands into the District's Jurisdictional Boundary and Place of Use, then the service area for that meter will be consistent with whatever has been approved, subject to any additional conditions that may be applied during that approval process.*

*The GSD Board is disappointed that the SHCP Board feels it is necessary to hold the easement to PG&E hostage by attaching conditions to granting this easement that cannot be approved in conjunction with the drinking water project. This Board has made numerous efforts, expended funds, delayed our annexation project, and provided significant support to the SHCP in their endeavors to develop their property into a park and eventually have public water. Withholding this easement to PG&E so that they can install the electrical service line to the SWTP does not seem in keeping with the SHCP's efforts to serve the best interests of the community. None of us can move forward with providing water service to any of the SHCP property until the SWTP is operational, which cannot occur without electrical service.*

*The GSD Board implores the SHCP Board to reconsider attaching conditions to granting this easement to PG&E and to do what is in all of our best interest. Please let us know as soon as possible regarding your acceptance of the conditions laid out above for the approval of the new water connection so that we can begin drafting the agreement, and if you will grant the easement to PG&E without any additional documentation.*

---

**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 1:22:12 PM

**Subject:** Re: SHCP GPA/DEIR

Hi John,

BTW, there is also this comment made by Humboldt LAFCo during the Garberville Sanitary District's Annexation CEQA project including the Southern Humboldt Community Park for water service (see attachment):

"If LAFCo feels there is insufficient information to analyze conversion effects, the annexation may include a condition that the SHC Park annexation be the subject of a GSD ordinance limiting their connection to existing water service which includes one

meter for both APN 222-091-014 and 222-241-009, the equivalent of two single family residential users (referenced on Initial Study pg. 31). This condition would require that, once the project has been reviewed and approved by the County it would have to come back to LAFCo for further review. Or LAFCo may defer the SHC Park annexation until their pending general plan amendment is completed by Humboldt County"

Thanks  
Ed Voice

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**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 12:12:25 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John, you might also want to read this. It documents everything nicely concerning the GSD SOI approval by Humboldt LAFCo and what said on the record. Please note the last couple sentences in the article below:

**Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.**

**Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.**

**Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.**

**That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.**

<http://www.redwoodtimes.com/article/ZZ/20130326/NEWS/130326323>

*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

The Humboldt County Local Agency Formation Commission (LAFCo) approved the new sphere of influence (SOI) at its most recent meeting last Wednesday, March 20, after a lengthy public comment period and discussion among the commissioners.

While other areas were added or removed from GSD's previous SOI, which was approved in 1986 and never revised until now, the continued inclusion of the entire park property sparked the most controversy.

GSD's municipal service review (MSR), a document that describes the current state of the district, its population, services, infrastructure, finances, and government, was also approved by the commission.

Approval of an MSR is usually a routine matter, but GSD's MSR has not been reviewed since 1986. At that time GSD provided wastewater treatment only. The privately-owned Garberville Water Company served homes and businesses in the Garberville area with drinking water.

GSD purchased GWC from the Hurlbutt family in 2004 and began serving all GWC's customers, including those outside GSD's legal boundaries, in November of that year.

MSRs and SOI updates are usually done together. "In this case there are very distinct issues and also it's been a long time since the last review," LAFCo executive officer George Williamson told the commissioners to explain why he was requesting they be considered separately.

Under LAFCo law in 2004, GSD was allowed to exercise its "latent power" to provide drinking water without LAFCo approval at the time it purchased GWC, Williamson continued.

"The issue is what GSD is doing now, not future physical changes" so the document is exempt from compliance with the California Environmental Quality Act (CEQA), he added.

GSD capital projects manager Jennie Short briefly described GSD's investment in improvements to its water and wastewater treatment capacity, noting that the bid period for the new drinking water plant will open this week.

Three members of the public, all property owners in the Garberville area, spoke about deficiencies in the MSR and urged the commission to do further review before approving it.

The California Public Utilities Commission, which governed GWC, did not conduct a financial review of the change in ownership until November 2006, and therefore the transfer of ownership was not legal until that time, said Garberville resident Kristin Vogel.

In January 2006 LAFCo law changed. After that date local governments must get LAFCo approval before exercising latent powers. Therefore, Vogel concluded, GSD has no legal right to serve water since LAFCo never approved it.

"I want the poor condition of the South Fork Eel River to be taken into account," she added, describing how the river has declined because of water diversions for both legal and illegal uses.

Ed Voice, whose family owns property in the Garberville area, distributed a thick packet of information and documents to the commissioners.

"These documents are a demonstration of needed additions to the MSR. These are the facts going back to 2002," he said. He pointed out that GSD boundaries are smaller than GWC, and that adding services outside district boundaries requires compliance with CEQA.

"GSD knew all about it but decided not to do anything about it," Voice said.

Don "Frenchy" Courtemanche, who also owns and lives on property close to Garberville, added that some of the 42 existing connections outside GSD boundaries are on prime agricultural land and some constitute "leapfrog development" because they are completely surrounded by non-GSD parcels. This is contrary to two of LAFCo's primary purposes: to protect ag land and to promote orderly development.

Williamson reiterated that the MSR is only a "snapshot in time," a description of current conditions, and therefore exempt from CEQA review.

"Yes, there is a checkered past - let's call it that," said 2nd district supervisor Estelle Fennell, who is one of county government's two representatives on LAFCo. But GSD's current board and staff are making a good faith effort to correct the situation, she said.

Pressed to confirm that GSD has the legal right to serve water, Williamson said that he had vetted this with other state agencies, including the California Department of Public Health, which is funding the water treatment project. The commission voted unanimously to approve the MSR and the discussion moved on to the SOI.

Representing GSD, Short explained that revising the SOI was a necessary step toward annexation that would bring all currently served areas into the district, not only SHCP. Including SHCP is appropriate, however, "in light of other processes underway."

The first public speaker, SHCP board chair Dennis Huber, explained that SHCP has applied for a General Plan Amendment (GPA) to rezone the property. As part of that application, SHCP is doing a full Environmental Impact Review to comply with CEQA. The EIR will include protection from conversion of ag land to other uses.

In fact, the park itself is the best protection because it prevents the property from being broken up into five to 20-acre ranchettes, Huber said.

Furthermore, when GSD invited members of the public to comment, people overwhelmingly supported keeping the entire park within the SOI, Huber said.

The public process was too confusing for people to understand the consequences of what they were supporting, Voice contended.

Vogel, who along with Huber, had been a member of the ad hoc committee appointed by GSD to advise them about the SOI, criticized the process. "We spent almost a year doing nothing," she said. "Then a deadline approached and things suddenly speeded up."

She suspected that "ducks got lined up" in private meetings and observed that "suggestions for different configurations [of the SOI] lasted about a second."

Huber and other speakers from SHCP all stated that the park will seek annexation to GSD once the SOI issue is settled so that it can provide drinking water to users of the park.

The park saw more than 48,500 visitor days annually in 2012, mostly hiking and "birthday parties," said executive director Kathryn Lobato. In its GPA application, SHCP seeks to retain the Agricultural Exclusive zoning with a Public Recreation overlay on most of the property for "farming with trails."

"Safe, reliable drinking water is needed... for ballfields and continued trail use," Lobato said.

Former board member Peter Ryce and current board member Eric Kirk also spoke of the need for drinking water for park users.

"The real aim of some of the speakers is to require LAFCo to do an EIR," Kirk said, adding that this would be wasteful and unnecessary since SHCP is doing an EIR. The park board has already modified its plans to accommodate findings in studies that are being done for the EIR, he added, noting that the site of the ballfields was moved when the original site was discovered to be wetlands.

To accusations that the park board has not held public meetings, Kirk responded that they are all volunteers and have been focusing their efforts on the many studies needed for the EIR. "We're just about getting to the point where we can make it public," he said.

If the park needs drinking water SHCP should rehabilitate the well in Little Tooby Park, Courtemanche said. When the county administered this picnic, playground, and river access area, the well supplied drinking water but when SHCP took it over they "parked a portapotty right over [the well]," said Courtemanche.

Finally, citing GSD's 42 water connections outside its current boundaries, Courtemanche told the commissioners that if they approve the proposed SOI, "You're giving your blessing to bad behavior," setting a precedent for other districts.

Williamson defended LAFCo staff's proposed SOI by pointing out that it is only a planning document. When GSD applies to annex land within the SOI, the review process is much more rigorous and will require some level of CEQA review.

"This county has got to practice dealing with the reality that's on the ground," said Fennell. "It's ridiculous not to include areas that are already being served."

"The park will save some [agricultural] land that would otherwise have been lost," she added. As for drinking water, "Would we rather have plastic bottles or fountains?" she asked.

Commissioner Bob McPherson, a Humboldt State University geology professor who was appointed as the public representative, said that as a geologist he was aware that the park sits on "some of the nicest farmland in the world." "As a LAFCo commissioner it's my duty to protect ag land," he said. "I would have no problem OK'ing drinking water as long as I could be promised no development" on agricultural parts of the park.

Huber responded that the EIR would "allow us to be certain" that the park was protecting ag land in perpetuity. Fennell asked Huber to describe current agricultural uses of the park. "We've made great strides," he replied. The park is working with CalFresh (formerly the food stamps program) to provide fresh fruit and vegetables for low income people, new greenhouses are being built, and the park is working with grasslands specialists to develop a grazing rotation for the large fields.

Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny. Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.

Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.

That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.

With that, the commission voted unanimously to approve the SOI as proposed.

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**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 11:23:02 AM

**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

[http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI\\_03-20-2013.pdf](http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI_03-20-2013.pdf)

*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

*"Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project"*

*"Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere"*

*"In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area"*

Please note, there is nothing in the SHCP GPA/CUP/DEIR that references any future water service or connection by GSD for the SHCP property or the resolution made by GSD to provide a water connection to SHCP:

*1. SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.*

*2. The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:*

*a. On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.*

*b. On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.*

*c. On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.*

*3. No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.*

4. *The one new ¾” meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.*

5. *The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*

6. *As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.*

So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

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**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

Yes, It was my understanding after reading the resolutions adopted by LAFCo and GSD, after the SHCP gets approval of their GPA, CUP and EIR, those documents would be used for the SHCP Annexation process for future water service. These same conditions were also used in the GSD Annexation MND as Mitigation # 4.

<http://garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

Mitigation Measure No. 4. The GSD Board of Directors shall adopt a resolution stating that a new water meter will be installed to serve the SHCP (APN 222-091-014) to legitimize the historical delivery of water services to this limited area. GSD is not proposing to provide water service to areas outside of the proposed boundary. The following conditions, as approved by the GSD Board of Directors during the **October 9, 2012** meeting, will be applied:

Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project

Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

Michael, could you also make sure Humboldt LAFCo is sent a copy, e.g. discretionary agency comment and approval, since the SHCP was included in the Garberville Sanitary District (GSD) Sphere of Influence and Municipal Service Review for water service and included for future water service in the GSD Annexation process pending LAFCo approval, with all three adopted. mitigated and approved by Humboldt LAFCo, pending the SHCP GPA/CUP/EIR approval.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:26 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice



## **Richardson, Michael**

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 21, 2016 1:43 PM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR  
**Attachments:** GSD PG&E SHCP Easement Peter Ryce letter, GSD reply June 1, 2013.pdf

And last, but not least (see attachment) when the SHCP Board requested water service again from GSD under different circumstances back in 2013:

*While the GSD Board generally supports the concept of water service to the remainder of the SHCP property upon completion of the SHCP's General Plan Amendment, any service to areas outside of that contemplated in the District's current annexation project will need to be reviewed once the SHCP can provide information on the locations, type of use, quantity of use, etc. The District has a limited water source and will need to review this new useage just as we would with any other applicant's project to verify that adequate water is available to provide service.*

*The SHCP Board should be aware that any proposed water use to an area outside of the District's Jurisdictional Boundary or Place of Use will require the applicant to process a "Petition for Change in Jurisdictional Boundary" with LAFCo and a "Petition for Change in Place of Use" with the SWRCBDWR. Both of these actions must be supported and informed by an adopted CEQA document that discloses the proposed action and describes the potential impacts of the action (expanding the District's Jurisdictional Boundary and Place of Use for the area). The GSD Board encourages the SHCP to include this analysis and specifically identify the proposed locations and quantities of GSD water useage in the EIR being prepared for the SHCP GPA for any locations that the SHCP anticipates applying to GSD for future services. If the SHCP Board or their consultant has questions about what this documentation should consist of, don't hesitate to contact the GSD Capital Projects Manager to discuss these details.*

*If at the time that the meter is set, the SHCP has gained approval from LAFCo and SWRCB-DWR for the annexation of additional SHCP lands into the District's Jurisdictional Boundary and Place of Use, then the service area for that meter will be consistent with whatever has been approved, subject to any additional conditions that may be applied during that approval process.*

*The GSD Board is disappointed that the SHCP Board feels it is necessary to hold the easement to PG&E hostage by attaching conditions to granting this easement that cannot be approved in conjunction with the drinking water project. This Board has made numerous efforts, expended funds, delayed our annexation project, and provided significant support to the SHCP in their endeavors to develop their property into a park and eventually have public water. Withholding this easement to PG&E so that they can install the electrical service line to the SWTP does not seem in keeping with the SHCP's efforts to serve the best interests of the community. None of us can move forward with providing water service to any of the SHCP property until the SWTP is operational, which cannot occur without electrical service.*

*The GSD Board implores the SHCP Board to reconsider attaching conditions to granting this easement to PG&E and to do what is in all of our best interest. Please let us know as soon as possible regarding your acceptance of the conditions laid out above for the approval of the new water connection so that we can*

*begin drafting the agreement, and if you will grant the easement to PG&E without any additional documentation.*

---

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 1:22:12 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John,

BTW, there is also this comment made by Humboldt LAFCo during the Garberville Sanitary District's Annexation CEQA project including the Southern Humboldt Community Park for water service (see attachment):

"If LAFCo feels there is insufficient information to analyze conversion effects, the annexation may include a condition that the SHC Park annexation be the subject of a GSD ordinance limiting their connection to existing water service which includes one meter for both APN 222-091-014 and 222-241-009, the equivalent of two single family residential users (referenced on Initial Study pg. 31). This condition would require that, once the project has been reviewed and approved by the County it would have to come back to LAFCo for further review. Or LAFCo may defer the SHC Park annexation until their pending general plan amendment is completed by Humboldt County"

Thanks  
Ed Voice

---

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 12:12:25 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John, you might also want to read this. It documents everything nicely concerning the GSD SOI approval by Humboldt LAFCo and what said on the record. Please note the last couple sentences in the article below:

**Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.**

**Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.**

**Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.**

**That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.**

<http://www.redwoodtimes.com/article/ZZ/20130326/NEWS/130326323>

*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

The Humboldt County Local Agency Formation Commission (LAFCo) approved the new sphere of influence (SOI) at its most recent meeting last Wednesday, March 20, after a lengthy public comment period and discussion among the commissioners.

While other areas were added or removed from GSD's previous SOI, which was approved in 1986 and never revised until now, the continued inclusion of the entire park property sparked the most controversy.

GSD's municipal service review (MSR), a document that describes the current state of the district, its population, services, infrastructure, finances, and government, was also approved by the commission.

Approval of an MSR is usually a routine matter, but GSD's MSR has not been reviewed since 1986. At that time GSD provided wastewater treatment only. The privately-owned Garberville Water Company served homes and businesses in the Garberville area with drinking water.

GSD purchased GWC from the Hurlbutt family in 2004 and began serving all GWC's customers, including those outside GSD's legal boundaries, in November of that year.

MSRs and SOI updates are usually done together. "In this case there are very distinct issues and also it's been a long time since the last review," LAFCo executive officer George Williamson told the commissioners to explain why he was requesting they be considered separately.

Under LAFCo law in 2004, GSD was allowed to exercise its "latent power" to provide drinking water without LAFCo approval at the time it purchased GWC, Williamson continued.

"The issue is what GSD is doing now, not future physical changes" so the document is exempt from compliance with the California Environmental Quality Act (CEQA), he added.

GSD capital projects manager Jennie Short briefly described GSD's investment in improvements to its water and wastewater treatment capacity, noting that the bid period for the new drinking water plant will open this week.

Three members of the public, all property owners in the Garberville area, spoke about deficiencies in the MSR and urged the commission to do further review before approving it.

The California Public Utilities Commission, which governed GWC, did not conduct a financial review of the change in ownership until November 2006, and therefore the transfer of ownership was not legal until that time, said Garberville resident Kristin Vogel.

In January 2006 LAFCo law changed. After that date local governments must get LAFCo approval before exercising latent powers. Therefore, Vogel concluded, GSD has no legal right to serve water since LAFCo never approved it. "I want the poor condition of the South Fork Eel River to be taken into account," she added, describing how the river has declined because of water diversions for both legal and illegal uses.

Ed Voice, whose family owns property in the Garberville area, distributed a thick packet of information and documents to the commissioners.

"These documents are a demonstration of needed additions to the MSR. These are the facts going back to 2002," he said. He pointed out that GSD boundaries are smaller than GWC, and that adding services outside district boundaries requires compliance with CEQA.

"GSD knew all about it but decided not to do anything about it," Voice said.

Don "Frenchy" Courtemanche, who also owns and lives on property close to Garberville, added that some of the 42 existing connections outside GSD boundaries are on prime agricultural land and some constitute "leapfrog development" because they are completely surrounded by non-GSD parcels. This is contrary to two of LAFCo's primary purposes: to protect ag land and to promote orderly development.

Williamson reiterated that the MSR is only a "snapshot in time," a description of current conditions, and therefore exempt from CEQA review.

"Yes, there is a checkered past - let's call it that," said 2nd district supervisor Estelle Fennell, who is one of county government's two representatives on LAFCo. But GSD's current board and staff are making a good faith effort to correct the situation, she said.

Pressed to confirm that GSD has the legal right to serve water, Williamson said that he had vetted this with other state agencies, including the California Department of Public Health, which is funding the water treatment project. The commission voted unanimously to approve the MSR and the discussion moved on to the SOI.

Representing GSD, Short explained that revising the SOI was a necessary step toward annexation that would bring all currently served areas into the district, not only SHCP. Including SHCP is appropriate, however, "in light of other processes underway."

The first public speaker, SHCP board chair Dennis Huber, explained that SHCP has applied for a General Plan Amendment (GPA) to rezone the property. As part of that application, SHCP is doing a full Environmental Impact Review to comply with CEQA. The EIR will include protection from conversion of ag land to other uses.

In fact, the park itself is the best protection because it prevents the property from being broken up into five to 20-acre ranchettes, Huber said.

Furthermore, when GSD invited members of the public to comment, people overwhelmingly supported keeping the entire park within the SOI, Huber said.

The public process was too confusing for people to understand the consequences of what they were supporting, Voice contended.

Vogel, who along with Huber, had been a member of the ad hoc committee appointed by GSD to advise them about the SOI, criticized the process. "We spent almost a year doing nothing," she said. "Then a deadline approached and things suddenly speeded up."

She suspected that "ducks got lined up" in private meetings and observed that "suggestions for different configurations [of the SOI] lasted about a second."

Huber and other speakers from SHCP all stated that the park will seek annexation to GSD once the SOI issue is settled so that it can provide drinking water to users of the park.

The park saw more than 48,500 visitor days annually in 2012, mostly hiking and "birthday parties," said executive director Kathryn Lobato. In its GPA application, SHCP seeks to retain the Agricultural Exclusive zoning with a Public Recreation overlay on most of the property for "farming with trails."

"Safe, reliable drinking water is needed... for ballfields and continued trail use," Lobato said.

Former board member Peter Ryce and current board member Eric Kirk also spoke of the need for drinking water for park users.

"The real aim of some of the speakers is to require LAFCo to do an EIR," Kirk said, adding that this would be wasteful and unnecessary since SHCP is doing an EIR. The park board has already modified its plans to accommodate findings in studies that are being done for the EIR, he added, noting that the site of the ballfields was moved when the original site was discovered to be wetlands.

To accusations that the park board has not held public meetings, Kirk responded that they are all volunteers and have been focusing their efforts on the many studies needed for the EIR. "We're just about getting to the point where we can make it public," he said.

If the park needs drinking water SHCP should rehabilitate the well in Little Tooby Park, Courtemanche said. When the county administered this picnic, playground, and river access area, the well supplied drinking water but when SHCP took it over they "parked a portapotty right over [the well]," said Courtemanche.

Finally, citing GSD's 42 water connections outside its current boundaries, Courtemanche told the commissioners that if they approve the proposed SOI, "You're giving your blessing to bad behavior," setting a precedent for other districts.

Williamson defended LAFCo staff's proposed SOI by pointing out that it is only a planning document. When GSD applies to annex land within the SOI, the review process is much more rigorous and will require some level of CEQA review.

"This county has got to practice dealing with the reality that's on the ground," said Fennell. "It's ridiculous not to include areas that are already being served."

"The park will save some [agricultural] land that would otherwise have been lost," she added. As for drinking water, "Would we rather have plastic bottles or fountains?" she asked.

Commissioner Bob McPherson, a Humboldt State University geology professor who was appointed as the public representative, said that as a geologist he was aware that the park sits on "some of the nicest farmland in the world." "As a LAFCo commissioner it's my duty to protect ag land," he said. "I would have no problem OK'ing drinking water as long as I could be promised no development" on agricultural parts of the park.

Huber responded that the EIR would "allow us to be certain" that the park was protecting ag land in perpetuity. Fennell asked Huber to describe current agricultural uses of the park. "We've made great strides," he replied. The park is working with CalFresh (formerly the food stamps program) to provide fresh fruit and vegetables for low income people, new greenhouses are being built, and the park is working with grasslands specialists to develop a grazing rotation for the large fields.

Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.

Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.

Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.

That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.

With that, the commission voted unanimously to approve the SOI as proposed.

---

**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 11:23:02 AM

**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

[http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI\\_03-20-2013.pdf](http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI_03-20-2013.pdf)

*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

*"Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project"*

*"Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere"*

*"In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area"*

Please note, there is nothing in the SHCP GPA/CUP/DEIR that references any future water service or connection by GSD for the SHCP property or the resolution made by GSD to provide a water connection to SHCP:

1. *SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.*
2. *The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:*
  - a. *On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.*
  - b. *On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.*
  - c. *On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.*
3. *No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.*
4. *The one new 3/4" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.*
5. *The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*
6. *As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.*

So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

Yes, It was my understanding after reading the resolutions adopted by LAFCo and GSD, after the SHCP gets approval of their GPA, CUP and EIR, those documents would be used for the SHCP Annexation process for future water service. These same conditions were also used in the GSD Annexation MND as Mitigation # 4.

<http://garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

Mitigation Measure No. 4. The GSD Board of Directors shall adopt a resolution stating that a new water meter will be installed to serve the SHCP (APN 222-091-014) to legitimize the historical delivery of water services to this limited area. GSD is not proposing to provide water service to areas outside of the proposed boundary. The following conditions, as approved by the GSD Board of Directors during the **October 9, 2012** meeting, will be applied:

Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project  
Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

Michael, could you also make sure Humboldt LAFCo is sent a copy, e.g. discretionary agency comment and approval, since the SHCP was included in the Garberville Sanitary District (GSD) Sphere of Influence and Municipal Service Review for water service and included for future water service in the GSD Annexation process pending LAFCo approval, with all three adopted. mitigated and approved by Humboldt LAFCo, pending the SHCP GPA/CUP/EIR approval.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

---

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]

**Sent:** Thursday, April 14, 2016 10:26 AM

**To:** Richardson, Michael

**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice

## **Richardson, Michael**

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 21, 2016 1:43 PM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR  
**Attachments:** GSD PG&E SHCP Easement Peter Ryce letter, GSD reply June 1, 2013.pdf

And last, but not least (see attachment) when the SHCP Board requested water service again from GSD under different circumstances back in 2013:

*While the GSD Board generally supports the concept of water service to the remainder of the SHCP property upon completion of the SHCP's General Plan Amendment, any service to areas outside of that contemplated in the District's current annexation project will need to be reviewed once the SHCP can provide information on the locations, type of use, quantity of use, etc. The District has a limited water source and will need to review this new useage just as we would with any other applicant's project to verify that adequate water is available to provide service.*

*The SHCP Board should be aware that any proposed water use to an area outside of the District's Jurisdictional Boundary or Place of Use will require the applicant to process a "Petition for Change in Jurisdictional Boundary" with LAFCo and a "Petition for Change in Place of Use" with the SWRCBDWR. Both of these actions must be supported and informed by an adopted CEQA document that discloses the proposed action and describes the potential impacts of the action (expanding the District's Jurisdictional Boundary and Place of Use for the area). The GSD Board encourages the SHCP to include this analysis and specifically identify the proposed locations and quantities of GSD water useage in the EIR being prepared for the SHCP GPA for any locations that the SHCP anticipates applying to GSD for future services. If the SHCP Board or their consultant has questions about what this documentation should consist of, don't hesitate to contact the GSD Capital Projects Manager to discuss these details.*

*If at the time that the meter is set, the SHCP has gained approval from LAFCo and SWRCB-DWR for the annexation of additional SHCP lands into the District's Jurisdictional Boundary and Place of Use, then the service area for that meter will be consistent with whatever has been approved, subject to any additional conditions that may be applied during that approval process.*

*The GSD Board is disappointed that the SHCP Board feels it is necessary to hold the easement to PG&E hostage by attaching conditions to granting this easement that cannot be approved in conjunction with the drinking water project. This Board has made numerous efforts, expended funds, delayed our annexation project, and provided significant support to the SHCP in their endeavors to develop their property into a park and eventually have public water. Withholding this easement to PG&E so that they can install the electrical service line to the SWTP does not seem in keeping with the SHCP's efforts to serve the best interests of the community. None of us can move forward with providing water service to any of the SHCP property until the SWTP is operational, which cannot occur without electrical service.*

*The GSD Board implores the SHCP Board to reconsider attaching conditions to granting this easement to PG&E and to do what is in all of our best interest. Please let us know as soon as possible regarding your acceptance of the conditions laid out above for the approval of the new water connection so that we can*

*begin drafting the agreement, and if you will grant the easement to PG&E without any additional documentation.*

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**Sent:** Thursday, April 21, 2016 1:22:12 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John,

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Ed Voice

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**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>  
**Sent:** Thursday, April 21, 2016 12:12:25 PM  
**Subject:** Re: SHCP GPA/DEIR

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<http://www.redwoodtimes.com/article/ZZ/20130326/NEWS/130326323>

*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

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GSD purchased GWC from the Hurlbutt family in 2004 and began serving all GWC's customers, including those outside GSD's legal boundaries, in November of that year.

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GSD capital projects manager Jennie Short briefly described GSD's investment in improvements to its water and wastewater treatment capacity, noting that the bid period for the new drinking water plant will open this week.

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Ed Voice, whose family owns property in the Garberville area, distributed a thick packet of information and documents to the commissioners.

"These documents are a demonstration of needed additions to the MSR. These are the facts going back to 2002," he said. He pointed out that GSD boundaries are smaller than GWC, and that adding services outside district boundaries requires compliance with CEQA.

"GSD knew all about it but decided not to do anything about it," Voice said.

Don "Frenchy" Courtemanche, who also owns and lives on property close to Garberville, added that some of the 42 existing connections outside GSD boundaries are on prime agricultural land and some constitute "leapfrog development" because they are completely surrounded by non-GSD parcels. This is contrary to two of LAFCo's primary purposes: to protect ag land and to promote orderly development.

Williamson reiterated that the MSR is only a "snapshot in time," a description of current conditions, and therefore exempt from CEQA review.

"Yes, there is a checkered past - let's call it that," said 2nd district supervisor Estelle Fennell, who is one of county government's two representatives on LAFCo. But GSD's current board and staff are making a good faith effort to correct the situation, she said.

Pressed to confirm that GSD has the legal right to serve water, Williamson said that he had vetted this with other state agencies, including the California Department of Public Health, which is funding the water treatment project. The commission voted unanimously to approve the MSR and the discussion moved on to the SOI.

Representing GSD, Short explained that revising the SOI was a necessary step toward annexation that would bring all currently served areas into the district, not only SHCP. Including SHCP is appropriate, however, "in light of other processes underway."

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In fact, the park itself is the best protection because it prevents the property from being broken up into five to 20-acre ranchettes, Huber said.

Furthermore, when GSD invited members of the public to comment, people overwhelmingly supported keeping the entire park within the SOI, Huber said.

The public process was too confusing for people to understand the consequences of what they were supporting, Voice contended.

Vogel, who along with Huber, had been a member of the ad hoc committee appointed by GSD to advise them about the SOI, criticized the process. "We spent almost a year doing nothing," she said. "Then a deadline approached and things suddenly speeded up."

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Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.

That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.

With that, the commission voted unanimously to approve the SOI as proposed.

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**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 11:23:02 AM

**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

[http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI\\_03-20-2013.pdf](http://www.humboldtlafco.org/sites/default/files/msr/Adopted%20MSR-SOI_03-20-2013.pdf)

*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

*"Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project"*

*"Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere"*

*"In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area"*

Please note, there is nothing in the SHCP GPA/CUP/DEIR that references any future water service or connection by GSD for the SHCP property or the resolution made by GSD to provide a water connection to SHCP:

1. *SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.*
2. *The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:*
  - a. *On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.*
  - b. *On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.*
  - c. *On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.*
3. *No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.*
4. *The one new 3/4" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.*
5. *The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*
6. *As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.*

So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

Yes, It was my understanding after reading the resolutions adopted by LAFCo and GSD, after the SHCP gets approval of their GPA, CUP and EIR, those documents would be used for the SHCP Annexation process for future water service. These same conditions were also used in the GSD Annexation MND as Mitigation # 4.

<http://garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

Mitigation Measure No. 4. The GSD Board of Directors shall adopt a resolution stating that a new water meter will be installed to serve the SHCP (APN 222-091-014) to legitimize the historical delivery of water services to this limited area. GSD is not proposing to provide water service to areas outside of the proposed boundary. The following conditions, as approved by the GSD Board of Directors during the **October 9, 2012** meeting, will be applied:

Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project  
Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

Michael, could you also make sure Humboldt LAFCo is sent a copy, e.g. discretionary agency comment and approval, since the SHCP was included in the Garberville Sanitary District (GSD) Sphere of Influence and Municipal Service Review for water service and included for future water service in the GSD Annexation process pending LAFCo approval, with all three adopted. mitigated and approved by Humboldt LAFCo, pending the SHCP GPA/CUP/EIR approval.

Thank you,  
Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]

**Sent:** Thursday, April 14, 2016 10:26 AM

**To:** Richardson, Michael

**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 21, 2016 1:22 PM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR  
**Attachments:** GSD annexation IS-MND Comments - LAFCo.pdf

Hi John,

BTW, there is also this comment made by Humboldt LAFCo during the Garberville Sanitary District's Annexation CEQA project including the Southern Humboldt Community Park for water service (see attachment):

"If LAFCo feels there is insufficient information to analyze conversion effects, the annexation may include a condition that the SHC Park annexation be the subject of a GSD ordinance limiting their connection to existing water service which includes one meter for both APN 222-091-014 and 222-241-009, the equivalent of two single family residential users (referenced on Initial Study pg. 31). This condition would require that, once the project has been reviewed and approved by the County it would have to come back to LAFCo for further review. Or LAFCo may defer the SHC Park annexation until their pending general plan amendment is completed by Humboldt County"

Thanks  
Ed Voice

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**Sent:** Thursday, April 21, 2016 12:12:25 PM  
**Subject:** Re: SHCP GPA/DEIR

Hi John, you might also want to read this. It documents everything nicely concerning the GSD SOI approval by Humboldt LAFCo and what said on the record. Please note the last couple sentences in the article below:

**Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.**

**Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.**

**Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.**

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*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

The Humboldt County Local Agency Formation Commission (LAFCo) approved the new sphere of influence (SOI) at its most recent meeting last Wednesday, March 20, after a lengthy public comment period and discussion among the commissioners.

While other areas were added or removed from GSD's previous SOI, which was approved in 1986 and never revised until now, the continued inclusion of the entire park property sparked the most controversy.

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Huber responded that the EIR would "allow us to be certain" that the park was protecting ag land in perpetuity. Fennell asked Huber to describe current agricultural uses of the park. "We've made great strides," he replied. The park is working with CalFresh (formerly the food stamps program) to provide fresh fruit and vegetables for low income people, new greenhouses are being built, and the park is working with grasslands specialists to develop a grazing rotation for the large fields.

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With that, the commission voted unanimously to approve the SOI as proposed.

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**From:** evoice@mchsi.com

**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>

**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>, "Robert Wall" <rwall@co.humboldt.ca.us>, "Estelle Fennell" <efennell@co.humboldt.ca.us>

**Sent:** Thursday, April 21, 2016 11:23:02 AM

**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

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*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

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So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

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Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project  
Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable  
Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

Michael, could you also make sure Humboldt LAFCo is sent a copy, e.g. discretionary agency comment and approval, since the SHCP was included in the Garberville Sanitary District (GSD) Sphere of Influence and Municipal Service Review for water service and included for future water service in the GSD Annexation process pending LAFCo approval, with all three adopted. mitigated and approved by Humboldt LAFCo, pending the SHCP GPA/CUP/EIR approval.

Thank you,

Ed Voice

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]

**Sent:** Thursday, April 14, 2016 10:26 AM

**To:** Richardson, Michael

**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 21, 2016 12:12 PM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR

Hi John, you might also want to read this. It documents everything nicely concerning the GSD SOI approval by Humboldt LAFCo and what said on the record. Please note the last couple sentences in the article below:

**Commissioner Jeff Pauli, who serves on the board of Eureka Fire District #1 and is one of the two special district representatives, asked Williamson whether putting SHCP in the SOI would actually increase scrutiny.**

**Including the park in GSD's sphere would put LAFCo in a much stronger position to comment on SHCP's EIR, Williamson agreed.**

**Fennell then moved to adopt the SOI as recommended. McPherson asked if they could add a corollary to the motion that would require permanent protection of the agricultural land.**

**That was beyond LAFCo's legal ability, Williamson said, but McPherson's concerns would become part of the record and would be conveyed to the county when LAFCo comments on SHCP's EIR.**

<http://www.redwoodtimes.com/article/ZZ/20130326/NEWS/130326323>

*By Redwood Times*

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POSTED: 03/26/13, 12:01 AM PDT |

0 COMMENTS

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Virginia Graziani

Redwood Times

Garberville Sanitary District's "sphere of influence," the legally defined area where future growth requiring district water and/or wastewater service is most likely to occur, will include the entire Southern Humboldt Community Park.

The Humboldt County Local Agency Formation Commission (LAFCo) approved the new sphere of influence (SOI) at its most recent meeting last Wednesday, March 20, after a lengthy public comment period and discussion among the commissioners.

While other areas were added or removed from GSD's previous SOI, which was approved in 1986 and never revised until now, the continued inclusion of the entire park property sparked the most controversy.

GSD's municipal service review (MSR), a document that describes the current state of the district, its population, services, infrastructure, finances, and government, was also approved by the commission.

Approval of an MSR is usually a routine matter, but GSD's MSR has not been reviewed since 1986. At that time GSD provided wastewater treatment only. The privately-owned Garberville Water Company served homes and businesses in the Garberville area with drinking water.

GSD purchased GWC from the Hurlbutt family in 2004 and began serving all GWC's customers, including those outside GSD's legal boundaries, in November of that year.

MSRs and SOI updates are usually done together. "In this case there are very distinct issues and also it's been a long time since the last review," LAFCo executive officer George Williamson told the commissioners to explain why he was requesting they be considered separately.

Under LAFCo law in 2004, GSD was allowed to exercise its "latent power" to provide drinking water without LAFCo approval at the time it purchased GWC, Williamson continued.

"The issue is what GSD is doing now, not future physical changes" so the document is exempt from compliance with the California Environmental Quality Act (CEQA), he added.

GSD capital projects manager Jennie Short briefly described GSD's investment in improvements to its water and wastewater treatment capacity, noting that the bid period for the new drinking water plant will open this week.

Three members of the public, all property owners in the Garberville area, spoke about deficiencies in the MSR and urged the commission to do further review before approving it.

The California Public Utilities Commission, which governed GWC, did not conduct a financial review of the change in ownership until November 2006, and therefore the transfer of ownership was not legal until that time, said Garberville resident Kristin Vogel.

In January 2006 LAFCo law changed. After that date local governments must get LAFCo approval before exercising latent powers. Therefore, Vogel concluded, GSD has no legal right to serve water since LAFCo never approved it.

"I want the poor condition of the South Fork Eel River to be taken into account," she added, describing how the river has declined because of water diversions for both legal and illegal uses.

Ed Voice, whose family owns property in the Garberville area, distributed a thick packet of information and documents to the commissioners.

"These documents are a demonstration of needed additions to the MSR. These are the facts going back to 2002," he said. He pointed out that GSD boundaries are smaller than GWC, and that adding services outside district boundaries requires compliance with CEQA.

"GSD knew all about it but decided not to do anything about it," Voice said.

Don "Frenchy" Courtemanche, who also owns and lives on property close to Garberville, added that some of the 42 existing connections outside GSD boundaries are on prime agricultural land and some constitute "leapfrog development" because they are completely surrounded by non-GSD parcels. This is contrary to two of LAFCo's primary purposes: to protect ag land and to promote orderly development.

Williamson reiterated that the MSR is only a "snapshot in time," a description of current conditions, and therefore exempt from CEQA review.

"Yes, there is a checkered past - let's call it that," said 2nd district supervisor Estelle Fennell, who is one of county government's two representatives on LAFCo. But GSD's current board and staff are making a good faith effort to correct the situation, she said.

Pressed to confirm that GSD has the legal right to serve water, Williamson said that he had vetted this with other state agencies, including the California Department of Public Health, which is funding the water treatment project. The commission voted unanimously to approve the MSR and the discussion moved on to the SOI.

Representing GSD, Short explained that revising the SOI was a necessary step toward annexation that would bring all currently served areas into the district, not only SHCP. Including SHCP is appropriate, however, "in light of other processes underway."

The first public speaker, SHCP board chair Dennis Huber, explained that SHCP has applied for a General Plan Amendment (GPA) to rezone the property. As part of that application, SHCP is doing a full Environmental Impact Review to comply with CEQA. The EIR will include protection from conversion of ag land to other uses.

In fact, the park itself is the best protection because it prevents the property from being broken up into five to 20-acre ranchettes, Huber said.

Furthermore, when GSD invited members of the public to comment, people overwhelmingly supported keeping the entire park within the SOI, Huber said.

The public process was too confusing for people to understand the consequences of what they were supporting, Voice contended.

Vogel, who along with Huber, had been a member of the ad hoc committee appointed by GSD to advise them about the SOI, criticized the process. "We spent almost a year doing nothing," she said. "Then a deadline approached and things suddenly speeded up."

She suspected that "ducks got lined up" in private meetings and observed that "suggestions for different configurations [of the SOI] lasted about a second."

Huber and other speakers from SHCP all stated that the park will seek annexation to GSD once the SOI issue is settled so that it can provide drinking water to users of the park.

The park saw more than 48,500 visitor days annually in 2012, mostly hiking and "birthday parties," said executive director Kathryn Lobato. In its GPA application, SHCP seeks to retain the Agricultural Exclusive zoning with a Public Recreation overlay on most of the property for "farming with trails."

"Safe, reliable drinking water is needed... for ballfields and continued trail use," Lobato said.

Former board member Peter Ryce and current board member Eric Kirk also spoke of the need for drinking water for park users.

"The real aim of some of the speakers is to require LAFCo to do an EIR," Kirk said, adding that this would be wasteful and unnecessary since SHCP is doing an EIR. The park board has already modified its plans to accommodate findings in studies that are being done for the EIR, he added, noting that the site of the ballfields was moved when the original site was discovered to be wetlands.

To accusations that the park board has not held public meetings, Kirk responded that they are all volunteers and have been focusing their efforts on the many studies needed for the EIR. "We're just about getting to the point where we can make it public," he said.

If the park needs drinking water SHCP should rehabilitate the well in Little Tooby Park, Courtemanche said. When the county administered this picnic, playground, and river access area, the well supplied drinking water but when SHCP took it over they "parked a portapotty right over [the well]," said Courtemanche.

Finally, citing GSD's 42 water connections outside its current boundaries, Courtemanche told the commissioners that if they approve the proposed SOI, "You're giving your blessing to bad behavior," setting a precedent for other districts.

Williamson defended LAFCo staff's proposed SOI by pointing out that it is only a planning document. When GSD applies to annex land within the SOI, the review process is much more rigorous and will require some level of CEQA review.

"This county has got to practice dealing with the reality that's on the ground," said Fennell. "It's ridiculous not to include areas that are already being served."

"The park will save some [agricultural] land that would otherwise have been lost," she added. As for drinking water, "Would we rather have plastic bottles or fountains?" she asked.

Commissioner Bob McPherson, a Humboldt State University geology professor who was appointed as the public representative, said that as a geologist he was aware that the park sits on "some of the nicest farmland in the world." "As a LAFCo commissioner it's my duty to protect ag land," he said. "I would have no problem OK'ing drinking water as long as I could be promised no development" on agricultural parts of the park.

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Ed Voice

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Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project  
Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable  
Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
Colette Metz, Administrator Humboldt LAFCo

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**From:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Cc:** "evoice Voice" <evoice@mchsi.com>  
**Sent:** Tuesday, April 19, 2016 12:36:05 PM  
**Subject:** Re: SHCP GPA/DEIR

Do I understand this to mean that LAFCO has already acted, i.e. pre-approved, the Annexation pending approval of the park EIR?

John L

On Apr 17, 2016, at 4:55 PM, [evoice@mchsi.com](mailto:evoice@mchsi.com) wrote:

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 21, 2016 11:23 AM  
**To:** John LaBoyteaux  
**Cc:** Richardson, Michael; Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR

John, here are some more fun facts concerning the SHCP GPA and Humboldt LAFCo, included in their current 2013 MSR/SOI for the Garberville Sanitary District (GSD):

[http://www.humboldtlafo.org/sites/default/files/msr/Adopted%20MSR-SOI\\_03-20-2013.pdf](http://www.humboldtlafo.org/sites/default/files/msr/Adopted%20MSR-SOI_03-20-2013.pdf)

*"The following areas, located outside the district boundaries but within the existing sphere of influence, have active water service connections: Hillcrest Drive, Connick Creek Subdivision, Leino Road/Sprowel Creek Road, and the Southern Humboldt Community Park/Buck Mountain Ranch/River Ranch Homes. These areas are scattered throughout the existing sphere and are proposed to remain within the proposed sphere"*

*"Currently, there is an active General Plan Amendment application with the Humboldt County Community Development Services Department to change the zoning and land use designations for the Southern Humboldt Community Park (SHCP) property to support the operation of a multi-use community park with recreational, civic, and agricultural uses. The SHCP property is zoned Agricultural Exclusive and agricultural soils and prime agricultural soils throughout the property. The County is currently preparing a full Environmental Impact Report for the park project"*

*"Lands designated for agricultural or open space uses are typically not included in spheres for purposes of discouraging urban development and preserving open space and prime agricultural lands. In this case, however, the proposed sphere maintains areas with agricultural soils and agricultural land uses because it has been found that these areas have social and economic ties to the District, as well as the community at-large. Removing these areas would also cause a disconnect with respect to the Garberville Sanitary District's existing and planned water services to areas within the proposed sphere"*

*"In accordance with Government Code Section 56668(e), any proposed annexation shall demonstrate the effect of the proposal on maintaining the physical and economic integrity of agricultural lands. In addition, in accordance with Government Code Section 56377, development shall be guided away from existing prime agricultural lands towards areas containing nonprime agricultural lands, unless that action would not promote the planned, orderly, efficient development of an area"*

Please note, there is nothing in the SHCP GPA/CUP/DEIR that references any future water service or connection by GSD for the SHCP property or the resolution made by GSD to provide a water connection to SHCP:

- 1. SHCP would be given one new connection (3/4" meter) to rectify the condition that both the yellow house and the park are served off the same meter. This condition was created in 2009 when the Lot Line Adjustment was recorded and the property line was moved so that the residential structures were split into two properties.*
- 2. The SHCP will make application for this new service connection. The application will stipulate at which location the park is proposing installation of the one new 3/4" meter. The three possible locations currently under consideration are:*

- a. *On Tooby Ranch Road near the property line between APN 222-091-014 (SHCP) and 222-091-011 (Buck Mountain Ranch) on the existing 1" line that currently serves the park property.*
  - b. *On Tooby Ranch Road off the future 8" waterline that may be constructed as part of the Drinking Water Improvement Project. The project is currently unfunded for construction. If the project were to be constructed, the California Department of Public Health ("CDPH") may need to approve service connection(s) on this new line. The Tooby Ranch Road connection location will not be available until or if the District completes the construction of this Project.*
  - c. *On Sprowel Creek Road off the existing 8" waterline that serves the Kimtu Subdivision. This location requires CDPH and LAFCo approval the connection to the Kimtu waterline. The approval from CDPH cannot be obtained until and unless the currently unfunded Drinking Water Improvement Project is completed.*
3. *No connection fee would be charged, but the SHCP would be responsible for all costs associated with the installation of the new meter, pressure reducer, and backflow preventer plus any associated appurtenances.*
4. *The one new ¾" meter is for residential use only and is not intended to be used to serve future development on the Property contemplated by SHCP in the application for a General Plan Amendment (and associated applications for a conditional use permit, the Operational Plan, and the CEQA Initial Study Checklist as submitted to the Humboldt County Planning Department by SHCP) currently on file with the Humboldt County Planning Department.*
5. *The usage for the connection is limited to 2,000 cubic feet per month. The usage will be monitored monthly in conjunction with the reading of the meters. The SHCP will be notified each time the usage reading is in excess of the 2,000 cubic feet per month limit. The meter will be shut off if the usage is more than 1.5 times (3,000 cubic feet per month) the allowable quantity for any 2 months in a 12 month period. If the meter is shut off, the SHCP will have to petition the Board for reinstatement of service and obtain approval from LAFCo if necessary.*
6. *As part of the application for the new connection, the SHCP will be required to enter into a legally binding agreement that will be recorded for the parcel agreeing to the stipulated types and quantities of use as well as the enforcement methods.*

So you see, everyone from GSD to Humboldt LAFCo is waiting for the SHCP to produce this EIR before moving forward with a legal water service connection. But like I said, nothing in the SHCP DEIR even talks about it, not one word? Just the mere fact that the SHCP was included in the GSD SOI for future development back in 2013 and given the fact SHCP submitted many letters to GSD and Humboldt LAFCo, attended many private and public meetings with GSD, SHCP Board members were on the GSD SOI Committee and gave public testimony at Humboldt LAFCo hearings to be included in the GSD SOI pending their GPA/EIR. You would think this information would be included in the SHCP GPA/CUP/DEIR, but its NOT!

Ed Voice

---

**From:** evoice@mchsi.com  
**To:** "John LaBoyteaux" <helenthemelon@earthlink.net>  
**Cc:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Tuesday, April 19, 2016 1:19:39 PM  
**Subject:** Re: SHCP GPA/DEIR

Yes, It was my understanding after reading the resolutions adopted by LAFCo and GSD, after the SHCP gets approval of their GPA, CUP and EIR, those documents would be used for the SHCP Annexation process for future water service. These same conditions were also used in the GSD Annexation MND as Mitigation # 4.

<http://garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

Mitigation Measure No. 4. The GSD Board of Directors shall adopt a resolution stating that a new water meter will be installed to serve the SHCP (APN 222-091-014) to legitimize the historical delivery of water services to this limited area. GSD is not proposing to provide water service to areas outside of the proposed boundary. The following conditions, as approved by the GSD Board of Directors during the [October 9, 2012](#) meeting, will be applied:

Timing for Implementation/Compliance: Prior to Humboldt County adoption of the EIR for the SHCP project  
Person/Agency Responsible for Monitoring: GSD and Humboldt County Planning and Building Department  
Monitoring Frequency: Not applicable Evidence of Compliance: Resolution by the GSD Board of Directors.

Talk to Jennie Short at GSD or  
George Williamson, Executive Officer Humboldt LAFCo  
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**Sent:** Friday, April 15, 2016 10:08 AM  
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**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

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Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, April 20, 2016 12:27 PM  
**To:** Richardson, Michael  
**Cc:** Wall, Robert; Fennell, Estelle  
**Subject:** Re: SHCP GPA/DEIR

Morning Michael,

I can remember, when the Board of Supervisors (Nov 2009) reviewed and approved the SHCP GPA petition to move forward, and also stated (because of public testimony during that GPA petition hearing) it would be an open and transparent public process. Since the NOP Scoping meeting in Sept 2010, there has not been one meeting open to the public concerning this project, or even a SHCP Board meeting open to the public. Nor when asked, will the SHCP Board answer any questions concerning their project. If as they state in their DEIR *"it has been working with the community to identify appropriate uses for the project site"*, then the last such meeting was in 2008. If you can recall, the SHCP Board was not publicly present nor did they even speak or take any questions during the NOP Scoping meeting in 2010.

For these reasons I am requesting a public meeting when the SHCP GPA/CUP/DEIR is made public for agency and public comment.

Thank you,  
Ed Voice

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**From:** evoice@mchsi.com  
**To:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**Sent:** Saturday, April 16, 2016 11:12:37 PM  
**Subject:** Re: SHCP GPA/DEIR

OK, its been almost 6 years (since the NOP public scoping meeting Sept 2010). Given the fact that public/agencies only have 45 days and the daunting task of reviewing/commenting on a 388 page EIR. I feel, because of the size, scope and past controversy of this project, there should be a public scoping session when the project EIR is released and given a chance to ask questions of the applicant, their consultations and County Department agencies.

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**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
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**Sent:** Friday, April 15, 2016 9:07 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR  
**Attachments:** SHCP GPA map of notices.pdf

OK Michael, that would be awesome. Please see attachment; Here is the map or figure you provided showing the area public notices were mailed to property owners for the SHCP GPA EIR/NOP.

Thanks Ed

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**From:** "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
**To:** "evoice@mchsi.com" <evoice@mchsi.com>  
**Sent:** Friday, April 15, 2016 10:17:56 AM  
**Subject:** RE: SHCP GPA/DEIR

Yes, that makes sense.

---

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Friday, April 15, 2016 10:08 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, will you be sending public notice to the same area and property owners as the NOP?

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:48:45 AM  
**Subject:** RE: SHCP GPA/DEIR

I expect it to be published and available for public and agency comment within the next two weeks.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [mailto:evoice@mchsi.com]  
**Sent:** Thursday, April 14, 2016 10:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA/DEIR

Thank you, any idea when it will be published for agency and public comment? Will the County have another public meeting like the NOP, since its been over 5 years.

Ed

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**From:** "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
**To:** "[evoice@mchsi.com](mailto:evoice@mchsi.com)" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
**Sent:** Thursday, April 14, 2016 10:35:43 AM  
**Subject:** RE: SHCP GPA/DEIR

Hi Ed,

The DEIR is in the process of being published, so I can't make any changes to it at this point. We can include this as a comment on the soon-to-be-published DEIR if you like.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

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**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [<mailto:evoice@mchsi.com>]  
**Sent:** Thursday, April 14, 2016 10:26 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/DEIR

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice

**Richardson, Michael**

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**From:** evoice@mchsi.com  
**Sent:** Thursday, April 14, 2016 10:26 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA/DEIR  
**Attachments:** SHCP- GSD Response To Annexation Comments 20131019-final to Board (1).doc

Hi Michael,

Could you include this document (attachment) into the SHCP DEIR, since it has to do with future treated water connections and service from the Garberville Sanitary District?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, April 06, 2016 12:26 PM  
**To:** Richardson, Michael  
**Subject:** SHCP vs Garberville Sanitary District Annexation  
**Attachments:** GSD annexation IS-MND Comments SHCP - 46,000 visitors.pdf

Michael

Here is what I was talking about, the SHCP themselves state to the Garberville Sanitary District (GSD) the following if they are to provide their own water to the public (see attachment):

*During our participation in your SOI process, various individuals and GSD staff members have made suggestions that the Park could provide its own water for the public from sources other than the GSD. However, this is not an option. The County and State Health Department officials would require that the Park have its own water company in order to provide drinking water to the public. This company would be subject to rigorous restrictions, testing, and State reporting to ensure that the water is safe. We are in the business of creating a Community Park and GSD is in the business of providing safe drinking water to the public. It would be an unnecessary duplication of effort in a small community as this to require a Community Park to operate a water company when the GSD facility will be located adjacent to our property.*

I don't know about you, but being subject to rigorous restrictions, testing and State reporting to ensure their water is safe should be their first and only concern, not a financial burden.

However, given the facts and why GSD did not allow the SHCP inclusion into their annexation process is fully documented in GSD's Annexation Project MND and Humboldt LAFCo.

And as I have shown before, what the SHCP has stated in their GPA/CUP/DEIR is completely contrary to what the SHCP Board has stated in documents to other State Agencies (CDPH) concerning their water quality do to contamination at all sources.

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, March 24, 2016 7:57 AM  
**To:** Richardson, Michael  
**Cc:** Kathryn Lobato; Brad Job  
**Subject:** Fwd: SHCP GPA/DEIR Water Sources  
**Attachments:** Southern Humboldt Community Park - Pre-Planning Application.pdf

Sorry Michael, I forgot to explain the attachment. It seems to me, the SHCP should follow through with what they are requesting, with or without the grant. I had no idea the water at the SHCP from source #2 or #3 was not potable and questionable to drink or not tested for human consumption? And had no idea their spring water (source #2) could be contaminated by "bacteria from animal waste and other sources" (see attachment page 4 of 16, items a, b and d)?

These concerns were not explained in their DEIR. It was stated source #2 & #3 are potable in the DEIR. Has the water sources been tested at the SHCP since the attachment was prepared?

And the water sources in the attachment are different than what was stated in the DEIR. Where is the "ground water" source as stated in the attachment (page 4 of 16, item a)

SHCP should petition Garberville Sanitary District (GSD) and Humboldt LAFCo (annexation application) and request to be included in the GSD service boundary for water service as stated in the attachment.

And since we are talking about water usage, will the Park Board be selling the water it takes to irrigate the Sports Fields (Area 5) since they will be leasing Area 5 to what the Park Board calls "Park Use Advocates"? <http://www.sohumpark.org/wp-content/uploads/2015/07/GUIDELINES-FOR-PARK-USE-ADVOCATES.pdf>

If the water usage is included in the lease agreements for Area 5 or the Advocate pays water usage per month for one or more fields and new facilities in Area 5, the Park Board would need to create a Water Company, and petition the State Water Board for a surface water diversion permit for source #1. It was my understanding, the restricted permit for source #1 was for agriculture use only.

Thanks  
Ed Voice

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**From:** evoice@mchsi.com  
**To:** "Michael Richardson" <mrichardson@co.humboldt.ca.us>  
**Cc:** "Kathryn Lobato" <kathryn@sohumpark.org>, "Brad Job" <bradj@pacificwatershed.com>  
**Sent:** Wednesday, March 23, 2016 4:56:41 PM  
**Subject:** SHCP GPA/DEIR Water Sources

Hi Michael,

Please see attachment. This drinking water application the Park Board submitted back in 2013 is stating something completely different than what was stated in their January 2016 DEIR. Could you please include this with their GPA/CUP/DEIR?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, March 23, 2016 4:57 PM  
**To:** Richardson, Michael  
**Cc:** Kathryn Lobato; Brad Job  
**Subject:** SHCP GPA/DEIR Water Sources  
**Attachments:** Southern Humboldt Community Park - Pre-Planning Application.pdf

Hi Michael,

Please see attachment. This drinking water application the Park Board submitted back in 2013 is stating something completely different than what was stated in their January 2016 DEIR. Could you please include this with their GPA/CUP/DEIR?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, March 09, 2016 3:43 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA DEIR

Michael,

I have a major problem rapping my head around this statement:

### ***Festival/Large Event***

***The park would host a festival-sized event annually. Attendance would range from 2,500 to 5,000 people per day. The event would occur once per year and be no longer than 2 days. The event would be a family-friendly event that features a unique blending of local and regional musicians on three outdoor stages, roving entertainers, quality artisans displaying and selling wares, exhibits of fine arts displays, international cuisine, and on-site educational workshops. The attendance would fluctuate over the course of the day and the total number of attendees on the site at any one time would be less than the 1-day total. Actual attendees would cap at 4,000 per day, with an additional 1,000 staff, vendors, and entertainers on-site.***

The problem or what I don't understand: ***"The attendance would fluctuate over the course of the day and the total number of attendees on the site at any one time would be less than the 1-day total. Actual attendees would cap at 4,000 per day, with an additional 1,000 staff, vendors, and entertainers on-site"***

What that tells me and what the EIR fails to address concerning that statement; they could have more than 4000 attendees per day as stated and then also state they have a "cap" of 4000 per day? Its an oxymoron!

How can you estimate water demand, traffic or parking when you say: ***"The attendance would fluctuate over the course of the day and the total number of attendees on the site at any one time would be less than the 1-day total"***

What does that mean? The attendance level should be limited to ticket sales, just like Reggae.

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Sunday, March 06, 2016 3:19 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA DEIR

Michael,

I have another question concerning what was stated about water:

***"The second source is a spring. This water source comes from a spring on the adjacent property (APN 222-091-11) with a legal deeded easement. The spring fills the existing 55,000-gallon water tank on the adjacent property. This spring provides potable water to the project site through the existing water delivery system to Area 2, Area 3, Area 4, and Area 5"***

- An existing 55,000-gallon water storage tank is located on an adjacent property (Assessor's Parcel Number 221-091-11). This tank has historically provided potable water to the project site for residential and limited agricultural uses. There is an existing deeded easement that allows for placement of additional large-capacity water storage tanks on this adjacent property. At this time, no off-site water storage tanks are proposed.***

I would sure like to see that "legal deeded easement" from APN 222-091-11, because that spring water gets to APN 221-091-11 via a pipe. The springs source location comes from APN 222-091-02, on the other side of the freeway, East side of Hwy 101. I know this because the Garberville Sanitary District (GSD) documented the source of that spring in April/May 2012, published a study with maps/figures of all the known water supply lines on the Park property included in the June 2, 2012 GSD Board packet that starts on page 91 [http://garbervillesd.org/Board%20of%20Directors%20Meeting%20memos/Archives/2012%20Board%20Packets/June%202012%20Agenda and Board Packet v1%20 3 .pdf](http://garbervillesd.org/Board%20of%20Directors%20Meeting%20memos/Archives/2012%20Board%20Packets/June%202012%20Agenda%20and%20Board%20Packet%20v1%203.pdf)

Do you have a copy of that legal deeded easement? My question would be, do they have an legal easement with Caltrans?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Saturday, March 05, 2016 11:38 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA DEIR

Hi Michael,

1) After reading and reviewing the Parks DEIR you sent me (by the way Thank you) I found nothing concerning septic or leech fields (septic drain field) the Park would be utilizing (new construction) with the three different "bathrooms" (New 400 sf bathroom Area 1, New 400 sf bathroom Area 2 and New 1000 sf bathroom Area 5) and nothing concerning water demand or consumption from the same new construction of "bathrooms".

And when they talk about the remodeling of the existing ranch/farm house and barn, they state;

***"The large modern main barn (4,320-square-foot footprint with 7,503 square feet total) would have structural improvements required to allow for dual use of the facility. Community uses of the main barn would be in addition to the existing agricultural uses. The Phase 1 remodel would repurpose the existing utility shed, bathroom, and kitchen area as the Park Headquarters office, public kitchen, and meeting rooms. The remodel would include 1,150 square feet of the ranch/farm house. The remaining footage in the ranch/farm house would continue to be residential. The existing two-car garage (482 square feet) would be fully converted to a multi-purpose meeting classroom space and community center"***

***"Use conversion may include physical alterations of existing structures to accommodate offices, meeting spaces, a community kitchen, restrooms and reconfigured residential uses",***

In either case, there is no discussion of water demand or consumption from this new construction. Nor is there any discussion concerning American With Disabilities Act (ADA) accessibility to and from these new, remodeled or existing structures included in the PF zoning and PR land use.

2) I can find no discussion in regards to Area 5; the level and number of people attending, traffic, lighting for night games or public safety concerns:

***"This area is proposed to be utilized for a variety of recreational uses (see Figure 3-8). Organized and leisure sports teams would conduct games, practices and sporting tournaments at the project site. Sports activities include soccer, baseball, softball, football, and similar activities. Dog owners would have a fenced area to allow dogs' off-leash. A new skateboard park would be used for ramp riding and skills building. There would be a new playground and picnic areas for recreation activities. New uses would include sports related classes, workshops, and training camps."***

As like small, medium and large events, concerts and festivals, Area 5 should have the same level of discussion and concern when it comes to attendance levels, traffic, direct and indirect cumulative impacts, night lighting, noise and public safety.

3) As stated below, has your department (acting as lead agency for this project) consulted with any person or organization it believes will be concerned with the environmental effects of this project? And are you willing to do so?

**§ 15083. Early Public Consultation.**

Prior to completing the draft EIR, the lead agency may also consult directly with any person or organization it believes will be concerned with the environmental effects of the project. Many public agencies have found that early consultation solves many potential problems that would arise in more serious forms later in the review process. This early consultation may be called scoping. Scoping will be necessary when preparing an EIR/EIS jointly with a federal agency.

(a) Scoping has been helpful to agencies in identifying the range of actions, alternatives, mitigation measures, and significant effects to be analyzed in depth in an EIR and in eliminating from detailed study issues found not to be important.

(b) Scoping has been found to be an effective way to bring together and resolve the concerns of affected federal, state, and local agencies, the proponent of the action, and other interested persons including those who might not be in accord with the action on environmental grounds.

(c) Where scoping is used, it should be combined to the extent possible with consultation under Section 15082.

Thank you,  
Ed Voice

**Richardson, Michael**

---

**From:** Kristin Vogel <kv2@gotsky.com>  
**Sent:** Monday, May 12, 2014 1:38 PM  
**To:** Richardson, Michael  
**Subject:** Mountain Bike Fundraiser at Tooby Memorial Park

Hello Michael,

I was curious as to whether Planning has given permission to SHCP to use Tooby Memorial Park as a fundraising venue with an amplified group (EZ Money) on May 24th?

Thanks,  
Kristin Vogel



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, May 01, 2014 11:52 AM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin; Hayes, Kathy; Fennell, Estelle; Lovelace, Mark; Bass, Virginia; Bohn, Rex; Lorenzo, Norma; Sundberg, Ryan  
**Subject:** Fw: Southern Humboldt Community Park  
**Attachments:** RE\_ Walk in the Park - Community Park.eml

Hi Michael,

I would also like to interject another aspect or side to this public assembly and live amplified music performances at Tooby Memorial Park on May 24th. As a neighboring home owner at the River Crest subdivision (since 1966), all seven homes were built and purchased before Randall Sand & Gravel was permitted to operate their gravel extraction, rock crushing, cement batch plant and commercial truck operation directly below Rivercrest. We are impacted with loud and steady noise from this operation on a regular week day basis. The only days we have without as much noise is Saturday and Sunday, if that.

This event is not helping to support local schools like "Walk in the Park", nor is it for a non-profit organization. For the neighboring property owners, its just another source of noise on a Saturday, another reason for people to drive from their homes down to our neck of the woods to drink beer, wine, margaritas', eat pizza and listen to live amplified music and then drive back to the peace and quiet of their homes and neighborhoods. Like I told you before, Tooby Memorial Park, while under County operation, never allowed amplified music of any kind and that was from 1967 to 2004. Now that is your historical use. After 2004, Tooby Park became a private park, under control and operation of the Park Board And that is when all the trouble started.

Like we have talked about for years, the Park Board needs to finish and get their GPA approved and adopted by the Planning Commission and Board of Supervisors, which is open to public comments, public and community meetings, a public process. I thought that was the whole point to the GPA process, that our voices would and could be heard. What about OUR property rights?

Sorry I did not include this in my email yesterday, it took me sometime to get over what Director Hamblin had told you and said from last year (see attachment). Its hard to sometimes understand why people name call and assume the worst in people they don't know or understand. The fact Director Hamblin can even make a comment like "friend and foe of the Park" can create more of a wedge and conflict between the community, the neighbors, the Park Board and now the County. Which I might add, hurts like salt in an open wound.

I think Director Hamblin should be accountable and explain his statement, so we can understand who he thinks are "friend and foe of the Park", e.g. is this only what County employees say in private? I mean, this is coming from the Planning Director, is this what he wants everyone to believe in the Planning Department? That if you don't like the direction the Park Board is taking to rezone the Park without having meeting open to the public, we are "foe"? And who is "friend", the Park Board?

Please share this email with your Director, I know I will.

If you give them an inch, they will take a mile.  
Ed Voice & Voice Family  
Neighboring property owner since 1966

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** 'Ed Voice'

**Sent:** Wednesday, April 30, 2014 11:03 AM

**Subject:** RE: Southern Humboldt Community Park

Hi Ed,

Attached is an email from the Planning Director last year responding to questions about the Walk in the Park event held at Tooby Park last year. From what I can tell in the information in the links you sent, the proposed fundraiser for the bike club falls within the authorized uses of Tooby Park described in the email from the Director. If there's something I'm missing, please let me know.

Thanks!

- Michael R.

(707) 268-3723

[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

---

**From:** Ed Voice [<mailto:evoice@mchsi.com>]

**Sent:** Monday, April 28, 2014 1:12 PM

**To:** Richardson, Michael

**Subject:** Southern Humboldt Community Park

Hi Michael,

More new advertizing for this public assembly and live amplified music event at the Southern Humboldt Community Park for May 24th, 2014:

<https://funaroundyou.com/event/804051/Kings-Paradise-International-Mountain-Bike-Day-kin>

<http://www.wherevent.com/detail/Humboldt-Underground-Bicycle-KINGS-PARADISE-International-Mountain-Bike-Day-King-Range-Paradise-Royale-Trail-Completion-Fundraiser>

<https://pinvents.com/event/516263098479558/kings-paradise-international-mountain-bike-day-ki>

<https://www.facebook.com/events/516263098479558/>

Ed Voice

## Richardson, Michael

---

**From:** Zoe Chapman <wolf@asis.com>  
**Sent:** Wednesday, April 30, 2014 8:25 PM  
**To:** Richardson, Michael  
**Subject:** Re: May 24th Amplified fundraiser

Thanks for that Michael but I have to point out that this bike event in Tooby Park is not at all the same as the Walk in the Park event was last year.

There was no noise with the Walk in the Park event last year and no parking problems. This event is completely different with loud noise and a huge need for extra parking, because people live really close to the park. These events are NOT the same.

Paid off Hamlin should come down here and take a look at the site and learn how to do his job properly. Z

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** ['Zoe Chapman'](#)  
**Sent:** Wednesday, April 30, 2014 11:07 AM  
**Subject:** RE: May 24th Amplified fundraiser

Hi Zoe,

Attached is an email from the Planning Director last year responding to questions about the Walk in the Park event held at Tooby Park last year. From what I can tell the proposed fundraiser for the bike club falls within the authorized uses of Tooby Park described in the attached email from the Director. If there's something I'm missing, please let me know.

Thanks!

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

---

**From:** Zoe Chapman [mailto:wolf@asis.com]  
**Sent:** Tuesday, April 29, 2014 2:08 PM  
**To:** Richardson, Michael  
**Subject:** May 24th Amplified fundraiser

Please prevent this noisemaker and environmental wrecker at our Community Park/Tooby flat, down here in Sohum.. Thank you.

**Richardson, Michael**

---

**From:** Kristin Vogel <kv2@gotsky.com>  
**Sent:** Wednesday, April 30, 2014 3:19 PM  
**To:** Hamblin, Kevin; Richardson, Michael  
**Subject:** Re: Sohum Community Park plans amplified fundraiser May 24

Dear Director Hamblin and Planner Richardson,

Thank you for getting back to me about approving the Mountain Biking fundraiser at the SHCP Tooby Memorial Park.

I notice that the decision was made in 2013 in regards to Walk in the Park which is a family event. So I would like to point out how this May 24th Mountain Biking public event is different from Walk in the Park.

First it is not a fundraiser for Sohum Community Park. In addition, it may set a precedent that Tooby Park is now a venue open for amplified third-party fundraisers. Before the SHCP took over Tooby Memorial Park the County kept to the rules that Mrs. Tooby asked for so that the whole community could enjoy it. One of those rules was no amplification allowed there.

Since Tooby is a small park on a busy two-lane road I have the following questions: If 300 people come to the event, what is there to prevent more than 300? Who will take care of a possible overflow of people and vehicles who are coming just for the band? What is the parking plan? What is the definition of moderate amplified? This band is not local and if it gets loud what should the neighbors do? What about alcohol use in the Park. Will there be underage drinking at the event? The audience for this event will be young teens to 30 somethings. Walk in the Park is a family event and does not have this ambience. EZ Money, the band to play for this fundraiser, will not be using a little PA system as they do at Walk in the Park.

You may be opening the door for a lot potential troubles by allowing this event. This could encourage more amplified fundraisers at Tooby. Did the SHCP even notify you of this event until it was already planned and advertised?

The 600 people in the community, who don't want amplified in the Park and who signed petitions, know that once it gets started it won't be easy to stop. Amplified events on Park property have caused the controversy in our community and we ask you to please not let this get started at Tooby Park while the Park Board's General Plan Amendment process isn't finished.

The terms "friend or foe of the Park" is a cliché often used by the Park Board to simplify and even vilify community members and businesses who have legitimate and responsible viewpoints on its uses. The Park property is a beautiful place which we all hope to see into the future. Resolving the controversy is being made more difficult by the Park Board itself by not having any of its meetings open to the public, which has been nearly five years now.

Thank you for considering my comments to your decision. I hope that by reading some of the history you will change your mind.

Thank you,

Kristin Vogel  
Garberville, CA 95542  
707 923-9284

On 4/30/2014 11:09 AM, Richardson, Michael wrote:

Hi Kristin,

Attached is an email from the Planning Director last year responding to questions about the Walk in the Park event held at Tooby Park last year. From what I can tell the proposed fundraiser for the bike club falls within the authorized uses of Tooby Park described in the attached email from the Director. If there's something I'm missing, please let me know.

Thanks!

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

---

**From:** Kristin Vogel [<mailto:kv2@gotsky.com>]  
**Sent:** Friday, April 25, 2014 9:20 PM  
**To:** Richardson, Michael  
**Subject:** Sohum Community Park plans amplified fundraiser May 24

Michael Richardson,

I would like to protest the use of Tooby Memorial Park and/or the Tooby Flat, both a.k.a. the Southern Humboldt Community Park as a venue for an amplified fundraiser on May 24th, 2014. The event doesn't seem to have a permit and if my memory is correct there is a compliance agreement that the Park Board is supposed to abide by which disallows amplified activities as long as the GPA submitted by them is not completed. The imposition of outdoor amplified noise is a sore point of controversy in our neighborhoods and the Park property is shaped like a topographical amphitheater from which sound travels out for miles.

Thank you,  
Kurt E. Volckmar  
Garberville, CA 95542

923-9284



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This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, April 30, 2014 12:01 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park

Hi Michael and Thank you,

Yes, what you are missing is the fact the May 24th public assembly with live amplified music is not for the Southern Humboldt Community Park like "Walk in the Park". These are apples and oranges fundraisers, if that is what you call them. Its a public assembly with live amplified music. This is not a DJ playing CD's on a small public amplified address system.

This event is for a private group of people, that are NOT a non-profit community anything. This is why I have a problem with the Park Board's compliance agreement with the County. Why does it keep changing?

And by the way, if you want to talk about the historic use at Tooby Memorial Park, the County never allowed amplified music at Tooby Park. It was not until the Park Board was allowed to take over Tooby Park (2004) that amplified music became a problem. Sure it has a history of public assembly and public usage, but not live amplified music. Tooby Memorial Park stopped being a public park and became a private park when the SHCP Board took over its operation. Please try and remember that

And by the way, there are more people in the community and neighboring property owners that DO NOT want public assembly or live commercial amplified music performances at Tooby Park or the SHCP. Maybe you should check your mail, see if anyone else has my same opinion.

And by the way, when Director Hamblin said: "List the reason that this is allowed and send it to friend and foe of the park"; by foe he meant "**F**or **O**pen space and the **E**nvironment", right? Please tell Director Hamblin we are not "foe" of the SHCP, we are opposed to what the Park Board is doing or not doing. If we are "foe", then there is over 600 of us, that have all signed individual petitions and the County has a binder full of over 300 of them, that was submitted during the SHCP GPA petition hearing before the Board of Supervisors in Nov 2009.

Thank you again,  
Ed Voice & Voice Family  
Neighboring property owner since 1966

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** 'Ed Voice'  
**Sent:** Wednesday, April 30, 2014 11:03 AM  
**Subject:** RE: Southern Humboldt Community Park

Hi Ed,

Attached is an email from the Planning Director last year responding to questions about the Walk in the Park event held at Tooby Park last year. From what I can tell in the information in the links you sent, the proposed fundraiser for the bike club falls within the authorized uses of Tooby Park described in the email from the Director. If there's something I'm missing, please let me know.

Thanks!

- Michael R.  
(707) 268-3723  
mrichardson@co.humboldt.ca.us

---

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Monday, April 28, 2014 1:12 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Hi Michael,

More new advertizing for this public assembly and live amplified music event at the Southern Humboldt Community Park for May 24th, 2014:

<https://funaroundyou.com/event/804051/Kings-Paradise-International-Mountain-Bike-Day-kin>

<http://www.wherevent.com/detail/Humboldt-Underground-Bicycle-KINGS-PARADISE-International-Mountain-Bike-Day-King-Range-Paradise-Royale-Trail-Completion-Fundraiser>

<https://pinvents.com/event/516263098479558/kings-paradise-international-mountain-bike-day-ki>

<https://www.facebook.com/events/516263098479558/>

Ed Voice

## Richardson, Michael

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**From:** Zoe Chapman <wolf@asis.com>  
**Sent:** Tuesday, April 29, 2014 2:08 PM  
**To:** Richardson, Michael  
**Subject:** May 24th Amplified fundraiser

Please prevent this noisemaker and environmental wrecker at our Community Park/Tooby flat, down here in Sohum.. Thank you.

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, April 28, 2014 1:12 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Hi Michael,

More new advertizing for this public assembly and live amplified music event at the Southern Humboldt Community Park for May 24th, 2014:

<https://funaroundyou.com/event/804051/Kings-Paradise-International-Mountain-Bike-Day-kin>

<http://www.wherevent.com/detail/Humboldt-Underground-Bicycle-KINGS-PARADISE-International-Mountain-Bike-Day-King-Range-Paradise-Royale-Trail-Completion-Fundraiser>

<https://pinvents.com/event/516263098479558/kings-paradise-international-mountain-bike-day-ki>

<https://www.facebook.com/events/516263098479558/>

Ed Voice

## Richardson, Michael

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**From:** Kristin Vogel <kv2@gotsky.com>  
**Sent:** Friday, April 25, 2014 9:20 PM  
**To:** Richardson, Michael  
**Subject:** Sohum Community Park plans amplified fundraiser May 24

Michael Richardson,

I would like to protest the use of Tooby Memorial Park and/or the Tooby Flat, both a.k.a. the Southern Humboldt Community Park as a venue for an amplified fundraiser on May 24th, 2014. The event doesn't seem to have a permit and if my memory is correct there is a compliance agreement that the Park Board is supposed to abide by which disallows amplified activities as long as the GPA submitted by them is not completed. The imposition of outdoor amplified noise is a sore point of controversy in our neighborhoods and the Park property is shaped like a topographical amphitheater from which sound travels out for miles.

Thank you,  
Kurt E. Volckmar  
Garberville, CA 95542

923-9284



This email is free from viruses and malware because [avast! Antivirus](#) protection is active.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, April 23, 2014 1:42 PM  
**To:** Richardson, Michael  
**Subject:** Re: Non-Southern Humboldt Community Park event?

Thanks Michael,

Could they have asked someone else in Planning? It just seems crazy, but they are going forward with this BLM Bicycle fundraiser. I thought they were instructed to ask permission for public assemblies and amplified music performances like this one. This is not a Park Board event like the Easter egg hunt or Walk in the Park.

Can you find out what is going on?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** 'Ed Voice'  
**Sent:** Wednesday, April 23, 2014 1:26 PM  
**Subject:** RE: Non-Southern Humboldt Community Park event?

Hi Ed,

I haven't heard about the event.

Their application seems to be progressing. They've apparently hired a firm from the Bay Area to pull together a draft EIR.

- Michael R.  
(707) 268-3723  
[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

---

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, April 23, 2014 1:23 PM  
**To:** Richardson, Michael  
**Subject:** Non-Southern Humboldt Community Park event?

?????

<https://www.facebook.com/events/516263098479558/>

----- Forwarded Message -----

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**To:** "Michael Richardson" <[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)>  
**Cc:** "Rachel" <[Rachel\\_Sowards@blm.gov](mailto:Rachel_Sowards@blm.gov)>, [rsowards@blm.gov](mailto:rsowards@blm.gov), [gpeterso@blm.gov](mailto:gpeterso@blm.gov), [jkenna@blm.gov](mailto:jkenna@blm.gov), [alara@blm.gov](mailto:alara@blm.gov)  
**Sent:** Monday, April 21, 2014 10:24:46 AM GMT -08:00 US/Canada Pacific  
**Subject:** A fundraiser to help the BLM complete the Paradise Royale Trail Project

? Hi Michael.

Just thought you should know, Dennis Huber (President of the Park Board) had these guys on his KMUD radio show this morning, talking about how big this event is going to be at the Southern Humboldt Community Park/Tooby Park on May 24th, to help raise money for BLM e.g. bicycle trail out at the King Range National Conservation

Area. So I wanted to know why this public assembly is being held at the Community Park/Tooby Park? What does BLM have to do with it? This group of people trying to raise money for BLM are not even a non-profit organization. I get tired of the Park Board asking for forgiveness after the fact, when they should have asked permission with you guys first. These events at the Park need to have a public process and input from neighboring property owners before these public assemblies and amplified music events are scheduled. What is happening with their GPA process? We are the ones that have to live with this crap after they all go home!

We both know how bad Sprowel Creek road can be and then you add beer, wine mixed drinks and live music? Why doesn't BLM have this event at the King Range? I don't know what's worse, people on bicycles or people in cars that are under the influence?

Thanks for putting up with me,  
Ed Voice

----- Forwarded Message -----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com)

To: "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>

Sent: Sunday, April 20, 2014 6:48:18 PM GMT -08:00 US/Canada Pacific

Subject: KMUD is Sponsoring Kings Paradise! The International Mountain Biking Day in Southern Humboldt! May 24th at Tooby Park- Bring your bikes!!!

Michael,

Did you know about this event at Tooby Park? It would seem, this public assembly and amplified music event that is also providing and selling alcohol has nothing to do with the Southern Humboldt Community Park. Was the CHP asked about this event?

Thanks  
Ed Voice

<https://www.facebook.com/events/516263098479558/>

A fundraiser to help the BLM complete the Paradise Royale Trail Project. Featuring Live Music by EZ Money, Carnival Games under the Circus Tent, Free Bike Maintenance, Raffle Prizes including a NEW MOUNTAIN BIKE, Bicycle Demos, Local and International Bike Films and treats like: Wood Fired Pizza, Beer, Wine, Mimosas, Margaritas & Vegan Gelato.

Jeanette posted an event to Southern Humboldt Community Park's timeline.

KMUD is Sponsoring Kings Paradise! The International Mountain Biking Day in Southern Humboldt! May 24th at Tooby Park- Bring your bikes!!!

<https://www.facebook.com/events/516263098479558/>

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, April 23, 2014 1:23 PM  
**To:** Richardson, Michael  
**Subject:** Non-Southern Humboldt Community Park event?

?????

<https://www.facebook.com/events/516263098479558/>

----- Forwarded Message -----

From: evoice@mchsi.com  
To: "Michael Richardson" <mrichardson@co.humboldt.ca.us>  
Cc: "Rachel" <Rachel\_Sowards@blm.gov>, rsowards@blm.gov, gpeterso@blm.gov, jkenna@blm.gov, alara@blm.gov  
Sent: Monday, April 21, 2014 10:24:46 AM GMT -08:00 US/Canada Pacific  
Subject: A fundraiser to help the BLM complete the Paradise Royale Trail Project

? Hi Michael.

Just thought you should know, Dennis Huber (President of the Park Board) had these guys on his KMUD radio show this morning, talking about how big this event is going to be at the Southern Humboldt Community Park/Tooby Park on May 24th, to help raise money for BLM e.g. bicycle trail out at the King Range National Conservation

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Thanks for putting up with me,  
Ed Voice

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Jeanette posted [an event](#) to [Southern Humboldt Community Park's timeline](#).

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<https://www.facebook.com/events/516263098479558/>

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, April 21, 2014 10:25 AM  
**To:** Richardson, Michael  
**Cc:** Rachel; rsowards@blm.gov; gpeteroso@blm.gov; jkenna@blm.gov; alara@blm.gov  
**Subject:** A fundraiser to help the BLM complete the Paradise Royale Trail Project  
**Attachments:** 1902006\_761888297178657\_37671251295246572\_n.jpg

? Hi Michael.

Just thought you should know, Dennis Huber (President of the Park Board) had these guys on his KMUD radio show this morning, talking about how big this event is going to be at the Southern Humboldt Community Park/Tooby Park on May 24th, to help raise money for BLM e.g. bicycle trail out at the King Range National Conservation

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To: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
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## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Sunday, April 20, 2014 6:48 PM  
**To:** Richardson, Michael  
**Subject:** KMUD is Sponsoring Kings Paradise! The International Mountain Biking Day in Southern Humboldt! May 24th at Tooby Park- Bring your bikes!!!  
**Attachments:** 1902006\_761888297178657\_37671251295246572\_n.jpg

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<https://www.facebook.com/events/516263098479558/>

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, January 01, 2014 11:29 AM  
**To:** kathryn.Lobato@gmail.com  
**Cc:** Jim Truitt; Dennis Huber; pryce@asis.com; Carol Van Sant; kristina.suarez@gmail.com; Ross Huber; Tim Metz; rebecca.crow@ghd.com; Richardson, Michael  
**Subject:** SHCP CDPH Pre-Planning Grant Application Boondoggle  
**Attachments:** SHCP CDPH Pre-Planning Grant Application 2013.pdf

Dear Park Board,

It would seem Michael was right, that you are using funding from the CDPH Pre-Planning grant for study's and reports concerning the SHCP EIR? See attachment, Task 3. I did notice that as in past grant applications, the Park Board fails to talk about the facts by omitting certain vital information concerning the SHCP GPA? This grant application has nothing to do about getting water from GSD, it has everything to do about getting your GPA EIR paid for using public and taxpayer funding, right?

Had the Park Board dropped their County GPA? There is no mention of it in this CDPH pre-planning grant application. Nor is there any mention the Park Board being dropped out of the GSD annexation process back in Sept/Oct 2013 because of conflicting environmental concerns . Did that fact just slip your mind?

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Sunday, November 17, 2013 7:24 PM

**Subject:** RE: Southern Humboldt Community Park GPA/EIR

No. It appears they are trying to get grant funding to assess the impacts of annexing into the GSD. If they get that, I expect they will hire a consultant to do that and the other studies. They are working with GHD in Eureka for the annexation work. I'm not sure if that is who they will use for the other parts as well.

- Michael R.

---

**From:** Ed Voice [evoice@mchsi.com]

**Sent:** Sunday, November 17, 2013 5:03 PM

**To:** Richardson, Michael

**Subject:** Southern Humboldt Community Park GPA/EIR

Hi Michael,

Just checking in to see if the SHCP Board has submitted anymore studies, reports or information concerning their GPA/EIR? I am looking for anything since they submitted their sound and noise assessment, like a wetland or bio study, wildlife habitat study etc.

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, September 24, 2013 11:40 AM  
**To:** Richardson, Michael; Miller, John  
**Subject:** Fw: Garberville Sanitary District Annexation/Place of Use Petition Division of Water Rights  
**Attachments:** SHCP Dennis Huber to GSD Re\_Annexation Sept 2013.pdf

FYI.....

Ed Voice

----- Original Message -----

**From:** [Jennie Short](#)  
**To:** [Ed Voice](#)  
**Cc:** [Rio Anderson](#)  
**Sent:** Sunday, September 22, 2013 8:32 AM  
**Subject:** Re: SHCP Letter to GSD Sept 2013

Hello Ed,

In attendance at the meeting on the 29th were Rio, myself, Dennis Huber and Kathryn. It was in the GSD office, so various other GSD staff were in the same room, but not part of the meeting. We were not discussing what went on during closed session, but were informing the Park that they had been removed from the Annexation Project.

I hadn't read that sentence that way, but I see why you say that. I never told the Park that it was because "Ed Voice had threatened litigation" although I do understand why they see it that way after the KMUD interviews. We did explain to Dennis H and Kathryn that after being advised by CEQA counsel on the risks and costs associated with defending a CEQA challenge, that the Board felt that the risk to the District was too high as compared with the benefits to the Park. The Park is pursuing a GPA and a major development project that has not been reviewed under CEQA yet, and the timing for their project and our project have not coincided well.

We discussed the LAFCo conditions on the Kimtu line and the CDPH conditions on the line, and the physical conditions of the GSD system that may result in them never being able to connect to the Kimtu line. I also explained the complexity of providing service to various parts of their parcel because of the infrastructure limitations. The idea that construction of the Kimtu line would remedy all that is not the case with the conditions on that line. Mostly it was explaining that yes, Mark Bryant may have promised to eventually serve them off the Kimtu line, but he did not have the authority to make the decisions alone that it takes to fulfil that promise, and current staff cannot change the current circumstances. That the Park does have other water sources to provide water to the two residences that we were going to annex.

We discussed that the Park was not consuming GSD water and hasn't been for years. But, the fact that the Park is not consuming water was not the only factor in the Board's decision. There are 5 other developable APNs (222-156-014, 222-156-015, 222-156-016, 222-156-018, and 032-171-022) that are proposed to be brought into the POU and jurisdictional boundary that are not currently consuming water. If water consumption was the only factor, then those APNs would have been eliminated also. It was the totality of the facts and timing of the Park's GPA project that influenced the Board's decision, not a specific list of reasons.

I am sure there are other properties that could have been included, and a few that could have been excluded, but we have done the best job we can at creating a boundary that generally encompasses the areas that we are serving water in: and that was the goal set forth at the start of the annexation project. For example, there are two APNs that LAFCo commented should be included that weren't. We aren't adding those to the project. But, unless the District is going to turn off people's water, then everyone that is consuming water must be in the annexation project.

The bottom line is that the Park needed to be told that they had been removed from the annexation project and one board member and I met with them to inform them.

If you have further questions about the content of the Final IS/MND I will try to answer them.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice <evoice@mchsi.com>  
To: Jennie Short <jshort@garbervillesd.org>  
Cc: Rio Anderson <talktorio@gmail.com>  
Subject: Re: SHCP Letter to GSD Sept 2013  
Sent: Sep 21 '13 3:13pm

***"We were disheartened to learn that threatened litigation by Ed Voice has caused you to remove the Park from your annexation".***

And then in a different part of the same letter state:

***"At our meeting with Jennie Short and Rio Anderson last month, Jennie informed us that the Park was the only rate payer that was taken out of the annexation. The reason she cited was that we aren't currently receiving water"***

So what you are saying, it was only Dennis Huber's opinion and not GSD's that: ***"threatened litigation by Ed Voice has caused you to remove the Park from your annexation"***.

So did you tell Dennis Huber: ***"Jennie informed us that the Park was the only rate payer that was taken out of the annexation. The reason she cited was that we aren't currently receiving water"***

Again, these are two different reasons. Who else was at the meeting besides Dennis Huber and where did the meeting take place?

It just seems like a double standard, that you can't disclose to the public what was talked about in a closed session meeting, but you can with the Park Board in a private meeting?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Jennie Short](#)  
**To:** [Ed Voice](#)

Cc: [Rio Anderson](#)

Sent: Saturday, September 21, 2013 2:45 PM

Subject: Re: SHCP Letter to GSD Sept 2013

See responses below.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice <[evoice@mchsi.com](mailto:evoice@mchsi.com)>

To: Jennie Short <[jshort@garbervillesd.org](mailto:jshort@garbervillesd.org)>

Cc: Rio Anderson <[talktorio@gmail.com](mailto:talktorio@gmail.com)>

Subject: SHCP Letter to GSD Sept 2013

Sent: Sep 21 '13 2:15pm

Hi Jennie,

1. Did GSD or anyone representing GSD ever reply back to the attachment I have included? If so, can you please email it to me? *To date there has been no response back to the Park letter in the attachment. The Board may choose to respond Tuesday. In the staff report for the Annexation Project, in the staff recommendations I do recommend that they respond, but it will be up to them.*

2. What meeting, on what date and where did you and Rio Anderson meet with the SHCP as stated in the attachment? The reason, this meeting was never disclosed at a GSD public meeting or disclosed as ex parte communication from BOD Anderson during the June, July or August 2013 GSD BOD meetings concerning the Annexation IS/MND. *It was Aug 29, 2013.*

3. How many other meeting like this have taken place with GSD Staff or BOD or both with members of the SHCP BOD or staff in the last 6 months that discussed the 2013 Annexation IS/MND? *I don't know without researching it. My offhand guess would be one other one, but I would have to review my calendar to answer that. I can do that, but not today.*

The reason I bring it up, Mr Huber states two different reasons that the GSD BOD removed the SHCP from the annexation process, see attachment. So I wanted to know the correct reason that was discussed at this meeting between you and Rio Anderson. *I don't see two reasons in the letter. Please list what you think the Park's letter gives as reasons. Keep in mind that this letter portrays how the Park sees this situation. The Board can speak to their reasoning for removing the Park from the Annexation Project if they so choose at the Tuesday Board meeting.*

Thank you  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, September 24, 2013 11:20 AM  
**To:** George Williamson; Colette Metz; Richardson, Michael; Matranga, Mark@Waterboards; Lund, Ronnean (CDPH-DDWEM); Miller, John; Deardorff, Natalia (CDPH-PS-DDWEM); Michael van Hattem; Jane Arnold  
**Subject:** Fw: Garberville Sanitary District Public Comments on Final IS/MND, Annexation/Place of Use Petition Water Rights  
**Attachments:** Public Comments on Final IS.MND (9.24.2013).pdf

----- Original Message -----

**From:** [Lynne Saxton](#)  
**To:** 'Jennie Short'  
**Cc:** 'Ed Voice'  
**Sent:** Tuesday, September 24, 2013 10:59 AM  
**Subject:** Public Comments on Final IS/MND

Please see the attached letter.

Thank you.

Lynne R. Saxton  
Saxton & Associates  
912 Cole Street, #140  
San Francisco, CA 94117  
Tel: (415) 317-6713  
Email: [lynne@saxtonlegal.com](mailto:lynne@saxtonlegal.com)

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, September 23, 2013 10:52 AM  
**To:** Richardson, Michael  
**Subject:** Walk in the Park @ Tooby Park and Southern Humboldt Community Park  
**Attachments:** SHCP Walk in the Park 2013 Admission Entrance Fee.pdf

Hi Michael,

Not to beat this dead horse, I wanted you to hear this KMUD Radio show from this morning, where some of the Community Park Board talks about their "Walk in the Park" event and talk about the live music, performances, vendors and food at the Park on September 29th.

Here is a link, they start talking about it at 35:56 on the counter. Let me know what you think:

[http://archive.kmud.org/mp3/kmud\\_130923\\_080000goodmorning2.mp3](http://archive.kmud.org/mp3/kmud_130923_080000goodmorning2.mp3)

Please remember, they are charging an entrance and registration fee for this event, its not free, see attachment.

Thanks  
Ed Voice

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, September 18, 2013 6:39 PM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin; Nielsen, Christian; Chaitin, Wendy; Fennell, Estelle; Ruth, Carolyn  
**Subject:** Re: Walk in the Park - Community Park  
**Attachments:** SHCP GPA NOP CHP comments.eml

Thank you for sharing this email Michael,

Let me say, we are very disappointed in the way the County is expanding these un-permitted public assemblies, amplified music and commercial performance events at the Park until the Park Board has completed their GPA, e.g. as stated by the: Code Enforcement, County Counsel's Office and the Board of Supervisors without public, community or neighboring property owners having any say what so ever.

You know, Sundays are the only day of the week there is any peace and quiet at our house right across the river from Tooby Park; because Randall Sand & Gravel is not allowed to work on Sundays, who leases the property for their operation from the SHCP Board right behind and below our house and on the river bar. And now the County has allowed the SHCP Board to expand their events at Tooby Park to include more people attending their events and allow "moderately amplified music" (what ever that means) with no over sight or public input or comment.

Did you know that the SHCP Board stops traffic on Sprowel Creek Road to allow people to cross back and forth between Tooby Park and the SHCP? It was my understanding that the CHP did not want events at the SHCP because of safety concerns on Sprowel Creek Road (see attachment) etc. Has anything changed? Have you talked with the CHP about this? This non-permitted home made cross walk is in a very poor location, did the CHP or Public Works approve it or its use by the public during public assemblies? I believe you just did by expanding this event!

Because this approval was allowed only in private and not before the Planning Commission, the public has no recourse to appeal this approval to the Board of Supervisors, what is the public's recourse at this point?

FYI & BTW, since the County has expanded the SHCP Board events, today on the SHCP "Walk in the Park, Run in the Redwoods and Community Fair" facebook page: ***"Really Excited for Marjo Lak from Butter Music to be playing some fun and worldly beats for us at the fair! Bring your dancing shoes!"***

Does this email below have teeth? What happens if things get out of hand, go wrong, drinking, driving or goes on too long? Its not like it has not happened before. Is the County on the hook if anyone is effected from this event you have now approved and grandfathered to the SHCP Board? Does the County want to buy or rent our house?

Remember what I said about giving the SHCP Board an inch, the County just gave them a couple miles.....

Ed Voice & Voice Family

Neighboring property owner since 1966

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** ['Kathryn Lobato'](#)

**Sent:** Wednesday, September 11, 2013 1:32 PM

**Subject:** RE: Walk in the Park - Community Park

Hi Kathryn,

Based on the information you provided, our Director considers the proposed Walk in the Park event to be within the compliance agreement as long as it meets all the following performance standards:

- the event is limited to @300 persons
- the moderately amplified music will be located only at the Tooby Memorial Park site and played only during the day (11:00am - 6 pm),

Please let me know if you have any other questions or comments.

Thanks!

- Michael R.

---

**From:** Kathryn Lobato [mailto:kathryn@sohumpark.org]

**Sent:** Wednesday, September 11, 2013 7:33 AM

**To:** Richardson, Michael

**Cc:** Hamblin, Kevin; Ruth, Carolyn; Fennell, Estelle; Dennis Huber

**Subject:** Re: Walk in the Park - Community Park

Hi Michael,

Thanks for your communication regarding the details of our upcoming "Walk in the Park", a family friendly event that raises funds for our local schools and Tooby Park playground. While we are fully aware of the agreement with your Department dated April 1, 2009 we want to point to additional agreements made with the Planning Director dated May 1, 2009 regarding the use of Tooby Park.

In determining the parameters of the compliance agreement with your department, there were additional email communications and phone conversations between myself, Marcella Clem (our planner at the time) and Kirk Girard regarding allowable uses at Tooby Park. Allowed uses at Tooby Park are different from the rest of the property due to an established history of nonconforming uses at Tooby Park -- including a fifty year history of community events and gatherings during the period Tooby Park was administered by the County. There is a long history of small scale events moderately amplified music at Tooby Park. Therefore it was agreed that small scale events, including events with moderately amplified music, could continue in that area of the property.

I have attached the email with the description of the types of allowable uses for Tooby Park that were approved by Kirk Girard. This is the agreement that we have been operating under since 2009. Both of the events that were listed as examples of events for approval at Tooby Park have included amplified music. I have also attached the advertising for the Hospice Barnyard Brew dated 7/08/2008, which discusses the featured amplified music at that time.

Walk in the Park is an event that raises funds for our local schools and our playground. It is very much the same as it has been in past years despite what you may be hearing. Walk in the Park has included mellow amplified music every year since its inception with bands such as the South Fork High School Band, the Garberville Town Band and other local favorites.

The event starts at 10am and is over by 4pm. The "Walk in the Park" event, as planned, is well within the parameters in our May 1, 2009 agreement with Kirk Girard.

Best Regards,

Kathryn Lobato  
Executive Director

On 9/10/2013 12:00 PM, Richardson, Michael wrote:

Hi Kathryn,

Based on your description of the event below, what is being proposed for this year's Walk in the Park event mostly appears to be within the uses of the compliance agreement approved by the former Planning director in 2009 (attached) and continued by the current Director in 2013. Also attached is the description of the event approved in 2010.

However, our office is in receipt of several recent emails expressing concern about this event, saying it is expanding over previous year's events. While use of a public address system has been permitted for the events at the Park in the past, and playing DJ using that same public address system to enhance the obstacle course event falls within the events held in previous years, the local bands playing music were not specifically mentioned in 2010, so I'm unable to respond that this part of the event is the same as in previous years. In your description of this year's event, it is unclear if the bands will be playing amplified music.

As long as this year's event conforms to the description you provided below, and the use does not involve amplified music aside from the use of the public address system used by the announcer, our Department considers this year's event to align with the events our Department has approved previously, and is within the 2009 compliance agreement. If instead the bands are playing amplified music using equipment aside from the public address system used by the announcer, that would be outside the uses approved in the 2009 compliance agreement, and would not be allowed by our Department.

Please let me know if you have any questions or comments.

Thanks!

- Michael R.

---

**From:** Kathryn Lobato [<mailto:kathryn@sohumpark.org>]

**Sent:** Tuesday, August 27, 2013 11:57 AM

**To:** Richardson, Michael

**Subject:** Re: Walk in the Park - Community Park

Hi Michael,

Checking in again regarding the status of the Walk in the Park. During our phone call you said that we had a blanket permission for this event.

We will assume it is all good to go unless I hear something different from you.

Thanks,

Kathryn Lobato

On 8/21/2013 3:51 PM, Kathryn Lobato wrote:

Hi Michael,

Just as a follow up to our conversation yesterday, I thought I would give you a little information about what we are planning for Walk in the Park this year. While we are waiting for the completion of our rezoning we want to be in full compliance with your department while still providing a few small fun events for the community.

Walk in the Park is in its ninth year and has remained essentially the same with a few minor changes from year to year. The event is a benefit for Tooby Park and our local schools. It is a family friendly event that attracts around 300 people over the course of the day. There will be food and other craft and nonprofit information booths. The "Walk" portion of the event takes place on larger park trail system with two starting times.

In 2009, when we began our General Plan Amendment process, we moved the “fair” portion of the event over to Tooby Memorial Park on your Department’s advice. The event is planned to be the same size and nature as in the past and is within the range of the historic, recognized and lawfully established “nonconforming uses” at Tooby Park.

The kid’s obstacle course will take place at Tooby Park and will have an announcer with a public address system. The announcer will also play DJ music during the kids races on the course. Again this year, we hope to have three local bands that will perform at Tooby Park. The sound level is reasonable and it will occur between 12:00 pm and 4:30 pm.

The Community Park’s Noise Study reports that the sound level typical for this type of small event would be approximately 70 dBa at 500 feet from the source and 45 CNEL at the closest neighbor. Ambient daytime neighborhood noise was registered at 65 dBa .

I’m just checking in with you to provide specific information about our plans for Walk in the Park this year and to get your approval for this year.

Best Regards,

Kathryn Lobato

Executive Director

707 923-7871

|

## Richardson, Michael

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**From:** Kristin Vogel <kv2@gotsky.com>  
**Sent:** Wednesday, September 11, 2013 8:44 PM  
**To:** Hamblin, Kevin  
**Cc:** Richardson, Michael; Chaitin, Wendy; Bass, Virginia; Sundberg, Ryan; Fennell, Estelle; Lovelace, Mark; Bohn, Rex  
**Subject:** SHCP Walk in the Park event schedules amplified bands despite restrictions  
**Attachments:** Park Petition.docx

Dear Director of CDS, Mr. Hamblin,

The SHCP's Walk in the Park, is scheduled to stage amplified music during the event on September 29, 2013. This violates the conditions established at the Park Board's GPA petition hearing in 2009 and the Zuber letter. The Park Board was told at their petition hearing to have no more amplified events whatsoever until their GPA was approved for such activities.

Six hundred people in the community have signed individual petitions requesting that no amplified events be held anywhere on SHCP property. (Please see attachment) The County has copies of the first 300 of them. It's very important that this condition be upheld because, if it isn't, the Park Board will ignore it and continue to escalate as they plan to do at this month's Walk in the Park event. Amplified events are the most controversial of the uses that the Park Board wants on their property. Their loud unpermitted events in years past were public nuisances. The result was community outrage. That's why so many in the community signed the petition.

In answer to claims by Ms. Lobato that public gatherings with amplified sound were customary at Tooby Park, I beg to differ. There has never been a circus at Tooby Memorial Park. One time there was a small circus that performed behind the old school on Sprowel Creek RD. At other times they were at Benbow. Any amplified music that might have accompanied barbeques before the SHCP took over Tooby Park would have been in violation of the rules that the County had for Tooby Memorial Park. No precedents have ever been established at Tooby Park that legitimize what the Park Board wants to get away with at this year's expanded Walk in the Park. **Non-amplified acoustic music** is the way for the Park to be a good neighbor. Please hold the line on this.

Thank you,

Kristin Vogel  
POB 453  
Garberville, CA 95542  
(707)923-9284

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, September 11, 2013 3:18 PM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin; Chaitin, Wendy; Ruth, Carolyn; Nielsen, Christian; Lovelace, Mark; Fennell, Estelle; Bohn, Rex; Bass, Virginia  
**Subject:** Fw: Walk in the Park - Community Park  
**Attachments:** Approval Tooby Park.ClemGirard-1.pdf; Hospice Barnyard Brew 2008.pdf

Thank you Michael,

I just wanted to add a couple things to what Kathryn Lobato sited and stated in her email below;

One being, for as long as Tooby Memorial Park was operated and included in the Humboldt County Park System, no one was allowed to have amplified music at Tooby Park, it was in the Park rules, just like NO Camping or Fireworks.

Second, how does she consider her attachment (Approval Tooby Park,ClemGirad-1.pdf) to be approving amplified music events at Tooby Park in 2013?

Third, the whole point of the SHCP Board's GPA and what was stated by the Board of Supervisors (Nov 2009), Planning Director (April 2009), Code Enforcement (Nov 2008) and County Counsel (Nov 2008) was made very clear on the record, at hearings or in writing, e.g. NO public assemblies, amplified music and commercial performances until after their GPA/CUP/Rezone is completed and approved for public assemblies, amplified music and commercial performances .

If the Park Board wants to turn Tooby Park into a community fair/festival/concert venue site, let them finish what they started and finish their EIR and get their GPA/CUP approved. Why is the Park Board always trying to blame the County for their own problems. I have felt the County has bent over backwards to help the Park Board. How come the County does not hold their feet to the fire on this issue?

All I'm asking you to do is scale back this event, i.e. NO public assemblies, amplified music and commercial performances without approval or until their GPA/CUP/Rezoning is approved for public assemblies, amplified music and commercial performances. Why is the definition of amplified music so hard to figure out?

If you give them an inch, they will not be happy with a mile.....

Thank you,  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice \(evoice@mchsi.com\)](mailto:evoice@mchsi.com)  
**Sent:** Wednesday, September 11, 2013 1:34 PM  
**Subject:** FW: Walk in the Park - Community Park

Hi Ed,

Here is the response from the SHCP as you requested.

- Michael R.

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**From:** Kathryn Lobato [mailto:kathryn@sohumpark.org]  
**Sent:** Wednesday, September 11, 2013 7:33 AM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin; Ruth, Carolyn; Fennell, Estelle; Dennis Huber  
**Subject:** Re: Walk in the Park - Community Park

Hi Michael,

Thanks for your communication regarding the details of our upcoming “Walk in the Park”, a family friendly event that raises funds for our local schools and Tooby Park playground. While we are fully aware of the agreement with your Department dated April 1, 2009 we want to point to additional agreements made with the Planning Director dated May 1, 2009 regarding the use of Tooby Park.

In determining the parameters of the compliance agreement with your department, there were additional email communications and phone conversations between myself, Marcella Clem (our planner at the time) and Kirk Girard regarding allowable uses at Tooby Park. Allowed uses at Tooby Park are different from the rest of the property due to an established history of nonconforming uses at Tooby Park -- including a fifty year history of community events and gatherings during the period Tooby Park was administered by the County. There is a long history of small scale events moderately amplified music at Tooby Park. Therefore it was agreed that small scale events, including events with moderately amplified music, could continue in that area of the property.

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The event starts at 10am and is over by 4pm. The "Walk in the Park" event, as planned, is well within the parameters in our May 1, 2009 agreement with Kirk Girard.

Best Regards,

Kathryn Lobato  
Executive Director

On 9/10/2013 12:00 PM, Richardson, Michael wrote:

Hi Kathryn,

Based on your description of the event below, what is being proposed for this year's Walk in the Park event mostly appears to be within the uses of the compliance agreement approved by the former Planning director in 2009 (attached) and continued by the current Director in 2013. Also attached is the description of the event approved in 2010.

However, our office is in receipt of several recent emails expressing concern about this event, saying it is expanding over previous year's events. While use of a public address system has been permitted for the events at the Park in the past, and playing DJ using that same public address system to enhance the obstacle course event falls within the events held in previous years, the local bands playing music were not specifically mentioned in 2010, so I'm unable to respond that this part of the event is the same as in previous years. In your description of this year's event, it is unclear if the bands will be playing amplified music.

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Please let me know if you have any questions or comments.

Thanks!

- Michael R.

---

**From:** Kathryn Lobato [<mailto:kathryn@sohumpark.org>]  
**Sent:** Tuesday, August 27, 2013 11:57 AM  
**To:** Richardson, Michael  
**Subject:** Re: Walk in the Park - Community Park

Hi Michael,

Checking in again regarding the status of the Walk in the Park. During our phone call you said

that we had a blanket permission for this event.

We will assume it is all good to go unless I hear something different from you.

Thanks,

Kathryn Lobato

On 8/21/2013 3:51 PM, Kathryn Lobato wrote:

Hi Michael,

Just as a follow up to our conversation yesterday, I thought I would give you a little information about what we are planning for Walk in the Park this year. While we are waiting for the completion of our rezoning we want to be in full compliance with your department while still providing a few small fun events for the community.

Walk in the Park is in its ninth year and has remained essentially the same with a few minor changes from year to year. The event is a benefit for Tooby Park and our local schools. It is a family friendly event that attracts around 300 people over the course of the day. There will be food and other craft and nonprofit information booths. The "Walk" portion of the event takes place on larger park trail system with two starting times.

In 2009, when we began our General Plan Amendment process, we moved the "fair" portion of the event over to Tooby Memorial Park on your Department's advice. The event is planned to be the same size and nature as in the past and is within the range of the historic, recognized and lawfully established "nonconforming uses" at Tooby Park.

The kid's obstacle course will take place at Tooby Park and will have an announcer with a public address system. The announcer will also play DJ music during the kids races on the course. Again this year, we hope to have three local

bands that will perform at Tooby Park. The sound level is reasonable and it will occur between 12:00 pm and 4:30 pm.

The Community Park's Noise Study reports that the sound level typical for this type of small event would be approximately 70 dBa at 500 feet from the source and 45 CNEL at the closest neighbor. Ambient daytime neighborhood noise was registered at 65 dBa .

I'm just checking in with you to provide specific information about our plans for Walk in the Park this year and to get your approval for this year.

Best Regards,

Kathryn Lobato

Executive Director

707 923-7871

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, September 10, 2013 11:02 PM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin; Ruth, Carolyn  
**Subject:** Re: Southern Humboldt Community Park public assembly, amplified music and commercial performances

Hi Michael,

When you get a reply back from your email you sent to Kathryn Lobato today, can you forward me a copy?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** ['Ed Voice'](#)  
**Cc:** [Hamblin, Kevin](#) ; [Ruth, Carolyn](#)  
**Sent:** Tuesday, September 10, 2013 12:04 PM  
**Subject:** RE: Southern Humboldt Community Park public assembly, amplified music and commercial performances

Hi Ed,

Attached is the email I sent to the Executive Director of the Southern Humboldt Community Park providing guidance on how this year's Walk in the Park can be conducted consistent with the 2009 compliance agreement.

Please let me know if you have any questions or comments.

Thanks.

- Michael R.

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**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Tuesday, September 10, 2013 11:16 AM  
**To:** Richardson, Michael; Ruth, Carolyn  
**Cc:** Hamblin, Kevin; Chaitin, Wendy  
**Subject:** Southern Humboldt Community Park public assembly, amplified music and commercial performances

Morning,

I wanted you to also see the new poster for this un-permitted event at the Park in Southern Humboldt, that is being posted on the internet starting today. This event is nothing like what Walk in the Park has been in the past. The Park Board is adding for-profit vender and food booths, with live performances using amplified music by different Dance Groups, DJ's and Live Bands. Its pretty hard for a DJ not to use amplified music.

This event needs to be scaled back with no amplified music for commercial performances during a public assemble.

Please stop these un-permitted public assemblies, amplified music and commercial performance events at the Park until the Park Board has completed their GPA as stated by the Planning Department, Code Enforcement, County Counsel's Office and the Board of Supervisors. Since we have seen the Park Board start this process, we have seen these simple and small community fundraisers get bigger and bigger and nothing is being done regarding the GPA, zoning or land use designation requirement. Its coming up on 4 years since the Park Board got their GPA petition approved by the Board of Supervisors.

If you give them an inch.....

Again, Thank you for your time,  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, September 07, 2013 11:20 PM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin  
**Subject:** Southern Humboldt Community Park Walk in the Park and Community Fair 2013  
**Attachments:** SHCP Zuber County Counsel Letter.pdf

Hello Michael and Planning Director Hamblin,

The Community Park posted their new "Walk in the Park" event on Facebook, just checking to find out if the Planning Department has approved this public assembly, amplified music and commercial performances at Tooby Park and the Community Park. Please see attachment.

<https://www.facebook.com/events/342705859198017/>

This year includes the exciting addition of a "tough mudder" style obstacle course (minus the mud). The course starts at noon with high energy music. It will run through the shaded terrain of the redwoods and is geared towards older kids, teens, and adults. Race as a team or individually!

Pledge walk times at 10:30 & 3pm.

The Community Fair (Noon-4pm) will showcase great local music by Cross Roads and delicious food by Fuego Authentica taco cart. There is sure to be something for everyone including Artisan Craft booths, Pony Rides, Hay Wagon Rides, a Preschool Zone (w/ mini obstacle course), a Bounce House, performances by Rex Humboldt Rockers, and much more.

Don't miss out on this great opportunity to be active in the Park while supporting local schools and the Tooby Playground.

Volunteers are needed for event set up and to help the day of the event. Please call Carol at 223-5240

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, August 24, 2013 11:25 AM  
**To:** Bass, Virginia; Fennell, Estelle  
**Cc:** Bohn, Rex; Sundberg, Ryan; Lovelace, Mark; Richardson, Michael; Hamblin, Kevin  
**Subject:** Southern Humboldt Community Park Public Meeting?

Dear Humboldt Supervisors Bass and Fennell,

I took your advice since you both were kind enough to attend and talk with some of us concerned neighbors at the Community Park in May. That was to write the Community Park Board and ask for public meetings. As you can see from the emails below I did just that and as of today not received a reply either way.

I thought you should know how frustrating it is for a long standing home and property owner to be left out of a public process concerning the changes the Park Board is requesting in their GPA to the Garberville, Redway, Benbow, Alderpoint Community Plan. The Park Board is just not effecting their own property, they are effecting all neighboring property owners, wildlife habitat and the river with their proposed and unknown vision of a private so called park.

As many times as I have hear the Humboldt County Supervisors say, "stay involved" and "be involved", how can we do this in this case? If we have no idea what is happening, what is planned and the goal posts keep moving?

This so called "public process" stated in November 2009 and where are we today? Does the public know any more than we did in 2009? Or do we know less?

Again, just so we are clear, the Park Board has not had any kind of a meeting open to the public since August 2010.

Thank you for you time and service,  
Ed Voice & Voice Family  
Neighboring property owner since 1966

----- Original Message -----

**From:** [Ed Voice](#)  
**To:** [kathryn.Lobato@gmail.com](mailto:kathryn.Lobato@gmail.com) ; [Kathryn Lobato](#)  
**Cc:** [Eric Kirk](#) ; [Carol Van Sant](#) ; [pryce@asis.com](mailto:pryce@asis.com) ; [Jim Truitt](#) ; [Rachel Sowards Thompson](#) ; [kristina.suarez@gmail.com](mailto:kristina.suarez@gmail.com) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Fennell, Estelle](#) ; [Richardson, Michael](#)  
**Sent:** Tuesday, August 06, 2013 11:32 AM  
**Subject:** Re: Town Hall meeting with the Park Board this fall

Dear SHCP Board and Kathryn Lobato,

I have not received a reply to my email below concerning my request to host a public meeting between the community and the Park Board concerning your County GPA, future plans for the Park and or governing structure.

I know we have had our differences concerning the operation and development ideas the Park Board has envisioned for the SHCP. However, out of courtesy for a long standing neighboring property owner of this community, the Park Board could at least acknowledge my email with a response.

Thank you again for your time and consideration,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Ed Voice](#)

**To:** [kathryn.Lobato@gmail.com](mailto:kathryn.Lobato@gmail.com) ; [Kathryn Lobato](#)

**Cc:** [Eric Kirk](#) ; [Carol Van Sant](#) ; [pryce@asis.com](mailto:pryce@asis.com) ; [Jim Truitt](#) ; [Rachel Sowards Thompson](#) ; [kristina.suarez@gmail.com](mailto:kristina.suarez@gmail.com) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Fennell, Estelle](#) ; [Richardson, Michael](#)

**Sent:** Thursday, July 18, 2013 4:02 PM

**Subject:** Town Hall meeting with the Park Board this fall

Dear Park Board;

I would like to have a Town Hall style community meeting with the Park Board this Fall, 2013. It would be formatted just like the first couple of community meetings between what was then Southern Humboldt Working Together and the public in August 2001 and January 2002. Where the public would be able to ask questions concerning the Park Board's GPA, future plans for the Park and governing structure.

I have been able to get the use of the Redway School Gym/auditorium for this community meeting. The Park Board can pick whom ever you want to facilitate and I will host it, including providing the food, drinks, donation to the school for the use of the auditorium, clean up and set up. I am also including Supervisor Fennell and Michael Richardson in this email, so as to invite them as well to answer any questions the community has.

I am thinking after School has started, late September through October? Maybe even first part of November. Just trying to get a sense of what you think. Or even if you would consider this at all. All I need to know from you is if you will attend and when, I will do all the rest.

I look forward to your reply and responses. I look forward in planning this community meeting.

Thank you again for your time and consideration,

Ed Voice & Voice Family

Neighboring property owner since 1966

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, August 13, 2013 10:37 PM  
**To:** Richardson, Michael  
**Cc:** Hamblin, Kevin  
**Subject:** Re: Southern Humboldt Community Park

Thanks Michael,

What concerns me about this years "Walk in the Park", is that its very different than in years past, for example, this year they are calling it a "Community Fair". including Artists, Artisans, Craftsperson and venders selling there goods and services for profit, not just a small non-profit fundraiser for the Park and local Schools, with kids and schools providing food and drink booths. At what point does it expand without public process, public comment and the Planning Commission approval? How often does the Planning Director approve an event without a CUP and approval from the Planning Commission? This non-public process agreement between Mr. Girard and the Park Board is from early 2009 and here it is August 2013. Everything starts out small and grows every year. In this case, it was to only be small until they completed their GPA, just like all the other activities at the Park. How many years do we have to watch this event grow without public process. Give them a inch.....

In fact last year, "Walk in the Park" had expanded from just at Tooby Park to over at the Main Community Park as well, including the Parking and more booths. This agreement has never been submitted to the Planning Commission just like any other event that charges admission and considered a public gathering like last year (click link):

<http://www.sohumpark.org/updates/ancmts/walk-in-the-park6.html>

This is exactly how the Mateel Summer Arts Festival started, I am not opposing "Walk in the Park", only if it is not expanding into more of a commercial event, as like the Summer Arts and Music Fair. This is what we are seeing and hearing about for this year, that is outside the size and scope of what has taken place in years past. Last year is when we saw it expand and we want to know what is going on for this year, now calling for retail venders and changing the name to a "Community Fair", what's next? I hope the County is not at a point where they can't say enough is enough and keep it small until we see what your GPA includes.

BTW, where are you with the SHCP GPA?

Thank you,  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** ['Ed Voice'](#)  
**Sent:** Tuesday, August 13, 2013 5:14 PM  
**Subject:** RE: Southern Humboldt Community Park

Hi Ed,

Yes, according to my records, they have been hosting this same event since 2006. Having said that, we have a new Planning Director who is not bound by the decisions of the previous Director. I am not sure what he thinks about it.

- Michael R.

---

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Saturday, August 10, 2013 10:44 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Morning Michael,

Just thought I would ask about an event the Park Board has posted on their facebook page. Its for September 29th 2013. Its being promoted as a "Community Fair", "Walk in the Park" and "Run in the Redwoods". Did the County approve this event without public comment?

Thanks  
Ed Voice

Here is what they say:

**Southern Humboldt Community Park**

17 hours ago

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So Hum Artists, Artisans & Craftpersons ~ sponsor a booth displaying and selling your creations at the Community Fair during Walk in the Park/Run in the Redwoods, Sunday, September 29th. For details contact Jenny Metz: 707-223-3849 or burningleaf@asis.com

**Jennifer Metz**

16 hours ago

So Hum Artists, Artisans & Craftpersons ~ This years Walk in the Park will be presenting its first Community Fair. We will be offering vendor booths to display and sell your creations! Please contact me if you are interested in participating! Sunday, September 29th.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, June 26, 2013 10:47 PM  
**To:** Richardson, Michael  
**Cc:** Spencer, Martha; Miller, John; Hamblin, Kevin; Fennell, Estelle; Bass, Virginia  
**Subject:** Garberville Sanitary District Annexation project IS/MND and SHCP GPA NOP/Draft EIR  
**Attachments:** SHCP LAFCo GPA EIR Project Desc DRAFT March 20 2013.pdf

Morning Michael,

I am confused about the use of the Southern Humboldt Community Park Boards (SHCP) General Plan Amendment (GPA) Draft Project Description, as a supporting document and included in the Garberville Sanitary Districts (GSD) Annexation Initial Study (IS/MND).

I am also confused that someone at the Humboldt County Planning Department did not submit a letter, confirming the existence of this SHCP Draft Project Description and is being used by the Humboldt County Planning Staff as its basis to write the SHCP GPA Draft EIR. I mean, this is only one small section of a much larger document and a draft at that. I could maybe see it if what GSD was talking about was the Draft EIR written by the Lead Agency (Humboldt County), not just a Draft Project Description provided by the applicant.

As stated, this SHCP GPA Draft Project Description is contained in the "Future Projects within the Proposed GSD Boundary" section of the IS/MND, starting on page 14:

<http://www.garbervillesd.org/PDFs/20130528-PublicDraftIS-MND.pdf>

The confusion comes from our communications (email), in which you stated you never received a copy of this SHCP Draft Project Description (see attachment) or any other new information, documents, studies (with the exception of the Sound and Noise Assessment) to finish writing the SHCP GPA Draft EIR until I sent you a copy I obtained from Humboldt LAFCo in April 2013. In fact, all you said you had received from the SHCP was from 2010, when the NOP was prepared and circulated. Even though, Jennie Short from GSD stated, she attended a meeting at the Planning Departments office in February 2013 with; Humboldt County Planning Staff, Humboldt LAFCo Staff, SHCP Staff, at which time this Draft Project Description was given to all parties in attendance and now being referenced and supported by the Humboldt County Planning Department in the GSD Annexation IS/MND.

My question(s):

- 1) Is the Humboldt County Planning Department currently using this SHCP Draft Project Description to write the SHCP GPA Draft EIR?
- 2) This is the only section or does the Humboldt County Planning Department have anymore sections or the complete GPA EIR submitted by the SHCP that included this Draft Project Description?
- 3) I am requesting all information, documents, studies and reports relating to the SHCP GPA/EIR process and provided by the SHCP that have been received by anyone in the Humboldt County Planning Department since September 2010.

I do not know why a Draft Project Description is being used to support one lead agency's project IS/MND and not in another Lead Agencies project EIR, from which the Draft Project Description is to of originated?

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, June 11, 2013 4:47 PM  
**To:** Richardson, Michael  
**Subject:** SHCP Events at the Community Park  
**Attachments:** IMG\_0002.pdf

Hi Michael,

Just wanted to know if the Park Board clearing an event at the Park for June 30, 2013 with you (see attachment)

Also, did the park Board get an OK from you to have their "Guided Tour" back on 4/20/2013?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, May 17, 2013 8:16 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA  
**Attachments:** SHCP Zoning Draft SHCP 08-2009.pdf

Thanks Michael,

However, I thought the GPA process was to be heard before the Planning Commission (PC) first before it goes to the Board of Supervisors (BOS) for final approval. So are you talking about proposing to form a CAC to the BOS before its heard by the PC?

Please see attachment, has anything changed?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Friday, May 17, 2013 7:51 AM  
**Subject:** RE: SHCP GPA

Hi Ed,

One of the alternatives I intend to present to the Board of Supervisors at their hearing will be to form a Citizens Advisory Committee to review the proposed amendments to the Community Plan. I also intend to have at least one community meeting to review the proposed Plan amendments and draft EIR when it gets published.

- Michael R.

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**From:** Ed Voice [evoice@mchsi.com]  
**Sent:** Friday, May 17, 2013 7:24 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA

Thanks again Michael,

Ok, since we have that figured out and you are amending or adding to the Garberville Community Plan and Framework Plan, who will be representing the Community? Will there be a Community Action Committee or a stakeholder/neighborhood property owners group representing the Garberville Community to review any of the amendments during the public process of the Park Board's GPA?

Re: Chapter 1 Page 4 Rev: September, 2006, GRBA Community Plan:

### ***1343 The Public***

***One of the first goals approved in the beginning of this program was:***

***To maximize the opportunity for individuals and groups to have meaningful participation in the planning process.***

*This goal was developed from the understanding that the public will be more able to support policies guiding the development of the County when an opportunity to participate in the development and review of the general plan has been provided. Through this exposure, and the contributions it makes to the process and the product, the public will hopefully gain greater understanding of the plan. Participation not only in the review of this document, but also in proposing subsequent revisions to improve what is adopted, will help insure that this document will remain a current statement of public policy.*

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** ['Ed Voice'](#)

**Sent:** Thursday, May 16, 2013 4:41 PM

**Subject:** RE: SHCP GPA

We will be amending the General Plan that is in effect at the time the project is approved. I'm anticipating that will be the existing Garberville Plan and Framework Plan.

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**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Thursday, May 16, 2013 4:24 PM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA

OK, that's what I thought. So it would not matter which General Plan it was, only when one or the other is completed, right?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** ['Ed Voice'](#)

**Sent:** Thursday, May 16, 2013 2:16 PM

**Subject:** RE: SHCP GPA

Hi Ed,

The Garberville plan is part of the General Plan. We may also have to amend the Framework Plan for consistency across the two documents.

- Michael R.

---

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Thursday, May 16, 2013 1:33 PM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA

Hi Michael,

So are not amending anything in the County General Plan, you are only adding or amending the Garberville, Redway, Benbow, Alderpoint Community Plan with the Park Board's General Plan Amendment?

Here is what it states from the GRBA Community Plan, Chapter 1 Page 5 Rev: September, 2006;

#### 1452 Amendments

Amendments may only be initiated by the Board of Supervisors based on a recommendation by Resolution of the Planning Commission or requested by members of the public. Applications by the public shall be on the forms provided by the Planning Department. Fees shall be as established by the

Board of Supervisors.

#### 1452.1 Procedures

All amendments must follow the procedures outlined in the Government Code. An amendment to the

general plan constitutes a project under the California Environmental Quality Act and, therefore, must be

evaluated for its environmental effects. In addition, proposed amendments shall be referred to all interested government agencies for comment prior to adoption. As with the adoption of the plan, a legally

noticed public hearing is required before both the Planning Commission and Board of Supervisors.

Any

changes made by the Board must have been considered previously by the Commission, or the Board must

refer the amendment back to the Commission for its consideration and report (Government Code Section

65356).

#### 1452.2 Findings Required

In reviewing proposals for general plan amendments, the Board and Commission should remember that

the general plan is a policy document for the entire County and that it may only be amended "in the public interest" (Government Code Section 65356.1) as determined by the Board of Supervisors. In other

words, the plan should only be amended when the County, with the support of the broad consensus,

determines a change is necessary, not merely because a property owner or a group of citizens desires the

amendment. Every general plan amendment, additionally, must be consistent with the rest of the general

plan or appropriate changes need to be made to maintain consistency.

Amendment of this plan shall be considered upon making any of the following findings:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** 'Ed Voice'

**Sent:** Thursday, May 16, 2013 1:13 PM

**Subject:** RE: SHCP GPA

Hi Ed,

Their project involves amendments to the existing Garberville Community Plan.

- Michael R.

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**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Thursday, May 16, 2013 11:43 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA

Thanks Michael,

How does this work, with the Park Board's GPA. Are they working off the current General Plan or will they be working off the new GPU?

Are they going to wait until the GPU gets approved?

How does that work, it has been over 3 years now. Which General Plan are you working with?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** ['Ed Voice'](#)  
**Sent:** Wednesday, May 15, 2013 11:08 AM  
**Subject:** RE: SHCP GPA

Hi Ed,

The R zoning was not acceptable to the applicant because they did not want everything unrelated to agriculture subjected to a conditional use permit; they want a portion of their non-agricultural uses to be principally permitted. Plus the R-zone does not encompass all the uses proposed by the applicant.

Tooby Park needs to be rezoned because it is zoned agricultural and some of the non-agricultural uses proposed for that area are not allowed.

The suggestions from CalWild had to do with the protection of biological resources on the site. For example, they suggested the SHCP minimize water withdrawal from the South Fork Eel. They also suggested applying for a 1600 permit for installation of a pedestrian bridge over a drainage, and how to mitigate the impacts from widening the road entering the park.

- Michael R.

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**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, May 15, 2013 9:34 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA

Michael,

1. Back in 2009, Steve Werner proposed a simple answer for the Community Park Board:

"I mentioned the possibility of the Park obtaining a rezoning to add an "-R" Combining Zone to the existing AE zoned property. Under this zoning, a CUP could be applied for for non-commercial as well as commercial recreational uses, but the AE uses would remain as the only principally

permitted use. Possibly a middle course if it were agreeable to all parties" What I wanted to know, why didn't this idea work?

2. And what about Tooby Memorial Park during all this, why would it need to be rezoned?

3. I read in the Park Board meeting minutes from February 6, 2013, it stated: "*Site tour with the Dept. Fish & Wildlife and M. Richardson went well. They had a few suggestions*", could you tell me what those suggestions were?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, April 26, 2013 1:55 PM  
**To:** Richardson, Michael  
**Cc:** kathryn.Lobato@gmail.com  
**Subject:** Southern Humboldt Community Park GPA EIR

Hi Michael,

Have you seen the difference between what the Park Board has submitted today, 2013, e.g. proposed commercial admission public performance events, concerts and festival, and what was submitted back in September 2010 and included in the November 2010 "Environmental Noise Assessment" prepared by Illingworth & Rodkin Inc?

It would seem reading both, the Park Board has doubled the size and amount of proposed commercial admission public performance events, concerts and festival that were studied in the Final Illingworth & Rodkin Inc. "Environmental Noise Assessment" for the Park Board's GPA EIR.

Here is what was included in the Final Illingworth & Rodkin Assessment from page 2:

***Large Event (one per year): A large annual multi-day (weekend) event, similar to the Mateel Community Center's Summer Arts and Music Festival, featuring local and regional musicians on three outdoor stages, with roving entertainers, various art and food vendors and educational displays is proposed in the Public Facilities area of the Park. Daily attendance for this event is expected to be up to 4000, with about 1000 workers and vendors at the event. This attendance would fluctuate over the course of the weekend such that the total number of attendees on the site at any one time would be less than the one-day total. This event is planned for 14 hours on Saturday and 12 hours on Sunday with amplified music ending at 12:00pm on Saturday nights and 9:00pm Sunday night. Amplified music would occur in the performance areas identified in Figure 2, with separate stages within each of the three areas. Performances on these stages may often overlap and/or happen simultaneously.***

***Medium Events (seasonal, up to five per year): Medium events would have an attendance of 500 to 1200 and may often feature multiple performers and performances by well-known groups or individuals. These events could cover a wide-range of musical genres, theater, dance performances, concerts and performances similar to the Mateel Community Center's Humboldt Hills Hoedown or Jazz on the Lake. These events would take place in the Public Facilities area of the Park either close to the tree line at performance areas 1,2, and 3 or the Barnyard Area as shown in Figure 1.***

***Small Events: Small Events would be those events with an attendance of fewer than 500 people and are expected to include Birthday parties, Weddings and Memorials, Small Fundraisers and Events, and other informal gatherings. Examples of small events include the Hospice Barnyard Brew, the Humboldt Hills Hoedown, the Walk in the Park (fundraiser for the local schools and the***

*park) and Reggae Riding (mountain bike races). Many small events may include amplified music including prerecorded to live performances and from classical to popular music. These events will take place in the new Public Facilities area at the performance area 1, 2, and 3, or at the Barnyard area as shown in Figure 1.*

*Sports fields: The sports fields would be used for local practices and games, and for Tournaments with multiple teams, and may include the construction of fixed bleachers, concession stands and other associated structures. Field lighting to allow for the fields to be used after dark may also be included.*

Now, here is what's proposed and was submitted to the Humboldt LAFCo Commission on March 20, 2013:

#### **3.3.4.2 Events**

##### **Small Events:**

*The following small events (attendance under 500) would occur frequently under the project. Parking would occur on-site.*

##### **Birthday parties and informal gatherings:**

*With attendance typically ranging from 10 to 50 people, Tooby Memorial Park (Area 1) and the large barn in the Park Headquarters (Area 2) have been favorite gathering places for family birthday parties, BBQ's, and similar events. Tooby Memorial Park has served as a location for these types of events for more than four decades. This type of activity would continue with the proposed project, with no limit on the number of these types of events annually.*

##### **Weddings and Memorials:**

*Many weddings and memorial services for community members have taken place at the Park. These events would continue in Tooby Memorial Park (Area 1), the Park Headquarters (Area 2), Community Commons Area (Area 4), and the Labyrinth in the Main Agricultural Area (Area 3). Attendance would be 500 people or less.*

##### **Small Fundraisers and Events:**

*Many local nonprofit organizations and Park user groups have used the Park for fundraising activities. A few examples include the Hospice Barnyard Brew, the Egg Hunt, the Walk in the Park (fundraiser for the local schools and the Park) and mountain bike races. These are well attended events that bring a wide range of community members and interests groups together at the Community Park. Most of these events include a variety of types of amplified music including prerecorded and live performances. These types of events would continue in Tooby Memorial Park (Area 1), the Park Headquarters (Area 2), and the Community Commons Area (Area 4), with a maximum attendance of 1000 people.*

##### **Medium Events:**

*This type of event often features multiple performers and performances by well-known groups or individuals that will likely attract more attendees. These events could cover a wide-range of musical genres, theater, dance performances, concerts, similar to the Mateel Community Center's Humboldt Hills Hoedown or Jazz on the Lake. These events would take place in the Community Commons Area (Area 4). Attendance would be between 1000 to 2500 people daily in addition to staff and vendors. Not more than five of these sized events would occur per year. Parking would occur on-site.*

##### **Festival:**

***The Park would host the annual Summer Arts and Music Festival (or an event of a similar nature) that is currently at Benbow Lake State Recreation Area. Attendance would range between 2500-5000. The event would occur once per year and be no longer than 2 days. The Summer Arts and Music Festival is a two-day family-friendly event that features a unique blending of local and regional musicians on three outdoor stages, roving entertainers, quality artisans displaying and selling wares, exhibits of fine arts displays, international cuisine, and on-site educational workshops. The attendance fluctuates over the course of the day and the total number of attendees on the site at any one time would be less than the one day total. Actual attendees would cap at 4000, with an additional 1000 staff members. Parking would occur on-site and off-site in Garberville, Redway, and Dean Creek with shuttle buses available.***

Besides the one Large Event or Festival, the Park Board has more than doubled the frequency, area and attendance levels from 3 (three) postulated size commercial events from September 2010 to 4 (four) enlarged and sized commercial event scenario's as of March 2013. And as of March 2013, is including a completely new area of proposed Sports Fields, parking, bathrooms, facilities and buildings on 17 acres that have not been reviewed or included in the September 2010 NOP. The NOP must be recalculated whenever significant new information has been added, e.g. in compliance with California Code of Regulations Title 14, Sections 15082(a), 15103, and 15375 and Public Resources Code Section 21083.

Thank you,  
Ed Voice & Voice family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, April 03, 2013 9:20 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park  
**Attachments:** SHCP GPA EIR Project Desc DRAFT LAFCo.pdf

Good Morning Michael,

Just wanted to know if you knew about this and if you could attend. I have also included the latest Park Board proposal that shows the kinds of commercial concerts, events, tournaments and festivals for down at the Park.

The attachment was submitted to the Humboldt County Local Agency Formation Commission (LAFCo) by the Park Board on March 20, 2013.

I also wanted to get your opinion about what the Park Board has now stated.

### **Guided tour at Community Park on April 20**

Redwood Times

Posted: [04/01/2013 05:48:22 PM PDT](#)

The Southern Humboldt Community Park is hosting a guided tour of the Park on Saturday, April 20 at 1 p.m. The tour will give community members the opportunity to experience, on the ground, the vision of the rezoned park.

Participants will visit proposed public activity spaces such as sports fields, the commons, celebration grove, and a specialty area. Participants will also walk through areas that will continue to be reserved for agriculture and ag projects, habitat and restoration, with trails.

The walk will begin at 1 p.m. The starting point is the Kimtu parking lot. After the walk refreshments and discussion will take place at the barn. Maps, diagrams and a project description will be posted for viewing.

A focused discussion on dogs in the park will take place at the barn at 3 p.m.

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, March 25, 2013 11:29 PM  
**To:** kathryn; Dennis Huber; Eric V. Kirk; carolvansant; Rachel; jtrutt  
**Cc:** Richardson, Michael; Fennell, Estelle  
**Subject:** 3.0 PROJECT DESCRIPTION, SHCP Draft GPA EIR  
**Attachments:** SHCP Project Desc DRAFT.pdf

Dear Park Board and Executive Director Lobato,

Please direct your attention to the attachment. This document was submitted to Humboldt LAFCo, as stated in the Park Boards testimony and public comments from the March 20, 2013 LAFCo Commission Board meeting, e.g. Agenda Item 7A: Garberville Sanitary District Municipal Service Review and Sphere of Influence Update. It was obtained using the California Public Records Act request.

I have some questions concerning the attachment:

1. In section 3.0 PROJECT DESCRIPTION, the term "*entitlement requirements*" is referenced, what are you referring to?
2. In section 3.2 Project Objectives, in # 3 it states: "*To retain development credits that are transferrable to other projects for a fee*". Please provide the Humboldt County Code or General Plan Section that allows for development credits or development credit programs used in Humboldt County?
3. In section 3.3.1 BACKGROUND, it states: "*In 2011, it was estimated that there were more than 46,000 Park user-days visits*". please explain what you mean by "user-days visits"?
4. In section 3.3.2 PROJECT SUMMARY, it states at the end of # 1: "*The Park will maintain development credits relative to the current land use designations that are transferable to other properties*". Please provide the Humboldt County Code or General Plan Section that allows for development credits or development credit programs used in Humboldt County?
5. In section 3.4.2 RESPONSIBLE AND TRUSTEE USE OF EIR AND CONSULTATION REQUIREMENTS, it makes the following statement: "*Early consultation is mandatory with responsible and trustee agencies and voluntary with any person or organization which may be concerned with the environmental effects of a proposed project. It provides an opportunity to resolve many potential problems that could arise in more serious form later in the review process. The consultations should occur as early in the review process as feasible to better define areas of concern and to focus the EIR on these problems (CEQA Guidelines, Section 15082\_15083)*". So my question, when will this happen and when will the Park Board have "Early" meetings open to the public to resolve many potential problems and concerns we have as long standing neighboring property owners in the Community?

The last Park Board meeting open to the public was August 2010 and the first and only community scoping meeting concerning this GPA EIR was September 2010, with nothing since.

Thank you,  
Ed Voice & Voice Family  
Neighboring property owner since 1966

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, March 22, 2013 11:44 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA EIR  
**Attachments:** SHCP LAFCo comments March 2013.pdf; SHCP LAFCo comments March 2013-1.pdf

Morning Michael,

It was great to of seen you at the LAFCo meeting.

Could you please include what the SHCP Board submitted as public comments to that same Humboldt LAFCo meeting on March 20, 2013 in the file for their GPA EIR. I have included them as attachments.

And I do have a question about what was included in the comment letter from the Park Board.

Its the statement in bold in the middle of page one:

**"With more than 4 miles of trails, the Park currently has more than 48,500 annual visitor days annually!"**

Given the County has an old compliance agreement with the Park Board concerning "low-impact passive activities", did your office or department envision 48,500 visitors to the Park annually when the agreement was emailed?

That is a hell of allot of people for anywhere in Humboldt County, let alone that they want to increase that number with the GPA? Could you look into that and ask the Park Board how they are coming up with that number currently? Does Humboldt County have a current traffic study for the numbers of vehicles currently using Sprowel Creek Road and is it even close to that number? Just think about that number for a minute, who gets that kind of visitors at any one place on Hwy 101 North of Willits, maybe a casino? Does the Commercial

Thanks  
Ed Voice

"Kathryn,

This is to confirm that on March 25, 2009, we received and accepted an application from your Board for a General Plan Amendment petition for the Southern Humboldt Community Park property. The Department considers the application submittal demonstration that the Park Board is acting in good faith to resolve the outstanding General Plan conformance issues related to low-impact passive activities that have occurred on park property; for example, walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups. We will consider the diligent pursuit of the General Plan Amendment Petition and the possible subsequent General Plan Amendment and use permit as acceptable performance to resolve these potential compliance issues as part of the compliance agreement with the Park (expressed in Code Enforcement Unit letter dated 11/19/08).

To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement.

We have started processing the petition application. We are ensuring the application is complete and will be preparing it for circulation to other agencies for comment. Marcella Clem or Michael Richardson from our office will contact you if we require additional information.

We deeply appreciate the Park Board's cooperation with the Department and the public and its willingness to pursue the necessary Plan changes and permits for the long-term operation of the park. Feel free to contact me if you have any questions.

Kirk Girard

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, March 07, 2013 11:58 AM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park GPA EIR  
**Attachments:** SHCP revised GPA Goals and Objectives.doc; SHCP revised GPA Map F2  
\_ProposedProject.pdf; SHCP revised GPA Project Components.docx; SHCP revised GPA  
Recreationsl Activities by Areas.docx

Thank you Michael,

1. Are there any administrative draft chapters you can send me today?
2. What other studies or reports have to received from the Park Board besides the sound/noise assessment study?
3. As your are or not aware, the Park Board has publicly changed (Oct/Nov 2012) most of what was submitted to you from back at the Scoping meeting from Sept 2010. Have they sent you those changes? I have included what they made public in the attachment from November 2012.

Thanks again,  
Ed Voice.

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** 'Ed Voice'  
**Sent:** Thursday, March 07, 2013 11:32 AM  
**Subject:** RE: Southern Humboldt Community Park GPA EIR

Hi Ed,

I have started drafting the DEIR. I'll be glad to send you chapters as I complete them, although they will be considered administrative drafts until they are all combined together as a whole.

- Michael R.

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**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, March 06, 2013 9:18 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park GPA EIR

Morning Michael,

Just checking in to ask if the Southern Humboldt Community Park Board has submitted any new information or if you have started the Draft EIR?

Thanks and be well,  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, December 07, 2012 12:54 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park GPA  
**Attachments:** SHCP HFB Grazing letter to NRCS June 2012.doc

Morning Michael,

Had you read this letter (see attachment) from the Humboldt County Farm Bureau concerning the SHCP GPA?

Also, here is the latest and greatest newspaper article about the Park Boards latest GPA Plan that talks about the attachment:

[http://www.redwoodtimes.com/garbervillenews/ci\\_22122296/shcp-gives-up-housing-plan-moves-sports-complex](http://www.redwoodtimes.com/garbervillenews/ci_22122296/shcp-gives-up-housing-plan-moves-sports-complex)

Could you please include these documents in the Park Boards GPA file.

Thank you,  
Ed Voice & Voice Family  
Neighboring property and home owner since 1966

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, December 06, 2012 2:39 PM  
**To:** john.O'Hagan@waterboards.ca.gov; ellen.Howard@waterboards.ca.gov  
**Cc:** Clendenen, Clif; Richardson, Michael; Miller, John  
**Subject:** Garberville Sanitary District Draft DWR CDO  
**Attachments:** GSD Special BOD Meeting 12-3-12.doc

Morning Mr. O'Hagan and Ms. Howard,

Here is the publicly recorded transcript from the Garberville Sanitary District Special Board meeting on December 3rd 2012 concerning the Draft DWR CDO, i.e. "Bulk Water Sales" and "Emergency Domestic Use", including comments from the public during the agenda item, see attachment, I just thought you should know what was said.

It would also seem, GSD Board Members need to get up to speed and know allot more about their Water Rights license and permitted place of use laws, regulations and civil liabilities.

Thank you,  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, November 26, 2012 10:47 PM  
**To:** Richardson, Michael; Miller, John  
**Cc:** administrator; execofficer; Clendenen, Clif  
**Subject:** Community Park GPA map and more  
**Attachments:** Goals and Objectives.doc; F2\_ProposedProject.pdf; Recreationsl Activities by Areas.docx; Project Components.docx

Morning Michael,

Here is the latest and greatest Southern Humboldt Community Park Board GPA propaganda, made public last week in the Independent's Newspaper Article last week.

Thanks  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, November 21, 2012 3:47 PM  
**To:** Richardson, Michael  
**Cc:** Miller, John; Spencer, Martha; Clendenen, Clif; administrator  
**Subject:** Southern Humboldt Community Park Board New GPA EIR Plan  
**Attachments:** SHCP GPA EIR new plan1 Indie article 112012.pdf

Morning Michael,

Please see attachment. Do you have any new information about the SHCP GPA EIR that was just made public in the newspaper? I would also like to understand more about what was stated in the article, about the Park Board being the Lead agency? When has the Community Park Board ever been the Lead Agency for CEQA? The Park Board is a Private Tax Exempt Corporation that owns Private Property. They are not a public agency or entity. I don't understand this ping pong game, between whom is the Lead Agency from one day, month or year to the next.

It seems the Park Board presented these plans at a fundraiser on Saturday November 17, 2012 and the only people to see and hear the new plans had to pay \$75 dollars for dinner at the fundraiser to get this information about what the Park Board was now planning and changing..

For the last two years the park Board has been telling the public nothing, because they say their not running the GPA EIR, its the County running the show as Lead Agency under CEQA. As a neighboring and effected property and home owner, I for one would like to know what is going on and who is running the show.

Thank you and Happy Holidays,  
Ed Voice & Voice Family  
Neighboring property owner since 1966

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Tuesday, October 30, 2012 8:42 AM  
**To:** Richardson, Michael  
**Cc:** Spencer, Martha  
**Subject:** Parking/Community Park

Michael,

I'm writing to express my continued concern about parking at the Southern Humboldt Community Park (SHCP). I want to underscore the complaints I have submitted in past about this issue. The Park has several potential parking areas for daily use or small events which are both safer and do not impact resource lands. I will describe several alternatives below as I have done previously.

I feel the Park Board is resistant to developing other parking while establishing parking lots on prime agricultural land. SHCP has recently constructed an additional vehicle access and pedestrian path to facilitate parking in the Old Orchard Field, prime agricultural land which is also the preferred parking for the proposed concert venue.

I believe this Park Board has demonstrated a pattern of deliberate obfuscation while trying to pre-empt and restrict use of their prime agricultural lands in order to provide parking for the proposed large concert venue. Examples of this pattern include denial of a perfectly good and functioning sanitary well in the Tooby Memorial Park in order to force annexation and service from the local water district. A second example is the attempt to secure State grant funding as a means to circumvent the local planning process, an attempt which had to be headed off by the Board of Supervisors. A third is the more recent attempt to develop a grazing plan and contract with NRCS which would limit use of the prime agricultural lands in a manner more compatible with parking.

Far and away the best location for a parking lot to serve daily use and small events is the gravel flat at the southeast end of the Sprowel Creek Bridge. This was the staging area which the County used during construction of the bridge. Prior to ownership by SHCP, the Randal Sand and Gravel company was allowed to stockpile river bar gravel at that location. That large gravel pile has not been touched in at least 15 years and removing it back to the gravel plant would allow for substantial low impact parking. This location has the additional benefit in that it is not necessary to cross Sprowel Creek Road to access the Tooby Memorial Park (TMP) .... a path/road connects the parking area with the TMP under the east end of the bridge. Access to the Community Park itself requires crossing only the much less traveled Kimtu Road. However, it would not surprise me to hear some flimsy excuse, either by the Park or Randal, as to why this gravel pile cannot be removed, consistent with the continued pattern of deliberate obfuscation.

Other parking areas include (1) expansion during small events of the on site parking at Tooby Memorial Park, (2) use of a shuttle to utilize the existing parking at the Kimtu entrance to the Community Park and (3) a cooperation with Randal to allow parking on the gravel bar during weekend events. Parking on the gravel bar could utilize a shuttle but it is also easy to wade the river adjacent to the beach at TMP. And (4) the ballfields, which have broad community support could have been started years ago with a temporary conditional use permit, and also used for occasional parking.

As you know most meetings of the Community Park Board are not open to the public except when the Board wants to do some public posturing. The public has no way to bring these ideas to the table or question the reasoning of the Park Board. I repeat that there appears to be a pattern of deliberate obfuscation and pre-emption in order to use these prime agricultural lands as parking lots.

John LaBoyteaux



## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, September 10, 2012 12:34 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park Skateboard Ramp fundraiser

Michael,

1) Besides calling this a run-away train wreck, there is nothing in the compliance agreement that states anything like: *"We have directed the SHCP Board to keep the events on the SHCP property the same from year to year as previously approved by our office"*. Does your office have any other agreements in writing with that included as some form of restrictions?

2) Evidence? Why should I have to provide "evidence" when the County has no clue who, what, why, when and where events have taken place at the Community Park since 2009? Does the County have a written request from the Park Board for this event or for the same past event? Has the Park Board told you how many people have attended the event in past years? Evidence? What "evidence", that they have doubled the size of this event in the last three years by attendance, parking and number of vendors? That the event has outgrown Tooby Park and they are using the Community Park property across Sprowel Creek Road for the entrance, parking, vendors booths and restrooms? That the Park Board has to post home made signs on Sprowel Creek Road about the event ped xing between Tooby Memorial Park and the Community Parks main entrance? If the County has no paper on this event, no documentation to support it even exists, evidence is a joke, not to mention disingenuous and hypocritical.

Lets hope no one gets hurt on County roads from this County approved event, because if they do, that might be a better venue for the question about "evidence".

Thanks Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** 'Ed Voice'  
**Sent:** Monday, September 10, 2012 11:09 AM  
**Subject:** RE: Southern Humboldt Community Park Skateboard Ramp fundraiser

Hi Ed,

We have directed the SHCP Board to keep the events on the SHCP property the same from year to year as previously approved by our office. If you have evidence that these events are expanding beyond what was previously approved, I will take that information to my manager for possible remedial action.

I have been in conversations with the SHCP Board members about the items our office needs to move the project forward, and they seem to be moving in that direction in good faith.

- Michael R.

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**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Monday, September 10, 2012 10:33 AM

To: Richardson, Michael

Subject: Re: Southern Humboldt Community Park Skateboard Ramp fundraiser

Thanks Michael,

I did find this ad for the Community Park over the weekend

[http://garberville.org/WebCalendar/view\\_entry.php?id=550&date=20120929](http://garberville.org/WebCalendar/view_entry.php?id=550&date=20120929)

This one is for the SHCP. It seems to be getting larger and lasting longer than the same past event. And brings up about public assembly again. It seems these small L'il events keep getting a little bigger every year like all other annual events have in the past i.e. Reggae on the River. At what point does the County put their foot down. Look at the SHCP Boards own track record of illegal and un-permitted concerts getting bigger and larger until the County said enough id enough and shut them down (Thank you).

If you notice, they are charging an entrance fee and yes its pitched as a fundraiser, but its also considered an commercial fundraiser and public assembly with no County oversight, only a non-binding email agreement from 2009, that I might add is non-enforceable, only left to the direction of the Planning Department Staff.

I understand the idea of the compliance agreement in sprit, people being able to come to a privately owned Park on private property, on their own, plan a day of, e.g. *walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups.*

I do understand the motive and could support it: 1) if it had the approval of the Planning Commission, and 2) if there was public input and community support. These issues would have been raised for events that charge admission, have commercial venders and invite or advertize for what I consider a public assembly and commercial fundraiser that include event sponsors.

These events: a) Conflict with all applicable land use plans, policy, general plan regulation, specific plan and zoning ordinances adopted for the purpose of avoiding or mitigating an environmental effect and public safety concerns. b) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections). c) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways. d) Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks. e) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). f) Increase public safety services, e.g. California Highway Patrol, Humboldt County Sheriff, Cal Fire and local Fire Departments, EMT and Medical Facilities.

Does Humboldt County take responsibility for the liability of public safety issues on Sprowel Creek Road due to these kind of events on private property? And i might add, happening in a very high fire danger location and season.

And my final questions today; since the SHCP Board has not submitted or moved forward on their GPA since Sept 2010, how many years of doing nothing qualifies your statement: *"The allowed uses*

*under the compliance agreement will continue to be considered by our office as principally permitted uses provided the SHCP continues to pursue the rezoning effort in good faith"*

Thanks again Michael,  
Ed Voice & Voice Family

FYI: Some years back you had sent me this email:

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Wednesday, September 29, 2010 1:34 PM

**Subject:** RE: SHCP Boards Closure of SHCP & Tooby Parks 2009, here we go again?

Ed,

The compliance agreement between our office and the SHCP board allows organized use of the AE-zoned property above and beyond what would normally be allowed in the AE zone district. The allowed uses under the compliance agreement will continue to be considered by our office as principally permitted uses provided the SHCP continues to pursue the rezoning effort in good faith. Otherwise, only the uses allowed in the AE zone will be allowed. Below are the uses allowed in the AE Zone, and the uses allowed under the compliance agreement which identifies the uses would be no longer permitted if the compliance agreement were not to remain in effect. .

- Michael R.

Uses allowed/not allowed under the Compliance agreement:

Low-impact passive activities that have occurred on park property; for example, walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups.

The compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone.

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Monday, September 10, 2012 8:27 AM

**Subject:** RE: Southern Humboldt Community Park Skateboard Ramp fundraiser

No, I haven't heard about it.

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**From:** Ed Voice [evoice@mchsi.com]

**Sent:** Sunday, September 09, 2012 2:49 PM

**To:** Richardson, Michael

**Subject:** Southern Humboldt Community Park Skateboard Ramp fundraiser

Morning Michael,

Thought I would ask if anyone submitted or talked to you or your department about an event or fundraiser down at the Community Park in the last couple of months, that was proposed by Richard Barnick, Tsunami Surf & Sport in Garberville for the Skateboard Ramp at the Community Park. We had heard about it on KMUD radio, not sure what was going on or if it was just rumor or wishful thinking. They did go on to say, the local Skateboard club wanted to have a BBQ fundraiser event at the Community Park Skate Park the end of September, this month. Heard anything about this?

Thanks

Ed Voice

## Richardson, Michael

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Thanks again Michael,  
Ed Voice & Voice Family

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----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Monday, September 10, 2012 8:27 AM

**Subject:** RE: Southern Humboldt Community Park Skateboard Ramp fundraiser

No, I haven't heard about it.

---

**From:** Ed Voice [evoice@mchsi.com]

**Sent:** Sunday, September 09, 2012 2:49 PM

**To:** Richardson, Michael

**Subject:** Southern Humboldt Community Park Skateboard Ramp fundraiser

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Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, September 07, 2012 9:43 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park  
**Attachments:** GSD LOI to SHCP August 30 2012.pdf

Morning Michael,

I was not sure if you knew about this, see attachment. Has the Park Board completed and turned in all their documentation, reports and studies to move their GPA EIR forward?

Thanks and have a great weekend,  
Ed Voice

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Wednesday, July 04, 2012 4:02 PM  
**To:** Richardson, Michael  
**Subject:** Community Park  
**Attachments:** farming in the public eye.pdf

Hi Michael,

I've given the attached to the Community Park Board several times but does not seem to grab them. No one there with any agricultural experience. Just thought I'd send it along as background information. Please share with other staff working on this project.

John L

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, June 09, 2012 10:06 PM  
**To:** Richardson, Michael  
**Cc:** Jennie Short  
**Subject:** SHCP Survey & Petition  
**Attachments:** SHCP Survey & Petition SAMF 2012.pdf

Morning,

Thought you would want to see what the Community Park Board wants from their GPA, since they want to keep it a secret from GSD and the public.

Hey Jennie, check out the 13th survey question? Wonder what "structure" they mean, that would be commercial or residential use, the one connected to GSD in the annexation?

Michael, in the survey, what do think they mean by "but is outside of zoning compliance" for the 1st, 14th and 15th survey question?

Sure looks like a lot of water use, unless they are going to use astro turf.....

Thanks  
Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, May 17, 2012 11:10 AM  
**To:** Richardson, Michael; Spencer, Martha  
**Cc:** Jennie Short; herb; Clendenen, Clif; execofficer; administrator; Mattson, Tom; ajager; Miller, John  
**Subject:** Fwd: Benbow  
**Attachments:** Benbow Day Use Attendance.docx

Morning Michael,

I thought I would share some numbers with you, concerning the current and 2011 attendance levels at the Southern Humboldt Community Park (46,246 Park users). As it seems, the Community Park gets 3 to 4 times the amount of visitor usage and users than the Benbow State Park Recreation Area. Again, this with a restricted "compliance agreement on the Community Park property, until their GPA EIR is approved, adopted and completed.

Thank you,

Ed Voice

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**From:** Gardner, Michelle  
**Sent:** Thursday, May 17, 2012 10:01 AM  
**To:** 'Ed Voice'  
**Subject:** RE: Benbow

Here are all the figures. It does not include special events.

Michelle Gardner

Eel River Sector Superintendent

North Coast Redwoods District

707 946-1812

[mgard@parks.ca.gov](mailto:mgard@parks.ca.gov)

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**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
**Sent:** Sunday, May 06, 2012 8:29 AM  
**To:** Gardner, Michelle  
**Subject:** Benbow

Morning Michelle,

I was looking for the total number of visitors to the Benbow State Park Day Use Area for one year, excluding special events like Reggae on the River, Summer Arts etc and overnight camping. Just the day use, with or without the lake. Looking for approximate numbers, nothing exact. And do you know the amount of water used per day, month or year at Benbow for just day use? If the Benbow numbers are not available, you can use numbers from other Day Use State Parks in the area.

The reason I would like to know, is that the Southern Humboldt Community Park is claiming they had 46,000 visitors and Park users in 2011. They will not share how they came up with that number, but it just seems real high, too high. They are claiming they need potable water from the Garberville Sanitary District for new drinking fountains and bathrooms. We think this number is inflated for future use, not current use. I am just trying to get a sense of the numbers of users and visitors at other Day Use Parks in the area.

Thank you,

Ed Voice

----- Original Message -----

**From:** [Ed Voice](#)  
**To:** [Richardson, Michael](#) ; [Girard, Kirk](#)  
**Cc:** [Jennie Short](#) ; [Herb Schwartz](#) ; [cclendenen@co.humboldt.ca.us](mailto:cclendenen@co.humboldt.ca.us) ; [George Williamson](#) ; [Colette Metz](#) ; [tmattson@co.humboldt.ca.us](mailto:tmattson@co.humboldt.ca.us) ; [Bronkall, Bob](#) ; [Lt. Adam Jager](#) ; [Michael van Hattem](#) ; [Miller, John](#)  
**Sent:** Saturday, May 05, 2012 12:34 PM  
**Subject:** SHCP has 46,246 users in 2011

Morning Michael, I hope you are well.

I wanted to know if the Planning Department had any idea of the amount of user traffic and visitors the Southern Humboldt Community Park (SHCP) has had since they have had an "compliance agreement" with the Planning Director back in April 2009?

The reason I ask, in the SHCP public comments to the Garberville Sanitary District (GSD) Annexation IS/MND, the Park Board states they have had **46,246** thousand Park users at the SHCP in 2011. That number of users is a third the population of Humboldt County (according to 2010 Census Data, the county's population was 134,623) or more than the population of Eureka and Arcata combined (according to 2010 Census Data, Eureka 27,191 and Arcata 17,231). I would also point out this number of **46,246** thousand users for 2011 is double all the estimated attendance levels combined for the proposed commercial public assembly events, fundraisers, concerts and festivals planned in the SHCP proposed GPA EIR.

I wonder if Planning Director Girard envisioned that number of users at the SHCP when the "compliance agreement" was issued for low impact passive activities and impromptu recreation by families or small groups? It sure seems like a very large number of people and traffic for the Garberville, Redway, Benbow area for just a simple "compliance agreement" without the benefit of CEQA compliance or for that matter, zoned to be a Park?

Here is a link to the SHCP comments from the GSD web site, its on page 4 of the pdf, under Area 4:

<http://www.garbervillesd.org/ANNEXATION/Public%20Comments/So%20Hum%20Community%20Park%20Comments%20GSD%20MND.pdf>

Thanks again Michael.

Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, April 25, 2012 1:21 PM  
**To:** kathryn; Dennis Huber; carolvansant; skyfish; timmetz; Eric V. Kirk  
**Cc:** Miller, John; Richardson, Michael; Spencer, Martha; execofficer; administrator; Jennie Short; Clendenen, Clif  
**Subject:** SHCP public comments

Dear Park Board,

What Mr. Williamson stated in his email (below) said it all to you Kathryn; *"The responses to all comments should help address environmental effects, more than the type of CEQA document prepared"*. In fact, it was LAFCo, in there staff comments that stated this about the SHCP:

*"If LAFCo feels there is insufficient information to analyze conversion effects, the annexation may include a condition that the SHC Park annexation be the subject of a GSD ordinance limiting their connection to existing water service which includes one meter for both APN 222-091-014 and 222-241-009, the equivalent of two single family residential users (referenced on Initial Study pg. 31). This condition would require that, once the project has been reviewed and approved by the County it would have to come back to LAFCo for further review. Or LAFCo may defer the SHC Park annexation until their pending general plan amendment is completed by Humboldt County"*

Again, LAFCo is not the Lead Agency for this GSD Annexation IS/MND, neither is Humboldt County. I feel GSD has bent over backwards to keep the two homes at SHCP included in this Annexation IS/MND. And I feel the Park Board fails to recognise this fact. The realization is the SHCP is causing all the controversy, delays, cost and hardships to the Community themselves, not GSD.

In my view, if the SHCP would have not been included, GSD could have adopted this Annexation IS/MND in short order without all the controversy and baggage SHCP brings to the table. This is why the Park Boards rezoning plans were taken out of the County GPU and the Park Board needed to petition for a GPA, outside the GPU, I believe the Planning Department called it a "Community Controversy" for there reasoning.

Please point out in CEQA Public Resources Code Section 21000 et seq, where a project that allows for "Potentially Significant Impact" in an proposed MND could have be changed to "Less Than Significant Impact" just because you don't have the money for an EIR? Here is what the Park Board keeps stating:

*"Please do not send a non-profit, public benefit organization down another costly, time consuming, bureaucratic sink-hole of a process that drains our community of precious and hard-to-come-by resources"*

That is quoted from the Park Boards own comments for the Annexation IS/MND. CEQA was enacted to protect Resource Land, not what the Park Board considers "hard-to-come-by resources" as in money.

**Ed Voice & Voice Family**

**Neighboring and effected property owner since 1966**

**From:** Executive Officer [<mailto:execofficer@humboldtlafo.org>]

**Sent:** Tuesday, April 24, 2012 3:07 PM

**Cc:** Kathryn Lobato; Southern Humboldt Community Park Board of Directors; Rio Anderson; Tina Stillwell; Jennie Short; Administrator

**Subject:** LAFCo comments on GSD proposed Park annexation

Kathryn:

Good to speak with you [yesterday](#). Regarding the response to the second question, the key is the analysis and mitigation that goes into the GSD environmental document, which was circulated as an IS/MND. A number of comments were received in addition to LAFCo's. The responses to all comments should help address environmental effects, more than the type of CEQA document prepared.

George Williamson  
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Dear Friends

The Community Park would like to work closely with GSD to come up with a solution for the annexation of the Park's property that does not require GSD to complete a full EIR and also does not require the Park to complete a costly annexation process.

In trying to understand what has prompted GSD staff to change the annexation boundaries regarding the Community Park property, I had a very brief conversation with George Williamson, Executive Officer of LAFCo [today](#) so that I can understand their position.

I asked the following questions and received these responses: (Q & A's are paraphrased but very close)

**Question:**

I saw your response to the GSD Mitigated Negative Declaration and then on this past [Friday](#), I received a copy of a modified annexation map from GSD staff that excludes the majority of the Park property from the annexation except for a small section for the residences.

***Did you see that map and is this new map with Park changes in the annexation something that LAFCo has recommended or supports?***

**Answer:**

**Yes, he saw the new map. No, this is not what LAFCo recommended. This new map was not prompted by LAFCo. It is not what LAFCo is recommending.**

He stated that LAFCo recommended two possible options:1. That the park property is included in the annexation and there are **VERY CLEAR** conditions put on the property until the Park has completed the GPA process.

(This is the Park's preferred option)

2. Defer the Park annexation until the Land use issues are clearly defined after GPA is complete. Then let the Park come to LAFCo for an annexation. A cleaner process.

(But possibly very costly and time consuming for the Park)

At the LAFCo meeting on **Nov. 16th** that both Carol Van Sant (Park Board) and I attended Commissioner McKenny commented about the high costs of Option 2, for a community organization. Due to his definite statement, I am very concerned about the second option from the Park's perspective.

Mr. Williamson said he would get us more specific information about what the costs from this option might be.

**Question: Is it certain that LAFCo will require that GSD to complete a full EIR if the entire Park property is annexed into the district?**

**Answer: No**

**Please** let us work together to find the solution that works for both our community based organizations.

Best Regards,

Kathryn Lobato

[923-7871](tel:923-7871)

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, April 17, 2012 10:31 PM  
**To:** Richardson, Michael  
**Subject:** Community Park GPA EIR  
**Attachments:** GSD IS-MND Comments - SHCP.pdf; GSD IS-MND Comments - Stephen Dazey.pdf

Morning Michael,

Could you make sure the attachments I have sent be included in the Community Park Board GPA EIR file?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, April 04, 2012 8:56 AM  
**To:** Jennie Short; herb@changemediation.com; lafco lafco; Richardson, Michael  
**Subject:** Questions and comments

Dear Jennie and Herb,

This would be the opportune moment to have the engineer assess how much money would be saved by siting the water treatment plant on the Johnson-Hurlbutt site, near or even at the current water treatment plant site. Since this site is now being considered for the water storage, why not site the treatment plant there? This was proposed as an alternative site in the SWTP MND and no explanation was ever given about why it wasn't seriously considered. It would certainly save a lot of grief and money.

Regarding the annexation - How can the annexation application be complete without having the Municipal Service Review? Is LAFCo still waiting for the mapping of the current infrastructure? Because it is crazy to talk about annexing out of district hook-ups without knowing the size of the connections and all agreements and contracts, and contracts for future connections that GSD (or "the water company") has already entered into. Whether "a connection" can then "disperse" water on their own must be acknowledged.

It is imperative to know all the non-legal or "back of the meter" or dry meters, or contracts or agreements and the exact size, or whether unspecified size, of these many connections in order to assess the environmental impacts. An honest and complete MSR must be done before the annexation.

Please let me know the answers to these questions.

Thank you,  
Sandy

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Saturday, March 24, 2012 2:13 PM  
**To:** Richardson, Michael; Werner, Steve  
**Cc:** ajager; Downey, Mike  
**Subject:** SHCP Easter Egg Hunt, BBQ and Bake Sale Fundraiser with Carnival Games  
**Attachments:** SHCP 2012 Easter Egg, BBQ & Bake sale.jpg

Morning Lt. Jager (CHP) and Michael Richardson (County Planning).

I wanted to bring to your attention an commercial event and public gathering proposed at the Southern Humboldt Community Park, advertised and promoted by the Southern Humboldt Community Park Board of Directors. This is not the normal historical Easter egg hunt that has taken place at Tooby Park over the last couple of decades or so, it is being enlarged beyond the normal free community Easter egg hunt.

As you are aware Michael, the Humboldt County Public Works Department has stated in their comments to the SHCP GPA EIR NOP, that Tooby Memorial Park will not be used as a parking lot for vehicles during events. And as you also know, that section of Sprowel Creek Road would be very dangerous and unsafe for adults let along children to cross between the Community Park and Tooby Memorial Park.

It just seems to me and what is stated in the compliance agreement between the Humboldt County Planning Director and the Park Board should be observed and not adding something larger to something as simple as an Easter Egg Hunt.

Has the SHCP Board submitted an event plan to the CHP, County Sheriff's office or Health Department, that would give a detailed and documented description of the event? The SHCP Board should still have to provide the same information included in any County CUP request and application. As we talked about years ago, the Park Board will keep adding to events that no one has objection to and now its starting with the Easter Egg Hunt.

Thank you,

Ed Voice & Voice Family

"To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement"

<http://www.facebook.com/pages/Southern-Humboldt-Community-Park/214882805202034?sk=wall&filter=12>

## Richardson, Michael

---

**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Sunday, March 04, 2012 8:20 AM  
**To:** Jennie Short; herb@changemediation.com; dennisbour@yahoo.com; bstewart@bluestargas.com; humnatfoods@gmail.com; mbryant@garbervillesd.org; lafco lafco; execofficer@humboldtlafo.org  
**Cc:** Richardson, Michael; Hofweber, Tom; Natalia.Deardorff@cdph.ca.gov; Tony.Wiedemann@cdph.ca.gov  
**Subject:** Re: GSD annexation  
**Attachments:** 20111117\_\_local\_a3gsd2\_GALLERY.jpg

Here is the map that I forgot to attach to the previous email.  
Sandy

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**Cc:** Michael Richardson <mrichardson@co.humboldt.ca.us>; "thofweber@co.humboldt.ca.us" <thofweber@co.humboldt.ca.us>; "Natalia.Deardorff@cdph.ca.gov" <Natalia.Deardorff@cdph.ca.gov>; "Tony.Wiedemann@cdph.ca.gov" <Tony.Wiedemann@cdph.ca.gov>  
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"humnatfoods@gmail.com" <humnatfoods@gmail.com>; "mbryant@garbervillesd.org" <mbryant@garbervillesd.org>; lafco lafco <administrator@humboldtlafo.org>; "execofficer@humboldtlafo.org" <execofficer@humboldtlafo.org>

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Thanks, Jennie  
Garberville Sanitary District

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Subject: Re: GSD annexation

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Thank you,  
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Garberville Sanitary District

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Let me know and please send me the accurate figures.  
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Thanks, Jennie  
Garberville Sanitary District

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Sandy

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**From:** Jennie Short  
**To:** Sandy Feretto  
**Sent:** Tuesday, February 28, 2012 10:33 AM  
**Subject:** Re: GSD annexation

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Thanks, Jennie  
Garberville Sanitary District

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The billing notes reference 223-156-012, but when you look at the locations of the two residence on the aerial, they are clearly on APN223-061-025. I will confirm this with Ron, since he actually reads the meters and knows exactly where they are.

Thanks, Jennie  
Garberville Sanitary District

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Does 223-156-012 have GSD connections?

Thank you,  
Sandy

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**From:** Jennie Short  
**To:** Sandy Feretto  
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Here are your questions with my answers in blue following each one:

1) What is the APN for the Brisbin property? [The APN that currently has 2 connections is 223-061-025. The APN that was included in the 2010 agreement with Connick Creek is 223-156-012.](#)

2) How many acres is the Brisban property? [APN 223-061-025 is approximately 105 acres and APN 223-156-012 is approximately 345 acres based upon the data from the Humboldt County GIS database.](#)

3) Does the Brisbin property have residence that is receiving service from GSD? [APN is 223-](#)

061-025 currently has 2 SFRs with separate connections. There are currently no customer account for connections on APN 223-156-012.

4) How many acres at Connick Creek are currently served by GSD? 45.82 for the eight Connick Creek subdivision parcels plus APN 223-061-025 at 105 acres equals about 150 acres.

5) How many acres at Connick Creek are going to be added to the district? None

a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage

of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet? The APNs for Connick Creek are 222-156-14-21. None are going to be added to the District. The APNs that are currently vacant are 222-156-14, 15, 16, and 18.

b) Why did you say they are adjacent to sewer line? Where does the sewer line they are "adjacent to" go? The statement you quote from was the overview that I gave the Board members and was general in nature, not about Connick Creek. I had moved onto the next topic of discussion. The way that we determined if a parcel that was going to be annexed should be put in the Water Only Service Area was if it was adjacent to sewer lines. Connick Creek is not adjacent to a sewer line and is not proposed for annexation into the District. Connick Creek receives NO sewer service.

6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved? The main meter still sits at the Wastewater treatment plant (not the water treatment plant). Subsidiary meters were set in 2010 within the subdivision, but the main meter is still used for determining total water consumed by the connections beyond the main meter. More information on this is in the MSR. If you need me to, I point out that section.

7) What is the process for adding Brisbin and Connick Creek to the district, since GSD has said that

they are served by the district but not included in the annexation application and are currently outside the district boundaries? The District is proposing for Connick Creek and Brisbin to remain outside the District Boundary and continue to be served.

Note that these answers are based upon what GSD is proposing at this time. Subsequent to the circulation of the Initial Study for the annexation project, there may be changes.

Let me know if you need any further information.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Sandy Feretto  
To: Jennie Short  
Subject: GSD annexation  
Sent: Feb 26 '12 2:41pm

Dear Jennie,

Here is a quote from the Jan. 24 GSD Board meeting:

Jennie: "...The way that this has been set up is that there are areas and so I'll do a quick overview, but then we'll look at some of the areas for some of the details of what it is that you probably need to be aware of before you take any action. So these are the six areas that we generally set up. And you can see that the areas that are yellow are proposed for annexation. Note that Connick Creek and the Brisbin parcel are not but those do currently have service off of the main meter that sits at the water treatment plant.

The next thing that we did is that we looked at is of these parcels, which ones have service for sewer and or which ones have requested service for sewer, and or which ones are immediately adjacent to a sewer line that it would be prudent at this point to go ahead and annex them for water and for sewer."

I have some questions:

- 1) What is the APN for the Brisbin property?
- 2) How many acres is the Brisban property?
- 3) Does the Brisbin property have residence that is receiving service from GSD?
- 4) How many acres at Connick Creek are currently served by GSD?
- 5) How many acres at Connick Creek are going to be added to the district?
  - a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet?
  - b) Why did you say they are adjacent to sewer line? Where does the sewer line they are "adjacent to" go?
- 6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved?
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Please let me know.

Thank you,

Sandy

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## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Saturday, March 03, 2012 10:02 PM  
**To:** Jennie Short; herb@changemediation.com; dennisbour@yahoo.com; bstewart@bluestargas.com; humnatfoods@gmail.com; mbryant@garbervillesd.org; lafco lafco; execofficer@humboldtlafo.org  
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5) How many acres at Connick Creek are going to be added to the district? [None](#)

a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage

of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet? [The APNs for Connick Creek are 222-156-14-21. None are going to be added to the District. The APNs that are currently vacant are 222-156-14, 15, 16, and 18.](#)

b) Why did you say they are adjacent to sewer line? Where does the sewer line they are

"adjacent to" go? The statement you quote from was the overview that I gave the Board members and was general in nature, not about Connick Creek. I had moved onto the next topic of discussion. The way that we determined if a parcel that was going to be annexed should be put in the Water Only Service Area was if it was adjacent to sewer lines. Connick Creek is not adjacent to a sewer line and is not proposed for annexation into the District. Connick Creek receives NO sewer service.

6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved? The main meter still sits at the Wastewater treatment plant (not the water treatment plant). Subsidiary meters were set in 2010 within the subdivision, but the main meter is still used for determining total water consumed by the connections beyond the main meter. More information on this is in the MSR. If you need me to, I point out that section.

7) What is the process for adding Brisbin and Connick Creek to the district, since GSD has said that

they are served by the district but not included in the annexation application and are currently outside the district boundaries? The District is proposing for Connick Creek and Brisbin to remain outside the District Boundary and continue to be served.

Note that these answers are based upon what GSD is proposing at this time. Subsequent to the circulation of the Initial Study for the annexation project, there may be changes.

Let me know if you need any further information.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Sandy Feretto  
To: Jennie Short  
Subject: GSD annexation  
Sent: Feb 26 '12 2:41pm

Dear Jennie,

Here is a quote from the Jan. 24 GSD Board meeting:

Jennie: "...The way that this has been set up is that there are areas and so I'll do a quick overview, but then we'll look at some of the areas for some of the details of what it is that you probably need to be aware of before you take any action. So these are the six areas that we generally set up. And you can see that the areas that are yellow are proposed for annexation. Note that Connick Creek and the Brisbin parcel are not but those do currently have service off of the main meter that sits at the water treatment plant.

The next thing that we did is that we looked at is of these parcels, which ones have service for sewer and or which ones have requested service for sewer, and or which ones are immediately adjacent to a sewer line that it would be prudent at this point to go ahead and annex them for water and for sewer."

I have some questions:

- 1) What is the APN for the Brisbin property?
- 2) How many acres is the Brisban property?
- 3) Does the Brisbin property have residence that is receiving service from GSD?
- 4) How many acres at Connick Creek are currently served by GSD?
- 5) How many acres at Connick Creek are going to be added to the district?
  - a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet?
  - b) Why did you say they are adjacent to sewer line? Where does the sewer line they are "adjacent to" go?
- 6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved?
- 7) What is the process for adding Brisbin and Connick Creek to the district, since GSD has said that they are served by the district but not included in the annexation application and are currently outside the district boundaries?

Please let me know.

Thank you,

Sandy

Sandy

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, March 02, 2012 3:04 PM  
**To:** Richardson, Michael  
**Subject:** Who's on third?

Dear Michael. Whoa. It gets worse.  
Sandy

----- Forwarded Message -----

**From:** Jennie Short <jshort@garbervillesd.org>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, March 2, 2012 7:37 AM  
**Subject:** Re: Fw: GSD Feb28 2012 BOD Mtg Excerpts

Sandy, I read the transcript and there is a basic problem with the underlying facts that were being discussed. If you go back and read my email, I stated that both Brisbin connections were on the 105 acre parcel. I confirmed this with Ron C this week to make sure that I was correct. The physical location of the residences that are served from those two meters is within the 105 acre parcel.

If there is a connection to the 345 acre parcel, I am not aware of it and Ron did not disclose it after I specifically asked. The only reference I have found to service to the 345 acre parcel is in the 2010 recorded agreement (which I believe was an error, but now it is a recorded document that has legal authority behind it). The fact that it is listed in the agreement may obligate GSD to provide service to that parcel in the future. If the service will be in the future, that does not mean that the parcel should be annexed into the District Boundary nor included in the SOI until such time as the actual connection is imminent.

Since GSD reads the master meter on the WWTP that Mark and Herb talked about, and then reconciles the quantity of useage from the individual meters to that total, there should not be any connections that we don't know about. If there were, the sum of the individual meters would not add up to approximatley the amount on the master meter.

The little house that was part of the WWTP parcel until 2010 when the GSD/Brisbin LLA was recorded has had service for a long time. The house was owned by GSD until the LLA. That parcel is proposed for annexation into the District Boundary.

As far as Connick Creek buying the water and then selling it to others, I believe that all the connections to that private waterline are billed directly by GSD and that Connick Creek does not issue any bills for this water that they are "buying" and then "reselling". GSD staff physically reads the meter and then GSD produces the bills, collects the \$, etc. The 2010 agreement between Connick Creek & GSD effectively transferred this responsibility from Connick Creek to GSD.

Mark would give you an explanation as to why the semantics of this statement are something other than what they appear to be. He says that the meters are actually owned by the Connick Creek Association and that GSD is providing a "service" for a fee (which just happens to match exactly with our rate structure). I don't personaly understand this distinction.

There were conditions placed on on the subdivision by the County, which required installation of storage tanks for fire protection within the subdivision, but I do not believe that any of them have been constructed for any of the existing residences there. I believe that the only water related infrastructure to or within Connick Creek is the waterline.

If you go to our web site:

[http://www.garbervillesd.org/2012%20Annexation/GSD-ApplicationSummary\\_01-24-12BOD.pdf](http://www.garbervillesd.org/2012%20Annexation/GSD-ApplicationSummary_01-24-12BOD.pdf)

and look at page 11 of 15 (numbered 10 in the bottom right corner) you will find Area 6 which lists all the properties GSD knows about that are attached to the private Connick Creek waterline. The eighth column from the left has a 2 letter abbreviation for the status of the account with GSD. AC = active account (these accounts are billed based upon an actual monthly useage, x 2 means 2 accounts on the one parcel), WM = monthly bill for water meter only, NC = not a customer (i.e. they don't receive a monthly bill of any kind) which should give you a good idea of how GSD is billing these parcels.

As you your question about the "Connick Creek Mutual Water Company": From the documents I have, the Connick Creek has a recorded agreement (Instrument # 1998-32658-6) called "DECLARATION OF ROAD AND WATERLINE MAINTENANCE ASSOCIATION". Tina can provide you with a copy if you request it from her. They are not a mutual water company to my knowledge. I don't think they have any kind of license, permit, etc from either the PUC nor the County Dept of Environmental Health. It is possible that there are documents I don't have, so if you come across anything that should be considered before GSD takes action on the IS/MND, please provide it. If you want to challenge the statements made by the Board, then you would need to address a letter to the Board asking them to document the assertion that Connick Creek has the authority to buy water from GSD and then resell it without some kind of license/permit. They would receive it and maybe be able to respond at their March meeting.

I don't have any idea why Mark and Herb provided the answers that they did. I wish I had been there to help clarify the issue so that the discussion was about the correct parcels and what their current status is.

It seems like the main questions are:

1. Why isn't GSD annexing in all parcels that have water service including the 8 parcels created in the Connick Creek subdivision map and the 105 acre parcel that has existing service connections?
2. What is going to be done about the 345 acre parcel that currently does not have service, but has been listed in the agreement that GSD executed in 2010? Will GSD serve that entire parcel at some point in the future if the owner makes application for annexation?
3. Is GSD going to allow future connections to this private waterline without approval by LAFCo for an out of area extension or an annexation of the parcel prior to service being established? What about other water lines "behind the meter"? Can a property on the edge of the District Boundary sell water to their neighbor that is outside just by running a line from behind the meter to the neighboring property? Doesn't GSD have any ordinances that prohibit this type of extension of a connection outside the boundaries of a legal parcel?
4. Does LAFCo agree that GSD can provide a connection within their District Boundary to a private waterline that then services any parcel it wants?

I don't have answers, and these are questions that the Board should be answering.

Hopefully this isn't too much info on a short list of questions. Unfortunately, it is not a simple straightforward situation. If you would like to talk about it, please feel free to call 223-4567.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Sandy Feretto

To: Jennie Short

Subject: Fw: GSD Feb28 2012 BOD Mtg Excerpts

Sent: Mar 01 '12 9:46pm

Dear Jennie, I am puzzled by your email of Feb. 29 that says that there are no connections that GSD is aware of on parcel 222 156 012. The 2010 Agreement between Garberville Sanitary District and property owners served by waterline says in item 9 on page 3 that 222 156 012 Donna Dae Brisbin has two connections.

What size are those connections?

GSD entered into this agreement. No one at the board meeting denied it on Tuesday. You also mention "what the billing system shows" in your Feb. 27, 9:13 p.m. email to me.

So, it's like the Park Board deal? GSD sets some meter(s), someone pays the bill (the community in the case of the park) and it's a placeholder for a lot of future development potential for the private landowner as per the GPU plan to concentrate development where services are provided.

What do you have about the Connick Creek Mutual Water Company? Anything that proves that it exists and can be some kind of subcontractor for water for GSD?

I am sending you some transcriptions of parts of the GSD meeting on Tuesday since you couldn't be there.

Let me know, please.

Thank you,

Sandy

----- Forwarded Message -----

**From:**Sandy Feretto

**To:**sferetto@yahoo.com

**Sent:** Wednesday, February 29, 2012 9:28 PM

**Subject:**GSD Feb28 2012 BOD Mtg Excerpts

## **Garberville Sanitary District Board Meeting, February 28, 2012**

**Directors present:**Rio Soran Anderson, Herb Schwartz, Dennis Bourassa, Peter Connolly, Bill Stewart

**Public present:**Dave Ordonez, Sandy Feretto, Donald Courtemanche, Kristin Vogel, Ron Copenhafer, GSD  
Operations Manager

### **Excerpts of the Meeting**

**17:17:55**

### **Public Comment Period**

**Herb:** Sandy?

**Sandy Feretto:** My comments are specific to the Annexation. I'd like to make them when that comes up.

**Herb:** Well, as I say...

**Sandy:** It's brief.

**Herb:** Well, why don't you do that. We're just going to go from here. Do it now. And then if there's not, the reason why is, I'm trying to move this agenda along tonight because I'm anticipating doing a fair amount of work to get done. You can't speak to it now?

**Sandy:** Well, I would, it's really specific to the Annexation.

**Herb:** Well, um....Mark?

**Mark Bryant:**The item on the agenda tonight for the Annexation is strictly the notification process. Posting the MND to the newspapers and the public. Other than that, there's no other documents that are really out there yet. We anticipate sometime around maybe fifth of March that we'll have the document available for public comment.

**Sandy:** Uh-huh. So it's a notification that you're thinking of it?

**Mark Bryant:**It's one of the CEQA requirements which is a notification to the public that we are creating a document that has environmental implications. And when that document comes out, then there's a 60, I believe it's a 60 day comment period.

**Don Courtemanche:** 30 days.

**Mark Bryant:** 30 day comment period.

**Sandy:** So you guys are not going to talk about the Annexation at all?

**Mark Bryant:** Just, the only, the item that is on the agenda this evening does not require any action by the board. It's strictly an informational item.

**Sandy:** Well I'd like some information about that item.

**Herb:**Well, we're going to talk a little bit about it. Let's see, um, well, all right, it can be short. I'll allow you to a short amount of time after we go through that agenda item.

**Sandy:** Okay.

**17:20:02**

**Herb:** Don?

**Don Courtemanche:**Yeah, I want to address the issue of, you talked about and I sent you an email about it, you talked about it, I believe it was in a ...meeting during an SOI conversation, on whether, if a water line touches and passes over a parcel, if the whole parcel is served. Right. And you said that, well, the board will probably need a legal opinion and, do you have a legal opinion about that?

**Herb:** No, as far as I know, we haven't really figured that out yet. We've got to. We have to. I agree.

Especially as we go through the Annexation process. It's very important.

**Don:** Right, because, see, so you're adopting a Mitigated Negative Declaration here for the Annexation process. And it will be, the wheels will start spinning. But if you don't have that opinion in place, then the amount of acres that you have posted is short by half, more than half. There's a 350 acre parcel for Brisbin. There's uh, every place that's touched by a water line probably adds up to around 800 acres. And what you're talking about is 700 acres.

**Herb:** That has to be in place. I agree with you.

**Don:** Right, okay, so that decision will have to be in place. You already have a precedent where you've granted the Southern Humboldt Community Park, they say they have service. You know I have a different opinion about it. They've never had service to the other parcel. So you've just said, oh well, it's not only are you serving a whole parcel, but you're serving another parcel that's considered one landowner. If that is the case, if you pass over a piece of property that Jim Johnson owns, he owns half the County, I mean you're serving a couple thousand acres. So, if you don't get this in place before this Notice of, I mean how could it be a Negative Dec if you're lighting up with water and sewer services 1500 acres? instead of 700 acres, and 700 acres is way too much.

**Herb:** Yeah, I think it's a point well taken. I'm glad you remind us of it. And we're going to have to deal with it. I agree with you.

**Don:** And also, I have one other item. I think that Kristin Vogel deserves a public apology because your email was published in the Independent and so that makes it a public matter. Thank you.

**Herb:** Okay, all right, I acknowledge your comment, but the board has, well, may or may not want to think that's appropriate.

**18:06:47**

This begins after board discusses Agenda Item V. (3) Annexation Notice of Intent (which means GSD will begin an MND.)

**Sandy Feretto:** I'd like to?

**Herb:** I'm sorry, go ahead.

**Sandy:** So now LAFCo is not the Lead Agency?

**Herb:** Not on this one.

**Sandy:** And so they are on the MSR SOI?

**Herb:** Right. But there's been, maybe Mark is more up on the intricacies on that one.

**Mark Bryant:** Because of the costs associated with the development of an environmental document, LAFCo has chosen to wait until our document is complete and filed and then use our document and piggyback on it for

the MSI SOR. The two other documents, MSR SOI.

**Sandy:** So, I mean, they look over it too.

**Mark Bryant:** Oh yeah, they'll comment on it also. But their hope is that most of the work necessary for their environmental document will be done by the District as part of the Annexation document.

**Sandy:** Okay, so, I do have a comment about the Annexation document.

**Herb:** Stop there for a second because I got these furrowed eyebrows from Virginia.

**Virginia Graziani:** I am so confused. Let's just take these. Who is the Lead Agency on Annexation?

**Mark Bryant:** The District is.

**Virginia:** The District. Okay. Exactly the opposite of what I'd written down. And then on the MSR SOI, it's LAFCo.

**Mark:** Correct.

**Virginia:** Thank you. That's all I wanted to know.

**Herb:** But, where the politics and the procedures get into a crunch is who pays for it. And that's where the guy on the bottom gets to pay for it, and that's us. Our hope is that most of that work will be accepted by LAFCo.

**Virginia:** Annexation?

**Herb:** Yes. Annexation and I guess MSR SOI. I mean, these agencies fight it out as to who's got the least money.

**Don Courtemanche:** Do the landowners pay any of that?

**Herb:** Well, to the extent that this District has to incur those costs, it's part of our expense. I mean, I....

**Don:** I thought you said these processes were going to be repaid by the landowners and developers?

**Herb:** Well, part of the Annexation, that's in draft right now, that's where, this is where your review is going to be important, is when you see the Mitigated Neg Dec. In there, there should be such limitations so that our Annexation, because it's a Mitigated Neg Dec, it really shows almost no impact. And that's because it is, if it's done right, we're not going to have any impact and that any kind of impact on development should be on the landowners. And that, and that's the reason why,...

**Don:** Water and sewer service is the impact.

**Herb:** Well, I mean, that's your chance to look at it, so...

**Don:** So, what you're saying is developers, landowners aren't paying any of these annexations costs?

**Herb:** Not at this level.

**Don:** Is there any level where they would pay?

**Herb:** Yeah. If there's impact for development. That's our plan.

**Don:** But the Annexation will be done?

**Herb:** No, but you have to look at it really in detail, what you talk about in terms of Annexation. And that will be in the Mitigated Neg Dec. It'll lay it all out. That's where we should talk about it. Not now. Because otherwise, you use the word Annexation, it covers everything from soup to nuts. And we're not un...yet.

**Don:** Extension of services.

**Herb:** No, I mean, that's the reason I don't want to get into it. Let's wait till we get there, okay. Okay. Go ahead.

**Sandy Feretto:** Okay, but I do have a question. May I approach the map?

**Herb:** Sure.

**Sandy:** So, there is this one parcel that I was, that's in the 1997-98 agreement with Connick Creek. And it's also in the 2010 agreement. And it's this one. That, you don't show it receiving water, but Jennie says they have connections. So, it's along the line of Connick Creek. It's 222-156-012. It's 345 acres. And apparently the line passes through and there are connections.

**Herb:** Okay, Mark, you want to answer? I can...go ahead.

**Mark Bryant:** The Connick Creek line? The Connick Creek line is not a District line. It's a private line.

**Herb:** But Connick Creek is not included, as far as I know.

**Mark Bryant:** It's not in the Annexation. Correct.

**Sandy:** But, so if their water being served, then why doesn't that other parcel in there too. It's the same.

**Mark Bryant:** They are served by their own line. The District did not put that line in. We do not take any responsibility for that line.

**Sandy:** Jennie says that meter, I thought the 2002 agreement with Connick Creek was, the meters, so why do you have Connick Creek in there? It's the same.

**Mark Bryant:** It is not within the Annexation that we're currently working on.

**Sandy:** Right. So, why do you show it there and not that 345 acre parcel?

**Herb:** I'm not sure I know what you mean.

**Mark Bryant:** I don't understand your question, I'm sorry.

**Sandy:** If that 345 acre parcel that's outside the Sphere of Influence has connections to whoever Connick Creek line, GSD claims that GSD serves them, right?

**Mark Bryant:** We do provide water via their own line from a point near the wastewater treatment plant.

**Sandy:** So why aren't you showing them as getting water?

**Mark Bryant:** Because we do not supply them with water. The Connick Creek Mutual Water Company supplies them with water. We supply water to Connick Creek.

**Don Courtemanche:** How about the one right behind the treatment plant, 05?

**Sandy:** Yeah, I mean, and that's being added and you say...

**Mark Bryant:** Are you talking about the small parcel next to the treatment plant?

**Don:** Yeah, 105 acres.

**Mark Bryant:** There is a, it's about a seven-and-a-half acre piece that we currently supply water to, directly next to the plant. We served that water prior to the construction of the wastewater treatment plant. It was currently served on its own meter by the Garberville Water Company when we purchased that.

**Sandy:** So what I'm saying is, this parcel has a connection to whatever. GSD is serving this parcel, so why is that not shown.

**Mark Bryant:** We are not selling water to Brisbin. The Mutual Water Company is selling water to Brisbin on their own line.

**Don Courtemanche:** Kimtu could then sell water? I mean Connick Creek can sell water?

**Sandy:** When does it stop?!

**Mark Bryant:** The water is being purchased. The point of purchase for that water is at the Brisbin property line with the Services District.

**Sandy:** Does this sound crazy to anybody else? Does this sound like double-talk?

**Virginia Graziani:** What is unclear to me, the water is going from GSD to Connick Creek. Connick Creek is paying you for this water. Then they're selling water to Brisbin.

**Mark Bryant:** Yes.

**Virginia:** From their own line.

**Don:** Ohhhhh.

**Virginia:** It's clear to me.

**Ron Copenhafer:** The same thing in Benbow. They do the same thing with the subdivision across the freeway from them. They supply water to a main tank who then redistributes it through that subdivision and collects the money.

**Don:** That's under the PUC though. Yeah, it is.

**Ron:** But it, okay, but don't be disingenuous about it, you're right, it's not under the PUC but it's the same thing.

**Don:** No, no, you have an Association selling water. That is not the same thing.

**Herb:** This is something that we inherited. It's a kind of an aberration.

**Don:** No, you did not inherit it.

**Herb:** Well, we entered into an agreement that perhaps we shouldn't have. We're not going back on to it, that's true. It is an exception. Um, we are a kind of, we did it. You know, we're not a perfect agency but we're not, you know, it isn't going to the extent that it's the tail wagging the dog. It doesn't quite make sense. I agree with you so to speak. But it's the circumstances that we're living with. And I think it's reasonable under the circumstances. We're not causing a great deal of disturbance to the operations of the District's ..(?). If anything we're benefiting our ratepayers by earning some money from it. It doesn't quite make sense. That's the reason why we, when LAFCo was presented with this issue, they went up and down the State to try to figure out what you do with an island out there. And we finally decided not to annex it, but we do have this service agreement.  
It's a bunk.

**Sandy:** So what you're saying now is you have some, there's some kind of deal that like Connick Creek is its own water company, that Garberville Sanitary District, what?

**Herb:** We explained it. We're selling to Connick Creek, water, mutual.

**Sandy:** It needs to be shown, that 345 acres. It needs to be included with those blue cross-hatching because it has connections.

**Don:** It's Garberville water. I mean, you know, they're not developing for...

**Herb:** I don't want to go back and forth. This is what our position is, I'm afraid, and we're kind of sticking with this.

**Kristin Vogel:** How big a tank does Connick Creek Water Association fill up in order to sell to Brisbin?

**Herb:** Again, I want to close it off here. I mean that's...

**Kristin:** Is it a big tank though?

**Herb:** No, it's just a water line.

**Kristin:** No, you have to have a tank in order to sell water to somebody else.

**Herb:** Not that I know of.

**Sandy:** It has connections. It's being served outside the District.

**Herb:** I've heard that. And (stings?) speaks for itself.

**Don:** What size are those connections?

**Herb:** I've explained it already.

**Don:** They're five-eighths? Are they three-quarters? What...

**Herb:** I have to cut it off here, you know. We're going round and round and round. So, that's it. We adopted that.

**Don:** That's a definite maybe?

**Herb:** It's not a definite maybe. It's an aberration. It is what it is. It has its own peculiar history. We've gone over the history...

**Kristin Vogel:** But not in public.

**Herb:** I can't help it whether or not it doesn't fit within your pattern of what you want to see. That's just the way it is and the board is going to stick with it.

**Sandy:** So, in other words, you're saying that there's 345 acres getting water that you are not showing. There's a problem there.

**Herb:** If there's a problem, I think you have to go figure out how to solve it.

**Sandy:** I have to solve it?!

**Herb:** Yes, you have to solve it.

**Sandy:** And what with the Lead Agency here?!

**Herb:** I'm afraid that's because, because we have made these determinations.

**Sandy:** And so what's that going to be? Just 345 acres that are getting water that you pretend doesn't exist?

**Herb:** Part of our issue, part of our issue of providing water that will be I hope be addressed in this Mitigated Negative Dec. is how much water does a connection get? Is it an unlimited supply? And what is the definition of a residential connection? And those two things really need to be addressed under an ordinance. And it's my hope that those two things will be addressed in an ordinance as part of this Mitigated Neg Dec.

**Don Courtemanche:** And ordinance you can remove when you get yeah,

**Herb:** So, uh, I'm trying to maintain a civil conversation here, ...

**Don:** But you know, you discussed removing the ordinance. You were going to restrict the Park, and then you say yeah, and when we get the line we'll remove it.

**Herb:** We haven't done that.

**Don:** I heard it said at a meeting Herb.

**Herb:** I know we haven't done it yet.

**Don:** Right, but that's a possibility. So, I'm being civil too because I'm repeating what you said.

**Herb:** Okay.

**Sandy:** May I have a couple moments to. This is some stuff that I talked to Michael Richardson, senior planner, at the County about. He says, "Yes, you're correct that the idea to provide water service includes the GPU. It includes alternatives to focus development there. These areas may be built to the maximum development potential allowed under the General Plan Update." So, you're talking about 345 acres that you don't even show that are actually getting District water.

**Herb:** This step may happen, that's true, that may happen. But we are, our job is primarily as a public utility. We're not a planning agency and anybody wants to build there, they go through a planning process.

**Sandy:** Then, you need to show that they're getting Garberville water!

**Herb:** We do!

**Sandy:** No you don't. It's not even in the Sphere of Influence.

**Herb:** You know about it, we know about it, the public knows about it. It's public record.

**Kristin Vogel:** How is that? I've never heard of it before.

**Sandy:** It is not public record.

**Herb:** But, the Connick Creek agreement?

**Kristin:** No, the Brisbin property.

**Sandy:** No! I'm talking about that 345 acre property 222-156-012. It's not listed on your Annexation and yet the 2010 agreement and the 1997-98 Connick Creek agreement show that they get water. They have connections, Jennie said.

**Herb:** Mark, I want to close this off because I said, we have a long calendar tonight. This is really the subject of when we will have our public hearing on these issues and that's when this should be addressed. But let me just check with you on the Brisbin property. How is that served by water?

**Mark Bryant:** The Brisbin property actually has one connection and that's at the yellow house the District used to own. That's the only connection to Garberville water there is. Connick Creek Water Company connects to close to the Connick Creek, I mean, close to the Brisbin meter. Their meter is much larger. The water is transmitted through a line that is owned by Connick Creek. At the time the water goes through that line, that water is owned by Connick Creek, not by the District. Thereby, it's not District's connections.

**Ron Copenhafer:** May I ask Mark a question?

**Mark Bryant:** Sure.

**Ron:** Is there any reason that we cannot sell water to Connick Creek Mutual Water Company and they sell it to their customers?

**Mark Bryant:** There's no restriction in any of our ordinances or any of the PUC laws that would limit..

**Ron:** Or Department of Public Health.

**Mark Bryant:** Correct.

**Herb:** So I think you need to close it off at this point. It is what it is.

**Ron:** Moot!

**Herb:** And move on.

**Sandy:** No, it's not moot.

**Ron:** Yes, it is.

**Herb:** So, having gone through all that, the next item is about the Kimtu, and we've already talked about that. We're not connected to the Kimtu line are we?

**Mark Bryant:** Well, we are connected, but there's no water flowing.

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, February 29, 2012 9:10 PM  
**To:** Richardson, Michael  
**Subject:** GSD Feb28 2012 BOD Mtg Excerpts

Dear Michael, here is the other thing I hope you have time to peruse. Really, you might find it entertaining. If this isn't leapfrog development, what is? If you want to you can refer to the other email that has the map with the APNs, and the crosshatching and all. If you don't have time to read all of the one below, just start with 18:06:47. It's pretty short. They don't want public comment anymore, apparently.

The most disturbing thing is that GSD keeps claiming that they want to save money so they don't want to do an environmental impact report. It's much cheaper to just not mention anything that might trigger an environmental impact report, ignore the GPU and lie about the rest. And never, ever talk about where the water is coming from.

I am wondering now if a similar strategy will be used to get Dazey's property in the district, since GSD and the park board are claiming that every parcel that was ever under their ownership has GSD water already or soon or something.

There is more at stake here than money...the state and federally listed wild and scenic South Fork Eel River. It is not GSD and the park board's private river to plunder or dispense for favors. Who oversees this?

Thank you,  
Sandy

----- Forwarded Message -----

**From:** Sandy Feretto <sandyferetto@wavecable.com>  
**To:** sferetto@yahoo.com  
**Sent:** Wednesday, February 29, 2012 7:11 PM  
**Subject:** GSD Feb28 2012 BOD Mtg Excerpts

## Garberville Sanitary District Board Meeting, February 28, 2012

**Directors present:** Rio Soran Anderson, Herb Schwartz, Dennis Bourassa, Peter Connolly, Bill Stewart  
**Public present:** Dave Ordonez, Sandy Feretto, Donald Courtemanche, Kristin Vogel, Ron Copenhafer, GSD Operations Manager

### Excerpts of the Meeting

17:17:55

### Public Comment Period

**Herb:** Sandy?

**Sandy Feretto:** My comments are specific to the Annexation. I'd like to make them when that comes up.

**Herb:** Well, as I say...

**Sandy:** It's brief.

**Herb:** Well, why don't you do that. We're just going to go from here. Do it now. And then if there's not, the reason why is, I'm trying to move this agenda along tonight because I'm anticipating doing a fair amount of work to get done. You can't speak to it now?

**Sandy:** Well, I would, it's really specific to the Annexation.

**Herb:** Well, um....Mark?

**Mark Bryant:** The item on the agenda tonight for the Annexation is strictly the notification process. Posting the MND to the newspapers and the public. Other than that, there's no other documents that are really out there yet. We anticipate sometime around maybe fifth of March that we'll have the document available for public comment.

**Sandy:** Uh-huh. So it's a notification that you're thinking of it?

**Mark Bryant:** It's one of the CEQA requirements which is a notification to the public that we are creating a document that has environmental implications. And when that document comes out, then there's a 60, I believe it's a 60 day comment period.

**Don Courtemanche:** 30 days.

**Mark Bryant:** 30 day comment period.

**Sandy:** So you guys are not going to talk about the Annexation at all?

**Mark Bryant:** Just, the only, the item that is on the agenda this evening does not require any action by the board. It's strictly an informational item.

**Sandy:** Well I'd like some information about that item.

**Herb:** Well, we're going to talk a little bit about it. Let's see, um, well, all right, it can be short. I'll allow you to a short amount of time after we go through that agenda item.

**Sandy:** Okay.

**17:20:02**

**Herb:** Don?

**Don Courtemanche:** Yeah, I want to address the issue of, you talked about and I sent you an email about it, you talked about it, I believe it was in a ...meeting during an SOI conversation, on whether, if a water line touches and passes over a parcel, if the whole parcel is served. Right. And you said that, well, the board will probably need a legal opinion and, do you have a legal opinion about that?

**Herb:** No, as far as I know, we haven't really figured that out yet. We've got to. We have to. I agree. Especially as we go through the Annexation process. It's very important.

**Don:** Right, because, see, so you're adopting a Mitigated Negative Declaration here for the Annexation process. And it will be, the wheels will start spinning. But if you don't have that opinion in place, then the amount of acres that you have posted is short by half, more than half. There's a 350 acre parcel for Brisbin. There's uh, every place that's touched by a water line probably adds up to around 800 acres. And what you're talking about is 700 acres.

**Herb:** That has to be in place. I agree with you.

**Don:** Right, okay, so that decision will have to be in place. You already have a precedent where you've granted the Southern Humboldt Community Park, they say they have service. You know I have a different opinion about it. They've never had service to the other parcel. So you've just said, oh well, it's not only are you serving a whole parcel, but you're serving another parcel that's considered one landowner. If that is the case, if you pass over a piece of property that Jim Johnson owns, he owns half the County, I mean you're serving a couple thousand acres. So, if you don't get this in place before this Notice of, I mean how could it be a Negative Dec if you're lighting up with water and sewer services 1500 acres? instead of 700 acres, and 700 acres is way too much.

**Herb:** Yeah, I think it's a point well taken. I'm glad you remind us of it. And we're going to have to deal with it. I agree with you.

**Don:** And also, I have one other item. I think that Kristin Vogel deserves a public apology because your email was published in the Independent and so that makes it a public matter. Thank you.

**Herb:** Okay, all right, I acknowledge your comment, but the board has, well, may or may not want to think that's appropriate.

**18:06:47**

This begins after board discusses Agenda Item V. (3) Annexation Notice of Intent (which means GSD will begin an MND.)

**Sandy Feretto:** I'd like to?

**Herb:** I'm sorry, go ahead.

**Sandy:** So now LAFCo is not the Lead Agency?

**Herb:** Not on this one.

**Sandy:** And so they are on the MSR SOI?

**Herb:** Right. But there's been, maybe Mark is more up on the intricacies on that one.

**Mark Bryant:** Because of the costs associated with the development of an environmental document, LAFCo has chosen to wait until our document is complete and filed and then use our document and piggyback on it for the MSI SOR. The two other documents, MSR SOI.

**Sandy:** So, I mean, they look over it too.

**Mark Bryant:** Oh yeah, they'll comment on it also. But their hope is that most of the work necessary for their environmental document will be done by the District as part of the Annexation document.

**Sandy:** Okay, so, I do have a comment about the Annexation document.

**Herb:** Stop there for a second because I got these furrowed eyebrows from Virginia.

**Virginia Graziani:** I am so confused. Let's just take these. Who is the Lead Agency on Annexation?

**Mark Bryant:** The District is.

**Virginia:** The District. Okay. Exactly the opposite of what I'd written down. And then on the MSR SOI, it's LAFCo.

**Mark:** Correct.

**Virginia:** Thank you. That's all I wanted to know.

**Herb:** But, where the politics and the procedures get into a crunch is who pays for it. And that's where the guy on the bottom gets to pay for it, and that's us. Our hope is that most of that work will be accepted by LAFCo.

**Virginia:** Annexation?

**Herb:** Yes. Annexation and I guess MSR SOI. I mean, these agencies fight it out as to who's got the least money.

**Don Courtemanche:** Do the landowners pay any of that?

**Herb:** Well, to the extent that this District has to incur those costs, it's part of our expense. I mean, I....

**Don:** I thought you said these processes were going to be repaid by the landowners and developers?

**Herb:** Well, part of the Annexation, that's in draft right now, that's where, this is where your review is going to be important, is when you see the Mitigated Neg Dec. In there, there should be such limitations so that our Annexation, because it's a Mitigated Neg Dec, it really shows almost no impact. And that's because it is, if it's done right, we're not going to have any impact and that any kind of impact on development should be on the landowners. And that, and that's the reason why,...

**Don:** Water and sewer service is the impact.

**Herb:** Well, I mean, that's your chance to look at it, so...

**Don:** So, what you're saying is developers, landowners aren't paying any of these annexations costs?

**Herb:** Not at this level.

**Don:** Is there any level where they would pay?

**Herb:** Yeah. If there's impact for development. That's our plan.

**Don:** But the Annexation will be done?

**Herb:** No, but you have to look at it really in detail, what you talk about in terms of Annexation. And that will be in the Mitigated Neg Dec. It'll lay it all out. That's where we should talk about it. Not now. Because otherwise, you use the word Annexation, it covers everything from soup to nuts. And we're not un...yet.

**Don:** Extension of services.

**Herb:** No, I mean, that's the reason I don't want to get into it. Let's wait till we get there, okay. Okay. Go ahead.

**Sandy Feretto:** Okay, but I do have a question. May I approach the map?

**Herb:** Sure.

**Sandy:** So, there is this one parcel that I was, that's in the 1997-98 agreement with Connick Creek. And it's also in the 2010 agreement. And it's this one. That, you don't show it receiving water, but Jennie says they have connections. So, it's along the line of Connick Creek. It's 222-156-012. It's 345 acres. And apparently the line passes through and there are connections.

**Herb:** Okay, Mark, you want to answer? I can...go ahead.

**Mark Bryant:** The Connick Creek line? The Connick Creek line is not a District line. It's a private line.

**Herb:** But Connick Creek is not included, as far as I know.

**Mark Bryant:** It's not in the Annexation. Correct.

**Sandy:** But, so if their water being served, then why doesn't that other parcel in there too. It's the same.

**Mark Bryant:** They are served by their own line. The District did not put that line in. We do not take any responsibility for that line.

**Sandy:** Jennie says that meter, I thought the 2002 agreement with Connick Creek was, the meters, so why do you have Connick Creek in there? It's the same.

**Mark Bryant:** It is not within the Annexation that we're currently working on.

**Sandy:** Right. So, why do you show it there and not that 345 acre parcel?

**Herb:** I'm not sure I know what you mean.

**Mark Bryant:** I don't understand your question, I'm sorry.

**Sandy:** If that 345 acre parcel that's outside the Sphere of Influence has connections to whoever Connick Creek line, GSD claims that GSD serves them, right?

**Mark Bryant:** We do provide water via their own line from a point near the wastewater treatment plant.

**Sandy:** So why aren't you showing them as getting water?

**Mark Bryant:** Because we do not supply them with water. The Connick Creek Mutual Water Company supplies them with water. We supply water to Connick Creek.

**Don Courtemanche:** How about the one right behind the treatment plant, 05?

**Sandy:** Yeah, I mean, and that's being added and you say...

**Mark Bryant:** Are you talking about the small parcel next to the treatment plant?

**Don:** Yeah, 105 acres.

**Mark Bryant:** There is a, it's about a seven-and-a-half acre piece that we currently supply water to, directly next to the plant. We served that water prior to the construction of the wastewater treatment plant. It was currently served on its own meter by the Garberville Water Company when we purchased that.

**Sandy:** So what I'm saying is, this parcel has a connection to whatever. GSD is serving this parcel, so why is that not shown.

**Mark Bryant:** We are not selling water to Brisbin. The Mutual Water Company is selling water to Brisbin on their own line.

**Don Courtemanche:** Kimtu could then sell water? I mean Connick Creek can sell water?

**Sandy:** When does it stop?!

**Mark Bryant:** The water is being purchased. The point of purchase for that water is at the Brisbin property line with the Services District.

**Sandy:** Does this sound crazy to anybody else? Does this sound like double-talk?

**Virginia Graziani:** What is unclear to me, the water is going from GSD to Connick Creek. Connick Creek is paying you for this water. Then they're selling water to Brisbin.

**Mark Bryant:** Yes.

**Virginia:** From their own line.

**Don:** Ohhhhh.

**Virginia:** It's clear to me.

**Ron Copenhafer:** The same thing in Benbow. They do the same thing with the subdivision across the freeway from them. They supply water to a main tank who then redistributes it through that subdivision and collects the money.

**Don:** That's under the PUC though. Yeah, it is.

**Ron:** But it, okay, but don't be disingenuous about it, you're right, it's not under the PUC but it's the same thing.

**Don:** No, no, you have an Association selling water. That is not the same thing.

**Herb:** This is something that we inherited. It's a kind of an aberration.

**Don:** No, you did not inherit it.

**Herb:** Well, we entered into an agreement that perhaps we shouldn't have. We're not going back on to it, that's true. It is an exception. Um, we are a kind of, we did it. You know, we're not a perfect agency but we're not, you know, it isn't going to the extent that it's the tail wagging the dog. It doesn't quite make sense. I agree with you so to speak. But it's the circumstances that we're living with. And I think it's reasonable under the circumstances. We're not causing a great deal of disturbance to the operations of the District's ..(?). If anything we're benefiting our ratepayers by earning some money from it. It doesn't quite make sense. That's the reason why we, when LAFCo was presented with this issue, they went up and down the State to try to figure out what you do with an island out there. And we finally decided not to annex it, but we do have this service agreement. It's a bunk.

**Sandy:** So what you're saying now is you have some, there's some kind of deal that like Connick Creek is its own water company, that Garberville Sanitary District, what?

**Herb:** We explained it. We're selling to Connick Creek, water, mutual.

**Sandy:** It needs to be shown, that 345 acres. It needs to be included with those blue cross-hatching because it has connections.

**Don:** It's Garberville water. I mean, you know, they're not developing for...

**Herb:** I don't want to go back and forth. This is what our position is, I'm afraid, and we're kind of sticking with this.

**Kristin Vogel:** How big a tank does Connick Creek Water Association fill up in order to sell to Brisbin?

**Herb:** Again, I want to close it off here. I mean that's...

**Kristin:** Is it a big tank though?

**Herb:** No, it's just a water line.

**Kristin:** No, you have to have a tank in order to sell water to somebody else.

**Herb:** Not that I know of.

**Sandy:** It has connections. It's being served outside the District.

**Herb:** I've heard that. And (stings?) speaks for itself.

**Don:** What size are those connections?

**Herb:** I've explained it already.

**Don:** They're five-eighths? Are they three-quarters? What...

**Herb:** I have to cut it off here, you know. We're going round and round and round. So, that's it. We adopted that.

**Don:** That's a definite maybe?

**Herb:** It's not a definite maybe. It's an aberration. It is what it is. It has its own peculiar history. We've gone over the history...

**Kristin Vogel:** But not in public.

**Herb:** I can't help it whether or not it doesn't fit within your pattern of what you want to see. That's just the way it is and the board is going to stick with it.

**Sandy:** So, in other words, you're saying that there's 345 acres getting water that you are not showing. There's a problem there.

**Herb:** If there's a problem, I think you have to go figure out how to solve it.

**Sandy:** I have to solve it?!

**Herb:** Yes, you have to solve it.

**Sandy:** And what with the Lead Agency here?!

**Herb:** I'm afraid that's because, because we have made these determinations.

**Sandy:** And so what's that going to be? Just 345 acres that are getting water that you pretend doesn't exist?

**Herb:** Part of our issue, part of our issue of providing water that will be I hope be addressed in this Mitigated Negative Dec. is how much water does a connection get? Is it an unlimited supply? And what is the definition of a residential connection? And those two things really need to be addressed under an ordinance. And it's my hope that those two things will be addressed in an ordinance as part of this Mitigated Neg Dec.

**Don Courtemanche:** And ordinance you can remove when you get yeah,

**Herb:** So, uh, I'm trying to maintain a civil conversation here, ...

**Don:** But you know, you discussed removing the ordinance. You were going to restrict the Park, and then you say yeah, and when we get the line we'll remove it.

**Herb:** We haven't done that.

**Don:** I heard it said at a meeting Herb.

**Herb:** I know we haven't done it yet.

**Don:** Right, but that's a possibility. So, I'm being civil too because I'm repeating what you said.

**Herb:** Okay.

**Sandy:** May I have a couple moments to. This is some stuff that I talked to Michael Richardson, senior planner, at the County about. He says, “Yes, you’re correct that the idea to provide water service includes the GPU. It includes alternatives to focus development there. These areas may be built to the maximum development potential allowed under the General Plan Update.” So, you’re talking about 345 acres that you don’t even show that are actually getting District water.

**Herb:** This step may happen, that’s true, that may happen. But we are, our job is primarily as a public utility. We’re not a planning agency and anybody wants to build there, they go through a planning process.

**Sandy:** Then, you need to show that they’re getting Garberville water!

**Herb:** We do!

**Sandy:** No you don’t. It’s not even in the Sphere of Influence.

**Herb:** You know about it, we know about it, the public knows about it. It’s public record.

**Kristin Vogel:** How is that? I’ve never heard of it before.

**Sandy:** It is not public record.

**Herb:** But, the Connick Creek agreement?

**Kristin:** No, the Brisbin property.

**Sandy:** No! I’m talking about that 345 acre property 222-156-012. It’s not listed on your Annexation and yet the 2010 agreement and the 1997-98 Connick Creek agreement show that they get water. They have connections, Jennie said.

**Herb:** Mark, I want to close this off because I said, we have a long calendar tonight. This is really the subject of when we will have our public hearing on these issues and that’s when this should be addressed. But let me just check with you on the Brisbin property. How is that served by water?

**Mark Bryant:** The Brisbin property actually has one connection and that’s at the yellow house the District used to own. That’s the only connection to Garberville water there is. Connick Creek Water Company connects to close to the Connick Creek, I mean, close to the Brisbin meter. Their meter is much larger. The water is transmitted through a line that is owned by Connick Creek. At the time the water goes through that line, that water is owned by Connick Creek, not by the District. Thereby, it’s not District’s connections.

**Ron Copenhafer:** May I ask Mark a question?

**Mark Bryant:** Sure.

**Ron:** Is there any reason that we cannot sell water to Connick Creek Mutual Water Company and they sell it to their customers?

**Mark Bryant:** There’s no restriction in any of our ordinances or any of the PUC laws that would limit..

**Ron:** Or Department of Public Health.

**Mark Bryant:** Correct.

**Herb:** So I think you need to close it off at this point. It is what it is.

**Ron:** Moot!

**Herb:** And move on.

**Sandy:** No, it's not moot.

**Ron:** Yes, it is.

**Herb:** So, having gone through all that, the next item is about the Kimtu, and we've already talked about that. We're not connected to the Kimtu line are we?

**Mark Bryant:** Well, we are connected, but there's no water flowing.

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, February 29, 2012 7:47 PM  
**To:** Richardson, Michael  
**Subject:** Fw: GSD annexation #1  
**Attachments:** Figure8forSandy.pdf

Dear Michael, I want to send you a couple of things that I hope you read. One of them is this below, with an attractive color attachment. The other is a transcription of part of the GSD board meeting on Feb. 28. It may seem long, but it's not really. Maybe some entertaining reading during lunch at your desk or something. I really think you ought to know about this.

Thank you for your time and attention.

Sandy

----- Forwarded Message -----

**From:** Jennie Short <jshort@garbervillesd.org>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, February 27, 2012 11:59 AM  
**Subject:** Re: GSD annexation

Hi Sandy, I completed my main deadline this morning, so I looked up the answers to your questions. Most of the information is just adding up the data in the Annexation table, so if you want to check, that is the best source of information. I am also attaching Figure 8 with a larger area showing so that you can see where the Connick Creek parcels, two Brisbin parcels are along with the parcels highlighted in yellow that are proposed for annexation and I have turned on the labeling for the parcels so the ones you are asking about are easier to identify. All the annexation figures from the Board meeting on Jan 24th are on our web site.

Here are your questions with my answers in blue following each one:

- 1) What is the APN for the Brisbin property? [The APN that currently has 2 connections is 223-061-025. The APN that was included in the 2010 agreement with Connick Creek is 223-156-012.](#)
- 2) How many acres is the Brisban property? [APN 223-061-025 is approximately 105 acres and APN 223-156-012 is approximately 345 acres based upon the data from the Humboldt County GIS database.](#)
- 3) Does the Brisbin property have residence that is receiving service from GSD? [APN is 223-061-025 currently has 2 SFRs with separate connections. There are currently no customer account for connections on APN 223-156-012.](#)
- 4) How many acres at Connick Creek are currently served by GSD? [45.82 for the eight Connick Creek subdivision parcels plus APN 223-061-025 at 105 acres equals about 150 acres.](#)
- 5) How many acres at Connick Creek are going to be added to the district? [None](#)
  - a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet? [The APNs for Connick Creek are 222-156-14-21. None are going to be added to the District. The APNs that are currently vacant are 222-156-14, 15, 16, and 18.](#)
  - b) Why did you say they are adjacent to sewer line? Where does the sewer line they are "adjacent to" go? [The statement you quote from was the overview that I gave the Board members and was general in nature, not about Connick Creek. I had moved onto the next topic of discussion. The way that we determined if a parcel that was going to be annexed should be put in the Water Only Service Area was if it was adjacent to sewer lines. Connick Creek is not adjacent to a sewer line and is not proposed for annexation into the District. Connick Creek receives NO sewer service.](#)

6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved? [The main meter still sits at the Wastewater treatment plant \(not the water treatment plant\). Subsidiary meters were set in 2010 within the subdivision, but the main meter is still used for determining total water consumed by the connections beyond the main meter. More information on this is in the MSR. If you need me to, I point out that section.](#)

7) What is the process for adding Brisbin and Connick Creek to the district, since GSD has said that they are served by the district but not included in the annexation application and are currently outside the district boundaries? [The District is proposing for Connick Creek and Brisbin to remain outside the District Boundary and continue to be served.](#)

Note that these answers are based upon what GSD is proposing at this time. Subsequent to the circulation of the Initial Study for the annexation project, there may be changes.

Let me know if you need any further information.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Sandy Feretto  
To: Jennie Short  
Subject: GSD annexation  
Sent: Feb 26 '12 2:41pm

Dear Jennie,

Here is a quote from the Jan. 24 GSD Board meeting:

Jennie: "...The way that this has been set up is that there are areas and so I'll do a quick overview, but then we'll look at some of the areas for some of the details of what it is that you probably need to be aware of before you take any action. So these are the six areas that we generally set up. And you can see that the areas that are yellow are proposed for annexation. Note that Connick Creek and the Brisbin parcel are not but those do currently have service off of the main meter that sits at the water treatment plant.

The next thing that we did is that we looked at is of these parcels, which ones have service for sewer and or which ones have requested service for sewer, and or which ones are immediately adjacent to a sewer line that it would be prudent at this point to go ahead and annex them for water and for sewer."

I have some questions:

- 1) What is the APN for the Brisbin property?
- 2) How many acres is the Brisban property?
- 3) Does the Brisbin property have residence that is receiving service from GSD?
- 4) How many acres at Connick Creek are currently served by GSD?
- 5) How many acres at Connick Creek are going to be added to the district?
  - a) What are the APNs for Connick Creek that are currently served and what are the APN and acreage of the parcels at Connick Creek that are going to be added to the district that do not yet receive services, or that don't have residences yet?
  - b) Why did you say they are adjacent to sewer line? Where does the sewer line they are "adjacent to" go?

6) You said at the Jan. 24 meeting (see above) that Brisbin and Connick Creek have service off of the main meter that sits at the water treatment plant. Do you mean meters that sit at the sewer treatment plant or have they been moved?

7) What is the process for adding Brisbin and Connick Creek to the district, since GSD has said that they are served by the district but not included in the annexation application and are currently outside the district boundaries?

Please let me know.

Thank you,

Sandy

Sandy

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, February 27, 2012 11:24 PM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Natalia Deardorff (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

Jennie, you bet they would be. The public would not have to keep asking questions, they would get a clear answer the first time and able to obtain any public document they requested without having to explain why or having to file a PRA request, just to get what they requested to begin with.

Ed

----- Original Message -----

**From:** [Jennie Short](#)  
**To:** [Ed Voice](#)  
**Cc:** [Kathryn Lobato](#) ; [Peter Ryce](#) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Herb Schwartz](#) ; [George Williamson](#) ; [Colette Metz](#) ; [Natalia Deardorff \(CDPH-PS-DDWEM\)](#) ; [John Miller](#) ; [Michael Richardson](#)  
**Sent:** Monday, February 27, 2012 10:32 PM  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

Ed, No I don't mean Plans West. GSD only worked with with LAFCo and paid NOTHING to Plans West. Humboldt County has contracted with Plans West to perform the current duties of HLAFCo.

The Humboldt County Recorder's information is at the bottom of the page on the legal description - they don't have a "stamp". The County Surveyor does not stamp legal descriptions - only the surveyor that prepared them. As for the reference to APN on every page, I'm so sorry that now the Humboldt County Recorder's office does not meet your perfect standard either. Seems to be the theme of your email string. I am sure that everything would be crystal clear if only you supervised it all.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice  
To: Jennie Short  
Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels  
Sent: Feb 27 '12 7:18pm

Please read my comments in **RED...**

----- Original Message -----

**From:** [Jennie Short](#)  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Cc:** [Kathryn Lobato](#) ; [Peter Ryce](#) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Herb Schwartz](#) ; [George Williamson](#) ; [Colette Metz](#) ; [Natalia Deardorff \(CDPH-PS-DDWEM\)](#) ; [John Miller](#) ; [Michael Richardson](#)

Sent: Monday, February 27, 2012 12:20 PM  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Hi Ed,

When we get something from CDPH we can make sure you are aware of it as well. **Thank You.** Until we hear that what has been submitted is unacceptable, we will not be creating any additional documentation. **I take it CDPH has not approved anything and GSD can't ask CDPH? It sounds like a lack of communication or maybe, out of sight out of mind and wishful thinking on the part of GSD?**

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The legal description was recorded with Humboldt County. I have previously provided you with a copy of it, but I am attaching that portion of the recorded document that is the legal description so you can easily find it. It matches with the boundary shown in LACO's geotech report figure 3. **You mean in your opinion it "matches". That attachment was from the Goldeen Easement agreement, check out in the first paragraph who it states has title to the property and then check out the survey stamp at the bottom, what date it was completed and submitted? That was 19 months after the Park Boards LLA was completed and the Park Board didn't have title to that easement property. I don't see a Humboldt County Recorders stamp, nor the Humboldt County Surveyors seal of approval from any time after 12-22-10 on your attachmnet. Hell, they don't even list the APN's as reference?**

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**No, I don't need nor do I want to "muddy" any waters, GSD is doing just fine all on their own.**

Thanks, Jennie  
Garberville Sanitary District

**Thanks,  
Ed Voice & Voice Family**

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 27 '12 11:30am

Jennie,

The Goldeen Easement agreement has not been "resolved", it has had not action, other than GSD's action, which was only a legal opinion requested and paid for by GSD, not CDPH. Does GSD have something in writing from CDPH that approved the Goldeen easement agreement outside the SWTP MND?

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I can only assume that if GSD had an easement survey and easement legal description recorded with Humboldt County, your point could be made. However, only if indicated in the Geo report for the SWTP MND.

An example of what I am talking about, about being non-site specific and "piecemealing", is the figure (map) included in the GSD request to Humboldt LAFCo, e.g. to connect 8 existing GSD connections outside GSD's district boundary to the Kimtu Water Line (Sept 2011). GSD indicated and included APN 222-091-011 (Goldeen) and APN 222-091-014 (Community Park), but failed to show on the figure (map) the scope and size of either of these APN's or did it include the total acres of either APN's. This request did not indicate what other foreseeable future development had already been submitted to the Humboldt County Planning Department (APN 222-091-014) and approved by the Humboldt County Board of Supervisors to complete an Environmental Impact Report for the proposed rezoning and land use reclassification, that includes housing development.

Let us hope GSD now includes and includes all future and foreseeable development plans for this Annexation CEQA process, i.e. Connick Creek, Southern Humboldt Community Park Inc, River Ranch Homes LLC and OJ Johnson/Hurlbutt property's.

Thanks

Ed Voice

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To: evoice@mchsi.com

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson"

Sent: Monday, February 27, 2012 10:16:57 AM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

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Garberville Sanitary District

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Sent: Feb 27 '12 9:52am

Jennie,

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Nothing in the Geo report for the Treatment Plant location on APN 222-091-006 ever states the report itself was only restricted to a specific area or easement other than APN 222-091-006. It describes the 2.2 acres area and what is proposed to be included by GSD. However, section 2.2 of the report never states it only included the 2.2 acre site specific area, it only used APN 222-091-006 as the legal description, not an easement.

Nothing in this Geo report that was made public had figures (maps). So the public was never shown the figures, only a page that indicated figures.

I am glad you talked about when the different reports were completed and before the completion of the Park Boards Lot Line Adjustment(s) (LLA-04-02 and LLA-04-02M) This was one of the objections we had during the public comment period of the GSD SWTP IS/MND. By the time the GSD SWTP MND was provided to the public (April 2010) the Park Boards LLA had been completed (March 2009). The Park Boards LLA had an adopted MND that never considered the GSD CEQA documents or visa-versa. All of this was never disclosed to the public as both projects were taking place simultaneously during 2006, 2007 and 2008. This is known as "piecemealing", e.g. the future expansion or activity must be "linked" to the project under review, (a) Is there at least some assessment of future expansion. (b) Is the future development linked to the proposed project.

Neither of these two projects were ever linked under CEQA, even though both projects had included the same legal property description and review time frame. Even though both GSD and the Park Board had already had private meetings and made agreements between each other concerning each other's project, they were never disclosed to the public, before, during or after both projects had been adopted.

Thank you for pointing out that the surveys are still outstanding, including APN 222-091-006 and what is now APN 222-091-011.

BTW, the Goldeen Easement agreement for the SWTP was never included or linked to the SWTP MND. This easement was adopted and approved after the fact and was never included as an addendum.

Thank you,

Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: evoice@mchsi.com

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson"

Sent: Sunday, February 26, 2012 11:21:42 PM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Ed,

In regards to the limits of the project description for the IS/MND for the Drinking water project: You should have read further in the Geotechnical report. Just below the portion you included in your email is Section 2.2, which clearly states that they are only assessing 2.5 acres of that APN. Fig 1, 2, & 3 clearly show the limits of the area that LACO is assessing in their report. Figure 3 actually SHOWS the limits of the easement and two options for how the facility could be laid out within the easement.

The geotech for the tank site is set up the same way - only a very limited portion of the very large Hurlbutt parcel is assessed. It is based upon the approximate limits of the area that the tank will be constructed within. The figures show the small square they are assessing.

Mad River Biologists also only surveyed the area that the SWTP is going to be placed - they did not survey the entirety of APN 222-091-006. They describe the project and then state that they surveyed the limits of the area that the project would impact. The map shows nothing on the surrounding River Ranch Homes APN other than in the immediate vicinity of the SWTP site.

All three of these technical reports were prepared in 2008, so of course they refer to the old (now void as of 2009) APN number. The fact that the CEQA document did not elaborate on the change in APN number between the time the Initial Study was initiated and the time that public comment was finished seems acceptable. The IS was originally circulated in late 2009 and then recirculated in early 2010. While the deeds have been recorded, the record of survey map is still outstanding.

Yes, the APN is listed as an impacted parcel, which is correct. That does not mean that the entire parcel is impacted nor that the analysis was for the entire parcel.

As for your request for data on the easement legal description - you can obtain the legal description and the associated maps from the County recorder's office, although I believe I have provided these to you previously as part of the recorded agreement with River Ranch Homes.

As for question #4 - no. If you want to pursue it further, you need to talk to Mark.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 25 '12 11:22pm

Jennie,

Have you looked up on Google where 818 Sprowel Creek Road is located?

The Park gets mail at 834 Sprowel Creek Road.

As to your answer to #4, could you find out?

As to your comment:

"Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?"

I don't know where to start: maybe start with Page 3, under "Affected Parcels", where it states: "The Proposed New Surface Water Treatment Plant (SWTP) Site-APN 222-091-006. You see, nothing in the SWTP IS/MND ever talks about a "easement acquisition" as a "legal description". Remember, the Goldeen Easement agreement was not adopted or approved by the GSD BOD until December 2010, 7 months after this IS/MND was adopted in May 2010. In fact what you are calling a "easement acquisition" and "legal description" doesn't exist in this IS/MND, the analysis for the Treatment Plant site location would be any section of the IS/MND that pertains to the site location of the Treatment Plant, which is APN 222-091-006 and listed as the "Affected Parcel"!

Here is a great example from the SWTP IS/MND, does it count as an analysis of APN 222-091-006, its only 22 pages long? Look it up, its at the end of the IS/MND:

***ENGINEERING GEOLOGIC AND  
FOUNDATION INVESTIGATION REPORT***

*Garberville Services District; Water Treatment Facility*

*Tooby Ranch, Garberville, California*

*Assessor's Parcel Number 222-091-006*

*LACO Project No. 6244.05*

***1.0 INTRODUCTION***

***1.1 Purpose***

*This report presents results of an Engineering Geologic and Foundation Investigation prepared by LACO Associates (LACO) for the proposed Garberville drinking water treatment facility site at Assessor Parcel Number (APN) 222-091-006, in Garberville, California. The primary purposes of this investigation were to explore and characterize subsurface soil conditions at the site, and to develop geotechnical recommendations and design criteria for foundation support and earthwork construction for the proposed water treatment facility.*

Maybe you can point out where in the SWTP IS/MND, anything pertains or contains analysis about what you are calling: "easement acquisition" as a "legal description" for the Treatment Plant site location? Oh, and please send me the survey for that same "easement acquisition legal description"?

Thanks

Ed

----- Original Message -----

From: "Jennie Short"

To: [evoice@mchsi.com](mailto:evoice@mchsi.com)

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" ,

"Michael Richardson" , "Mark Bryant"

Sent: Saturday, February 25, 2012 9:37:30 PM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

[My answers are below.](#)

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com)

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 25 '12 8:08pm

Jennie,

In the email below, your first sentence stated:

**"GSD's CEQA analysis is based upon the legal boundaries of property"**

That is just not so, in the case of the only CEQA analysis GSD has adopted concerning the Community Park property, being the SWTP project SCH # 2009122069. In this GSD CEQA analysis, GSD based its legal boundaries on APN 222-091-006 for the location of the proposed SWTP site, which was changed in the Park Board LLA-04-02M and APN 222-091-011 was created as of March 2009. This was documented and communicated to GSD during the public comment period of the SWTP IS/MND and was never changed, which was May 2010.

[Actually, this was not the case. When I read the project description in the IS/MND for the Drinking Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?](#)

1) It was my understanding GSD uses a "Service Address" or physical address for a service connection location and billing, not an APN?

[I believe the long term goal is to bill the accounts based upon the meter number, which will be](#)

linked with the GIS database. It is a work in progress, so not all accounts have the data entry completed. We don't normally use APNs because they do not always correspond 1:1 with legal parcels nor service addresses, and as you are aware - they change. It would depend upon the development that was allowed for the particular parcel as to whether there could be multiple connections for a single APN. For example: a retail establishment in the bottom floor and an apartment on the second story. Each one could have it's own meter and account. There can also be multiple APNs for a single legal parcel so every APN may not have its own account even if it is part of a parcel that is served. I have run across several of these in working with the recorded deeds for the parcels as compared with the boundaries of the APNs. The County Assessor's office or Planning Dept can explain when and why they do this better than I can.

2) When GSD started billing APN 222-091-006 back in 2004, what was the "Service Address" or physical address of the water service connection being billed by GSD?

Acct # 353 (aka the yellow house) shows as 818 Sprowel Creek Road.

3) For the current Community Park GSD billing since July 2008, what is the physical address or "Service Address" for the GSD water service connection?

Acct # 767 (SHCP) also shows 818 Sprowel Creek Road. The SHCP's CUP application just says Sprowel Creek Road. I will have to check with County staff as to whether they have assigned a physical address to the existing structures on the Park's parcel.

**Michael**- if you have any information about the sitas address for the parcels that were created from the LLA, could you provide it?

The data I received from the Assessor's office did not show a sitas address for APNs 222-091-011, 222-091-014, and 222-241-009. I believe the County does not usually issue a physical address until there is some kind of permit issued - for example a building permit. The new SWTP site does not have a current physical address, but it should be assigned one when GSD pulls a building permit for the SWTP facility. It should be different than the yellow house's address but on the same APN.

4) Back in 2004, did GSD know there was more than one water service connection to more than one single family home on APN 222-091-006?

I don't know.

5) Is the same water line that supplies the Park GSD water, also connected or supplying water to APN 032-211-020?

No. There is a separate meter.

Thank you very much for your time in this matter,

Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: "Ed Voice"

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"

Sent: Saturday, February 25, 2012 10:22:56 AM GMT -08:00 US/Canada Pacific

Subject: Annexation: SHCP & River Ranch Homes parcels

Hi Ed:

GSD's CEQA analysis is based upon the legal boundaries of property. How the Park and Buck Mountain Ranch structured the property purchase does not enter into our considerations. The question that needs to remain forefront is: What area was served with water when GSD acquired the GWC.

If we go back to the APN you refer to (222-091-001), that is a much larger area that was being historically served - basically an entire quarter section. See attached. We actually don't know exactly where the water went once it came down onto Tooby Flat - you assume in your email that water only went to the yellow house, but it may very well have gone to the caretaker's residence even back then. Technically if the parcel is served, the whole thing would normally be included, which sometimes includes more than just one APN.

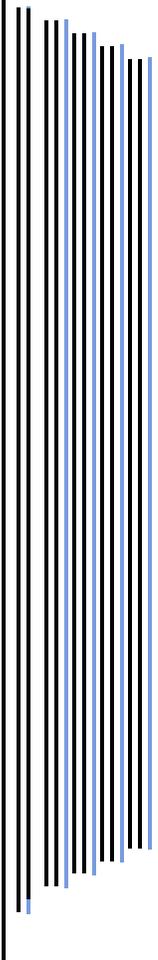
GSD's current annexation effort is for the purpose of cleaning up the conditions that were in place at the time we acquired the water company, not to attempt to document what was in place in the 1960s. We showed the area for existing water service based upon on the County's boundaries for APN 222-091-006 because that was the APN that was in place at the time that we acquired the GWC - 2004. It may turn out that there were even more APNs that made up the legal parcel, which would be a larger area than what we currently show.

Yes, Sanford Goldeen knows - I told him myself.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice



To: Jennie Short  
Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Deardorff, Natalia (CDPH-PS-DDWEM) , Miller, John , Richardson, Michael  
Subject: Re: Yellow House/SHCP meter & account summary  
Sent: Feb 24 '12 1:30pm

Jennie, quoting your last email:

**"In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing"**

This is not the period of time at all, you have even stated going back before the 60's. GSD has stated the connection to the "yellow house" was a Tooby Ranch connection, as GSD puts it all the time, "inherited from GWC", before the Buck Mountain Ranch purchased the Tooby Ranch in 2000.

Remember, the Tooby Flat APN was 222-091-001 before 2000, GSD states it had one meter and one connection to the "yellow house", before it was split in the first County Lot Line Adjustment (LLA) and into the next 5 APN numbers, 222-091-006 being one of them.

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, February 27, 2012 7:19 PM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Natalia Deardorff (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

Please read my comments in **RED...**

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**From:** [Jennie Short](#)  
**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)  
**Cc:** [Kathryn Lobato](#) ; [Peter Ryce](#) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Herb Schwartz](#) ; [George Williamson](#) ; [Colette Metz](#) ; [Natalia Deardorff \(CDPH-PS-DDWEM\)](#) ; [John Miller](#) ; [Michael Richardson](#)  
**Sent:** Monday, February 27, 2012 12:20 PM  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

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**No, I don't need nor do I want to "muddy" any waters, GSD is doing just fine all on their own.**

Thanks, Jennie  
Garberville Sanitary District

**Thanks,  
Ed Voice & Voice Family**

-----Original Message-----

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Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

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Thanks, Jennie

Garberville Sanitary District

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I am glad you talked about when the different reports were completed and before the completion of the Park Boards Lot Line Adjustment(s) (LLA-04-02 and LLA-04-02M) This was one of the objection we had during the public comment period of the GSD SWTP IS/MND. By the time the GSD SWTP MND was provided to the public (April 2010) the Park Boards LLA had been completed (March 2009). The Park Boards LLA had an adopted MND that never considered the GSD CEQA documents or visa-versa. All of this was never disclosed to the public as both projects were taking place simultaneously during 2006, 2007 and 2008. This is known as "piecemealing", e.g. the future expansion or activity must be "linked" to the project under review, (a) Is there at least some assessment of future expansion. (b) Is the future development linked to the proposed project.

Neither of these two projects were ever linked under CEQA, even though both projects had included the same legal property description and review time frame. Even though both GSD and the Park Board had already had private meetings and made agreements between each other concerning each others project, they were never disclosed to the public, before, during or after both projects had been adopted.

Thank you for pointing out that the surveys are still outstanding, including APN 222-091-006 and what is now APN 222-091-011.

BTW, the Goldeen Easement agreement for the SWTP was never included or linked to the SWTP MND. This easement was adopted and approved after the fact and was never included as an addendum.

Thank you,

Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: [evoice@mchsi.com](mailto:evoice@mchsi.com)

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson"

Sent: Sunday, February 26, 2012 11:21:42 PM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Ed,

In regards to the limits of the project description for the IS/MND for the Drinking water project: You should have read further in the Geotechnical report. Just below the portion you included in your email is Section 2.2, which clearly states that they are only assessing 2.5 acres of that APN. Fig 1, 2, & 3 clearly show the limits of the area that LACO is assessing in their report. Figure 3 actually SHOWS the limits of the easement and two options for how the facility could be laid out within the easement.

The geotech for the tank site is set up the same way - only a very limited portion of the very large Hurlbutt parcel is assessed. It is based upon the approximate limits of the area that the tank will be constructed within. The figures show the small square they are assessing.

Mad River Biologists also only surveyed the area that the SWTP is going to be placed - they did not survey the entirety of APN 222-091-006. They describe the project and then state that they surveyed the limits of the area that the project would impact. The map shows nothing on the surrounding River Ranch Homes APN other than in the immediate vicinity of the SWTP site.

All three of these technical reports were prepared in 2008, so of course they refer to the old (now void as of 2009) APN number. The fact that the CEQA document did not elaborate on the change in APN number between the time the Initial Study was initiated and the time that public comment was finished seems acceptable. The IS was originally circulated in late 2009 and then recirculated in early 2010. While the deeds have been recorded, the record of survey map is still outstanding.

Yes, the APN is listed as an impacted parcel, which is correct. That does not mean that the entire parcel is impacted nor that the analysis was for the entire parcel.

As for your request for data on the easement legal description - you can obtain the legal description and the associated maps from the County recorder's office, although I believe I have provided these to you

previously as part of the recorded agreement with River Ranch Homes.

As for question #4 - no. If you want to pursue it further, you need to talk to Mark.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 25 '12 11:22pm

Jennie,

Have you looked up on Google where 818 Sprowel Creek Road is located?

The Park gets mail at 834 Sprowel Creek Road.

As to your answer to #4, could you find out?

As to your comment:

"Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?"

I don't know where to start: maybe start with Page 3, under "Affected Parcels", where it states: "The Proposed New Surface Water Treatment Plant (SWTP) Site-APN 222-091-006. You see, nothing in the SWTP IS/MND ever talks about a "easement acquisition" as a "legal description". Remember, the Goldeen Easement agreement was not adopted or approved by the GSD BOD until December 2010, 7 months after this IS/MND was adopted in May 2010. In fact what you are calling a "easement acquisition" and "legal description" doesn't exist in this IS/MND, the analysis for the Treatment Plant site location would be any section of the IS/MND that pertains to the site location of the Treatment Plant, which is APN 222-091-006 and listed as the "Affected Parcel"!

Here is a great example from the SWTP IS/MND, does it count as an analysis of APN 222-091-006, its only 22 pages long? Look it up, its at the end of the IS/MND:

***ENGINEERING GEOLOGIC AND  
FOUNDATION INVESTIGATION REPORT***

*Garberville Services District; Water Treatment Facility*

*Tooby Ranch, Garberville, California*

*Assessor's Parcel Number 222-091-006*

*LACO Project No. 6244.05*

***1.0 INTRODUCTION***

***1.1 Purpose***

*This report presents results of an Engineering Geologic and Foundation Investigation prepared by LACO Associates (LACO) for the proposed Garberville drinking water treatment facility site at Assessor Parcel Number (APN) 222-091-006, in Garberville, California. The primary purposes of this investigation were to explore and characterize subsurface soil conditions at the site, and to develop geotechnical recommendations and design criteria for foundation support and earthwork construction for the proposed water treatment facility.*

Maybe you can point out where in the SWTP IS/MND, anything pertains or contains analysis about what you are calling: "easement acquisition" as a "legal description" for the Treatment Plant site location? Oh, and please send me the survey for that same "easement acquisition legal description"?

Thanks

Ed

----- Original Message -----

From: "Jennie Short"  
To: evoice@mchsi.com  
Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"  
Sent: Saturday, February 25, 2012 9:37:30 PM GMT -08:00 US/Canada Pacific  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels

[My answers are below.](#)

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com  
To: Jennie Short  
Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels  
Sent: Feb 25 '12 8:08pm

Jennie,

In the email below, your first sentence stated:

**"GSD's CEQA analysis is based upon the legal boundaries of property"**

That is just not so, in the case of the only CEQA analysis GSD has adopted concerning the Community Park property, being the SWTP project SCH # 2009122069. In this GSD CEQA analysis, GSD based its legal boundaries on APN 222-091-006 for the location of the proposed SWTP site, which was changed in the Park Board LLA-04-02M and APN 222-091-011 was created as of March 2009. This was documented and communicated to GSD during the public comment period of the SWTP IS/MND and was never changed, which was May 2010.

[Actually, this was not the case. When I read the project description in the IS/MND for the Drinking Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?](#)

1) It was my understanding GSD uses a "Service Address" or physical address for a service

connection location and billing, not an APN?

I believe the long term goal is to bill the accounts based upon the meter number, which will be linked with the GIS database. It is a work in progress, so not all accounts have the data entry completed. We don't normally use APNs because they do not always correspond 1:1 with legal parcels nor service addresses, and as you are aware - they change. It would depend upon the development that was allowed for the particular parcel as to whether there could be multiple connections for a single APN. For example: a retail establishment in the bottom floor and an apartment on the second story. Each one could have it's own meter and account. There can also be multiple APNs for a single legal parcel so every APN may not have its own account even if it is part of a parcel that is served. I have run across several of these in working with the recorded deeds for the parcels as compared with the boundaries of the APNs. The County Assessor's office or Planning Dept can explain when and why they do this better than I can.

2) When GSD started billing APN 222-091-006 back in 2004, what was the "Service Address" or physical address of the water service connection being billed by GSD?

Acct # 353 (aka the yellow house) shows as 818 Sprowel Creek Road.

3) For the current Community Park GSD billing since July 2008, what is the physical address or "Service Address" for the GSD water service connection?

Acct # 767 (SHCP) also shows 818 Sprowel Creek Road. The SHCP's CUP application just says Sprowel Creek Road. I will have to check with County staff as to whether they have assigned a physical address to the existing structures on the Park's parcel.

**Michael**- if you have any information about the sitas address for the parcels that were created from the LLA, could you provide it?

The data I received from the Assessor's office did not show a sitas address for APNs 222-091-011, 222-091-014, and 222-241-009. I believe the County does not usually issue a physical address until there is some kind of permit issued - for example a building permit. The new SWTP site does not have a current physical address, but it should be assigned one when GSD pulls a building permit for the SWTP facility. It should be different than the yellow house's address but on the same APN.

4) Back in 2004, did GSD know there was more than one water service connection to more than one single family home on APN 222-091-006?

I don't know.

5) Is the same water line that supplies the Park GSD water, also connected or supplying water to APN 032-211-020?

No. There is a separate meter.

Thank you very much for your time in this matter,

Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: "Ed Voice"

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"

Sent: Saturday, February 25, 2012 10:22:56 AM GMT -08:00 US/Canada Pacific

Subject: Annexation: SHCP & River Ranch Homes parcels

Hi Ed:

GSD's CEQA analysis is based upon the legal boundaries of property. How the Park and Buck Mountain Ranch structured the property purchase does not enter into our considerations. The question that needs to remain forefront is: What area was served with water when GSD acquired the GWC.

If we go back to the APN you refer to (222-091-001), that is a much larger area that was being historically served - basically an entire quarter section. See attached. We actually don't know exactly where the water went once it came down onto Tooby Flat - you assume in your email that water only went to the yellow house, but it may very well have gone to the caretaker's residence even back then. Technically if the parcel is served, the whole thing would normally be included, which sometimes includes more than just one APN.

GSD's current annexation effort is for the purpose of cleaning up the conditions that were in place at the time we acquired the water company, not to attempt to document what was in place in the 1960s. We showed the area for existing water service based upon on the County's boundaries for APN 222-091-006 because that was the APN that was in place at the time that we acquired the GWC - 2004. It may turn out that there were even more APNs that made up the legal parcel, which would be a larger area than what we currently show.

Yes, Sanford Goldeen knows - I told him myself.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Deardorff, Natalia (CDPH-PS-DDWEM) , Miller, John , Richardson, Michael  
Subject: Re: Yellow House/SHCP meter & account summary  
Sent: Feb 24 '12 1:30pm

Jennie, quoting your last email:

**"In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing"**

This is not the period of time at all, you have even stated going back before the 60's. GSD has stated the connection to the "yellow house" was a Tooby Ranch connection, as GSD puts it all the time, "inherited from GWC", before the Buck Mountain Ranch purchased the Tooby Ranch in 2000.

Remember, the Tooby Flat APN was 222-091-001 before 2000, GSD states it had one meter and one connection to the "yellow house", before it was split in the first County Lot Line Adjustment (LLA) and into the next 5 APN numbers, 222-091-006 being one of them.

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, February 27, 2012 11:31 AM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Natalia Deardorff (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

Jennie,

The Goldeen Easement agreement has not been "resolved", it has had not action, other than GSD's action, which was only a legal opinion requested and paid for by GSD, not CDPH. Does GSD have something in writing from CDPH that approved the Goldeen easement agreement outside the SWTP MND?

As to the Geo report you sent (Thank you) please point out where it indicates the Geo report was only specific to the easement legal description or 2.2 acre project site location. The figures point out the proposed project site location, but do not exclude APN 222-091-006, nor only includes the 2.2 acre project site.

I can only assume that if GSD had an easement survey and easement legal description recorded with Humboldt County, your point could be made. However, only if indicated in the Geo report for the SWTP MND.

An example of what I am talking about, about being non-site specific and "piecemealing", is the figure (map) included in the GSD request to Humboldt LAFCo, e.g. to connect 8 existing GSD connections outside GSD's district boundary to the Kimtu Water Line (Sept 2011). GSD indicated and included APN 222-091-011 (Goldeen) and APN 222-091-014 (Community Park), but failed to show on the figure (map) the scope and size of either of these APN's or did it include the total acres of either APN's. This request did not indicate what other foreseeable future development had already been submitted to the Humboldt County Planning Department (APN 222-091-014) and approved by the Humboldt County Board of Supervisors to complete an Environmental Impact Report for the proposed rezoning and land use reclassification, that includes housing development.

Let us hope GSD now includes and includes all future and foreseeable development plans for this Annexation CEQA process, i.e. Connick Creek, Southern Humboldt Community Park Inc, River Ranch Homes LLC and OJ Johnson/Hurlbutt property's.

Thanks  
Ed Voice

----- Original Message -----

From: "Jennie Short" <jshort@garbervillesd.org>

To: evoice@mchsi.com

Cc: "Kathryn Lobato" <kathryn@lostcoast.net>, "Peter Ryce" <skyfish@asis.com>, "Tim Metz" <timmetz@asis.com>, "Dennis Huber" <lalahuber@asis.com>, "Herb Schwartz" <herb@changemediation.com>,"George Williamson" <execofficer@humboldtlafo.org>,"Colette Metz" <administrator@humboldtlafo.org>,"Natalia Deardorff (CDPH-PS-DDWEM)" <Natalia.Deardorff@cdph.ca.gov>,"John Miller" <jpmiller@co.humboldt.ca.us>,"Michael Richardson"

<MRichardson@co.humboldt.ca.us>

Sent: Monday, February 27, 2012 10:16:57 AM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Ed, The Board has already taken action on the necessity of an addendum to the CEQA IS/MND for the Goldeen easement. We have provided CDPH with all the documentation that they have requested. As far as we are concerned, that issue has been resolved. Not to your satisfaction, I am well aware.

I disagree with you about the geotech report - LACO is very clear that only the small area is being analyzed within APN 222-091-006 not the entire parcel. The geotech report has always been public, available for review upon request and is attached for your use - figures and all. I was surprised that the figures were not in the CEQA document and don't know why, but as you state, they were listed. If there was some question about the figures, GSD staff would have been happy to provide them and has provided them to people that have posed the question.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 27 '12 9:52am

Jennie,

I have a couple of problem with your answer(s).

Nothing in the Geo report for the Treatment Plant location on APN 222-091-006 ever states the report itself was only restricted to a specific area or easement other than APN 222-091-006. It describes the 2.2 acres area and what is proposed to be included by GSD. However, section 2.2 of the report never states it only included the 2.2 acre site specific area, it only used APN 222-091-006 as the legal description, not an easement.

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private meetings and made agreements between each other concerning each others project, they were never disclosed to the public, before, during or after both projects had been adopted.

Thank you for pointing out that the surveys are still outstanding, including APN 222-091-006 and what is now APN 222-091-011.

BTW, the Goldeen Easement agreement for the SWTP was never included or linked to the SWTP MND. This easement was adopted and approved after the fact and was never included as an addendum.

Thank you,  
Ed Voice & Voice Family

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From: "Jennie Short"

To: evoice@mchsi.com

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson"

Sent: Sunday, February 26, 2012 11:21:42 PM GMT -08:00 US/Canada Pacific

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As for your request for data on the easement legal description - you can obtain the legal description and the associated maps from the County recorder's office, although I believe I have provided these to you previously as part of the recorded agreement with River Ranch Homes.

As for question #4 - no. If you want to pursue it further, you need to talk to Mark.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 25 '12 11:22pm

Jennie,

Have you looked up on Google where 818 Sprowel Creek Road is located?

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As to your answer to #4, could you find out?

As to your comment:

"Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?"

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Here is a great example from the SWTP IS/MND, does it count as an analysis of APN 222-091-006, its only 22 pages long? Look it up, its at the end of the IS/MND:

***ENGINEERING GEOLOGIC AND  
FOUNDATION INVESTIGATION REPORT***

*Garberville Services District; Water Treatment Facility*

*Tooby Ranch, Garberville, California*

*Assessor's Parcel Number 222-091-006*

*LACO Project No. 6244.05*

***1.0 INTRODUCTION***

***1.1 Purpose***

*This report presents results of an Engineering Geologic and Foundation Investigation prepared by LACO Associates (LACO) for the proposed Garberville drinking water treatment facility site at Assessor Parcel Number (APN) 222-091-006, in Garberville, California. The primary*

*purposes of this investigation were to explore and characterize subsurface soil conditions at the site, and to develop geotechnical recommendations and design criteria for foundation support and earthwork construction for the proposed water treatment facility.*

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Thanks  
Ed

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From: "Jennie Short"

To: evoice@mchsi.com

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"

Sent: Saturday, February 25, 2012 9:37:30 PM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

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Thanks, Jennie  
Garberville Sanitary District

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From: evoice@mchsi.com

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Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Sent: Feb 25 '12 8:08pm

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**Michael**- if you have any information about the sitas address for the parcels that were created from the LLA, could you provide it?

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4) Back in 2004, did GSD know there was more than one water service connection to more than one single family home on APN 222-091-006?

I don't know.

5) Is the same water line that supplies the Park GSD water, also connected or supplying water to APN 032-211-020?

No. There is a separate meter.

Thank you very much for your time in this matter,  
Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: "Ed Voice"

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"

Sent: Saturday, February 25, 2012 10:22:56 AM GMT -08:00 US/Canada Pacific

Subject: Annexation: SHCP & River Ranch Homes parcels

Hi Ed:

GSD's CEQA analysis is based upon the legal boundaries of property. How the Park and Buck Mountain Ranch structured the property purchase does not enter into our considerations. The question that needs to remain forefront is: What area was served with water when GSD acquired the GWC.

If we go back to the APN you refer to (222-091-001), that is a much larger area that was being historically served - basically an entire quarter section. See attached. We actually don't know exactly where the water went once it came down onto Tooby Flat - you assume in your email that water only went to the yellow house, but it may very well have gone to the caretaker's residence even back then. Technically if the parcel is served, the whole thing would normally be included, which sometimes includes more than just one APN.

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Yes, Sanford Goldeen knows - I told him myself.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Deardorff, Natalia (CDPH-PS-DDWEM) , Miller, John , Richardson, Michael

Subject: Re: Yellow House/SHCP meter & account summary

Sent: Feb 24 '12 1:30pm

Jennie, quoting your last email:

**"In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing"**

This is not the period of time at all, you have even stated going back before the 60's. GSD has stated the connection to the "yellow house" was a Tooby Ranch connection, as GSD puts it all the time, "inherited from GWC", before the Buck Mountain Ranch purchased the Tooby Ranch in 2000.

Remember, the Tooby Flat APN was 222-091-001 before 2000, GSD states it had one meter and one connection to the "yellow house", before it was split in the first County Lot Line Adjustment (LLA) and into the next 5 APN numbers, 222-091-006 being one of them.



## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, February 27, 2012 9:52 AM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Natalia Deardorff (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

Jennie,

I have a couple of problem with your answer(s).

Nothing in the Geo report for the Treatment Plant location on APN 222-091-006 ever states the report itself was only restricted to a specific area or easement other than APN 222-091-006. It describes the 2.2 acres area and what is proposed to be included by GSD. However, section 2.2 of the report never states it only included the 2.2 acre site specific area, it only used APN 222-091-006 as the legal description, not an easement.

Nothing in this Geo report that was made public had figures (maps). So the public was never shown the figures, only a page that indicated figures.

I am glad you talked about when the different reports were completed and before the completion of the Park Boards Lot Line Adjustment(s) (LLA-04-02 and LLA-04-02M) This was one of the objection we had during the public comment period of the GSD SWTP IS/MND. By the time the GSD SWTP MND was provided to the public (April 2010) the Park Boards LLA had been completed (March 2009). The Park Boards LLA had an adopted MND that never considered the GSD CEQA documents or visa-versa. All of this was never disclosed to the public as both projects were taking place simultaneously during 2006, 2007 and 2008. This is known as "piecemealing", e.g. the future expansion or activity must be "linked" to the project under review, (a) Is there at least some assessment of future expansion. (b) Is the future development linked to the proposed project.

Neither of these two projects were ever linked under CEQA, even though both projects had included the same legal property description and review time frame. Even though both GSD and the Park Board had already had private meetings and made agreements between each other concerning each others project, they were never disclosed to the public, before, during or after both projects had been adopted.

Thank you for pointing out that the surveys are still outstanding, including APN 222-091-006 and what is now APN 222-091-011.

BTW, the Goldeen Easement agreement for the SWTP was never included or linked to the SWTP MND. This easement was adopted and approved after the fact and was never included as an addendum.

Thank you,  
Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short" <jshort@garbervillesd.org>  
To: evoice@mchsi.com

Cc: "Kathryn Lobato" <kathryn@lostcoast.net>, "Peter Ryce" <skyfish@asis.com>, "Tim Metz" <timmetz@asis.com>, "Dennis Huber" <lalahuber@asis.com>, "Herb Schwartz" <herb@changemediation.com>, "George Williamson" <execofficer@humboldtlafo.org>, "Colette Metz" <administrator@humboldtlafo.org>, "Natalia Deardorff (CDPH-PS-DDWEM)" <Natalia.Deardorff@cdph.ca.gov>, "John Miller" <jpmiller@co.humboldt.ca.us>, "Michael Richardson" <MRichardson@co.humboldt.ca.us>

Sent: Sunday, February 26, 2012 11:21:42 PM GMT -08:00 US/Canada Pacific

Subject: Re: Annexation: SHCP & River Ranch Homes parcels

Ed,

In regards to the limits of the project description for the IS/MND for the Drinking water project: You should have read further in the Geotechnical report. Just below the portion you included in your email is Section 2.2, which clearly states that they are only assessing 2.5 acres of that APN. Fig 1, 2, & 3 clearly show the limits of the area that LACO is assessing in their report. Figure 3 actually SHOWS the limits of the easement and two options for how the facility could be laid out within the easement.

The geotech for the tank site is set up the same way - only a very limited portion of the very large Hurlbutt parcel is assessed. It is based upon the approximate limits of the area that the tank will be constructed within. The figures show the small square they are assessing.

Mad River Biologists also only surveyed the area that the SWTP is going to be placed - they did not survey the entirety of APN 222-091-006. They describe the project and then state that they surveyed the limits of the area that the project would impact. The map shows nothing on the surrounding River Ranch Homes APN other than in the immediate vicinity of the SWTP site.

All three of these technical reports were prepared in 2008, so of course they refer to the old (now void as of 2009) APN number. The fact that the CEQA document did not elaborate on the change in APN number between the time the Initial Study was initiated and the time that public comment was finished seems acceptable. The IS was originally circulated in late 2009 and then recirculated in early 2010. While the deeds have been recorded, the record of survey map is still outstanding.

Yes, the APN is listed as an impacted parcel, which is correct. That does not mean that the entire parcel is impacted nor that the analysis was for the entire parcel.

As for your request for data on the easement legal description - you can obtain the legal description and the associated maps from the County recorder's office, although I believe I have provided these to you previously as part of the recorded agreement with River Ranch Homes.

As for question #4 - no. If you want to pursue it further, you need to talk to Mark.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson

Subject: Re: Annexation: SHCP & River Ranch Homes parcels  
Sent: Feb 25 '12 11:22pm

Jennie,

Have you looked up on Google where 818 Sprowel Creek Road is located?

The Park gets mail at 834 Sprowel Creek Road.

As to your answer to #4, could you find out?

As to your comment:

"Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?"

I don't know where to start: maybe start with Page 3, under "Affected Parcels", where it states: "The Proposed New Surface Water Treatment Plant (SWTP) Site-APN 222-091-006. You see, nothing in the SWTP IS/MND ever talks about a "easement acquisition" as a "legal description". Remember, the Goldeen Easement agreement was not adopted or approved by the GSD BOD until December 2010, 7 months after this IS/MND was adopted in May 2010. In fact what you are calling a "easement acquisition" and "legal description" doesn't exist in this IS/MND, the analysis for the Treatment Plant site location would be any section of the IS/MND that pertains to the site location of the Treatment Plant, which is APN 222-091-006 and listed as the "Affected Parcel"!

Here is a great example from the SWTP IS/MND, does it count as an analysis of APN 222-091-006, its only 22 pages long? Look it up, its at the end of the IS/MND:

***ENGINEERING GEOLOGIC AND  
FOUNDATION INVESTIGATION REPORT***

*Garberville Services District; Water Treatment Facility*

*Tooby Ranch, Garberville, California*

*Assessor's Parcel Number 222-091-006*

*LACO Project No. 6244.05*

***1.0 INTRODUCTION***

***1.1 Purpose***

*This report presents results of an Engineering Geologic and Foundation Investigation prepared by LACO Associates (LACO) for the proposed Garberville drinking water treatment facility site at Assessor Parcel Number (APN) 222-091-006, in Garberville, California. The primary purposes of this investigation were to explore and characterize subsurface soil conditions at the site, and to develop geotechnical recommendations and design criteria for foundation support and earthwork construction for the proposed water treatment facility.*

Maybe you can point out where in the SWTP IS/MND, anything pertains or contains analysis about what you are calling: "easement acquisition" as a "legal description" for the Treatment Plant site location? Oh, and please send me the survey for that same "easement acquisition legal description"?

Thanks  
Ed

----- Original Message -----

From: "Jennie Short"  
To: evoice@mchsi.com  
Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"  
Sent: Saturday, February 25, 2012 9:37:30 PM GMT -08:00 US/Canada Pacific  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels

My answers are below.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: evoice@mchsi.com  
To: Jennie Short  
Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Natalia Deardorff (CDPH-PS-DDWEM) , John Miller , Michael Richardson  
Subject: Re: Annexation: SHCP & River Ranch Homes parcels  
Sent: Feb 25 '12 8:08pm

Jennie,

In the email below, your first sentence stated:

**"GSD's CEQA analysis is based upon the legal boundaries of property"**

That is just not so, in the case of the only CEQA analysis GSD has adopted concerning the Community Park property, being the SWTP project SCH # 2009122069. In this GSD CEQA analysis, GSD based its legal boundaries on APN 222-091-006 for the location of the proposed SWTP site, which was changed in the Park Board LLA-04-02M and APN 222-091-011 was created as of March 2009. This was documented and communicated to GSD during the public comment period of the SWTP IS/MND and was never changed, which was May 2010.

Actually, this was not the case. When I read the project description in the IS/MND for the Drinking Water project, it is limited to the easement acquisition area which was a legal description. We did not include the rest of the parcel since it was not part of our project. Where in the IS/MND did you see that we did an analysis for APN 222-091-006?

1) It was my understanding GSD uses a "Service Address" or physical address for a service connection location and billing, not an APN?

I believe the long term goal is to bill the accounts based upon the meter number, which will be linked with the GIS database. It is a work in progress, so not all accounts have the data entry completed. We don't normally use APNs because they do not always correspond 1:1 with legal parcels nor service addresses, and as you are aware - they change. It would depend upon the development that was allowed for the particular parcel as to whether there could be multiple connections for a single APN. For example: a retail establishment in the bottom floor and an apartment on the second story. Each one could have it's own meter and account. There can also be multiple APNs for a single legal parcel so every APN may not have its own account even if it is part of a parcel that is served. I have run across several of these in working with the recorded deeds for the parcels as compared with the boundaries of the APNs. The County Assessor's office or Planning Dept can explain when and why they do this better than I can.

2) When GSD started billing APN 222-091-006 back in 2004, what was the "Service Address" or physical address of the water service connection being billed by GSD?

Acct # 353 (aka the yellow house) shows as 818 Sprowel Creek Road.

3) For the current Community Park GSD billing since July 2008, what is the physical address or "Service Address" for the GSD water service connection?

Acct # 767 (SHCP) also shows 818 Sprowel Creek Road. The SHCP's CUP application just says Sprowel Creek Road. I will have to check with County staff as to whether they have assigned a physical address to the existing structures on the Park's parcel.

**Michael**- if you have any information about the sitas address for the parcels that were created from the LLA, could you provide it?

The data I received from the Assessor's office did not show a sitas address for APNs 222-091-011, 222-091-014, and 222-241-009. I believe the County does not usually issue a physical address until there is some kind of permit issued - for example a building permit. The new SWTP site does not have a current physical address, but it should be assigned one when GSD pulls a building permit for the SWTP facility. It should be different than the yellow house's address but on the same APN.

4) Back in 2004, did GSD know there was more than one water service connection to more than one single family home on APN 222-091-006?

I don't know.

5) Is the same water line that supplies the Park GSD water, also connected or supplying water to APN 032-211-020?

No. There is a separate meter.

Thank you very much for your time in this matter,  
Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short"

To: "Ed Voice"

Cc: "Kathryn Lobato" , "Peter Ryce" , "Tim Metz" , "Dennis Huber" , "Herb Schwartz" , "George Williamson" , "Colette Metz" , "Natalia Deardorff (CDPH-PS-DDWEM)" , "John Miller" , "Michael Richardson" , "Mark Bryant"

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If we go back to the APN you refer to (222-091-001), that is a much larger area that was being historically served - basically an entire quarter section. See attached. We actually don't know exactly where the water went once it came down onto Tooby Flat - you assume in your email that water only went to the yellow house, but it may very well have gone to the caretaker's residence even back then. Technically if the parcel is served, the whole thing would normally be included, which sometimes includes more than just one APN.

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Yes, Sanford Goldeen knows - I told him myself.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice

To: Jennie Short

Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Deardorff, Natalia (CDPH-PS-DDWEM) , Miller, John , Richardson, Michael

Subject: Re: Yellow House/SHCP meter & account summary

Sent: Feb 24 '12 1:30pm

Jennie, quoting your last email:

**"In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing"**

This is not the period of time at all, you have even stated going back before the 60's. GSD has stated the connection to the "yellow house" was a Tooby Ranch connection, as GSD puts it all the time, "inherited from GWC", before the Buck Mountain Ranch purchased the Tooby Ranch in 2000.

Remember, the Tooby Flat APN was 222-091-001 before 2000, GSD states it had one meter and one connection to the "yellow house", before it was split in the first County Lot Line Adjustment (LLA) and into the next 5 APN numbers, 222-091-006 being one of them.

## Richardson, Michael

---

**From:** Donald Courtemanche <donauldcourtemanche@wavecable.com>  
**Sent:** Sunday, February 26, 2012 5:38 PM  
**To:** GSD; GSD; GSD; peter gsd; Natalia (CDPH-PS-DDWEM) Deardorff; Tony (CDPH-DDWEM) Wiedemann; Administrator; lafco; Clendenen, Clif; Richardson, Michael; Miller, John; GSD  
**Subject:** De facto water service extensions  
**Attachments:** GSD ConnickCr\_1997Agmt.pdf

Hello all,

GSD has a long history and many different ways to enable water service for development without environmental oversight or public knowledge. Agreement or handshakes with property owners and potential developers have allowed them to hold a claim to GSD services.

One of the methods that have come to light recently is installing a meter on a waterline that touches the parcel, even though the parcel is not in the district and no water is used by the property owner.

These areas that are served outside the district include the Southern Humboldt Community Park Corp., Johnson Tank site for the SWTP Project, Lenino Lane off Sprowel Creek Road and the Connick Creek development served by an illegal waterline off the back of the meter at GSD's sewer plant. I say illegal because the Connick parcel owners have always paid the GSD for water and not Garberville Water Company since this deal started in 1997/1998, (see attachment and note, there is no signature by Fred Hurlbut, the owner of the Garberville Water Company, anywhere on this document nor did the GWC ever apply to the PUC for an out of district service extension for Connick Creek or anywhere else).

At recent GSD board meetings about the SOI/MSR and Annexation, the issue of water and other services to whole parcels touched by waterlines outside of the GSD district boundaries was discussed. Herb Schwartz stated that GSD would probably need a legal opinion to settle the issue of if GSD could restrict service to less than the whole parcels. The issue of restrictions on parcels for services by the GSD Board was discussed at recent board meeting but these will be meaningless and non-binding if their annexation is approved by LAFco.

The only purpose of temporarily putting "conditions" or restrictions on parcels is to circumvent CEQA by claiming that the annexation will not induce growth (during the CEQA process). This is GSD's pattern of piecemealing environmental reviews as was previously demonstrated by GSD withholding the Goldeen easement agreement until 7 months after approval of the SWTP MND. GSD is still withholding the Johnson easement agreement even though the Johnson properties are included in the annexation application.

Who knows how many hundreds of acres are "touched" by waterlines or sewer lines that GSD policy now claims are servable and can easily be annexed and developed? It's pretty leapfroggy and where will it end?

GSD's continuous process of piecemealing projects and withholding information from the public and agencies prevents any possible assessment of cumulative impacts. This is an environmental catastrophe for an already stressed, fully allocated wild and scenic river.

Thanks for your time. Donald Courtemanche Sprowel Creek Road Garberville

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Saturday, February 25, 2012 8:09 PM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Natalia Deardorff (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Annexation: SHCP & River Ranch Homes parcels

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- 5) Is the same water line that supplies the Park GSD water, also connected or supplying water to APN 032-211-020?

Thank you very much for your time in this matter,

Ed Voice & Voice Family

----- Original Message -----

From: "Jennie Short" <jshort@garbervillesd.org>

To: "Ed Voice" <evoice@mchsi.com>

Cc: "Kathryn Lobato" <kathryn@lostcoast.net>, "Peter Ryce" <skyfish@asis.com>, "Tim Metz" <timmetz@asis.com>, "Dennis Huber" <lalahuber@asis.com>, "Herb Schwartz" <herb@changemediation.com>, "George Williamson" <execofficer@humboldtlafo.org>, "Colette Metz"

<administrator@humboldtlafo.org>, "Natalia Deardorff (CDPH-PS-DDWEM)"  
<Natalia.Deardorff@cdph.ca.gov>, "John Miller" <jpmiller@co.humboldt.ca.us>, "Michael Richardson"  
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Sent: Saturday, February 25, 2012 10:22:56 AM GMT -08:00 US/Canada Pacific  
Subject: Annexation: SHCP & River Ranch Homes parcels

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Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice  
To: Jennie Short  
Cc: Kathryn Lobato , Peter Ryce , Tim Metz , Dennis Huber , Herb Schwartz , George Williamson , Colette Metz , Deardorff, Natalia (CDPH-PS-DDWEM) , Miller, John , Richardson, Michael  
Subject: Re: Yellow House/SHCP meter & account summary  
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## Richardson, Michael

---

**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Saturday, February 25, 2012 6:04 PM  
**To:** Richardson, Michael  
**Subject:** Re: Housing opportunity zone

Dear Michael, I am so gratified that you remembered comments that I made in August. You can't imagine how refreshing it is to have been heard and I appreciate that you listen. This is what I said about Dave Winter's proposed development in Garberville:

August 29, 2010

"2) Why isn't the county supporting Dave Winter's proposed multi-family development within Garberville if needing multi-family housing is what everybody is so nutty about?"

My point was to counter the pervasive story line that Garberville is "all built out," and that the county's large urban study and water study areas for the GPU were poorly conceived.

It is unconscionable that Garberville Sanitary District (not community services district) is spending over 10 million dollars to triple treatment capacity for sewer and water and trying to annex or add over one thousand acres to the district. The river can't take it.

Thank you for your attention.

Sandy

---

**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Thursday, February 23, 2012 9:58 AM  
**Subject:** RE: Housing opportunity zone

Hi Sandy,

I appreciate your comments. I'll pass them on to Martha, and I encourage you to provide them to the Planning Commission and Board of Supervisors as well.

As an aside, I'm not sure how they square with your comments a couple months ago suggesting we approve Dave Winters multifamily housing project in Garberville; maybe your position has evolved since then.

Garberville CSD's comments are difficult to evaluate because they are scattered and incomplete. There is a potential for piecemealing of environmental review in the preparation of environmental documents for the SHCP GPA, GPU and GSD annexation. Our agencies should account for each of these projects in each other's environmental documents to ensure that doesn't happen.

Let me know if I can be of any further assistance.

Thanks.

- Michael R.

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]

**Sent:** Wednesday, February 22, 2012 7:29 PM

**To:** Richardson, Michael

**Subject:** Re: Housing opportunity zone

**Dear Michael,**

My position regarding development potential in the GSD area is that there is no growth potential. DFG and state water rights have stated that the South Fork Eel River is already fully allocated. There is no growth potential because the South Fork Eel is a fully appropriated wild and scenic river.

**Would you, as staff, please consider recommending previous projected growth rate of .05% for the Garberville area for the GPU?**

**Below is a quote from Mark Bryant, general manager of Garberville Sanitary District at the Jan. 24, 2012 GSD board meeting. This is in regard to GSD's proposed annexation and addition of almost one thousand acres to the district.**

**Seems to me like he is proposing piecemealing the environmental documents. What do you think?**

**Mark B:** Correct. I think it's fairly important that we move ahead tonight and make a decision on where we're going to go. Because if they roll out and say, we want to see your package complete, we need to be ready, if not already doing it. If it happens to come back from them saying that they don't need the environmental document for the annexation, that that's a different process, that doesn't affect us. If that is, in fact, the direction they go, that'll open up a door to actually move ahead and conditionalize our environmental document so that Kathryn's doesn't confuse things and the County's General Plan doesn't confuse things either, which are like, four conditions, that we'd be looking at.

Thank you for your attention and for protecting the environment...

Sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>

**To:** Sandy Feretto <sferetto@yahoo.com>

**Sent:** Tuesday, February 21, 2012 1:46 PM

**Subject:** RE: Housing opportunity zone

Hi Sandy,

I'm interested to know how much development potential you think should be allowed in the GSD area.

If the South Fork is already impaired, maybe no additional development should be allowed. Is that your position? The Planning Commission is going to take up the land use maps for the GSD served area either this Thursday or at another meeting coming up. I encourage you to express your concerns to them.

I haven't seen the GPU EIR chapter on public utilities, so I don't know if it includes GSD's annexations or not. I believe it should.

Let me know if there's anything else I can do to help.

- Michael R.

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]

**Sent:** Sunday, February 19, 2012 8:41 PM

**To:** Richardson, Michael

**Subject:** Re: Housing opportunity zone

Dear Michael,

Here is a way to deal with this that you are not thinking of... Let the availability of abundant water determine population growth. The South Fork Eel River must be protected.

Is the county planning on reducing the development potential in the area GSD serves?

Or increasing the development potential to urban densities, far beyond current development potential, as laid out in the GPU ?

The suggestions listed in your email below are not viable planning.

Is the county going to include GSD's annexations in the EIR for the GPU?

Please let me know.

Thank you,

Sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>

**To:** Sandy Feretto <sferetto@yahoo.com>

**Sent:** Tuesday, February 7, 2012 11:34 AM

**Subject:** RE: Housing opportunity zone

Hi Sandy,

The map showing the Housing Opportunity Zone for the Garberville – Redway area is not proposed to be modified. We will take a look at it again with the next update of the Housing Element, which will be happening in a couple years.

In your last email, you were suggesting that the GSD is taking too much water out of the river. There are several ways to deal with that. One is to reduce their allocation working with the GSD and the Department of Water Resources. Another would be to reduce the development potential in the area they serve. Another would be to develop storage such that they would not be taking water out of the river during the low flow periods. And still another would be to develop water conservation measures that reduce the demand. There may be other ways I'm not thinking of.

- Michael R.

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]

**Sent:** Monday, February 06, 2012 8:15 PM

**To:** Richardson, Michael

**Subject:** Housing opportunity zone

Dear Michael,

I see on the maps that the housing opportunity zone for Garberville is the same as the Garberville Sanitary District. Is the Housing Opportunity Zone going to include the entire Garberville Sanitary District when they get their 700 acre annexation? Is that why the MSR/SOI annexation rush suddenly, after 10 years of GSD dicking around?

Let me know right away please. This is an environmental disaster.

Thank you for your time and attention to this.

Sandy

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, February 24, 2012 1:30 PM  
**To:** Jennie Short  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; Dennis Huber; Herb Schwartz; George Williamson; Colette Metz; Deardorff, Natalia (CDPH-PS-DDWEM); Miller, John; Richardson, Michael  
**Subject:** Re: Yellow House/SHCP meter & account summary  
**Attachments:** SHCP APN Tree 222-091-001.pdf

Jennie, quoting your last email:

**"In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing"**

This is not the period of time at all, you have even stated going back before the 60's. GSD has stated the connection to the "yellow house" was a Tooby Ranch connection, as GSD puts it all the time, "inherited from GWC", before the Buck Mountain Ranch purchased the Tooby Ranch in 2000.

Remember, the Tooby Flat APN was 222-091-001 before 2000, GSD states it had one meter and one connection to the "yellow house", before it was split in the first County Lot Line Adjustment (LLA) and into the next 5 APN numbers, 222-091-006 being one of them.

The Park Board has documented that the property now owned by Goldeen (222-091-011, LLA Parcel "D") was never any part of what would become the Community Park property, it was to have always been retained, transferred and conveyed back to Buck Mountain Ranch at the completion of the SHCP LLA (March 2004 to March 2009). The Park Board states this was all documented and disclosed in the escrow instructions and purchase agreements between Buck Mountain Ranch (McKee), Southern Humboldt Working Together (SHWT) and Stephen Dazey, recorded in County Deeds, recorded MOU's between McKee, SHWT, SHCP and Dazey etc. The Park Board has a very long supposed paper trail (never publicly disclosed), including all this information and recorded documents, have you seen them?

In fact, you could check with Herb Schwartz; quoting Herb Schwartz in part of a letter he wrote to the newspapers in 2009:

***"My part in the creation of the SHCP was a contribution of 40 hours of services at the rate of \$100/hour, or \$4,000, in October 2000, drafting some of the underlying purchase and sale agreements between Southern Humboldt Working Together, Briceland Corporation, and Stephen Dazey. I was actually paid the sum of \$1,000 by Steve Dazey for an additional 10 hours of work @\$100 per hour to complete the agreements in time for a scheduled close of escrow circa October 2000"***

GSD BOD Chair Schwartz knows what was going on and what happened, why don't you ask him?

If what you are saying below is true, GSD and Park Board are going to have to provide documented facts and records. I'm not sure the Park Board is willing and able to reveal and disclose this information in public, even though the public would be thrilled to see it. You might want to swing this new idea by the Park Board, get on the same page as it were.

Does Sanford Goldeen know his APN 222-091-011 is now the new connection and could be excluded from the current annexation request? Not having the existing connection rights from GSD to the yellow house could be a deal breaker? But GSD will have to provide more than just a narrative concerning the Park Board being the existing connection.

How far is GSD and the Park Board willing to go?

Thanks  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Jennie Short](#)

**To:** [Ed Voice](#)

**Sent:** Friday, February 24, 2012 10:50 AM

**Subject:** Re: Yellow House/SHCP meter & account summary

Ed,

In my email I was clear that I was uncertain as to exactly how the plumbing worked and showed in [] the statements that I can not verify. I don't know for sure whether our pipe feeds the 50,000 gallon tank along with the spring. Mark said no, I have heard other answers. It really does not matter for analysis for the annexation whether the water goes through the tank to the caretaker's residence or bypasses the tank and goes to the caretaker's house. In 2004-08 - the period of time we are talking about, the park and Goldeen were one APN and we were serving the whole thing. There is no way to determine if the water went to the yellow house and the high usage was a leak or if it went to the Park and they consumed it. It is not our responsibility to monitor the uses for the connections - we purvey water, bill it, and as long as they pay the bill they continue to receive water. If a customer goes beyond the "normal" usage for their meter size, the rates are tiered to charge more per cubic foot of water than the base rate. I do have usages by month for that meter.

The crux of the situation is that one connection/meter served the yellow house and the park, it was split into two parcels, and they want two connections - that makes one an existing connection and one a new connection. The connection has been billed for years, and previous to the date of the LLA that split the parcel, to the SHCP. Therefore, the annexation is showing the Park as the existing connection and Goldeen as the new connection.

The Park will receive a new meter off the Kimtu, and the old plumbing down the hill will be abandoned. The connection to the Kimtu line will need to include a double valve backflow preventor to deal with the concerns over cross contamination. All the service connections that come down the steep hill above Sprowel Creek Road are listed in the Annexation application as receiving replacement meters off the Kimtu line plus a meter for Goldeen's parcel.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice

To: Jennie Short

Subject: Re: Yellow House/SHCP meter & account summary

Sent: Feb 24 '12 10:15am

Morning,

OK, lets start with one example; that is, the conflict between what you stated in your email and what Mark stated at the November 28th meeting, here is one example:

What was stated on November 28th:

**Mark:** Again, that line, that is currently serving the Community Park is the same line that served the yellow house when it was all one parcel. Okay?

**Herb:** So, Mark, so the line...but there is a 50,000 gallon tank that we're ...on.

**Mark:** We do not feed that tank.

**Herb:** That's fed by a spring. And I believe, though I don't know, maybe the Community Park knows better, that that's where the farm house gets its water, um. I don't know where the yellow house gets its water.

**Mark:** They're also on a spring. They also purchase water from a trucking company.

**Herb:** Oh, it's bulk water. Okay. And, um. But the farmhouse gets its water from that tank as far as we know.

**Kathryn:** Correct.

You stated in your email after the meeting (below):

**"I have been told that: As the lateral comes onto the property, there is a split on what is now APN 222-091-011 which sends water to the yellow house and to the water storage tank. I believe that the portion that was disconnected to the yellow house was at that split. The caretaker's cottage, etc is fed off the line that comes from the storage tank"**

As we talked about on the phone, you were surprised the Park water storage tank was piped and receiving GSD water without a back flow device, in fact nothing was installed in the line to prevent water from the Parks water storage tank to mix with GSD's treated water. For me, the two different statements contradict each other. Mark is saying GSD water does not go to the Parks water storage tank and you are stating it does. Of course your email is after Marks remarks at a GSD BOD meeting.

This goes a step further, where you state:

**"My understanding is that when the tenant at the yellow house received bills that showed very large usages, Mark attempted to walk the area to find the location of the line and the source of the leak".**

Since GSD was billing the "yellow house", you should have records showing the usage and dates. Maybe, just maybe, the "very large usages" of the "yellow house" was the Park Board filling their

50,000 water storage tank. You never stated what the "very large usages" totals were nor over what period of time? I can only assume it would have been between (by your account) June 2007 and July 2008. The question is, after the "very large usages" at the "yellow house"; how did GSD determine this "very large usages" was a break or leak in the line from the meter to the "yellow house" that Mark was looking for and did they ever find one?

BTW, take a guess when the Park was having their large unpermitted commercial public assemblies, concerts and fundraisers at the Community Park? Yup, summer and fall 2007 and 2008. The same years the Park Board stated they had 40,000 visitors. I wonder if you would have needed water for those events and that amount of people, i.e. fire and drinking water?????. The 50,000 Park water storage tank is located on what is now Goldeen's property, with lines running to the Park property. The 50,000 water storage tank was installed some time between 2004/2005.

Ed

----- Original Message -----

**From:** [Jennie Short](#)

**To:** [Ed Voice](#)

**Sent:** Friday, February 24, 2012 8:41 AM

**Subject:** Re: Yellow House/SHCP meter & account summary

Ed, I read your except and my email and I don't understand your question. Please be more specific as to what you are alluding to so I can answer it directly.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

**From:** Ed Voice

**To:** Jennie Short

**Subject:** Re: Yellow House/SHCP meter & account summary

**Sent:** Feb 23 '12 9:09am

## **GSD Public Hearing and Board Meeting Nov. 28<sup>th</sup>, 2012 on the new SOI boundary.**

### **Excerpt from the approximately 3.5 hour meeting - Excerpt 1**

**Herb:** It's important to understand that though everybody is here concerned about whether or not they're going to have water I suppose since this is California, still, we're not going to create those boundaries with this session or with this work. We're creating the Sphere of Influence around those boundaries, but the boundaries themselves and issues like annexation are not really on the table here and hopefully, if I'm saying anything, you'll remember that so that we really stay focused on what a Sphere of Influence is. By the time you get through listening to Jennie, you'll find out a lot more about what I've describe generically. Some specific issues that are going to come up that we've already been influenced by, and that is the Community Park, um, the Community Park does have water,

but it's not coming from the Sanitary District. This is some research we've done some work on.

**Kathryn Lobato:** Excuse me, we pay a bill every month.

**Herb:** There's a meter located, I said, you can do it in public comment. The Community Park, I know, you pay for a meter charge, but the water's not coming from Garberville Sanitary District. I don't know where you're getting water, but it's not coming from us. And you can address that at your time. Okay. Jennie can address it. There's a meter located on the Hurlbutt property in that field. From that meter there's a line, in fact, I don't know, do you have that figure? Maybe I shall use it.

**Jennie:** Yep.

**Herb:** You know, you've got to face these issues. This is one of the things that we've had to figure out. You know, we have a history here. This is a figure that would be very helpful to look at since this is a bit of a hot button issue and certainly got Kathryn's attention. There's a meter located here. I think there's a triangle on this here. She's going to take out the layers.

**Jennie:** So, right there. That's where the meter sits.

**Herb:** There's a line that runs, um. This meter was shut off in 2007. That's the reason I'm saying you're not getting GSD water because that's where the water would come from. Because the line leaks. It leaks somewhere along there. You know, and I guess, we've figured that out. That line goes to the yellow house and it also goes to the 50,000 gallon water tank that is. Where is that? There a little white spot there, Jennie?

**Jennie:** But,...

**Kathryn Lobato:** This isn't correct.

**Herb:** This is the 50,000 gallon water tank. Um here is the, where is it? There's the meter, there it is,...

**Jennie:** You might want to let Mark explain how the plumbing works. I think he has a better handle on it.

**Herb:** Yeah, get up Mark.

**Mark Bryant:** The last time water was used in the Community Park was in 2009 in what March? 2009 was when the lotline adjustment was completed. The Community Park had an account with the District in 2008. It actually began in 2007. They started using water in

2008.

In March of 2009, that water, on the customer side, we have two sides that we talk about, we have the District's side of the meter and we have the customer side of the meter. Okay? The District takes care of everything from our main meter. The customer takes care of everything after the meter. One of the problems they ran into with replacing this water line is the vertical slope that we're all aware of on Highway 101 that drops to the river. This is where that line disappeared over the bank and has been broken. That's the reason, at this time, the Park is not receiving water. Kathryn, is that correct?

**Kathryn Lobato:** That sounds more like it.

**Mark:** Okay.

**Kathryn:** And it was because we had had an agreement that, so much water was being lost from our line that I spent a lot of time talking to Mark. He spent a lot of time walking lines. But the agreement was, at this point, to just turn that service off, knowing that we still had a service.

**Mark:** Correct.

**Kathryn:** We've talked about that recently.

**Mark:** Correct. That's the reason they've continued to pay on that service. In anticipation of the Kimtu line coming through...

**Kathryn:** And being able to fix that line.

**Mark:** Absolutely, okay. So, I hope that answers your questions about that. The line is a one-inch PVC line, utility based. We all know how fragile that is, those of us who live out in the hillsides. It's not a difficult thing to fix. The problem is that when it's on a vertical slope that you need climbing gear to access, then it does become a problem.

**Sandy Feretto:** But it goes to the yellow house.

**Mark:** Yes, it also serves the yellow house.

**Sandy Feretto:** Which is how it gets to the Park?

**Mark:** Again, that line, that is currently serving the Community Park is the same line that served the yellow house when it was all one parcel. Okay?

**Herb:** So, Mark, so the line...but there is a 50,000 gallon tank that we're ...on.

**Mark:** We do not feed that tank.

**Herb:** That's fed by a spring. And I believe, though I don't know, maybe the Community Park knows better, that that's where the farm house gets its water, um. I don't know where the yellow house gets its water.

**Mark:** They're also on a spring. They also purchase water from a trucking company.

**Herb:** Oh, it's bulk water. Okay. And, um. But the farmhouse gets its water from that tank as far as we know.

**Kathryn:** Correct.

**Mark:** I don't know that.

**Herb:** Okay, that's a guess. That's true. Okay.

**Lisa Solaris?:** Yes, that's true.

**Herb:** And uh. And then what we, um, let's see, oh, part of that is Little Tooby Park. Little Tooby Park, according to records, which I guess is, where is that?

**Jennie:** It's right here.

**Herb:** That, according to research we've done, um, has a well. And County records show that it was inspected and it was potable water, I guess, at the time the Community Park took over that property. But for reasons that we don't know, they don't use that water.

**Kathryn Lobato:** It's on a boil... The water that comes out of that well is on and you can't drink it without boiling it.

**Herb:** Anyway, the records we show from the County the last time they looked at it, it was okay.

**Bill Stewart:** They had a house there prior to 1955. They put that well in.

**Kathryn Lobato:** We certainly wouldn't serve that water to children....

**Herb:** But now, as I say, this just came up recently. I'm bringing it up because we've got to be as open and transparent as possible and we'll try to figure all the rest of that out later.

The uh, part of the Park also has what some would call prime agricultural land, about a 100 acres, and that is also in that area. And that is an issue we need to look at as a community.

The uh, one of the things that I think we ought to think about also is the South Fork of the Eel River. The uh, it doesn't look so good in the summer time. We have more than adequate water from our own permit sources but how much we use is also a community decision. So all the development we're looking at, I think we also need to hear from uh, the river, so to speak. So that's, I think, an issue the community has to look at.

Um, the uh, we also sell bulk water. In September we sold a 100,000 gallons. I don't know how much we sold through the rest of the summer, but we do take out for bulk water users, at least we did in September. I don't know what the rest of the numbers are for the rest of the summer. Another point is the Kimtu pipeline.

----- Original Message -----

**From:** [Jennie Short](#)

**To:** [Ed Voice](#)

**Sent:** Wednesday, February 22, 2012 9:13 PM

**Subject:** Re: Yellow House/SHCP meter & account summary

The attachment won't open.

Thanks, Jennie Garberville Sanitary District

-----Original Message-----

From: Ed Voice

To: Jennie Short

Subject: Re: Yellow House/SHCP meter & account summary

Sent: Feb 22 '12 9:04pm

Jennie,

Here is what I was talking about. See attachment. Now how does your narrative below support the narrative from Nov 28th?

Ed

----- Original Message -----

**From:** [Jennie Short](#)

**To:** [Ed Voice](#)

**Sent:** Monday, February 13, 2012 12:31 PM

**Subject:** Yellow House/SHCP meter & account summary

Ed, Here comes a long answer for a short question. Hopefully this helps instead of creating more confusion

First, for all of our accounts, the customer is the person paying the bill. This person is most often the tenant for houses that are rentals. As we have updated our billing information, we have added information to the section that shows who the landlord is. That does not mean that the property is not served, just because the owner does not pay the water bill. It also does not mean that the water

account customer would have changed names because the property was sold. If the tenant stayed the same, the account would have stayed in the tenant's name.

I did not work for the district when all this happened. I have attempted to answer your questions to the best of my ability based upon the records that we have. We did not obtain the historical records from the GWC. You may not think that is acceptable, but that is the way it is.

No one seems to know exactly where the line is that goes from the meter at the Hurlbutt property, down the hill, across Hwy 101, down the hill towards Sprowel Creek Road, and served old APN 222-091-006. Mark & Ron seem to know where some of it is. It is not one of our lines, so you would have to ask the Park about it's location. My understanding is that when the tenant at the yellow house received bills that showed very large useages, Mark attempted to walk the area to find the location of the line and the source of the leak. I have been told that: [As the lateral comes onto the property, there is a split on what is now APN 222-091-011 which sends water to the yellow house and to the water storage tank. I believe that the portion that was disconnected to the yellow house was at that split. The caretaker's cottage, etc is fed off the line that comes from the storage tank. This tank is also fed by a spring.] I don't know this for certain.

The billing notes show that the account was in a tenant's name until April 2007. That tenant died and the account was put back into Bob McKee's name at which time he paid it current. In June 2007 the account was transferred to the new tenant's name but for the meter only although there is no indication that the tenant was making monthly payments for the water meter. In Feb 2008 the Park asked for the meter to be turned back on but it appears that was only for one day. In April 2008 the account shows water flowed through the meter again. The account was transferred into the Park's name with the first bill being issued 7/1/08 in the Park's name. From the billing notes it appears that in April 2008 the Park paid \$200 towards the old McKee account which was in the tenant's name (at \$25.50 per month, that is 7.8 months, which is how I came up with the Nov 2007). The Park has been paying their account ever since.

I don't believe that I am allowed to disclose the names of the tenant.

Overall the billing shows:

Dec 2004 - Feb 2006 : billed as useage (Notes show disconnected for nonpayment on 1/18/06 the account was paid in full August 2006 and turned back on.)

Mar 2006 - Aug 2006 : Meter only

Sept 2006 - April 2007 : Useage (Notes show the meter was locked off Feb 2007)

May 2007 - March 2008 : meter only

Into Park's name

April 2008 - April 2009 : useage

May 2009 - current : meter only except Sept & Oct 2009 shows useage but was reversed when GSD staff field verified that the meter was off.

This much detail may create more questions than answers, but I have tried to provide an overview that should help.

As far as I know GSD has been unable to find out exactly when or why the Park installed piping that attached the Park's water system to the McKee service lateral. By Feb 2008 our billing notes seem to indicate that it was there. I asked Kathryn and she said she did not even know exactly where the

water system on the Park's property is, nor when the lines were installed. That as they dig them up, they find out where they are and that many of them are ancient. Because this was all one lot at the time the work was being done, they had no responsibility to inform GSD any more than any other property owner would. This is part of the reason that annexing only a portion of the property is problematic - where are the lines now, and how are we suppose to enforce not running lines outside of a boundary only shown on a map? Enforcing a quantity of water consumed per month is much more realistic.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

From: Ed Voice  
To: Jennie Short  
Subject: Re: Stuff  
Sent: Feb 11 '12 1:41pm

Jennie,

Here was the answers you gave me concerning the connection to the "Yellow House" and Park:

***Because the yellow house was disconnected from the private side of the meter when there was a break in the line that could not be found and repaired. The rest of the parcel continued to be served from that meter. The account for the tenant was made inactive until the repair is completed, or an alternative way or servicing the residence is found.***

***Because that is what our billing records show. The Park began paying the bill for the water flowing through that meter starting about mid November 2007. The account was transferred into their name effective 07/01/08. Since then, they pay, at a minimum, the water meter base rate each month.***

Now, without beating this horse to death again; If there was a break in the line between the meter (GWC Hurlbutt Tank) and the "Yellow House" and could not be found nor repaired, how could the rest of the parcel continue to be served from that same meter? Was there more than one line from that single meter (GWC Hurlbutt Tank) to the "Yellow House" and Ranch Houses?

Since as GSD states, GSD purchased GWC in 2004 and the Tooby Ranch was sold in 2000, does GSD have any records from GWC showing Tooby paid the water bill and connection for the "Yellow House and the Ranch Houses from the 1950's to 2000? GSD should also have records from GWC, transferring the water serve from Tooby to either Buck Mountain Ranch or Southern Humboldt Working Together (SHWT), since SHWT had title to the property in 2000 after the sale of the Tooby Ranch?

The other thing that bothers me about this answer of yours, just because you pay a bill, you are now considered to be the customer and connection? And because you pay a bill, you become an existing connection? Did anyone from GSD ask SHCP when they installed the water line from the "Yellow House" to the Parks water system and tanks? I mean who is the "tenant" you are talking about and is that "tenant" just paying the bill or are they the property owner?

The reason I keep asking this question(s), is that nothing makes any sense, we have heard every kind of story and it has changed 8 to 10 times in the last 5 years. I would like you to make sense of who, what, why, when and where please. Put this question to rest.

Thanks

Ed

----- Original Message -----

**From:** [Jennie Short](#)

**To:** [Ed Voice](#)

**Sent:** Friday, February 10, 2012 3:33 PM

**Subject:** Re: Stuff

Ed, I will ask Ron again about putting the rest of the figures on the web site. They should all be on the web site.

As far as I know the water that the Park is currently using for the residence's on the park property is coming from a spring on Goldeen's parcel and is stored in the tank on Goldeen's property. You would have to confirm this with the Park.

I am not sure where the water comes from that fills the storage tank next to the yellow house. I have been told by Tina that in the summer they have water delivered to fill the tank. That may be the case all year long. It was suppose to be a very temporary solution that has drug on much longer than anyone anticipated.

Thanks, Jennie  
Garberville Sanitary District

-----Original Message-----

**From:** Ed Voice

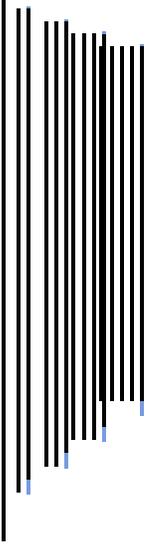
**To:** Jennie Short

**Subject:** Stuff

**Sent:** Feb 10 '12 2:04pm

Jennie,

Question about why all the Annexation figures (Maps & Areas) are not on the GSD web site, i.e. figures 6, 7, 8 and 9, for Area 4, 5, 6.



Another one. If the Yellow House and the Community Park's water has not been supplied by GSD for some time, where does the water come from now at the Community park Caretaker House and Farm House, including the Caretakers trailer at Tooby Park. How has the Yellow House been getting water? People do live in these dwelling?

Thanks  
Ed

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, February 21, 2012 3:42 PM  
**To:** Deardorff, Natalia (CDPH-PS-DDWEM); Wiedemann, Tony (CDPH-DDWEM); Lund, Ronnean (CDPH-DDWEM)  
**Cc:** George Williamson; Colette Metz; Miller, John; Girard, Kirk; Spencer, Martha; Richardson, Michael  
**Subject:** Garberville Sanitary District  
**Attachments:** GSD Indie newspaper 2\_21\_12 Emails Reveal Discord in GSD Process.pdf

Morning,

FYI, please copy attachment to any file you may have on projects for the Garberville Sanitary District and the Southern Humboldt Community Park.

Thank you,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Sunday, January 29, 2012 9:11 PM  
**To:** Richardson, Michael; Miller, John  
**Subject:** Fw: Comments about water treatment facilities capacity - CEQA document

Dear Michael, please include this in comments for the General Plan Update to the Planning Commission and the Board of Supervisors. Guess it goes under housing and water elements.

Thanks,  
Sandy

----- Forwarded Message -----

**From:** Sandy Feretto <sferetto@yahoo.com>  
**To:** Jennie Short <jshort@garbervillesd.org>; "Natalia.Deardorff@cdph.ca.gov" <Natalia.Deardorff@cdph.ca.gov>; "Tony.Wiedemann@cdph.ca.gov" <Tony.Wiedemann@cdph.ca.gov>; "mrichardson@co.humboldt.ca.us" <mrichardson@co.humboldt.ca.us>; "Mark.Lovelace@co.humboldt.ca.us" <Mark.Lovelace@co.humboldt.ca.us>; Clif Clendenen <Clif.Clendenen@co.humboldt.ca.us>  
**Sent:** Sunday, January 29, 2012 9:03 PM  
**Subject:** Re: Comments about water treatment facilities capacity - CEQA document

Dear Jenny,

I'll tell you where it states GSD is increasing magnitude of water usage - your annexation.

GSD is trying to add 700 acres to the district before the General Plan Update is done. GSD is trying to annex the Southern Humboldt Community park to the district before the park board and county make up their new land use designations and zones.

The GPU chosen Sketchplan 3 is supposed to protect the environment by "concentrating development in areas where there are services." The GPU urban study area, which are the areas GSD is trying to annex parcels, can then be developed in urban densities since they will be already in the district. Urban densities can be 16 units per acre, or maybe two or three times that if you call it "affordable," or "multi-family" according to Kirk Girard at a GSD meeting in April 2011. The GSD staff said at the meeting on Jan. 24, '12 that they intended to put "conditions" or "restrictions" on some of the new annexations in order to say there were mitigations to inducing growth and after passing a mitigated negative declaration, simply remove the conditions and restrictions. Just as was done for the Kimtu Line.

This is not about concentrating development where the services are, this is about expanding services, a lot, to service developers.

What GSD is doing to the South Fork Eel River, our rural community and the environment is unconscionable.

Sandy Feretto

**From:** Jennie Short <jshort@garbervillesd.org>  
**To:** "sferetto@yahoo.com" <sferetto@yahoo.com>  
**Cc:** Mark Bryant <mbryant@garbervillesd.org>; Herb Schwartz <herb@changemediation.com>  
**Sent:** Saturday, January 28, 2012 9:54 AM  
**Subject:** Comments about water treatment facilities capacity - CEQA document

Good Morning Sandy,

You had asked a question Tuesday night during the Board meeting about the increased capacity of the water treatment plant facilities as documented in the CEQA Initial Study/Mitigated Negative Declaration. You referred to 270% increase. I could not find anywhere that suggested this increase in the document, but I wanted to make sure that I followed up on your comment.

If you can point me to the place (or various places combined) from the document that make you feel as though the document addresses an increase of that magnitude, I would like to try to address your question. The design parameters SHN is using for the water treatment plant facility will not result in an increase of that magnitude. The new plant will be capable of processing the amount of water that is allowed under the combined State Diversion license and permit. The actual (lesser) amount processed will depend upon the demand in the system. GSD is required to report to the state on exactly how much water we process under the diversion.

CDPH requires redundancy in the system, and therefore duplex pump stations (two pumps that alternate being on or can be turned on together when needed) are part of the DWTP project. Each pump at the Intake will be capable of pumping half of the diversion amount. I have attached the page from Mike Veach of SHN's presentation to the GSD Board regarding the design parameters for the DWTP project. Of particular note is the maximum summer day demand of 321,116 gallons per day and the design parameter for average summer demand of 290,000 gallons per day as compared to the total GSD diversion allowed of 484,700 gallons per day.

The MSR/SOI Update that was submitted to LAFCo this month states in part:

“The District holds a current water diversion permit from the State Water Resources Control Board for appropriation of water from the South Fork of the Eel River. The permit is number 20789. This permit allows the District to divert a maximum of 0.595 cubic feet per second (267 GPM) from the river, year round. The District also has a fixed license that allows the District to divert an additional 0.155 cfs. The total maximum instantaneous diversion allowed is 0.75 cfs (336 GPM). This would equate to a maximum daily diversion of approximately 484,700 gallons if adequate pumps and treatment facilities were available.”

“The treatment plant processed 60.4 million gallons of water in 2009 and 58.9 million gallons of water in 2010.”

“The existing system has adequate production, treatment, and storage capacities for the average peak daily demand of 219,113 gpd in July 2009. The maximum daily demand is 262,398 gpd based upon the month of July in 2009.”

If you have questions about these flow rates and how to convert from gpd (gallons per day) to cfs (cubic feet per second) or to gpd (gallons per day), please let me know.

For the wastewater project, the new construction at the wastewater treatment plant was intended to increase capacity. Now the moratorium from the Regional Water Quality Control Board has been lifted.

Thanks, Jennie  
Garberville Sanitary District

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Sunday, January 29, 2012 9:03 PM  
**To:** Jennie Short; Natalia.Deardorff@cdph.ca.gov; Tony.Wiedemann@cdph.ca.gov; Richardson, Michael; Lovelace, Mark; Clendenen, Clif  
**Subject:** Re: Comments about water treatment facilities capacity - CEQA document

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**To:** "sferetto@yahoo.com" <sferetto@yahoo.com>  
**Cc:** Mark Bryant <mbryant@garbervillesd.org>; Herb Schwartz <herb@changemediation.com>  
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Thanks, Jennie  
Garberville Sanitary District

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, January 24, 2012 11:55 PM  
**To:** Richardson, Michael  
**Cc:** natalia; Tony; Ronnean Lund; Miller, John  
**Subject:** Garberville Sanitary District Annexation, Community Park & Goldeen

Morning Michael,

FYI, tonight the Garberville Sanitary District (GSD) Board of Directors voted and approved to move forward and submit the Annexation request application to Humboldt LAFCo of 430 acres of the Southern Humboldt Community Park and 81 acres of the River Ranch Homes LLC (Sanford Goldeen) into the GSD District boundary for water service. Please see link below for more details.

[http://www.garbervillesd.org/2012%20Annexation/GSD-ApplicationSummary\\_01-24-12BOD.pdf](http://www.garbervillesd.org/2012%20Annexation/GSD-ApplicationSummary_01-24-12BOD.pdf)

We were also told tonight, at that GSD meeting, these new connections for the Park and Goldeen will come directly from the Kimtu Meadows dedicated water line.

BTW, have you received any new information concerning the Park Boards General Plan Amendment EIR or started the Draft EIR yet?

Thanks

Ed Voice & Voice Family

**i.e.** The State CEQA Guidelines require that the growth - inducing effects of a proposed project be addressed in an EIR. The analysis of growth - inducing effects focuses on consideration of aspects of the project that would foster economic or population growth. Section 15126.2(d) of the CEQA Guidelines states:

*Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment.*

Growth inducement itself is not an environmental effect, but it may lead to environmental effects: e.g. the extension of utilities into an area not currently served by such infrastructure or construction of oversized utility infrastructure to serve currently undeveloped areas may foster growth. The growth could cause the environmental effects of increased demand on other community and public services or infrastructure, increased conversion of agricultural or undeveloped lands to urban uses, increased degradation or loss of plant and animal habitats, destruction of cultural resources, and increased traffic, noise, air pollution, and water pollution.:

1) Is there at least some assessment of the future expansion?

- 2) Does the first phase commit the lead agency to the future development?
- 3) Is the future development linked to the proposed project?
- 4) What kind of EIR has been prepared for the project?

## **15378. Project**

(a) "Project" means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:

(1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100-65700.

(2) An activity undertaken by a person which is supported in whole or in part through public agency contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.

(3) An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, January 11, 2012 4:00 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park GPA

Michael,

If the Park Board was able to get an Ag conservation easement for that property, as it is zoned today, to preserve the prime farmland within the Park property, would that all change with what the Park Board is changing in their GPA from AE/AR-AL to PF/PR? After reading some more information on line, it seems this is why Ranch/Ag and Timber lands get top dollar for a conservation easement, because the easement is saving that resource land from development. In the case of the Park property, the Park Board can show those development rights as a threat to prime ag farmland, almost like blackmail, since it was the Park Board that retained the development right to begin with. The question would be, will their GPA change the property classification out of resource lands (prime Ag farmland) with their GPA?

The other question would be, does the Park property development rights or credits qualify for multi-family housing?

Thanks again,  
Ed Voice

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Sent: Wednesday, January 11, 2012 12:17 PM  
Subject: RE: Southern Humboldt Community Park GPA

Hi Ed,

While some jurisdictions have monetized development credits, the Park Board has referred to that concept to explain the maximum development potential allowed based on the general plan designation. In theory they would transfer with the transfer of the property. I don't know of any way to transfer them outside of that.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Wednesday, January 11, 2012 12:12 PM  
To: Richardson, Michael  
Subject: Re: Southern Humboldt Community Park GPA

Thanks again Michael,  
Then maybe you can educate me about "development credits" and what that would mean for the Community Park? The Park Board still talks about how they

can use the Parks "development credits" as an endowment for the Park.

They

talk about it like its money, just sitting in a bank?

Back in 2004/2005, during initial stages of the Parks LLA (LLA -04-02).

There were many discussions between County Planning and the Park Board (Dazey) and that all new parcels from their LLA would convey development

rights as a part of the LLA process. There are several letters from Clif

Johnson (County) and the Park Board (Dazey) and back again with Steven Werner about this issue.

So:

1) What is the difference between Development Rights and Development Credits?

2) What do they allow you to do and are records kept at the County?

3) How can you use Development Credits for an endowments? Are they transferable? Can you sell them?

I want to know as much as possible about development credits and I get no

answers from the Park Board. Sorry I have to ask you. If there is any kind

of information I can read on the County web site, please send me a link.

Thanks

Ed Voice

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>

To: "Ed Voice" <evoice@mchsi.com>

Sent: Monday, January 09, 2012 9:00 AM

Subject: RE: Southern Humboldt Community Park GPA

Hi Ed,

Here are my responses:

1) Does this mean there is no housing density on PF/PR?

Typically housing would not be allowed on PF/PR designated property. A multifamily zoning designation would be best for senior/workforce housing.

2) How can they say AE is the "most restrictive zoning on the books", but

then say, "Public Recreation would protect the land from future

subdivision"?

The AR Plan designation in combination with an AE zoning designation would arguably allow future subdivision down to 5 acre properties. If they are proposing no future subdivision of the PR areas, we would want to ensure that with the zoning.

3) How would PF zoning and PR land use designations keep the Park Board from selling property?

The Plan and zoning designations control the allowed uses, not the ownership.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]

Sent: Sat 1/7/2012 5:06 PM

To: Richardson, Michael

Cc:

Subject: Southern Humboldt Community Park GPA

Morning Michael,

Maybe you can explain something for me; the Park Board keeps defending rezoning and changing land use designation by making the claim PF rezoning and PR land use will protect the property from subdivisions, development and housing. Here are a couple of their last quotes from the newspaper (see below in bold).

"Recreational use of the park would prevent it from being developed for large-lot rural subdivision. Subdivision into parcels of five to 20 acres in size is allowed under the park's current county land use designation"

"Agricultural Exclusive zoning, which is the most restrictive zoning on the books, means that the land can only be used for those activities directly related to agriculture, such as farming, ranching and timber production. The park has a limited temporary agreement with the Humboldt County Community Development Services Department that allows daily public access for low-impact activities - such as walking, biking, equestrian riding and, with special permission, an occasional organized activity"

"In order for the Southern Humboldt Community Park to fulfill its

mission,  
it is necessary to rezone 96 acres from Agricultural Exclusive (AE) to  
Public Facilities (PF) and change the land use designation for all 400  
acres  
from Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20 to  
Public Recreation (PR)"

"The change in land use designation to Public Recreation would protect  
the  
land from future subdivision and allow the low-impact activities to  
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the  
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location may not be suitable for housing, but the full analysis is not  
complete at this time. There will be more on this topic when all the  
information is submitted"

1) Does this mean there is no housing density on PF/PR?

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but  
then say, "Public Recreation would protect the land from future  
subdivision"?

3) How would PF zoning and PR land use designations keep the Park Board  
from  
selling property?

4) What are your thoughts?

Thanks,

Ed Voice

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, January 07, 2012 5:06 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park GPA

Morning Michael,

Maybe you can explain something for me; the Park Board keeps defending rezoning and changing land use designation by making the claim PF rezoning and PR land use will protect the property from subdivisions, development and housing. Here are a couple of their last quotes from the newspaper (see below in bold).

**"Recreational use of the park would prevent it from being developed for large-lot rural subdivision. Subdivision into parcels of five to 20 acres in size is allowed under the park's current county land use designation"**

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**"In order for the Southern Humboldt Community Park to fulfill its mission, it is necessary to rezone 96 acres from Agricultural Exclusive (AE) to Public Facilities (PF) and change the land use designation for all 400 acres from Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20 to Public Recreation (PR)"**

**"The change in land use designation to Public Recreation would protect the land from future subdivision and allow the low-impact activities to continue on the acreage zoned Agricultural Exclusive as well as the 96 acres with the new zoning of Public Facilities. The current land use designations at the park, Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20, allow for the development of approximately thirty-five 5 to 20 acre parcel "ranchettes." The current rezoning application includes only one 3 to 5 acre roadside area to be rezoned for clustered housing and set aside for senior and/or workforce housing. Preliminary studies indicate the original proposed location may not be suitable for housing, but the full analysis is not complete at this time. There will be more on this topic when all the information is submitted"**

- 1) Does this mean there is no housing density on PF/PR?
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- 3) How would PF zoning and PR land use designations keep the Park Board from selling property?
- 4) What are your thoughts?

Thanks,

Ed Voice

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, December 26, 2011 6:00 PM  
**To:** Richardson, Michael  
**Subject:** SHCP Land Use Reclassification

Michael;

I know you are real busy with other County concerns, but I wanted to know what the Park Board keeps talking about, that is, that they are rezoning and changing the land use designation to protect the property from housing development and subdivision?

*"The Southern Humboldt Community Park was acquired for the community to use and enjoy. Our goal is for SHCP to become a hub for community activities. The SHCP is currently working with the Humboldt County Planning Department to rezone the property appropriately for community use while maintaining most agricultural acreage. One change we are seeking is from a land use designation of Agricultural Residential 5-20-acres and Agricultural Lands 20-acres to a Public Recreation land use designation. This change will eliminate the possibility of future subdivision of the property into 5- to 20-acre residential parcels and make possible the recreational infrastructure and activities we envision"*

*"While our application calls for about 300 acres of the Park to remain Ag-Exclusive, we want to change approximately 96 acres to a Public Facilities zoning to make possible the recreational and other infrastructure we envision for the Park in the future. (For more on the rezoning, see Carol Van Sant's articles on the topic on our Communications and Updates page, or review our application, linked on the Documents Library page.)"*

The one topic they don't talk about are large scale public assembly's, commercial concert and festivals or what they call weekend long "fundraisers".

None of this makes any sense. What is the Park Board talking about? I didn't know if you had seen the last three letter the Park Board submitted to the local newspapers in Garberville in November?

What I still don't understand, is how a non-public and private entity like the Park Board can get "Public Facilities" or "Public Recreation" zoning reclassification or land use designation in the first place.

Thanks and Happy New Year,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, December 16, 2011 4:30 PM  
**To:** Richardson, Michael  
**Cc:** Jennie Short; Herb Schwartz  
**Subject:** SHCP  
**Attachments:** SHCP request services from GSD Nov 2011.pdf

Morning Michael,

I don't know if you have heard, but the Community Park Board has submitted a request to the Garberville Sanitary District (GSD) that the Community Park be included into the districts services area boundary for water. Because of what GSD is under going with Humboldt LAFCo (MSR/SOI update) and the out of service area connections GSD has had since its last MSR/SOI update (1986) the Community Park will require an annexation by Humboldt LAFCo.

The reason I bring this to your attention: How can the Park Board be included into an LAFCo Annexation process when only stating:

*"We have an agreement with the County that allows us to operate as a low-impact Park facility until the rezoning is complete. At this time (and Into the future) this land is accessed by the public for many uses beyond that of the typical resource parcel in single family ownership"*

And:

*"We are engaged in a process with the Humboldt County Community Development Services Department to change the zoning and land use designations to bring them into compliance with the current community uses at the Park. The property is in process to rezone 96 acres for Public Facility with a land use designation of Public Recreation on the entire parcel. The remainder of the property would stay as Ag Exclusive with a Public Recreation as an allowed use"*

Please see attachment of the Request. As we all know, the Park Board's GPA has been collecting dust in your office since September 2010, waiting for the Park Board to furnish information to draft the draft EIR.

So my questions to you:

A. How long does the Community Park Board have this "agreement" to operate the Community Park as a Park, but still not be in compliance with County zoning and land use codes for operating as a Community Park? Is this an indefinite period of time?

B. How can the Community Park be included into an annexation, when its still not in County compliance to become a Community Park, e.g. without any completion or approval of their GPA process?

May you and yours have a Very Merry Holiday Season, Cheer's

Ed Voice

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, November 18, 2011 11:21 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA EIR  
**Attachments:** SHCP request services from GSD Nov 2011.pdf

Morning Michael, I hope you are well;

FYI, here is a copy of what the Southern Humboldt Community Park Board submitted to the Garberville Sanitary District (Nov 14,2011) and Humboldt LAFCo (Nov 16, 2011).

Happy Holidays.....

Ed Voice % Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, November 08, 2011 9:26 AM  
**To:** Richardson, Michael  
**Subject:** Fw: SHCP Part #2

Morning Michael,

Thought you would want to read what the Park Board is telling the Community about there GPA EIR process. Seems they have a thing or two to say about the Planning Department. Please give me your comments and how accurate is the article.

How accurate is this statement from the article: *"The change in land use designation to Public Recreation would protect the land from future subdivision and allow the low-impact activities to continue on the acreage zoned Agricultural Exclusive as well as the 96 acres with the new zoning of Public Facilities. The current land use designations at the park, Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20, allow for the development of approximately thirty-five 5 to 20 acre parcel "ranchettes."*

So how would "PR" land use protect against future subdivision? Do they think "PR" land use is a conservation easement? I thought AE was the strictest zoning and land use?

Thank you  
Ed Voice:

Redwood Times Community Park Update - Part II - November 8, 2011

### **Rezoning project continues to move forward**

The following is the second article in a series: Part I - 2011 Activities at the Community Park, published Nov, 1; Part II (the article below) - Progress report on rezoning; and Part III - Near future plans.

The articles are submitted by SHCP board member Carol Van Sant of Briceland. The writing, review and editing have been a collective effort of the SHCP board and staff. Part 1 is now on the website at [www.sohumpark.org](http://www.sohumpark.org).

*Southern Humboldt Community Park's mission is to conserve The Park's scenic, historic and natural resources while managing a regional park which provides opportunities for recreation, agriculture, education and celebration using a sustainable economic model that will ensure the enjoyment of this rich, diverse land for generations to come.*

It is more than a decade since the Southern Humboldt community was inspired to come together to secure this incredible piece of property and create a community park, a unique and valuable legacy for future generations. The community made significant contributions for the purchase of the land and historic buildings, and it is nearly paid for. Now it is time to complete the rezoning and allow the park to open its gates to the future.

At the present time, the majority of the community park is zoned Agriculture Exclusive (AE) and most of the activities that the community has come to enjoy at the park are not allowed within AE zoning regulations. Agricultural Exclusive zoning, which is the most restrictive zoning on the books, means that the land can only be used for those activities directly related to agriculture, such as farming, ranching and timber production. The

park has a limited temporary agreement with the Humboldt County Community Development Services Department that allows daily public access for low-impact activities - such as walking, biking, equestrian riding and, with special permission, an occasional organized activity.

In order for the Southern Humboldt Community Park to fulfill its mission, it is necessary to rezone 96 acres from Agricultural Exclusive (AE) to Public Facilities (PF) and change the land use designation for all 400 acres from Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20 to Public Recreation (PR).

The 96-acre Public Facilities zone would remain mostly a natural area combined with agricultural uses. But within this zone spaces could be defined where people could come together for public gathering such as celebrations, events, workshops, fundraisers, sporting events and weddings.

The change in land use designation to Public Recreation would protect the land from future subdivision and allow the low-impact activities to continue on the acreage zoned Agricultural Exclusive as well as the 96 acres with the new zoning of Public Facilities. The current land use designations at the park, Agriculture Residential (AR) 5-20 and Agriculture Land (AL) 20, allow for the development of approximately thirty-five 5 to 20 acre parcel "ranchettes." The current rezoning application includes only one 3 to 5 acre roadside area to be rezoned for clustered housing and set aside for senior and/or workforce housing. Preliminary studies indicate the original proposed location may not be suitable for housing, but the full analysis is not complete at this time. There will be more on this topic when all the information is submitted.

The park wrote a four-part series that ran in the Redwood Times in October of 2010. It explains in-depth the necessity for the changes, the recommendations by Humboldt County Community Development Services Department, the types of activities planned for the Public Facilities area, and the Humboldt County rezoning process. Those articles are reprinted on The Park website at [www.sohumpark.org](http://www.sohumpark.org).

Since the park's submission of its application to rezone, the Humboldt County Planning Department has suffered budget cuts and higher workloads. Consequently, what the County predicted would be a three-to-six month process has stretched to two-and-a-half years, and it is now expected that it will be at least another six months before completion. Originally the Community Development Services Department, the lead agency, had offered to write the EIR but they have been unable to make progress on it due to their own internal constraints. The park has already begun to shoulder the additional workload and expense created by the County's reduced capacity to get this work done, and has come a long way in preparation for rezoning the park. The park board has commissioned studies by qualified, certificated experts covering a variety of topics, including sound, geology, biology, cultural and historic resources, wetlands, agriculture and soils. The Draft Environmental Impact Review (DEIR) is close to completion and will first be submitted for internal review. The park board will then hold public workshops to convey the findings of the reports and studies, and get input on the various alternatives that take into account the EIR findings.

Obviously, there is still a lot of work to be done. The park board, although disappointed by the County's inability to assist as originally planned and dismayed by the costs of the project, welcomes the scientific input it is receiving about the nature of the land, and new sources of technology to resolve concerns, like sound travel. The new knowledge will be the foundation of the plan to enable the public to use and enjoy the space while preserving and protecting the unique natural features of the park.

Donations designated for the EIR project are whole-heartedly welcomed. With community support the rezoning can be completed, the park can be reopened to community celebrations, the board and community can begin planning in earnest for the long-term sustainability and added uses of the Park. Send donations to SHCP, P.O. Box 185, Garberville, CA; or contact Kathryn Lobato, Executive Director at [kathryn@sohumpark.org](mailto:kathryn@sohumpark.org) or 923-7871.

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, November 04, 2011 10:29 AM  
**To:** Richardson, Michael  
**Subject:** Connick Creek, County LLA, Garberville

Morning Michael,

I am looking for a Lot Line Adjustment that had to do with a new subdivision in Garberville called "Connick Creek". It took place sometime in the mid to late 1990's, sorry I don't have more information. I do have the current APN's from that LLA/Subdivision that has been built on and sold and are receiving there water from the Garberville Sanitary District (GSD) since that time. My issue is that GSD has been supplying that water to Connick Creek before they purchased the Garberville Water Company and providing that service outside their district boundary and before they had any authorization to do so, even as of today. GSD states the Planning Department is who authorized the water service to Connick Creek for development during the LLA for the current APN's. We are finding out that Connick Creek was never authorized by LAFCo to receive water service outside the district service area of GSD. That GSD is calling the connections at Connick Creek "Grandfathered". The person that started this subdivision back in the 1990's was Greg Terry, then Peter Connelly took over after him, something like that. Just trying to get you as much information as I can.

Here are the APN's that have water connections from GSD by meter:

All starting with 222-156 - 012 - 014 - 015 - 016 - 017 - 018 - 019 - 020 - 021

Here are the two APN's that have requested to be included with new connections from GSD:

222-156-011 - 013

Sorry Michael, I don't have more information. I am looking for anything you guys have on this Connick Creek subdivision and the issue of water to each APN.

Thanks again,  
Ed Voice

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, October 21, 2011 2:31 PM  
**To:** Dennis Huber  
**Cc:** Kathryn Lobato; Tim Metz; Peter Ryce; Eric Kirk; Carol Van Sant; Richardson, Michael  
**Subject:** Re: SHCP/GSD and GPA

Dennis,

I recorded the meeting, what about you? Would you like a sand script of that meeting, during that portion of the show.

Ed

----- Original Message -----

**From:** [Dennis Huber](#)  
**To:** [Ed Voice](#)  
**Cc:** [Kathryn Lobato](#) ; [Tim Metz](#) ; [Peter Ryce](#) ; [Eric Kirk](#) ; [Carol Van Sant](#) ; [Richardson, Michael](#)  
**Sent:** Friday, October 21, 2011 2:17 PM  
**Subject:** Re: SHCP/GSD and GPA

Ed,  
Your interpretation of what occurred at the meeting is no more accurate than you writing in the middle of the afternoon and starting with Morning. As usual you get lost trying to understand what is going on.  
Dennis

On Oct 21, 2011, at 9:19pm, Ed Voice wrote:

Morning SHCP BOD,

At the Garberville Sanitary District (GSD) SOI ad-hoc committee meeting on Oct 17th 2011, Dennis Huber told the SOI committee and attending public; that SHCP BOD no longer had any plans to develop the SHCP for housing, in fact all the requests made in the SHCP GPA have changed. That the documents listed on the SHCP web site were wrong, out of date and did not contain anything the SHCP BOD is requesting or included in their GPA currently. Another fact he talked about, was that Kathryn Lobato cannot request anything from GSD until she gets approval from the Park Board, that Kathryn is only the SHCP Executive Director, not a BOD. She can't talk or authorize anything for the SHCP BOD, unless they have approved the item.

My question; Has the SHCP BOD adopted and approved that the SHCP and Tooby Park be included into the GSD new "District Service Boundary"? Because they were included the night of Oct 17th at that GSD SOI ad-hoc committee meeting, only at the request of

Kathryn Lobato (only verbally via Jennie Short) whom didn't attend and Dennis Huber whom is a GSD SOI ad-hoc committee member..

I guess my other question would be; are all the GPA documents on the SHCP web site void, including the CEQA? I have included the link to where the SHCP GPA documents are currently available to the public on the SHCP web site.

**SHCP General Plan Amendment Application**

**Documents:** <http://www.sohumpark.org/library.html>

Thank you,

Ed Voice

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Monday, September 05, 2011 4:44 PM  
**To:** Girard, Kirk  
**Cc:** Clendenen, Clif; Richardson, Michael  
**Subject:** Park Walk-Family Fair

Good Morning Kirk, Michael,

Based upon the event description (attached), Kathryn Lobato's response to Michael's questions last Friday, and the promotion of this event to the schools and in town, it seems to me this could be a fairly large event

probably exceeding anything that has ever previously occurred at the Tooby Memorial Park (TMP). This is really two events combined, the "Walk in the Park" which was rained out last Spring and the "Family Fun Fair" which began last year at the TMP. I note that the "Family Fun Fair" has now evolved to the "Fall Family Fair". It appears that activities associated with the Fall Family Fair portion of the event may not be limited to

the TMP. This kinda looks to me like, "we had a guy in a clown suit last year, so this year we're bringing the whole circus". It is also clear that this is a commercial ticketed/gated event with profits to be divided between the schools and the Community Park.

Could you please require the Community Park to provide a plan of event including estimated attendance, parking, and location of all related activities including routing of horseback and wagon rides. Emphasis on minimizing the short and long term impacts on prime agricultural lands would be entirely appropriate.

I am especially concerned about parking. As I mentioned previously, after the Rotary event was cancelled I learned the planned parking was on prime farmland (Old Orchard Field) above the ranch house.

The Community Park seemed to be encouraging this use rather than seeking alternatives. The Park

has botched a valuable hay crop again this year but in August they did remove the bales from the Old Orchard Field only. The organic seed workshop Sunday (September 4) took place in the field along

Kimtu Road. It was a very small agriculture related event so I hesitate to file a formal complaint. However the parking was on prime farmland along the road to the ranch headquarters rather than the shorter walk from the gravel flat #2 described below.

Pedestrian and other traffic back and forth across Sprowel Creek Road in the vicinity of Tooby Memorial Park (TMP) is not a good idea. The Community Park desperately needs to move the focus of recreation, assembly

and PARKING away from the historic ranch headquarters and away from prime agricultural lands. In order to contain this event to the TMP, I recommend that the gate to the ranch headquarters be kept closed during the event and that parking be directed to other locations suggested below.

## SUGGESTED PARKING LOCATIONS

1. I have read Bob Bronkall's comments on the Park's pending GPA. I can't interpret the prohibition of event parking at TMP as applying to community events occurring entirely within the TMP itself. Additionally the TMP parking lot is the obvious preferred parking for handicapped attending events there. Parking at the TMP could be temporarily expanded by using the grass area near Sprowel Creek Road.

2. Far and away the Park's best opportunity for additional parking is the gravel flat at the southeast end of the Moody Bridge. The Park owns this location. All parked equipment has now been removed and the area is entirely vacant. The area currently available for parking is about equal to the parking at TMP. However if the gravel pile, untouched for many years, was removed, the available area would more than double.

A great advantage of the gravel flat, in addition to being not prime farmland, is that it is linked to the TMP via a short trail, actually almost a dirt road, under the east end of the Moody Bridge and connecting to the beach area at TMP. People could walk from this parking to the TMP without having to cross Sprowel Creek Road at all. The gravel flat would also be a better staging area for walks, horseback or wagon rides into the Community Park, entering at the lower farm gate near the pump house, because it would only be necessary to cross the much more lightly traveled Kimtu Road.

3. Past events at TMP have utilized shoulder parking on Sprowel Creek Road and Kimtu Roads. Bob Bronkall's comments would prohibit that use. It would be difficult to designate the safe areas from the unsafe areas without developed pocket parking.

4. Past events at TMP have also utilized Pancoast Lane on the west side of the Moody Bridge. The Park would have to obtain permission from the private owner, now Studebaker I believe. There is space for about 20 cars off the lane at that location. People walk back to the TMP across the Moody Bridge. There is no dedicated pedestrian sidewalk on the bridge but the traffic lanes on the Moody Bridge are 16' wide. A walkway could be marked with traffic cones and safety tape.

5. The Kimtu parking lot could be used with a shuttle along Kimtu Road to the TMP or to the gravel flat.

6. Department of Fish and Game has said in their comments on the Park's pending GPA that they do not want any parking on the river bar. Some logical inconsistency will have to be resolved. Why is it OK to park on the river bar at the Reggae site but not at this location? Others may disagree but I don't see a problem with weekend parking on the Randall Sand & Gravel river bar. It is going to be excavated anyway.

A great advantage of this location is that it is directly across from the TMP and links to the Community Park via the same trail mentioned in #2 above. In fact Randall sometimes installed a bridge at that location to access gravel on the east side of the river. During the summer one can easily wade the river at this location

and a temporary pedestrian bridge would not be difficult. State Parks has a very simple temporary pedestrian bridge system, installed and removed annually from streams in the State Parks, without stream bank alteration, and using only hand labor.

7. In the future, if the Park were to develop ball fields in the vicinity of the Kimtu parking, at least one might double for event parking, again shuttling along Kimtu Road.

#### END PARKING SUGGESTIONS

A maximum event size, considering all factors, will need to be determined for the Community Park. It may be entirely reasonable to conclude that the Community Park is unsuited and unneeded for any large public assembly in light of multiple other superior sites near Garberville. Historic use of the Tooby Memorial Park, a few hundred people, could be a good indicator of the maximum event for the Community Park. Parking is one way to limit event size or trigger the off site parking/busing requirement.

In order to protect the agricultural capability of prime agricultural lands on the property, the Community Park needs to put some imagination and effort into planning for assembly and PARKING rather than just turning in at the ranch gate and parking in the nearest field.

Thank you.

John LaBoyteaux

ATTACHMENT

Response from Kathryn Lobato:

This is the Fifth annual Walk in the Park event. It is the same as it was last year with the exception that it is happening in the Fall. I have attached the event announcement below. The event is at Tooby Park.

We worked out the all details for this event with your Department for this event early on, with Marcella Clem, just as we also did with the annual Egg Hunt. Your department advised us that we were fine as long as the event is at Tooby and everyone walks the trails in the Park. It is well within our agreement with your Department.

The event is the same as last year when we added the Family Fun Fair in conjunction with the schools. All activities other than the walk happen at Tooby Park. I did submit the date of the Walk in the Park with the list of other events at the Park earlier in the year.

Best,

Kathryn

**5th Annual Walk in the Park & Fall Family Fair**

# **A Benefit for Local Schools, Tooby Playground &**

## **Southern Humboldt Community Park Education Programs**

**Tooby Memorial Park - Sunday September 25th  
1-6pm**

**Check-in at 1pm**

The Southern Humboldt Community Park is excited to host the Fifth Annual Walk in the Park and Fall Family Fair on Sunday, September 25th. The event will be held at Tooby Memorial Park, Sprowel Creek Road, Garberville. Check-in begins at 1pm. The Walk begins at 1:30pm and will take place on 2¼ miles of easy trail through the beautiful Community Park.

Throughout the day there will be activities and entertainment for the children including martial arts demos, music, games and crafts, horse and wagon rides, an electric cart farm tour and pony rides. Informational booths will be set up by local non-profits. Food booths will be provided by the schools. Family Fair activities will begin after the Walk and continue throughout the afternoon until 6pm.

In the afternoon, local experts will lead interpretive walks to the community farm, the labyrinth, and about native plants or the scat & tracks found in the park. All the community is invited to join us and discover the beauty and diversity of our Community Park while supporting our children.

One entrance/registration fee covers all activities. Children under 5 are free, \$5 for school students walking for pledges, \$10 for children, \$15-25 sliding scale for adults, or a \$40 Family Pass.

Every early registrant will receive a Walk in the Park tote bag and on-site registrants will receive one as long as they last.

Entrance fees will go toward improvements and maintenance of Tooby Park Playground and education programs at the Community Park. Redway School, Skyfish School, Whitethorn School, the Home School Group, and South Fork Clubs are earning funds for their school through a pledge drive for The Walk and their food booths.

Register early. Pick-up forms at one of the schools, Blue Moon, Chautauqua, Signature Coffee, Café Bella or download the **Walk in the Park Registration/Entrance Fee Form** at [www.sohumpark.org](http://www.sohumpark.org)

For more information call Carol Van Sant at 923-2468 or Kathy Bell at 986-7468.

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Friday, September 02, 2011 1:01 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Lt. Adam Jager; Downey, Mike; Clendenen, Clif; evoice@mchsi.com  
**Subject:** Re: SHCP 5th Annual Walk in the Park & Fall Family Fair

Michael,

In addition to attendance and parking, you might want to ask about the "horse and wagon rides, an electric cart farm tour, and pony rides". I don't see how that could all occur within the Tooby Memorial Park and I would be concerned about a lot of crossing of Sprowel Creek Rd. by horses and wagons. From Kathryn's response and the notice, this event does seem to be expanding. I can provide a list of parking areas

which have been historically used in connection with events at the Tooby Memorial Park ..... that would be while it was still under Tooby ownership.

John L

On Sep 2, 2011, at 10:53 AM, Richardson, Michael wrote:

Hi John and Ed,I,

Below is the response from Kathryn Lobato in response to your questions.

Please let me know if you have any other questions or comments.

Thanks.

- Michael Richardson

Senior Planner

Humboldt County Community Development Services

(707) 268-3723

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The event is the same as last year when we added the Family Fun Fair in conjunction with the schools. All activities other than the walk happen at Tooby Park. I did submit the date of the Walk in the Park with the list of other events at the Park earlier in the year.

Best,

Kathryn

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For more information call Carol Van Sant at 923-2468 or Kathy Bell at 986-7468.

-----Original Message-----

**From:** John LaBoyteaux [mailto:[helenthemelon@earthlink.net](mailto:helenthemelon@earthlink.net)]

**Sent:** Thursday, September 01, 2011 10:44 PM

**To:** John LaBoyteaux

**Cc:** evoice@mchsi.com; ajager; Downey, Mike; Richardson, Michael; Clif Clendenen; Girard, Kirk

**Subject:** Re: SHCP 5th Annual Walk in the Park & Fall Family Fair

Michael,

Maybe I spoke too soon. Park's web site says the event is in the Tooby Memorial Park. Could be perfectly OK. The "Fall Family Fair" does seem an expansion however and it would be good to know the full parameters of this event, especially expected numbers and parking.

John L

On Sep 1, 2011, at 4:04 PM, John LaBoyteaux wrote:

Michael,

No "recurring" event has ever been authorized to my knowledge and I've never heard of the Fall Family Fair

before. Sounds like the Park is taking license based on the Blackberry Boogie and the Humboldt Feast for which, so far as I know, they never submitted a plan of event as Kirk requested. I don't think they even notified your department that the Humboldt Feast had been cancelled. Now we're looking at less than three weeks.

John L

On Aug 31, 2011, at 2:21 PM, evoice@mchsi.com wrote:

Michael,

OK, but how would you know what the "footprint" of the previous events look like, without knowing what they are doing this year? Tooby Park is for free public recreation and small family gatherings, not for commercial public assembly that charges an admission price per person or per age group. How do you know how big this commercial

public assembly will be unless you ask? You would still need to get a plan of operation for this event and ask the question, unless the Planning Department has started using the honor system for the size and scope of commercial public assembly on private property, with no disregard of public safety.

Thanks

Ed

----- Original Message -----

From: "Michael Richardson"  
<MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Wednesday, August 31, 2011  
1:25:19 PM GMT -08:00 US/Canada  
Pacific

Subject: RE: SHCP 5th Annual Walk  
in the Park & Fall Family Fair

Typically those events go through me to Kirk; I don't think anyone has specifically authorized that for this year. If it is something they've been doing for several years in the past, we may have authorized it as a

recurring event, but the organizers would need to stay within the footprint of the previous events.

-----Original Message-----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com)  
[mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

Sent: Wednesday, August 31, 2011  
1:08 PM

To: Richardson, Michael

Subject: Re: SHCP 5th Annual Walk  
in the Park & Fall Family Fair

Thanks,

Could you find out who authorized this commercial public assembly at the Community Park on Sept 25th 2011.

Thank you,

Ed Voice & Voice Family

----- Original Message -----

From: "Michael Richardson"

<MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Wednesday, August 31, 2011  
11:13:58 AM GMT -08:00  
US/Canada Pacific

Subject: RE: SHCP 5th Annual Walk  
in the Park & Fall Family Fair

Hi Ed,

I haven't heard anything about it.

- Michael R.

-----Original Message-----

From: evoice@mchsi.com  
[mailto:evoice@mchsi.com]

Sent: Wednesday, August 31, 2011  
10:28 AM

To: Richardson, Michael

Subject: SHCP 5th Annual Walk in  
the Park & Fall Family Fair

Morning Michael,

Had you heard about the:

<http://www.sohumpark.org/updates/ancmts/walk-in-the-park5.html>

The reason I ask, is that this commercial fundraiser and public assembly event has now turned into what they call a "Fall Family Fair", not just a walk in the Park. How is this Ag related?

And yes, the Park Board does say it's at Tooby Park, but they will be using the Community Park as a parking lot for a commercial public assembly.

Has the Park Board submitted any kind of plan of operation about this event? i.e. attendance levels, parking, traffic control, amplified music, food

permits, serving beer or wine?. Does it have the approval of the CHP and Sheriff?

Again, I would like to ask that the public be involved in any commercial public assemblies at the Community Park. This event was only made public last week.

Thank you,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Friday, September 02, 2011 12:09 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Lt. Adam Jager; Downey, Mike; Clendenen, Clif; evoice@mchsi.com  
**Subject:** Re: SHCP 5th Annual Walk in the Park & Fall Family Fair

Michael,

Could you please clarify the expected attendance and location of the parking for this event?

John L

On Sep 2, 2011, at 10:53 AM, Richardson, Michael wrote:

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**Cc:** [evoice@mchsi.com](mailto:evoice@mchsi.com); [ajager](mailto:ajager); Downey, Mike; Richardson, Michael; Clif Clendenen; Girard, Kirk

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Subject: RE: SHCP 5th Annual Walk  
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Typically those events go through me to Kirk; I don't think anyone has specifically authorized that for this year. If it is something they've been doing for several years in the past, we may have authorized it as a recurring event, but the organizers would need to stay within the footprint of the previous events.

-----Original Message-----

From: evoice@mchsi.com  
[mailto:evoice@mchsi.com]

Sent: Wednesday, August 31, 2011  
1:08 PM

To: Richardson, Michael

Subject: Re: SHCP 5th Annual Walk  
in the Park & Fall Family Fair

Thanks,

Could you find out who authorized  
this commercial public assembly at  
the Community Park on Sept 25th  
2011.

Thank you,

Ed Voice & Voice Family

----- Original Message -----

From: "Michael Richardson"

<MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Wednesday, August 31, 2011

11:13:58 AM GMT -08:00

US/Canada Pacific

Subject: RE: SHCP 5th Annual Walk  
in the Park & Fall Family Fair

Hi Ed,

I haven't heard anything about it.

- Michael R.

-----Original Message-----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com)  
[<mailto:evoice@mchsi.com>]

Sent: Wednesday, August 31, 2011  
10:28 AM

To: Richardson, Michael

Subject: SHCP 5th Annual Walk in the Park & Fall Family Fair

Morning Michael,

Had you heard about the:

<http://www.sohumpark.org/updates/ancmts/walk-in-the-park5.html>

The reason I ask, is that this commercial fundraiser and public assembly event has now turned into what they call a "Fall Family Fair", not just a walk in the Park. How is this Ag related?

And yes, the Park Board does say it's at Tooby Park, but they will be using the Community Park as a parking lot for a commercial public assembly.

Has the Park Board submitted any kind of plan of operation about this event? i.e. attendance levels, parking, traffic control, amplified music, food permits, serving beer or wine?. Does it have the approval of the CHP and Sheriff?

Again, I would like to ask that the public be involved in any commercial public assemblies at the Community

Park. This event was only made public last week.

Thank you,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Thursday, September 01, 2011 10:44 PM  
**To:** John LaBoyteaux  
**Cc:** evoice@mchsi.com; ajager; Downey, Mike; Richardson, Michael; Clif Clendenen; Girard, Kirk  
**Subject:** Re: SHCP 5th Annual Walk in the Park & Fall Family Fair

Michael,

Maybe I spoke too soon. Park's web site says the event is in the Tooby Memorial Park. Could be perfectly OK. The "Fall Family Fair" does seem an expansion however and it would be good to know the full parameters of this event, especially expected numbers and parking.

John L

On Sep 1, 2011, at 4:04 PM, John LaBoyteaux wrote:

Michael,

No "recurring" event has ever been authorized to my knowledge and I've never heard of the Fall Family Fair before. Sounds like the Park is taking license based on the Blackberry Boogie and the Humboldt Feast for which, so far as I know, they never submitted a plan of event as Kirk requested. I don't think they even notified your department that the Humboldt Feast had been cancelled. Now we're looking at less than three weeks.

John L

On Aug 31, 2011, at 2:21 PM, evoice@mchsi.com wrote:

Michael,

OK, but how would you know what the "footprint" of the previous events look like, without knowing what they are doing this year? Tooby Park is for free public recreation and small family gatherings, not for commercial public assembly that charges an admission price per person or per age group. How do you know how big this commercial public assembly will be unless you ask? You would still need to get a plan of operation for this event and ask the question, unless the Planning Department has started using the honor system for the size and scope of commercial public assembly on private property, with no disregard of public safety.

Thanks

Ed

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Wednesday, August 31, 2011 1:25:19 PM GMT -08:00 US/Canada Pacific

Subject: RE: SHCP 5th Annual Walk in the Park & Fall Family Fair

Typically those events go through me to Kirk; I don't think anyone has specifically authorized that for this year. If it is something they've been doing for several years in the past, we may have authorized it as a recurring event, but the organizers would need to stay within the footprint of the previous events.

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Again, I would like to ask that the public be involved in any commercial public assemblies at the Community Park. This event was only made public last week.

Thank you,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Thursday, September 01, 2011 4:04 PM  
**To:** evoice@mchsi.com  
**Cc:** Girard, Kirk; Richardson, Michael; Downey, Mike; ajager; Clif Clendenen  
**Subject:** Re: SHCP 5th Annual Walk in the Park & Fall Family Fair

Michael,

No "recurring" event has ever been authorized to my knowledge and I've never heard of the Fall Family Fair before. Sounds like the Park is taking license based on the Blackberry Boogie and the Humboldt Feast for which, so far as I know, they never submitted a plan of event as Kirk requested. I don't think they even notified your department that the Humboldt Feast had been cancelled. Now we're looking at less than three weeks.

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Thank you,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Friday, August 19, 2011 2:09 PM  
**To:** Richardson, Michael  
**Subject:** Fwd: Humboldt Feast

FYI

Begin forwarded message:

**From:** "Ed Voice" <evoice@mchsi.com>

**Date:** August 19, 2011 1:35:39 AM PDT

**To:** "donaldcourtemanche" <donaldcourtemanche@wavecable.com>, "Sandy Feretto" <sferetto@yahoo.com>, "Susan Gardner" <sgardner@redwoodtimes.com>, "Kristin Vogel" <kv2@gotsky.com>, "LaBoyteaux John" <helenthemelon@earthlink.net>

**Subject:** Fw: Humboldt Feast

----- Original Message -----

**From:** [Karyn Lee-Thomas](#)

**To:** [Ed Voice](#)

**Sent:** Thursday, August 18, 2011 9:39 PM

**Subject:** Re: Humboldt Feast

It has been postponed until the fall of 2012. We realized that we need more time - the wine, food and beer artisan vendors schedule their commitments out at least a year. This will also allow us ample time to make sure we have all necessary permits in place.

karyn

"I love not man the less, But nature more..." Lord Byron

On Aug 18, 2011, at 9:24 PM, Ed Voice wrote:

Sorry to bother you, but I heard that the "Humboldt Feast" was canceled? Is this the case?

Thank you,

Ed Voice

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Monday, August 08, 2011 10:27 AM  
**To:** Karyn Lee-Thomas  
**Cc:** Girard, Kirk; Clendenen, Clif; Susan Gardner; Richardson, Michael  
**Subject:** Humboldt Feast

Karyn,

Last week Ernie Branscomb and I walked the Community Park and looked all three of the assembly sites which I identified on the map I published in the papers. I gave Ernie an enlarged copy of the map. He seemed to like best the number (3) Oak Grove site because it would not require any clean up or mowing and is reasonably close to the Kimtu parking lot. Parking would also be possible as the shoulder allows along Kimtu road. If that is not enough, it would not seem difficult to run a shuttle back and forth on Kimtu road thus people could park as far away as the Tooby Memorial Park.

The Community Park's best opportunity for an additional parking lot is the gravel flat at the south east end of the Moody Bridge. This area is owned by the park although Randall Sand & Gravel is parking some equipment there at the moment. The gravel pile in that location has not been touched in about ten years to my memory. Some parking could occur as is, and if they removed the gravel pile back to the quarry this could be a good parking area serving the whole Park.

For the future, if the Park would obtain the necessary permits and develop ball fields in the vicinity of the Oak Grove assembly site, at least one of those ball fields could double for parking for occasional reasonably scaled events at the site .... similar to Rohner Park in Fortuna.

I am available if you have any other questions about parking or the sites I identified on my map.

John LaBoyteaux

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Wednesday, July 20, 2011 9:07 AM  
**To:** Girard, Kirk  
**Cc:** Karyn Lee-Thomas; Clendenen, Clif; Susan Gardner; Richardson, Michael  
**Subject:** Humboldt Feast

Kirk et al,

The location of the Garberville Rotary Club's Humboldt Feast event is not clear. The announcement in the July 19th Redwood Times refers to "..... enter at the gate. You will then be led down the trail where you can taste various local foods, wine and beer".

There is a trail and gate, actually more of a ranch road, beginning where Tooby Ranch Road turns uphill toward the tunnel and continuing to the Pepperwood (Chapel) Grove. I see no problem holding this event in the Grove or extending along the ranch road. It is a pleasant walk through open hardwood forest with many useable areas leading to the Grove. About two hours work with a brush mower would make it even more useable for events.

The Tooby Memorial Park and Redwood Grove is also suitable for this type event.

However if they are referring to that section of the current perimeter trail which begins near the ranch house and crosses through open fields, this raises the same issues as my complaint regarding holding events near the ranch headquarters and barn. It sounds like the intention is to move the event from prime farmland south of the barn to prime farmland north of the ranch house. The establishment of recreation and assembly uses in this area would eliminate most agricultural uses. The grass may continue to grow but cultivated crops, most perennial crops and normal crop rotations become impossible.

The Community Park needs to move the focus of recreation and assembly away from the historic ranch headquarters and away from prime agricultural lands. It would be best to be sure this event will be held in a non agricultural area while it is still in the planning stage.

This year the Old Orchard Field (the one above the ranch house) produced 132 round bales or about 40 tons of hay off about 11 acres. This is the most productive forage field on the whole property. Even at the rock bottom price of \$100/ton, and the market is much higher this year, this would be worth \$360 per acre or about \$4000 from just that field. Unfortunately most of the hay is still sitting in the field.

I will send a hard copy of this letter together with the article from the Redwood Times.

John LaBoyteaux



## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Wednesday, June 22, 2011 9:41 AM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Clendenen, Clif  
**Subject:** Blackberry Festival

Michael, Kirk, Clif,

I am also very concerned about the Community Park's proposed "Blackberry Festival". If they were holding it in the Tooby Memorial Park, or other non agricultural part of the property, I would not have a problem.

I cannot see how this can be considered agriculture related recreation.

It is planned to occur on prime agricultural land "near the barn". It is advertised as the "first annual" so the apparent intent is to do this every year. This clearly degrades and reduces the agricultural capability of this area and appears to be an attempt to establish the ranch headquarters as a community event site.

Please see the cover letter to my scoping comments and item #2 under Agricultural Resources on page 1 of those comments.

John LaBoyteaux

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Monday, June 20, 2011 12:51 PM  
**To:** Richardson, Michael  
**Cc:** Dennis Huber; Smith, Davina; Conner, Jeff; Zuber, Rosanne; Chaitin, Wendy  
**Subject:** Re: SHCP, Garberville Rotary Event

Michael,

Sorry Michael, that makes no sense. 1) None of the Park Boards past events have been permitted and were illegal, e.g. Zuber letter Nov 19, 2008. 2) The Park Board has never had a past "Blackberry Festival" permitted or otherwise. 3) Maybe you should email Dennis Huber ( [lelahuber@asis.com](mailto:lelahuber@asis.com) ) ask him what he meant about this Garberville Rotary event on Sept 17th at the Park, he is the Park Board Director that made it public today (Please copy me).

The fact remains that these are all commercial events and fundraisers. Nothing in the Park Boards compliance agreement states anything about having permission to hold events they have had in the past with up to 500 people. Could you point out where it states that please?

The whole point to this Park Board GPA was to make it a public process. But somewhere between the GPA EIR Scoping Session and the Park Board meeting with yourself, Director Girard and Supervisor Clendenen in April, something got lost, off track and the Planning Department is allowing the Park Board to hold commercial events with-out public process on AE zoning with-out a CUP. Its the Park Board that claims they are a public benefit corporation, maybe its time they act like one?

Ed

----- Original Message -----

From: "Michael Richardson" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
To: evoice@mchsi.com  
Sent: Monday, June 20, 2011 11:45:14 AM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP, Garberville Rotary Event

Hi Ed,

As I mentioned previously, they have been given permission to hold some events there as they have in the past. I'm not sure if I've heard of this Garberville Rotary event before. You mentioned one in a previous email, the "Feast of Fields" event that I'd not heard about earlier either.

Let me know if you have any other questions or comments.  
- Michael Richardson

Senior Planner

Humboldt County Community Development Services

(707) 268-3723

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]

Sent: Monday, June 20, 2011 11:35 AM

To: Richardson, Michael

Cc: sdlehman@wavecable.com; shon@ccush.org; empress@asis.com

Subject: SHCP, Garberville Rotary Event

Morning Michael,

A couple of things: Dennis Huber announced on his KMUD radio show this morning that on Sept 17, 2011, the Garberville Rotary Club will be hosting an event at the Park, that will include Wine and Food. This was the same event and date I had heard about and asked you about called "Feast of Fields". So I wanted to ask again, now that Dennis Huber (as a SHCP Board member) has announced yet another event like the "Blackberry Festival", have you or Director Girard approved this event announced by the Park Board for Garberville Rotary on Sept 17, 2011 at the SHCP?

My other question was from an email you sent to Kathryn Lobato and Dennis Huber (May 17, 2011 4:10pm.) You had asked the question:

"I didn't see in your project description of the August 13 agriculturally oriented fundraiser any mention of the following types of development that might cause us concern"

My question is how you and the Park Board are billing this "Blackberry Festival". If this is a "agriculturally oriented fundraiser" and the money raised from this "fundraiser" is being used to fund the Park Boards GPA, is not the Park Boards GPA proposing to rezone 100 acres from being "agriculturally oriented" zoning (AE) and replace it with PF/PR zoning/land use? My point, the Park Board wants their cake and eat it too, without any CEQA or public process, including a simple CUP per event for up to 500 people? The Park Board should NOT be allowed to have events at the Park until: 1) the Park Board gets their GPA approved. 2) the Park Board gets a CUP approved per event. The public process is being circumvented with this "agriculturally oriented fundraiser" idea! Look at what the Park Boards mission statement states:

"The primary exempt purpose of Southern Humboldt Community Park is to own, operate and maintain one or more Parks for the benefit of the Southern Humboldt Community, visitors and guests".

Nothing in the Park Boards Bylaws, Articles of Incorporation or IRS 501c3 tax exempt purpose states they are "agriculturally oriented" what so ever. In fact if you just look back at the Park Boards own track record of commercial events and fundraisers, none of them have been "agriculturally oriented". So why are they making this claim now? You could and should say, the Park Board is a "No host pay to play rent a Park".

My last question Michael; does the Planning Department feel the Park Board speaks or represents the Southern Humboldt Community and its neighboring property owners? Ask the Park Board the last time they had a Board meeting open to the public, that would have been Aug 2010.

Thanks

Ed

-----Original Message-----

From: Kathryn Lobato [mailto:kathryn@sohumpark.org]  
Sent: Tue 5/24/2011 6:58 PM  
To: Richardson, Michael  
Cc: Dennis Huber  
Subject: Feast of Fields

Hi Michael,

We do not know anything about an event called Feast of Fields. We aren't planning it and no one has as yet made an inquiry to the board.

Kathryn

-----  
From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
Sent: Tuesday, May 24, 2011 4:00 PM  
To: "Ed Voice" <evoice@mchsi.com>  
Cc: <kathryn@sohumpark.org>; <lelahuber@asis.com>  
Subject: RE: Blackberry Festival, SHCP?

> Hi Ed,  
>  
> We have given blanket approval for some events as spelled out in the  
> compliance agreement. For example, they can do easter egg hunts similar  
> to what has been done in the past in March or April without having to get  
> our prior approval.  
>  
> The Plan of Operations for each of these events is the same as what was  
> presented in their application for a GPA, with modifications as necessary  
> to be consistent with the compliance agreement.  
>  
> I'm not familiar with the "Feast of the Fields" event that you reference.  
> I'll ask the project applicants about it and get back to you.  
>  
> - Michael R.  
>  
> -----Original Message-----  
> From: Ed Voice [mailto:evoice@mchsi.com]  
> Sent: Tue 5/24/2011 11:19 AM  
> To: Richardson, Michael  
> Cc:  
> Subject: Re: Blackberry Festival, SHCP?  
>  
> Another question Michael,  
>  
> Since this SHCP "Blackberry Festival" has been approved by the Planning  
> Department, have any other events or festivals been requested or approved  
> for the SHCP? Has a plan of operation been prepared and submitted to the  
> Planning Department about the "Blackberry Festival", or do we use the SHCP  
> plan of operation that was submitted for the GPA NOP EIR?

- >
- > We have now heard today about yet another event scheduled at the SHCP;
- > Sept 17, 2011 called the "Feast of Fields". Is this another event or festival
- > planned and approved by the Planning Department?
- >
- > Thanks
- > Ed Voice

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Sunday, May 29, 2011 8:41 AM  
**To:** Girard, Kirk  
**Cc:** Clendenen, Clif; Richardson, Michael  
**Subject:** recreational uses

Kirk, Michael, Clif,

I'm continuing to think about the question of agriculture related recreation versus public assembly recreation. It involves both purpose and scale. The affirmative agriculture related examples (pumpkin patch, corn maze, u-pick, orchard tour, dairy tour) all directly relate to agricultural use and production. These uses mostly increase and diversify the agricultural use of the property. People come and go from these recreational activities rather than a focused assembly.

However public assembly for entertainment or celebration, particularly if it occurs on prime agricultural land, reduces or eliminates agricultural use. An agricultural name or theme for the event does not change that impact. The Apple Harvest Festival, although it includes orchard tours, primarily occurs on the streets of Fortuna and the parking area at the cider works. The Gilroy Garlic Festival is similar, primarily an in town event.

In plan and mode of operation these festivals are much more like the Coos Bay Jazz Festival regardless of their agricultural theme.

The Community Park has areas suitable for agriculture and agriculture related recreation. It has other areas which are suitable for reasonably scaled public assembly recreation. The planning challenge is to identify these areas then plan and restrict uses accordingly.

Please see the final paragraph in the Land Use and Planning section, page 6, of my scoping comments. (I mistakenly previously referred to the final paragraph of Agricultural Resources.)

Continuing this line of thought, perhaps the Summer Arts Festival and/or the Humboldt Hills Hoedown might be held in town Garberville like the Coos Bay Jazz Festival, Apple Harvest Festival or Gilroy Garlic Festival. Specific entertainment sites might be the vacant lot at Melville, the College of the Redwoods grounds on Sprowel Creek, the Veterans Hall, the Town Square and So-Hum Builders parking lot. People would walk or shuttle around town to these sites like the Apple Harvest Festival. Businesses would remain open with their own displays or attractions. Local traffic could be restricted and some out of town parking and shuttles would be needed. (Parking sites might be Dean Creek, the Industrial Park, and Benbow.)

Specific concerts with/without overnight camping still belong at Dimmick Ranch, French's Camp, Benbow SRA, Bowman's, or Twin Bridges. Dean Creek may have some potential with additional planning.

John LaBoyteaux



## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, May 25, 2011 3:18 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Bass, Virginia; Sundberg, Ryan; Lovelace, Mark; Smith, Jimmy R.; Lt. Adam Jager; humboldtfb@sbcglobal.net; Downey, Mike; Bronkall, Bob  
**Subject:** Southern Humboldt Community Park "Blackberry Festival" Aug 13, 2011

Michael Richardson,

How can a free no admission Easter egg hunt at Tooby Park, put together by the local Girl Scouts, with maybe 150 parents and kids in attendance, for maybe two hours at the most be anything like-kind and same as a commercial fundraising event like this "Blackberry Festival?" With up to 500 attendees or more (not counting vendors, entertainers, staff and volunteers) setup and tear down days? Located at the much larger Community Park; with an admission donation or sliding scale fee, parking fee, hours 10 am to sunset (8 or 9 pm)?, and the question about alcohol being served at the event be consistent with the Park Boards compliance agreement?

What makes this Blackberry Festival an "agriculturally related fundraiser"? The blackberries grow wild on the Park property. In fact, the Park Board has used CCC and the Con-Camp to clear out blackberries from the Park property and burns them on a regular basis. The Park Board only leases 12 to 15 acres of the Community Park to the Garberville Community Farm; the Park Board doesn't farm anything on the Park property. The Garberville Community Farm has no affiliation with the non-profit 501c3 Park Board; they are a for-profit farming business. In fact they have done away with their CSA program and Community garden area all together years ago.

At what point did this Public GPA EIR NOP turn into just a non-public compliance agreement? When the Board of Supervisors adopted the SHCP Boards GPA Petition to go forward with the GPA EIR, is this what they intended, adopted and approved; a sidestep back room deal to keep having commercial events and festivals without obtaining a CUP? At what point does the Planning Department publicly produce the Draft EIR?

By "interpreting" what the CHP said in writing, you did not ask them, did you? Please point out in the CHP comments where small events (up to 500) are exempt from public safety concerns on Sprowel Creek Road, parking issues in Garberville, alcohol/impaired drivers and traffic problems. Maybe you should call Lt Jager, or better yet, email him ( [ajager@chp.ca.gov](mailto:ajager@chp.ca.gov) ) and ask him.

If we as the public are to be working from the SHCP GPA EIR NOP Plan of Operation for these small (up to 500) events and fundraiser, when will this self-proclaimed compliance agreement be submitted for public and agency comment? It was not included into the SHCP GPA EIR NOP.

Thank you,  
Ed Voice & Voice Family

----- Original Message -----

From: "Richardson, Michael" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
To: "Ed Voice" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>

Cc: <[kathryn@sohumpark.org](mailto:kathryn@sohumpark.org)>; <[lelahuber@asis.com](mailto:lelahuber@asis.com)>

Sent: Tuesday, May 24, 2011 4:00 PM

Subject: RE: Blackberry Festival, SHCP?

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-----Original Message-----

From: Ed Voice [<mailto:evoice@mchsi.com>]

Sent: Tue 5/24/2011 11:19 AM

To: Richardson, Michael

Cc:

Subject: Re: Blackberry Festival, SHCP?

Another question Michael,

Since this SHCP "Blackberry Festival" has been approved by the Planning Department, have any other events or festivals been requested or approved for the SHCP? Has a plan of operation been prepared and submitted to the Planning Department about the "Blackberry Festival", or do we use the SHCP plan of operation that was submitted for the GPA NOP EIR?

We have now heard today about yet another event scheduled at the SHCP; Sept 17, 2011 called the "Feast of Fields". Is this another event or festival planned and approved by the Planning Department?

Thanks  
Ed Voice

----- Original Message -----

From: "Richardson, Michael" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>

To: <[evoice@mchsi.com](mailto:evoice@mchsi.com)>

Cc: "Girard, Kirk" <[KGirard@co.humboldt.ca.us](mailto:KGirard@co.humboldt.ca.us)>; "Kathryn Lobato" <[kathryn@sohumpark.org](mailto:kathryn@sohumpark.org)>; "Dennis Huber" <[lelahuber@asis.com](mailto:lelahuber@asis.com)>

Sent: Monday, May 23, 2011 10:03 AM

Subject: RE: Blackberry Festival, SHCP?

Hi Ed,

We are interpreting the CHP's comments to apply to the proposed medium sized (up to 1,500 persons) and large sized (up to 5,000 persons) events proposed by the SHCP, not the small sized (up to 500 persons) events, such as the proposed agriculturally related fundraiser ("Blackberry Festival"). We have been allowing small sized events at the SHCP consistent with the compliance agreement in effect, and have not heard any concerns about those events from the CHP or any other responsible or trustee agency.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com) [mailto:evoice@mchsi.com]  
Sent: Monday, May 23, 2011 9:06 AM  
To: Richardson, Michael  
Subject: Blackberry Festival, SHCP?

Morning Michael,

Just heard on Monday Morning Magazine with Dennis Huber, the Planning Department has OK'ed a "Blackberry Festival" down at the Community Park, sometime in Aug 2011? Since the CHP didn't support this kind of activity because of public safety issues on Sprowel Creek Road, will the Park Board apply for a CUP for this event?

Thanks  
Ed

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Wednesday, May 25, 2011 1:51 PM  
**To:** Girard, Kirk  
**Cc:** Clendenen, Clif; Richardson, Michael  
**Subject:** Community Park

Kirk, Michael, Clif,

Dennis Huber announced on his Monday morning radio show this week that the Community Park will be holding a "Blackberry Harvest Festival" in August this year and that the County has approved this use as agriculture related recreation.

An event of this size might be a reasonable scale and avoid other impacts if all aspects of the event, including parking, were located on non-productive areas of the property, in other words not on prime agricultural land. Please refer to the final paragraph of the cover letter to the scoping comments I submitted last September, citing the need for an inventory of non-productive areas based on input from persons with broad agricultural experience.

I cannot consider a "Blackberry Harvest Festival" to be agriculture related recreation. Blackberries grow wild in Humboldt County and are not being raised commercially on the property. Affirmative examples of agriculture related recreation would be pumpkin patches, corn maze, u-picks, or perhaps other regionally important crops, like the Gilroy Garlic Festival, if also raised on the property.

I do not believe the intent of the standard here extends to agriculturally named events, or events with an agricultural theme. A boogie by any other name is still a boogie. Even the "Apple Harvest Festival" which could be considered agriculture related recreation, because it is centered around the harvest and sale of apples ..... does not occur in the orchard.

Rather than calling this an agriculture related event, a charade in my opinion, would it not be better to emphasize protection of the prime agricultural lands by permitting the event as a non-conforming use on non-productive lands? The Tooby Memorial Park would be a good place to start. It seems to me that this approach would support the concept of a recreation combining zone for the non-productive lands rather than searching for rationalizations for conversion or degradation of prime agricultural lands.

Since there is no one on the Park Board with agricultural experience, nor park planning experience, I wish that your department would seek such experience before permitting an event. Will there be a public hearing or any other opportunity for public input on this festival?

John LaBoyteaux

## Richardson, Michael

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**From:** Barb Truitt <btruitt@asis.com>  
**Sent:** Tuesday, April 26, 2011 11:41 AM  
**To:** Tim Metz; Kathryn Lobato; Clendenen, Clif; Richardson, Michael; Girard, Kirk; Dennis Huber; Barb Truitt  
**Subject:** Park/Planning Dept. Meeting Notes  
**Attachments:** PD meeting, 4.20.11.doc

Hello all,

Attached and copied below are my notes from our meeting on April 20 regarding rezoning the Park.

Please "reply all" if you'd like to offer corrections or additions.

Thank you,

Barb Truitt

### OBJECTIVES FOR REZONING PROGRESS MEETING

4/20/11

Clif Clendenen, Kirk Girard, Dennis Huber, Kathryn Lobato, Tim Metz, Michael Richardson & Barb Truitt

Determine current perceived viability of the plan to convert 100 acres from AgE to Public Facilities.

Kirk believes it is viable if Park creates a compelling argument:

inventory ag values of the acreage in question, look at potential production, offset the loss to the extent possible by more intensive ag elsewhere on the property, demonstrate that public facilities will be located on lands of lesser ag value where possible, and demonstrate that there is no viable option elsewhere for the activities which will be displacing ag.

It was agreed that the current 5- to 20-acre parcel land use designation added during the last GPU, reflecting community opinion at the time, would have a much more deleterious effect than the Park's proposal for rezoning.

Create a Punch List for completion of EIR.

Kathryn will meet with Angie of Manhard Consulting to generate the list and submit it to the Planning Department.

Michael will review and approve with any needed corrections and additions within a week of the Punch List's submittal.

Modify the Compliance Agreement.

Kirk said that the Compliance Agreement will not be modified. He clarified that the Agreement allows for public assembly for agriculture accessory use.

Review the itemized bill for county services to date on rezoning process.

Tabled.

Agree on an accountability plan, including benchmarks, timeframes and personnel commitments.

Michael is largely booked with GPU-related work until the end of July.

This being the case, the Park's goal is to complete the Punch List and submit their work product by August 5. The PD (Michael) will respond to this submittal in segments, so that the Park can be working on revisions, corrections and additions while the balance of the review is still ongoing.

Miscellaneous additional items:

1. Kirk said it would enhance the Park's rezoning application to get an easement for emergency access through the McKee private road that goes to the east under the freeway.
2. Tooby Memorial Park is considered a "legal non-compliant use"

(grandfathered). As such, facilities and infrastructure may be maintained and replaced as necessary, but they may not be substantially expanded nor the use materially intensified.

3. Clif suggested investigating the possibilities for combining improvement of the Sprowel Creek Road shoulder in conjunction with roadwork to lay Garberville Services District's new pipe.

4. Clif suggested pursuing the possibility for an off-road trail from the CR branch campus to the Park that would alleviate pedestrian traffic. He suggested that RCAA may be able to assist in finding funding for such a trail.

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, April 13, 2011 9:33 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA

Thanks Michael,

Well, lets start off with the main object to the Park Boards GPA and that is to create and generate a permanent location for very loud sound or noise. This sound or noise has nothing to do with any ones normal daily routine. It only has to do with making money and private interest. This sound or noise will not be a free service nor will it provide any benefit other than to the consumer who would purchase a ticket.

That is the main difference between sound and noise. For some people Loud sound is what they want to hear, to others that sound is very annoying noise. And we are talking about a very quiet area and you want to change all that during a 4 to 5 month period, from 10 am to 12 midnight almost every weekend. Now add lighting, traffic, people, camping, venders, baseball games and practice, soccer games and practice to the mix and you will would have a good sound study.

There is nothing in either the 1984 Framework Plan or the new GPU, that would mitigate sound or noise from Commercial Concerts or Festival Venue Sites or locations. What's talked about is: "The principal sources of noise in Humboldt County are highways, airports, rail, on-site construction, and industrial activities".

Thanks  
Ed Voice

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
To: evoice@mchsi.com  
Sent: Wednesday, April 13, 2011 7:41:36 PM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP GPA

Hi Ed,

Yes, you are correct that the SHCP noise study uses the GPU Noise Element as its baseline. This is acceptable and valid to the extent that the same analysis also adequately responds to the requirements of the 1984 Framework Plan. It appears to me that the SHCP noise study adequately responds to the 1984 Framework Plan requirements, but I'd like to hear your thoughts on this.

- Michael R.

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Wed 4/13/2011 6:57 PM  
To: Richardson, Michael  
Cc:

Subject: Re: SHCP GPA

Another question,

Have you read the Park Boards Sound study? I wanted to know why the study quotes Humboldt County Part 4 Chapter 13 Noise Element (Part4Chapter13PlanningCommissionHearingDraftOne11-20-08.doc) from the Draft GPU. The Sound study is word for word starting from 13.4 Goals and Policies. I thought the Park was working from the 1984 GP only?

Thanks  
Ed Voice

----- Original Message -----

From: evoice@mchsi.com  
To: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
Sent: Wednesday, April 13, 2011 10:37:00 AM GMT -08:00 US/Canada Pacific  
Subject: Re: SHCP GPA

OK, now that's what I needed to know, one way or the other.

Thanks  
Ed

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
To: evoice@mchsi.com  
Sent: Wednesday, April 13, 2011 10:03:59 AM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP GPA

Hi Ed,

If the GPA is approved, I doubt the GPU alternatives will have any impact on the SHCP GPA projects. If the GPA is not approved, the GPU will dictate the viability of the SHCP projects.

- Michael R.

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Wednesday, April 13, 2011 9:40 AM  
To: Richardson, Michael  
Subject: Re: SHCP GPA

Thanks Michael,

So the alternatives on the GPU land use maps that would be considered could help or hinder the Park Boards GPA projects?

Thanks again,  
Ed Voice

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Sent: Wednesday, April 13, 2011 7:23:12 AM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP GPA

Hi Ed,

My understanding is that the GPU would follow the GPA if the GPA is approved, otherwise the alternatives shown on the GPU land use maps will be considered. I'm not sure of the timing of either the GPU or the GPA, and that may complicate matters, but I'm hoping to get the SHCP project to the Commission for review before they take final action on the GPU.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Tue 4/12/2011 11:16 AM  
To: Richardson, Michael  
Cc:  
Subject: SHCP GPA

Morning Michael,

Something I forget to keep asking, is that since this GPA is for the current 1984 Humboldt County General Plan and the 1987 GRBA Community Plan and not being included in the current General Plan Update, how does this all work one way or the other?

I mean to say, if the GPA is approved before the GPU, what happens when the GPU is approved and adopted? Or the other way around? It would seem no matter what occurs, this GPA would be included into the GPU and could completely contradict the GPU or vice-versa? Has anyone taken this into consideration?

I could see the need for a GPA with a current up to date General Plan, but in the middle or tail end of a GPU, when everything can change? Maybe my mistake was talking to other County planners (Lake, Napa, Sonoma, Solano, Mendocino) and the Clearinghouse, because they can't figure it out either. None of them have seen this kind of scenario to know the outcome.

Thanks, I know you are busy,



## **Richardson, Michael**

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**From:** evoice@mchsi.com  
**Sent:** Sunday, April 10, 2011 1:37 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA EIR

Thank you Michael,

Those studies and reports incorporated and referenced in the SHCP GPA IS and NOP that I am requesting or will be included in the DEIR are as followed:

### **IV. BIOLOGICAL RESOURCES**

(Biological Report prepared by Mad River Biologists, J. Brett Lovelace, Staff Biologist and Ron LeValley, Senior Biologist on November 25, 2002)

(Natural Resources Management Corporation - Golec 2000)

(Classification of Wetlands and Deepwater Habitats (Cowardin et al. 1979)

Grasshopper Sparrow account from: Shuford, W.D. and Gardali, T., editors. 2008. California Bird Species of Special Concern, a ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California,

Studies of Western Birds. Western Meadowlark (*Sturnella neglecta*) by Bob Allen California Dept. of Fish and Game and Humboldt State University

### **VI. GEOLOGY AND SOILS**

(Geological Report- Prepared by Thomas C. Brundage, August 15, 2005)

(Septic Report- Prepared by Thomas C. Brundage on July 27, 2005)

(Hydrogeological Report- Prepared by Winzler and Kelly Consulting Engineers, Kenneth Thielssen, April 13, 2001) .

(Updated Soils Analysis, Prepared by Natural Resource Conservation Services, July 2005)

(Draft Soils Analysis, Prepared by Natural Resource Conservation Services - unreleased data 11-2009)

(Floodplain Study, Army Corp of Engineers, July 1969)

### **VII. HAZARDS AND HAZARDOUS MATERIALS VII. GREENHOUSE GAS EMISSIONS**

(Hazardous Materials Report - Prepared by Winzler and Kelly Consulting Engineers in December 2000)

### **(VII. GREENHOUSE GAS EMISSIONS)**

(No information was included, This section was not included or referenced in any part of this CEQA Guidelines Appendix G Initial Study Checklist for the NOP)

### **IX. LAND USE AND PLANNING**

(Cultural Resources Management Plan-Southern Humboldt Community Park, prepared by Donald Verwayen, M.A. RPA and Erik Whiteman, M.A., RPA, Roscoe and Associates, Cultural Resource Consultants with contributions by Jerry Rohde, and Susie Van Kirk, August 2008.)

### **X. MINERAL RESOURCES**

(Geological Report, Prepared by Thomas C. Brundage, Date: August 15, 2005)

## **XI. NOISE**

(Humboldt County General Plan 1987, Framework, Land Use Noise Compatibility Standards, Figure 3-2)

## **XII. POPULATION AND HOUSING**

(Humboldt County General Plan 1987, GRBA Community Plan)

(United States Census, California, Humboldt County, 2000)

## **XV. TRANSPORTATION/TRAFFIC**

(Traffic Analysis, Humboldt County Department of Public Works, Engineering Division, prepared by Jesse Middaugh, Aug.2008)

(Traffic Analysis Prepared by Dazey and Son Enterprises, February 2004)

## **XVI. UTILITIES AND SERVICE SYSTEMS**

(Well Production Study, prepared by Laco and Associates, August 18, 2005)

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Sunday, April 10, 2011 12:49:29 PM GMT -08:00 US/Canada Pacific

Subject: RE: SHCP GPA EIR

Hi Ed,

The DEIR for the SHCP will need to include as attachments or in some other reproducible form any study it references in support of the findings. Since I haven't finished the DEIR yet, I'm not sure what studies will need to be in it. If there are specific studies you feel are likely to be in the DEIR that already exist, please let me know and I'll see if I can get you a copy.

Thanks.

- Michael R.

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]

Sent: Sun 4/10/2011 11:45 AM

To: Richardson, Michael

Cc:

Subject: SHCP GPA EIR

Morning Michael,

Just a couple of things I am concerned about.

I am trying to get information from the Park Board, i.e. the referenced studies and reports included in the GPA CEQA IS. At which point the finger pointing and ping-pong game begins. Namely that when I request this info

from the Park Board they tell me to ask you, that they some how have nothing more to do with anything. Then when I ask you, you don't have the info. It was my understanding that once an NOP was filed and submitted to the SCH and agencies for this IS/EIR, that all referenced documents, studies and reports were to become public record. If that is the case, then why does the Park Board feel:

From Eric Kirk April 6, 2011 at 12:42 pm

"We are at work on the General Plan Amendment, which is a lot of work. We took public input in numerous forums and we put together a proposal to the county based upon community input as to the needs the park can meet. The scoping session was a County meeting to provide opportunity for the public to provide input related to the EIR, All inquiries regarding the process from here on out should be directed to the County. It is in their hands now"

"We are at work on the General Plan Amendment, which is a lot of work. We took public input in numerous forums and we put together a proposal to the county based upon community input as to the needs the park can meet. The scoping session was a County meeting to provide opportunity for the public to provide input related to the EIR, All inquiries regarding the process from here on out should be directed to the County. It is in their hands now"

So, Michael, how can the public view these studies and reports that are referenced in the GPA IS? Would I need to submit an PRA request?

Thank you,

Ed Voice

## Richardson, Michael

---

**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Monday, April 04, 2011 3:39 PM  
**To:** Richardson, Michael  
**Subject:** Re: Something to think about?

Well Michael,

On the Airport Bluff Homes sec. of the SHCP's sound study the device was on the extreme southern end of the about a 100 ft. from the runway, this is where the pilots do there pre-flight check rev. there motors talk on the radio, get clearance and call home who knows what all it can be real noisy. But then they shut down the sound assessment in the early hours of the morning to bulk up the noise level for the whole day instead of running the test for 24 hours.

The assessment was conducted Wed, and Thurs. in the rainy season after a large storm, the ground and trees were wet. As you know most of the events will take place in the dry summer months on weekends. The above items that I point out show that this is assessment is real biased. I sent this study along to you to show you what the EU is thinking about the effects of sound on humane health, I thought you might want get ahead of the curve? I still have hopes. Thanks Don

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [donaldcourtemanche](#)  
**Sent:** Monday, April 04, 2011 13:40  
**Subject:** RE: Something to think about?

Hi Don,

Thanks for passing along that information.

My reading of the study you sent is as long as noise exposure levels are kept to below 60 dbA, there are no potentially significant health effects from noise.

For instance, Figures 2.5 & 2.6 from the study show the odds of having myocardial infarction are the same for those persons exposed to noise levels of 55 - 60dbA as those exposed to noise levels of 50 – 55 dbA. And since the odds ratio for these groups is 1.00, their odds ratios are no different than the overall population:

**Fig. 2.5 & 2.6. Exposure-response curve for road traffic noise and the prevalence of myocardial infarction (Fig. 2.5, left) and all ischaemic heart diseases (Fig. 2.6, right)**

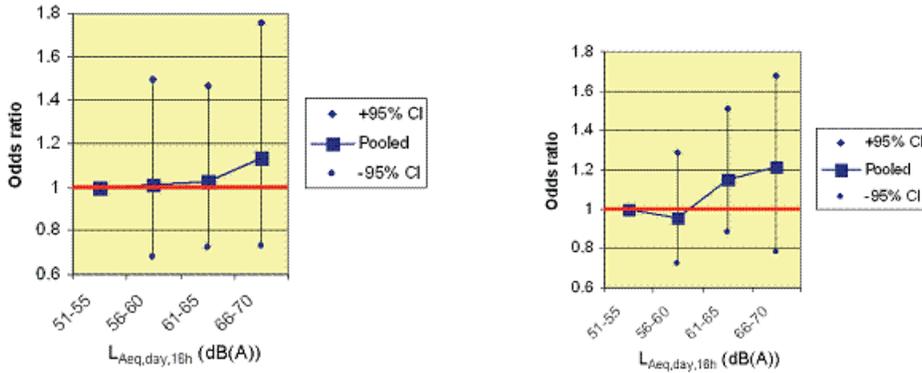


Table 2.3 from the study shows essentially the same thing:

**Table 2.3. Estimated road traffic noise exposure for the city of Berlin**

Average sound pressure level, $L_{den}$ (dB(A))	Number of citizens exposed <sup>a</sup>	Percentage exposed <sup>b</sup>	Relative risk of myocardial infarction <sup>c</sup>
Approx. < 55	2 683 449	80.53	1.000
> 55–59	220 200	6.61	1.000
60–64	155 000	4.65	1.015
65–69	140 200	4.21	1.067
70–74	112 600	3.38	1.161
> 75	20 800	0.62	1.302

<sup>a</sup> Numbers refer to the primary road network of Berlin.  
<sup>b</sup> Total population of Berlin: 3 332 249 (2005).  
<sup>c</sup> Odds ratios are derived from the polynomial risk equation for  $L_{day,18h} = L_{den} - 2$  dB(A).

Below is a table of the expected noise levels from the proposed SHCP noise sources from the applicant's consultant.

**Table 4: Calculated noise levels at the adjacent Noise Sensitive uses**

Noise Sensitive Areas	Existing CNEL (dBA)	Event noise conditions (dBA)							
		Large Event (all at Area 1)		Medium Events (at closest use area)		Small Events (at closest use area)		Sport Fields	
		CNEL	$L_{max}$	CNEL	$L_{max}$	CNEL	$L_{max}$	CNEL	$L_{max}$
1. Rivercrest Dr. Homes	63	67 <sup>1</sup>	71 <sup>3</sup>	52	61 <sup>3</sup>	45	56	34	51
2. Mtn. View Dr. Home	55	49	53	29	38	22	33	>20	29
3. Airport Bluff Homes	55	69 <sup>1,2</sup>	73 <sup>3</sup>	51	60	44	55	33	50
4. South Garberville Homes	59	45	49	26	35	>20	30	>20	26
5. Riverview Lane Homes	58	65 <sup>1,2</sup>	69 <sup>3</sup>	47	56	40	51	30	47
6. Benbow Area Homes	51	41	45	21	30	>20	25	>20	21
7. Camp Kimtu Homes	46	40	44	20	29	>20	24	>20	20
8. Old Briceland Rd Homes	48	60 <sup>2</sup>	64 <sup>3</sup>	41	50	34	45	23	40

Notes: <sup>1</sup>Event exceeds the County land use compatibility standard of 60 dBA CNEL.  
<sup>2</sup>CNEL of event is 5 dBA or more above existing CNEL level.  
<sup>3</sup>Level exceeds the County daytime and/or nighttime short-term noise standards (65 & 60 dBA, respectively).

It shows that noise levels experienced at the surrounding neighborhoods will be less than 60 dbA for the small and medium events. Accordingly, I would expect no potential health impacts from the proposed small and medium events, and no mitigation is necessary to address the potential health effects of noise.

However, since the expected noise levels for the proposed large events does exceed 60 dbA in some locations, it will be necessary to identify mitigation measures to reduce the noise levels below 60 dbA to avoid potentially significant health impacts.

Is this similar to what you walked away with from reading the study you sent?

Thanks for your help.

- Michael R.

-----Original Message-----

**From:** donaldcourtemanche [mailto:donaldcourtemanche@wavecable.com]

**Sent:** Saturday, April 02, 2011 6:33 AM

**To:** Richardson, Michael

**Subject:** Something to think about?

Hello Michael,

Here is a study to consider along with the SHCP's biased noise assessment. Don

## Noise kills, and blights lives in Europe

- 18:44 31 March 2011 by

### Quieter vehicles

In the meantime, Kim says that there are three levels of action that can be taken. The first priority is to make cars, trains and planes quieter, as this reduces noise pollution at source.

The second is for city authorities to install noise barriers between busy roads and residential areas, or site the roads well away from them. Another possibility is to fit low-noise tyres or high-pore road surfaces, which Kim describes as "amazingly quiet".

Finally, individual noise-reducing measures such as installing double-glazing to cut out noise should be subsidised.

Kim says that European Union is the first major economic region to take serious action on noise. The US is lagging about a decade behind: President Ronald Reagan abolished the Environmental Protection Agency's noise

programme in 1982 and it has never been resurrected. Members of the US Congress are currently organising a seminar on the topic.

## Richardson, Michael

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**From:** dondau@suddenlink.net  
**Sent:** Saturday, April 02, 2011 12:53 PM  
**To:** Richardson, Michael  
**Subject:** Re: Cancelled Planning Commission Meeting 3/31/11

If property is rezoned could owner still build another single dwelling or mother-in-law unit instead of multi-family units?

---- "Richardson wrote:  
Hi All,

Tomorrow night's Planning Commission meeting on the multifamily rezones has been cancelled due to the closure of Highway 101. The meeting will be rescheduled and renoticed for a future date. At this time I am not sure what that date is.

To gain broader public support for the proposed rezones, we are proposing to revise the candidate sites list criteria as follows:

- \* Commitment that NO property will be rezoned without owner consent
- \* Include a few commercial and/or industrial sites (including brownfields)
- \* Include a few sites without public sewer
- \* Include sites outside of Eureka and McKinleyville areas

We were going to present this information to the Commission at their 3/31/11 meeting along with a revised schedule for completion of the rezones, with new initiatives for public outreach and involvement, including meetings with CSD's, cities, and workshops in affected communities (e.g. Redway).

Please let me know if you have any questions or comments, and please spread the word so everyone is aware of this.

Thanks!

- Michael Richardson

Senior Planner

Humboldt County Community Development Services

(707) 268-3723

## Richardson, Michael

---

**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Saturday, April 02, 2011 6:33 AM  
**To:** Richardson, Michael  
**Subject:** Something to think about?

Hello Michael,

Here is a study to consider along with the SHCP's biased noise assessment. Don

## Noise kills, and blights lives in Europe

- 18:44 31 March 2011 by [Andy Coghlan](#)

Western Europeans suffer a heavy toll of death and disability through exposure to excessive noise, making it second only to air pollution as an environmental cause of ill health.

That's the conclusion of the world's first comprehensive report on the health effects of noise, [published this week](#) by the World Health Organization and the European Commission's [Joint Research Centre](#).

Between them, western Europe's inhabitants - with an estimated adult population in 2001 of 340 million - were found to lose as much as 1.6 million years of healthy living per year. The authors reduced the headline figure to 1 million to rule out the possibility of double counting. "We are very confident that a million is the bottom line," says co-author Rok Ho Kim, who coordinates the [WHO's noise programme](#).

The toll from air pollution is estimated at 4.5 million years of healthy living lost per year. "No other environmental hazard comes anywhere near these two," says Kim.

### Deadly noise

The most dramatic effects are in heart disease, because [exposure to noise can kill people](#). Altogether, Europeans are estimated to lose a total of around 61,000 years of healthy life annually through noise-associated heart disease, and suffer an estimated 3000 deaths, Kim says.

Noise has been shown to raise blood pressure and blood-borne concentrations of stress hormones and fatty materials even when people are asleep. These can accumulate over time to block blood vessels and trigger a heart attack.

Although heart disease is the most serious cause of death from noise, the largest single impact on health is through sleep disturbance, which deprives Europeans of an estimated 903,000 years of healthy living annually.

Next comes annoyance - which impairs people's well-being even if it has no direct impact on health - with a corresponding figure of 587,000 years, followed by learning deficits among schoolchildren estimated at 45,000, and tinnitus with 22,000.

### Cap on noise

"Considering the overall impact, I think this really puts noise on a footing where it needs to be taken seriously," says [Deepak Prasher](#), who studies the effects of noise on heart health at the Royal Surrey County Hospital in Guildford, UK. "Governments need to acknowledge that it is a problem."

Kim says that the European Commission has already set guideline maximum levels for night-time noise of 40 decibels. "That's about the same noise you would get in a library," he says.

In countries of eastern Europe that have joined the EU more recently, the level has been set slightly higher, at 55 decibels, to allow them to adapt.

The researchers collaborating on the report are still gathering data to set limits averaged across 24 hours. These need to be ready by 2013, when the revised version of Europe's 2002 Noise Directive is due.

### Quieter vehicles

In the meantime, Kim says that there are three levels of action that can be taken. The first priority is to make cars, trains and planes quieter, as this reduces noise pollution at source.

The second is for city authorities to install noise barriers between busy roads and residential areas, or site the roads well away from them. Another possibility is to fit low-noise tyres or high-pore road surfaces, which Kim describes as "amazingly quiet".

Finally, individual noise-reducing measures such as installing double-glazing to cut out noise should be subsidised.

Kim says that European Union is the first major economic region to take serious action on noise. The US is lagging about a decade behind: President Ronald Reagan abolished the Environmental Protection Agency's noise programme in 1982 and it has never been

resurrected. Members of the US Congress are currently organising a seminar on the topic.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, March 14, 2011 12:24 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA EIR

Morning Michael,

Now that we know more about how the SHCP Board operates and what the plans are for the GPA from their newspaper articles (Feb 8, 2011, Redwood Times):

*"The Board's focus is limited to the purchase and overall management of the Park and also to oversee the projects and activities that take place there. The Board provides the place and the community is responsible for developing the projects. This is where Park Use Advocates are encouraged to step in and make their dreams come true"*

I have a question about a couple of CEQA Issues:

A) Title 14, Chapter 3, Article 10, Section 15144 - Forecasting:

Drafting an EIR involves some degree of forecasting. While foreseeing the unforeseeable is not possible, an agency must use its best efforts to find out and disclose all that it reasonably can. In the case of the SHCP GPA, how can the proposed projects and activities be reasonably foreseen, when the SHCP Board has said:

*"While this Park stewardship model bodes well for responsible and responsive development and management of future Park attractions, it has caused some confusion during the current Park rezoning process. Asked by the Planning Department to provide its most expansive vision of how the Park might be used over future decades, the Park was then placed in the unenviable position of trying to bring into clear focus concepts that are not their own and that may never come to fruition, leading some community members to feel frustrated that the impacts of these possible future projects by others have not been quantified"*

**Note:** Authority cited: Section 21083, Public Resources Code; Reference: Sections 21003, 21061, and 21100, Public Resources Code.

B) Title 14, Chapter 3, Article 10, Section 15145 - Speculation:

This section deals with a difficulty in forecasting where a thorough investigation is unable to resolve an issue and the answer remains purely speculative. In *Laurel Heights Improvement Association v. Regents of the University of California* (1988) 47 Cal. 3d 376, the court noted that where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences. As you can see from the SHCP Boards explanation:

*"The community identifies its needs over time and develops capacities to fill those needs, the Park will make acreage available for appropriate projects. In these cases, project advocates are responsible for the creation, maintenance and supervision of the facilities, as well as appropriate insurance coverage"*

**Note:** Authority cited: Section 21083, Public Resources Code; Reference: Sections 21003, 21061, and 21100, Public Resources Code; *Topanga Beach Renters Association v. Department of General Services*, (1976) 58 Cal. App. 3d 712.

So Michael, in a nut shell, the SHCP Board cannot reasonable foresee and only speculate about; who, what, why, when and wherefor their proposed projects and how they would effect the environment.

Please include this email in the SHCP GPA EIR file,

Thank you,

Ed Voice & Voice Family



## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, February 18, 2011 2:47 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA EIR NOP  
**Attachments:** FourBridgesCALTRANSProject[1].pdf

Morning Michael,

If you get a change please look over this Caltrans EIR NOP. This is what the SHCP NOP should have looked like. It is short, sweet and to the point in asking the question; what effects their actions and projects will have on the environment. Something the SHCP NOP was lacking. Not just in content, but in any detail for the public to read or understand.

Thank  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, February 08, 2011 11:55 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA  
**Attachments:** SHCP Huber's article about park advocacy Feb 2011.pdf; SHCP GUIDELINES FOR PARK USE ADVOCATES.pdf

Morning Michael,

I wanted to share with you another article from the newspaper, submitted by Park Board Director Dennis Huber. In the article he talks about an issue we had talked about many many times, that is, that the Park Board has no idea what kind of activities, projects, development or even direction they are planning for the property. As you can see by my attachments, it is only what the Park Board calls "Park Use Advocates". They propose different kinds of projects at the Park. So in this way the Park Board is not providing any kind of public benefit as a 501c3, but only providing a private benefit for private interest to only a select group or individual i.e. Pay to Play. All without any input from the community or public meetings. Which is not what the Park Board told the Board of Supervisors at the GPA Petition hearing on Nov 10th 2010 or in their SHCP GPA Application.

So in other words, or in the words of the Park Board; they want to rezone and change the land use designation to both Park properties, with no clue of the short or long term plans for the next generations to come. And again in doing so, without any say or input from the current generations of this community or its neighboring property and home owners, some of which since 1966.

Forget completion of the Draft EIR, if this information would have been stated during the Petition phase of the GPA, that is, requesting a rezone without knowing who, what, why, when and where, do you think it would have been approved? This is why there has never been a management plan, business plan or operation plan for both Parks, other than with Stephen Dazey, Buck Mountain Ranch LLC and now River Ranch Homes LLC.

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, February 08, 2011 10:41 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA DEIR Housing

Morning Michael,

I think we touched on this before, but with respect to housing rezoning within the SHCP GPA; since the SHCP has R-1-B-6 zoning and RL land use on APN 222-191-012 next to and just west of the River Crest subdivision on Sprowel Creek Road, could the Park Board change its current zoning/land use for that property to what ever kind they think they need for down the road? To say, as an alternative to what was submitted in the GPA for Multi Family housing on 3 to 5 acres and at the same time not taking AE off the table?

Since there is no plan, other than 3 to 5 acres, rezoning their current R-1-B-6 property (since its already zoned for housing, its away from the Parks, wetlands and farming) would be a better fit for everybody? Just a thought. I mean what difference does it make where the housing is located, the issue is; what effect does it have to the environment, right? If that is true, then building housing on a wetland, farmland and prime ag soils would be the cause and effect to the environment, when they already have like kind and same property for housing across the river, right next to a long standing, existing subdivision.

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, February 04, 2011 5:23 PM  
**To:** Richardson, Michael  
**Subject:** Re: Sports Field Dream Letter to Editor Gina Paine 2-1-11

Morning Michael,

I talked with Gina Paine today, from the So Hum Youth Soccer league. Gina and another women are planning this Sports Complex at the SHCP. This is proposed in the same main area as the parking lot for other events, concerts and festivals. She told me today, they did not have to submit any kind of project or construction plans, number of events, tournaments, hours of use or league schedule for construction of the 12.5 acre soccer and baseball fields down at the SHCP until the Park Board gets their GPA EIR approved. She said it was going to take excavating 120,000 (one hundred and twenty thousand) cubic yards of dirt with a 10 ft deep cut at the east side to construct the ball fields and make them level, that as long as the property is zoned for soccer and baseball (SHCP GPA EIR is approved), they don't have to file an kind of CEQA for construction of the Ball Fields, other than to just get a grading permit from the County.

It sounds to me that after hearing what it will take to construct the ball fields and given its location, this project has the most adverse effects to the environment.

Does any of this sound right? That if the rezone/land use is approved for PF/PR, you can just construct anything you want, without any kind of CEQA process?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Wednesday, February 02, 2011 12:49 PM  
**Subject:** RE: Sports Field Dream Letter to Editor Gina Paine 2-1-11

Hi Ed,

I only know what was submitted with the application. If they want to further refine that, they can, but they haven't submitted anything to me along those lines.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, February 02, 2011 12:43 PM  
**To:** Richardson, Michael  
**Subject:** Sports Field Dream Letter to Editor Gina Paine 2-1-11

Morning Michael,

As of late; Grant application to Headwaters Fund, on KMUD radio, to the Southern Humboldt School District and now in yesterdays newspaper, there is this plan to include a Sports

Complex, 12.5 acres of baseball and soccer playing fields for tournaments for up to 1000 people per day, per weekend (As said on Monday Morning Magazine with Dennis Huber). In reading all the SHCP GPA applications, documents and CEQA IS, there is less information about Sports Fields proposed in the SHCP GPA than in their Housing element. I mean to say, nothing other than a concept drawing.

Could you shed some light on this Sporting Complex and Field of Dreams idea for the SHCP GPA?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, February 02, 2011 12:43 PM  
**To:** Richardson, Michael  
**Subject:** Sports Field Dream Letter to Editor Gina Paine 2-1-11  
**Attachments:** Scan014.pdf

Morning Michael,

As of late; Grant application to Headwaters Fund, on KMUD radio, to the Southern Humboldt School District and now in yesterdays newspaper, there is this plan to include a Sports Complex, 12.5 acres of baseball and soccer playing fields for tournaments for up to 1000 people per day, per weekend (As said on Monday Morning Magazine with Dennis Huber). In reading all the SHCP GPA applications, documents and CEQA IS, there is less information about Sports Fields proposed in the SHCP GPA than in their Housing element. I mean to say, nothing other than a concept drawing.

Could you shed some light on this Sporting Complex and Field of Dreams idea for the SHCP GPA?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, December 28, 2010 11:34 PM  
**To:** Girard, Kirk; Hofweber, Tom; Spencer, Martha; Werner, Steve; Richardson, Michael; Clendenen, Clif; Duffy, Jill; Neely, Bonnie; Lovelace, Mark; Smith, Jimmy R.; Bass, Virginia; Sundberg, Ryan; Hayes, Kathy; Turner, Nicole; Ruth, Carolyn  
**Cc:** jjbakers@gmail.com; buzzarb@hughes.net; muldercst@gmail.com; smallcraft50@gmail.com; richandsuzie@yahoo.com; zzttop@zwerdclingdibble.com; Alex Stillman; Elsbree, Dawn; Michael McAllister; Dennis O'Sullivan; Herb Schwartz; Kathy Epling; Leigh Pierre-Oetker; The Independent; Terri Klemetson  
**Subject:** Southern Humboldt Community Park GPA EIR

Planning Director Girard, County Planners, County Counsel and Supervisors,

I want to talk with you today about the Southern Humboldt Community Park Board of Directors and their plans for their current SHCP GPA.

While I know the SHCP corporation is a 501c3 public benefit charity whose Board of Directors control the Southern Humboldt Community Park and Tooby Memorial Park property as public assets, I would like to point out that this Park Board of Directors does not represent the community of Southern Humboldt. If they did, they would recognize that the now over 460 people in the Garberville/Redway area that hold down jobs, own businesses, own homes, own neighboring property, eat, sleep, shop, pay taxes and die here, have signed their names to a petition opposing amplified Concerts or Festivals in these Parks.

For the first time since the park was incorporated in 2002, the community has a voice in planning for the Park through the GPA process. However, to make this a fair playing field for all involved, the community needs greater access than it's had. You have to remember, the Park Board was never publicly elected by this community. All of them were appointed by Stephen Dazey, who was only on a committee of Southern Humboldt Working Together (2000) for soliciting donations for the purchase of the private property that would become the SHCP. Mr. Dazey appointed himself as the first SHCP Director and then appointed five others. Now after his recent retirement from the Board, Mr. Dazey continues his direction of the Park Board through his new position as a Director Emeritus. He was not voted into this position by the community, but by the current SHCP Board of Directors. As usual, this community had no clue about the Director Emeritus position, until after the Park Board amended their bylaws (March 2010).

The community has seen the Park Board sell Community Park property, and even trade portions of Community Park property between its own Board of Directors and private parties. They've seen and heard the Board hold illegal and unpermitted commercial concerts during '06, '07 and '08. They've seen the Board approve a 30-year surface mining lease agreement against Park property as well as carry out many other important property transactions without any notification or consultation with the community. In fact, the community is simply not informed about transactions taking place. We usually find out about grant applications, loans and private development after the fact and that's only by happenstance.

Now the community is being asked again to donate money to the Park Board's "GPA Rezone and EIR Fund". The Board says they need between \$75,000 to \$120,000 of public donations for this GPA

EIR, again without holding any public meetings to get approval, and without any documented plans made available for the public to read and understand. In the newspapers, the Park Board keeps changing the description of what they requested in the SHCP GPA application and then states if they don't get this GPA rezone, they will have to close the Parks. I think it's time for the Planning Department and Supervisors to allow the same information being conveyed to the Park Board, to be available to this community. This should include sharing emails and being present during meetings, or any other forums that relate to changing the current status of the Park property that takes place between the Park Board and the County.

The Park Board keeps telling you they have the overwhelming support of this Community. Well, I would like you to know that they **do not**, and that there are now over 460 signed petitions to back that up. This Community has publicly donated over \$750,000.00 to own this Community Park and it is still One Quarter Million Dollars in debt.

I know this is not an easy controversy to focus on but it is not going away. Please grant my request for equal access to information during this GPA process. The scale is tipped too much in favor of the Park Board and it shouldn't be in view of the public opposition to the Park project.

Thank you for your time, consideration and public service to this County,

Ed Voice & Voice Family  
Neighboring Property owners since 1966

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Tuesday, December 28, 2010 1:27 PM  
**To:** Clif Clendenen  
**Cc:** Neely, Bonnie; Smith, Jimmy R.; Duffy, Jill; Lovelace, Mark; Girard, Kirk; Richardson, Michael; Elsbree, Dawn; alexnacv@gmail.com; zztop@zwerdlingdibble.com; Alcaraz, Sandy; Virginia Bass; Sundbergforsupervisor@gmail.com  
**Subject:** Recreational Combining Zone Option for Sohum Park

Dear Supervisors, future Supervisors, and Planners,

Here is a copy of a letter to the editor that I wrote in response to a recent article (End in Sight for Community Park Rezone) by Indie reporter Keith Easthouse about the Park board's current effort to rezone our local Community Park for commercial public events and housing development via a General Plan Amendment. These two uses of our Park are extremely controversial in southern Humboldt. I have collected over 450 petition signatures opposing amplified events in the Parks. The Park is located close to neighborhoods and is connected by only one steep road to the town of Garberville (and Highway 101).

Kristin Vogel  
POB 453  
Garberville, CA 95542

----- Original Message -----

**From:** [Kristin](#)  
**To:** [Indie](#)  
**Sent:** Thursday, December 23, 2010 1:13 PM  
**Subject:** Recreational Combining Zone Option for Park

Dear Editor,

I'd like to share some thoughts concerning the Southern Humboldt Community Park's rezone dilemmas.

First of all, the Park doesn't need an expensive Public Recreation rezone in order to remain open or to be a Park. There is another option. It's called a Recreational Combining Zone overlay. It was suggested over two years ago by a senior County Planner. Under this designation, hiking, biking, picnicking, birding, disk-golf, farming, and acoustic music would continue as usual. Any amplified event would require a Conditional Use Permit. This type of overlay would not require a 120,000 dollar EIR. The money saved with this option could go towards paying down the Park's current debt of approximately one-quarter million. I strongly encourage the Park Board to adopt the Recreation overlay. It is a sane and ecological option that I believe our grandchildren will approve.

Second, I hope the Park board doesn't need a controversial Public Recreation rezone to prevent ITSELF from turning the Park property into a private residential area. If the Park board decided to do that, it would be a betrayal of the public trust, since the community was motivated to donate to purchase the Tooby Flat to SAVE it from becoming a housing subdivision. Real estate development is outside of the Park's exempt purpose. The Park is supposed to: "To own,

operate and maintain one or more parks for the benefit of the southern Humboldt community, its visitors and guests."

And thirdly, there are two big obstacles to turning the Park into an amplified event site. One, there are over 450 signed petitions that oppose amplified events in the Parks. The Park board's most recent noise assessment stated that after mitigation, "noise levels during these events may be audible in many of the surrounding residential areas." And two, a major State agency, the California Highway Patrol, is against the rezone project because Sprowel Creek Road is not adequate for event traffic into or out of the Park. Several other objectionable traffic and parking problems are raised in the CHP comments.

Having reached these barriers to the project plan, I don't see how the Planning Commission or the Board of Supervisors can approve the Park board's current General Plan Amendment rezone. Why would the County take the risk of approving a project over the objections of the Highway Patrol, the Sheriff and emergency responders? Health and safety issues carry serious liability implications.

My question to the Park board is: Why keep pushing the community to donate \$75,000-\$120,000 to a project in serious jeopardy of failing?

I'd like the Park board to consider these requests: Please respect the community need for peace and quiet. Please withdraw the rezone before it puts the Community Park into deeper debt. I think continuing the GPA rezone, from this point on, is a gamble and probable waste of our money. Please open up the SHCP organization to the public. What happens in the Park affects the whole community and therefore we need the SHCP to be a publicly open and accountable organization. And please have elected, instead of appointed, board members join the SHCP board this January, when three of the present six Park board members will leave because of term limits. The Park needs to have a real, written Management Plan that is crafted with full community participation. It should be available online and at the library for everyone to read.

Kristin Vogel

Garberville

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, December 22, 2010 2:48 PM  
**To:** Richardson, Michael  
**Subject:** End in Sight for Community Park Rezone  
**Attachments:** SHCP End in Sight article 12 22 10 Independent.pdf

Morning Michael,

Thought you might want to see an article from yesterdays Independent Newspaper. Please include it in the SHCP GPA file.

Thank You  
Ed Voice

Happy Holidays and New Year

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, December 13, 2010 12:05 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk  
**Subject:** Re: SHCP GPA Noise Assessment

Thanks Michael,

As far as the Skate Park goes, to call it portable or temporary would be a stretch (that means you have not seen it). Since they will now be using the Skate Park during the winter and if the County is going to authorize and allow this activity and use before completion of the GPA EIR, we need rules. Its not a trust issue, but it is.....

There should be no tournaments or competitions being held on Park property, only impromptu skating, no organized events. That there will only be daylight/daytime hours (sunrise/sunset), not 24/7 all night long and no amplified music of any kind, i.e. from any vehicles or portable device etc. I don't have a problem with those rules and conditions.

Ed Voice

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Sent: Monday, December 13, 2010 11:14 AM  
Subject: RE: SHCP GPA Noise Assessment

Ed,

The GPU is not in effect yet, so any reference to it is of limited value unless it says the same thing as the existing Framework plan.

I believe Kirk signed off on the skate park structure since it was a portable, temporary use consistent with other outdoor recreational uses of the property, however, I can find no documentation of that decision.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Monday, December 13, 2010 11:04 AM  
To: Richardson, Michael  
Subject: Re: SHCP GPA Noise Assessment

Thanks Michael,

The other thing about the SHCP Noise Assessment I don't understand, starting

at the bottom of page 6, is called the "Humboldt County General Plan".

It

gives Goals, Policies, Standards and a table of Humboldt County short-term

noise standards (Lmax) for maximum permissible noise level within the respective zone. This information is word for word from a draft GPU Planning

Commission hearing noise element pdf: (

<http://www.co.humboldt.ca.us/gpu/docs/hearingdraft/part4chapter13planningcommissionhearingdraftone11-20-08.pdf> )

and not located anywhere in the current Humboldt County GP (

<http://www.co.humboldt.ca.us/planning/genplan/framework/index.htm> ). I had

thought the SHCP GPA was to stick with the current GP, not the GPU?

Plus, PF

or PR does not exist on the table of Humboldt County short-term standards

(Lmax) within the respective zone.

BTW, did you get my email about the New Rebuild SkatePark now being used

at

the SHCP? I had not heard back.

Ed Voice

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>

To: "Ed Voice" <evoice@mchsi.com>

Sent: Monday, December 13, 2010 9:37 AM

Subject: RE: SHCP GPA Noise Assessment

Ed,

I'm not sure where they got that information from.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]

Sent: Monday, December 13, 2010 6:42 AM

To: Richardson, Michael

Subject: Re: SHCP GPA Noise Assessment

Morning,

No, as far as the quote from below goes, where are they getting the info

from:

"Typically in high noise environmental (i.e. greater than 60 dBA, Ldn),

an

increase by more than 3 dBA Ldn due to the project would be considered a significant impact. Where the existing noise levels are lower (i.e. less than 60 dBA, Ldn), a greater than 5 dBA Ldn increase, would be considered a significant impact"

He says "Typically" then starts using numbers as fact. I wanted to know if you knew from what he is quoting from if any, or is this a play it by ear fact? I just wanted to know where they came up with the spec's.

.  
----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Sent: Monday, December 13, 2010 6:21 AM  
Subject: RE: SHCP GPA Noise Assessment

Hi Ed,

I'm not sure I understand your question. Are you asking where in the Framework Plan is the discussion of noise impacts?

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Sat 12/11/2010 1:01 PM  
To: Richardson, Michael  
Cc:  
Subject: SHCP GPA Noise Assessment

Morning Michael,

In the SHCP GPA Noise Assessment report (Job No.10-134) on page 6 it states:

"CEQA does not define what noise level increase would be considered substantial. Typically in high noise environmental (i.e. greater than 60

dBA, Ldn), an increase by more than 3 dBA Ldn due to the project would be considered a significant impact. Where the existing noise levels are lower (i.e. less than 60 dBA, Ldn), a greater than 5 dBA Ldn increase, would be considered a significant impact"

Do you know where the report is quoting these findings and concussions about "significant impacts"?



















**Richardson, Michael**

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, November 29, 2010 2:17 PM  
**To:** Richardson, Michael  
**Subject:** Headwaters Grant Fund application Noise Assessment for Concerts & Festivals GPA

Morning Michael,

Here is the Noise Assessment Report Grant application submitted by the SHCP Board to the Headwaters Fund. Could you include this application in the file for the SHCP GPA EIR?

Thanks  
Ed Voice

<http://www.theheadwatersfund.org/sites/default/files/images/So%20Hum%20Park.pdf>

## Richardson, Michael

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**From:** fsvinth@illingworthrodkin.com  
**Sent:** Thursday, November 04, 2010 2:12 PM  
**To:** Richardson, Michael  
**Cc:** kathryn@sohumpark.org  
**Subject:** Southern Humboldt Community Park Noise Analysis  
**Attachments:** SHCP.Noise.rpt.doc; SHCP.Noise.rpt.pdf

Micheal,

Illingworth & Rodkin, Inc. has completed a Noise Study for the Event use at the Southern Humboldt Community Park. The Park has asked that I forward the report to you - it is attached in .pdf (acrobat) and .doc (Word) formats for your review and incorporation in the EIR.

Regards,

Fred M. Svinth, INCE, Assoc. AIA  
Senior Consultant, Principal  
***Illingworth & Rodkin, Inc.***  
(707) 766-7700 ext 30  
[www.illingworthrodkin.com](http://www.illingworthrodkin.com)

## Richardson, Michael

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**From:** Douglas Fir <dfir@asis.com>  
**Sent:** Monday, November 01, 2010 3:44 PM  
**To:** Richardson, Michael  
**Subject:** Scoping input for Southern Humboldt Community Park  
**Attachments:** This letter is in response to the call for input as part of the scoping process for the Environmental Impact Report that the Community Development Services Department is preparing on the Southern Humboldt Community Park's application for zoning change.doc

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, October 28, 2010 9:12 AM  
**To:** Richardson, Michael  
**Subject:** Redwood Times: GPA Application Update Southern Humboldt Community Park looks to a sustainable future

This article link was mailed to you by: [evoice@mchsi.com](mailto:evoice@mchsi.com) \*  
The sender included the following message:

Morning Michael, Could you include this into the Park Boards GPA NOP EIR File. Thanks Ed Voice

---

[GPA Application Update Southern Humboldt Community Park looks to a sustainable future - Redwood Times](#)

(This is the fourth article in a series written by the SHCP board that explains the different pieces of the SHCP application for a General Plan Amendment (GPA). The first article discussed the need to change the Land Use Designation to allow for public access for low-impact activities to all parts of the park. [View Full Story](#)

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## Most E-Mailed

(From the last 12 hours)  
No data currently available.

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[http://www.redwoodtimes.com/letters/ci\\_16449372](http://www.redwoodtimes.com/letters/ci_16449372)  
<http://www.redwoodtimes.com>

This e-mail was delivered by machines from the following IP addresses [173.26.127.58],[89.149.169.228].

\* Please note, the sender's email address has not been verified.

## Richardson, Michael

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**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Thursday, October 28, 2010 8:31 AM  
**To:** Richardson, Michael  
**Cc:** Smith, Jimmy R.  
**Subject:** SHCP General plan amendment application SCH #2010092037 CEQA EIR Notice of Preparation Public Comment

Dear Michael

Iris and I do not agree with the General plan amendment for the SHCP.

We oppose the staff report, and all the proposed projects.

The CEQA NOP EIR checklist report is incomplete it fails to address impacts to the indirect and cumulative effects to the environment .

In the Redwood times I have read comments by the park board that under the current zoning they are not allowed to have certain low impact events such as hiking, biking, small gatherings. Is this correct or are they using fear tactics to get the public to rally behind them.

We strongly support the comments made by the CHP on the parks proposed events.

We do not need another concert venue in Southern Humboldt this is one of the few large area of private flat AG land in the Garberville area any change in the zoning that would impact his land in any way should be denied.

Thank you for taking our comments please forward them to the agencies and supervisors.

Thank you

Sonny Anderson

Iris Dobson

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Wednesday, October 27, 2010 3:51 PM  
**To:** Richardson, Michael  
**Subject:** Comments on the SHCP GPA NOP  
**Attachments:** Comments on the SHCP GPA NOP.doc

## Richardson, Michael

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**From:** Barb Truitt <btruitt@asis.com>  
**Sent:** Wednesday, October 27, 2010 9:04 PM  
**To:** Richardson, Michael  
**Subject:** SoHum Community Park EIR comments

October 27, 2010

Dear Michael,

I've been a supporter of the Park since the idea first came up.

As a lifelong athlete, sports fan and volunteer coach I've been particularly interested in the possibility of developing ball fields and other sports facilities at the Park someday. I have spoken with many locals, parents and sports enthusiasts who are ready to pitch in with money and/or skilled labor, earth-moving equipment and the like to create ball fields when the time comes. At my own expense, I contracted with Barry Kulstad to survey the area that the Park board indicated seems best suited for such a purpose. I then did extensive research before creating a conceptual drawing of facilities we may someday build.

The drawing includes all the facilities I'd like to see, as well as appropriately sized parking areas to serve them. It features nut trees shading the walkways amongst the parking lanes and on surrounding verges. It employs artificial turf made from recycled and fully recyclable materials, which is at least as safe as natural turf for the athletes, minimizes water needs and is easily removed, making the land available for a different use if that becomes appropriate in the future.

This is but one possible scenario, one which could be built in stages, beginning with the desperately needed soccer fields, then nut trees which will provide income for the park as well as shade and food for the community for generations, and later whatever else best serves the community's then-current needs. The net impact of my plan is positive, because in addition to the public benefits of the sports facilities, it allows for more intensive agricultural use of this acreage than its current use as grassland.

I'd also like to weigh in on a possible negative impact. In my opinion, by far the most negative impacts would come from denying the rezoning.

Without the ability to use our Park in ways that can generate the funds required to operate it, the board will have to sell. The likeliest buyer will be someone interested in its development potential as 5 to 20 acre agricultural parcels, each with its own residence (20 to as many as 80 of them) on a graded home site, with access roads, fencing, water, sewer and other infrastructure.

The negative impacts of this type of development with respect to agricultural production, habitat protection for native species, and water use -- not to mention daily vehicular traffic and noise -- would be exponentially greater than anything envisioned for its long term use as a park.

Sincerely,

Jim Truitt

## Richardson, Michael

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**From:** Justin Crellin <justin@mateel.org>  
**Sent:** Wednesday, October 27, 2010 3:10 PM  
**To:** Richardson, Michael  
**Subject:** letter of support for SoHum Comm Park  
**Attachments:** Park support letter.doc

Hello Michael,

I understand today is the final day to submit written comment on the Southern Humboldt Community Park. Please add the attached letter of support to your written comments on this project. I endorse their plan wholeheartedly, including their desire to host a larger event like the Mateel's Summer Arts & Music Festival there. Thanks for your time and effort on this, it will be a great asset for the Southern Humboldt community for future generations.

Justin Crellin  
Miranda, CA

## Richardson, Michael

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**From:** Arnoul Electric/Arnoul Accounting <arnoulelec@asis.com>  
**Sent:** Tuesday, October 26, 2010 8:15 PM  
**To:** Richardson, Michael  
**Subject:** EIR Community Park of Southern Humboldt

Dear Mr. Richardson:

I am in support of NO commercial concert or festival venue site, camping, parking on the river bed or haphazard housing development. These were never the intended uses of the park when it was purchased and we most assuredly don't need another concert venue in sohum. We don't use the ones we have to their full potential. The beauty of the park is its "undeveloped" state. Sorry to get this to you so late. I realize tomorrow is the first deadline for public comments.

Sincerely,

Gayle Arnoul

PO Box 378

Whitethorn, CA 95589

## Richardson, Michael

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**From:** Belen Grady <BGrady@waterboards.ca.gov>  
**Sent:** Tuesday, October 26, 2010 11:36 AM  
**To:** Richardson, Michael  
**Cc:** Mona Dougherty  
**Subject:** Re: Comments on the Southern Humboldt County Community Park  
**Attachments:** So. Hum. Co. Comm. Park DEIR.PDF

Mr. Richardson,

The attachment below is the correct document. I apologize for any inconvenience this may have caused.

Thank You,

Belen Grady  
Environmental Scientist Intern  
Regional Water Quality Control Board

>>> Belen Grady 10/26/2010 11:07 AM >>>

Hello Mr. Richardson,

Below you will find the comments by the Regional Water Quality Control Board for the Southern Humboldt County Community Park. We have reviewed the Notice of Preparation for the Draft Environmental Impact Report and offer the following recommendations.

If you have any questions you can contact John Short at (707) 576-2065 or [jshort@waterboards.ca.gov](mailto:jshort@waterboards.ca.gov).

Thank you,

Belen Grady  
Environmental Scientist Intern  
Regional Water Quality Control Board

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, October 26, 2010 10:23 AM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Duffy, Jill; Lovelace, Mark; Neely, Bonnie; Smith, Jimmy R.; Kathryn; Mattson, Tom; Werner, Steve; Girard, Kirk  
**Subject:** Public Comment, Southern Humboldt Community Park GPA EIR NOP  
**Attachments:** SHCP\_Voice\_GPA\_comments\_OCT\_2010.doc

Michael, Supervisors and Park Board;

Please use the attachment as the Voice Family's public comments to the Southern Humboldt Community Park General Plan Amendment application EIR NOP.

Thank you very much,

Ed Voice & Voice Family  
Neighboring property owner since 1966

## Richardson, Michael

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**From:** john hardin <tincanluminary@yahoo.com>  
**Sent:** Tuesday, October 26, 2010 9:26 AM  
**To:** Richardson, Michael  
**Subject:** Comments to the So. Hum. Community Park EIR

I oppose the proposed zoning change to the Southern Humboldt Community Park on the following grounds:

- 1) The community does not need another venue for amplified music. Benbow Lake Recreation Area is available and well suited to host all of the proposed amplified music events now planned for the Community Park.
- 2) I strongly agree with the CHP's objections to the proposed use of the site for an event with up to 5,000 attendees. The parking, traffic and safety concerns the CHP raises will require major changes to roads in the area if the project goes forward. These changes, as well as the increase in traffic, will negatively effect and disrupt normal life in Garberville.
- 3) The noise concerns of nearby neighbors deserve serious consideration. Noise can negatively affect life in many ways that are still not very well understood. Neighbors who live in well-established neighborhoods nearby deserve the peace and quiet they paid for and expect.
- 4) Noise mitigation measures will likely employ large, unsightly structures that will negatively impact aesthetics and wildlife.
- 5) Sound propagation varies with humidity, which rises in the evening, when most amplified events take place. Sound levels at music events are rarely carefully controlled, and mitigation measures will not stop long-range propagation of low frequency sound waves. These deep bass and sub-sonic waves negatively effect wildlife and will undoubtedly disturb nearby neighbors. Noise mitigation measures, though unsightly and expensive will ultimately fail to mitigate noise sufficiently to make the Community Park a good neighbor.
- 6) Plans to park cars on the river bar will have significant impact to the river. Anyone who's looked at a parking lot knows that cars and trucks leak. Motor oil, diesel fuel and other vehicle fluids are extremely toxic to wildlife and will pollute the river. Windblown litter from vehicles will end up in the river in short order as well.
- 7) Parking on agricultural land will negatively affect the productivity of precious farmland. In addition to the aforementioned vehicle related pollution issues, soil compacted by heavy vehicles will be less productive as a result.
- 8) While this area has more than its share of amplified music venues, we have precious little land on which to grow food. The agricultural land should be preserved, in its entirety, for agriculture, in the best possible condition.
- 9) Local amplified music promoters rarely provide adequate restroom facilities resulting in pollution and

sanitation problems.

- 10) The main reason the Community Park Board wants to have amplified music at the Community Park, rather than Benbow Lake is to benefit the illegal marijuana industry. Park Rangers and Sheriff's Deputies at Benbow Lake greatly inhibit marijuana sales. At the Community Park, they hope to create a more "marijuana friendly" environment for large events by holding them on private land, where law enforcement's presence can be minimized. This has been stated publicly, and published in local papers. This industry has a history of contempt for the law and dishonesty. They wrongly assume that everyone in Humboldt County benefits from the illegal marijuana industry. Nothing could be further from the truth. This is a prime example of rich drug dealers steamrolling over the needs of the community for the benefit of themselves.

As a craft artist, I very much oppose plans to move Summer Arts and Music Festival to the Community Park because those plans also involve changing the only good craft show in Southern Humboldt into a marijuana and music festival paid for by craft artists. We need a more diverse economy here in Southern Humboldt. The proposed changes to Summer Arts and Music Festival will only make it harder to make a living as an artist here.

While the illegal marijuana industry is clearly the loudest voice in Southern Humboldt, it is by no means the only voice here. Don't let a greedy industry that doesn't play by the rules, and is in decline, ruin the long-term sustainability and economic diversity of this community.

Sincerely, John Hardin

P.O. Box 2301, Redway, CA 95560

## Richardson, Michael

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**From:** Phil Ayers <pgayers@ayersdistributing.com>  
**Sent:** Monday, October 25, 2010 5:43 PM  
**To:** Richardson, Michael  
**Subject:** RE: SHCP EIR

Hi Michael,

That would be great if you could send me what you get compiled.

Thanks,  
Phil

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**From:** Richardson, Michael [mailto:MRichardson@co.humboldt.ca.us]  
**Sent:** Monday, October 25, 2010 9:52 AM  
**To:** Phil Ayers  
**Subject:** RE: SHCP EIR

Hi Phil,

We've been receiving comments on the NOP. I'll be compiling them, and I can send them to you if you like.

- Michael R.

-----Original Message-----

**From:** Phil Ayers [mailto:pgayers@ayersdistributing.com]  
**Sent:** Monday, October 25, 2010 6:48 AM  
**To:** Richardson, Michael  
**Subject:** RE: SHCP EIR

Hi Michael,

I have not received any email updates to this project and hope I have not because there has been nothing to send. If that is incorrect, please forward all information.

I just want to stress what I brought up on 9/9/10 at the EIR Scoping Meeting:

My concern, as a Kimtu Road resident, is that Kimtu Road should not be used as a holding area that would create a health and safety issue to any of the residents that live off of the Kimtu Road. Any emergency vehicles must be able to respond without any delays.

I am also concerned how any resident would be able to come and go from their residence if the road is choked with event traffic. We should not be inconvenienced by this, as residents, because there is only one way in and only one way out. We have no alternative for ingress or egress.

I hope you have addressed these issues.

Thank you,

Phil Ayers

707-445-2077

[pgayers@ayersdistributing.com](mailto:pgayers@ayersdistributing.com)

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Monday, October 25, 2010 8:35 AM  
**To:** Richardson, Michael  
**Subject:** Comments to SHCP GPA, NOP, CEQA, EIR  
**Attachments:** CEQA SHCP Oct. 25 Finnished again.doc

Michael,

I would like the Planning Commission to have a look at my comments, and be put on the list to be noticed before their Hearing on this proposed special zoning for the SHCP. Thank you. Donald Courtemanche

## Richardson, Michael

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**From:** Phil Ayers <pgayers@ayersdistributing.com>  
**Sent:** Monday, October 25, 2010 6:48 AM  
**To:** Richardson, Michael  
**Subject:** RE: SHCP EIR

Hi Michael,

I have not received any email updates to this project and hope I have not because there has been nothing to send. If that is incorrect, please forward all information.

I just want to stress what I brought up on 9/9/10 at the EIR Scoping Meeting:

My concern, as a Kimtu Road resident, is that Kimtu Road should not be used as a holding area that would create a health and safety issue to any of the residents that live off of the Kimtu Road. Any emergency vehicles must be able to respond without any delays.

I am also concerned how any resident would be able to come and go from their residence if the road is choked with event traffic. We should not be inconvenienced by this, as residents, because there is only one way in and only one way out. We have no alternative for ingress or egress.

I hope you have addressed these issues.

Thank you,

Phil Ayers

707-445-2077  
pgayers@ayersdistributing.com

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Wednesday, October 20, 2010 10:07 AM  
**To:** Richardson, Michael  
**Subject:** Re: P.F. and P.R. Zoning ?  
**Attachments:** scan0003.pdf

Michael,

Yes, the NOP has nothing to comment on and the CEQA as presented has no Studies to review they remain unpublished for the public at least and the Public Safety issues has no plan at all, and you say that the SHCP needs to do a real sound study. How do you suggest I comment on these changes, I know about them you know them but they don't appear in either document? In the second sentence you list how the new special P.F. zone and the P.F. plan designation will be applied in the CEQA, GPA this statement shows that you do have a Draft for P.F. and P.R., let me see it Michael. As to the SHCP's plans for their large water withdrawal from the South Fork Eel this could not happen with a the zoning change in the CEQA and GPA. The Eel at Garberville is "already over allocated" according to the DFG also Steelhead and Salmon are heartened in short their is no WATER for development in this part of Humboldt County Michael. What you and Kirk and the SHCP are proposing is an environmental nightmare for the only water source we have the South Fork of the Eel River.

Also the plan is to change the Land USE Designation which a precursor to almost anything that the SHCP wants to do in the future. A P.F. zone is BS attendees will have to Pay to use this area the Public will be excluded, this will Tooby Memorial Park, the Barn Area most of the Trails. They will probably just close the whole park for security reasons. Commercial Recreation in the proper zone for this type of actively, just get real about what the SHCP really wants. I have included an attachment to show what the water was intended for, and this was the reason that the GFD approved this well in first place. Thanks. Don

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "donaldcourtemanche" <donaldcourtemanche@wavecable.com>  
Sent: Tuesday, October 19, 2010 21:17  
Subject: RE: P.F. and P.R. Zoning ?

Hi Don,

I'm still not understanding how it is you think you have nothing to go on. The proposed new PR Plan designation and PF zone designation will allow the activities listed in the application at the intensity listed in the application. If there is some question as to the level of intensity, it seems your best course of action is to assume the maximum level of activity that could occur, and base your comments on that level of activity. It could be that your comments will be geared better for a response to the EIR rather than the NOP.

Since the SHCP has a water diversion in the Eel River, I assume they are proposing to take water from the Eel to server the new uses. I haven't read in their application materials anything to suggest otherwise.

The proposed use includes the use of the gravel bar for overflow parking. I

haven't read that they are proposing unlimited development for camping, RV parking or for placement of a bridge.

I haven't read they are proposing to hold events in the field house, or to serve alcohol there. That could be a comment you submit on the NOP - that you want the EIR to address impacts from events in the field house that serve alcohol.

I'm not understanding why you think it's important to have the PR and PF zoning in place before circulating the NOP. The intent of CEQA is to assess the impacts of the entire project, not just parts of it.

- Michael R.

-----Original Message-----

From: donaldcourtemanche [mailto:donaldcourtemanche@wavecable.com]  
Sent: Mon 10/18/2010 3:09 PM  
To: Richardson, Michael  
Cc:  
Subject: Re: P.F. and P.R. Zoning ?

Michael,

None of the uses proposed in the CEQA are allowed on the current zone A.E. and A.L. And your dept. CDS and SHCP are creating a New Zone P.F. and Land use Designation P.R. so we the have nothing to go on, what do we compare this new P.F and P.R too? The importance is to the amount of activity allowed on say P.F. and the cumulative impacts these will have on A.E. land and will the zone be a take or a conversion of Ag land.

Will a P.F. or P.R. allow the SHCP to take more water from the So.Fork Eel, the housing at 25 units and ball fields alone would take about 15 million gallons a year! Your special zoning for the SHCP could allow parking on the stream bed installing bridges. Unlimited development for camping, R.V. parking and camping to start.

The CEQA that the SHCP and you are putting together is an open ended plan for leap frog development, the meat of this CEQA is not about a public park! It's about a pay to play commercial boogie venue. The sports fields swimming pool and a mega field house is just a come on.

How many Events a year could they have in this field house with booze? There is no firm plan for any project purposed in this CEQA except for the music events. These are a few reasons to have the Zoning and Land Use Designation in place first. The question is Michael have you ever submitted an NOP CEQA for a parcel that was improperly zoned for all the components in the CEQA. P.F. P.R. should be in place and approved by the County before the NOP is submitted or comments are asked for from anybody. Don

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "donaldcourtemanche" <donaldcourtemanche@wavecable.com>

Sent: Monday, October 18, 2010 12:20

Subject: RE: P.F. and P.R. Zoning ?

Don,

At this moment we are soliciting comments about what potential impacts of the project should be addressed in the EIR. The proposed new plan and zoning designations will allow the specific list of uses proposed in the application. Apparently we have a difference of opinion about whether that description is adequate for the Notice of Preparation stage of project review. Please help me understand how listing the proposed uses in the general plan or zoning ordinance format is substantially different from listing the uses in the application.

October 27 is the last day to communicate to me what the EIR should look at. The Planning Commission will not be reviewing the application next week. That is a ways off. I'm not sure when the Planning Commission meeting on the project will be. Not before the beginning of next year I should think.

- Michael R.

-----Original Message-----

From: donaldcourtemanche [mailto:donaldcourtemanche@wavecable.com]

Sent: Sunday, October 17, 2010 1:26 PM

To: Richardson, Michael; Girard, Kirk; Werner, Steve

Subject: Re: P.F. and P.R. Zoning ?

Michael,

If we are working under the 1500 guidelines, as you say, how can community members make informed decisions on a zoning change and a CEQA if the descriptions of the proposed new zones are not available before the deadline for comments on the SHCP's unusual CEQA? There are no available Studies

listed in this CEQA to review. The information on the CEQA checklist has

changed 3 times in the last 2 months.

My understanding is that the CSD's role in the SHCP's CEQA is to hurry this project along on the cheap, using the Parks old studies and their friends to help ( as per Kirk Girard's statements at the 3/18/09 Redway School meeting), but you are also bound by the 1500 Guidelines to inform the public so that we can make informed decisions and comments and be involved in the decision making process. This CEQA process cannot move forward without the new Zoning in place, how could it? Give us something to work

with, Michael. Or re-start this CEQA process all over again, with all the required studies and zone and land use definitions in place when you send out the Notice of Preparation.

There are 8 more working days before the Oct. 27, 2010 deadline you have set to submit comments. Yet you have no new zoning for the SHCP's CEQA available for us to review. You have explained to me that the new zones P.R. and P.F. will have to be approved by the Planning Commission first, will

this approval happen next week? We are running out of time, Michael, and I feel you are sandbagging both the writing of these specially designed zones and land use designations, and the Studies until the last moment. And this strategy will only serve to keep the public in the dark yet again about how Our County Government works for only the few. Don

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "donaldcourtemanche" <donaldcourtemanche@wavecable.com>  
Sent: Wednesday, October 13, 2010 19:47  
Subject: RE: P.F. and P.R. Zoning ?

Hi Don,

All I've seen is what was pasted on the side of the barn during the CEQA workshop. I don't have a copy of it. Our office didn't draft it.

The new Plan and Zone designations will be written to allow all of the uses proposed in the application as either principally permitted or conditionally permitted uses.

- Michael R.

-----Original Message-----

From: donaldcourtemanche [mailto:donaldcourtemanche@wavecable.com]  
Sent: Wed 10/13/2010 4:25 PM  
To: Richardson, Michael  
Cc:  
Subject: Fw: P.F. and P.R. Zoning ?

Michael,

My question was and is, do you or any CSD staff have a Draft of the new Special Re-Zoning for the SHCP? This would be either P.F. or P.R. or both.

The Park Board seems to have an early inside track on the zoning change, is there a draft? Don

----- Original Message -----

From: donaldcourtemanche

To: Mike Richardson

Sent: Wednesday, October 13, 2010 10:55

Subject: P.F. and P.R. Zoning ?

Michael,

This article calls the P.R. land designation a part of the Re-Zone for

the SHCP an "Overlay". Where does this description come from? Does the SHCP

Board have some information that you are not sharing with the Public on your

(CDS) Draft P.R. and P.F. Special Zone for the SHCP? I want to be fully informed on this new re-zoning Michael, this article shows that the Park has

some inside information, won't you share this with me? Don

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, October 14, 2010 12:33 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Hofweber, Tom; Werner, Steve  
**Subject:** Re: More in the paper about the SHCP GPA EIR NOP Rezone?  
**Attachments:** SHCP EIR Redwood Times #3 10\_12\_10.pdf

Morning Michael,

For some reason this weeks Redwood Times is not on-line, so here is a copy of the Park Boards # 3 GPA Application article.. This might be helpful for you to understand some of those modifications I was talking about. Ultimately its your call if the Park Board has significantly changed anything in the NOP.

Thanks Ed

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Cc: "Girard, Kirk" <KGirard@co.humboldt.ca.us>; "Werner, Steve" <SWerner@co.humboldt.ca.us>; "Hofweber, Tom" <THofweber@co.humboldt.ca.us>  
Sent: Tuesday, October 12, 2010 7:48 PM  
Subject: RE: More in the paper about the SHCP GPA EIR NOP Rezone?

Hi Ed,

Thanks for providing the links to the newspaper articles.

We are processing the application with the project description submitted at the time the application was accepted as complete. If the application is modified during the review process, there may be a need to circulate a revised project description to the reviewing agencies depending on the significance of them.

If you believe the project description has changed significantly, it would be helpful for me to understand those modifications, so please elaborate.

Thanks.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Tue 10/12/2010 4:23 PM  
To: Richardson, Michael  
Cc: Girard, Kirk; Werner, Steve; Hofweber, Tom  
Subject: More in the paper about the SHCP GPA EIR NOP Rezone?

Michael,

Don't like to be a bother, but I need your thoughts about this SHCP GPA EIR NOP. Its hard enough and frustrating to comment with the info we have been given from the scoping session, but now we get to read about more info by the Park Board in our local papers every week. Most of what they are adding is nothing we have seen or read before in any of the July application documents, in fact the change the wording in the documents that have been submitted to your office. Should we use this info from the newspapers in our comments? Again they list out more info about projects but give no answer towards mitigation or effects to the environment. They just keep adding to a bottomless pit.

I guess you should keep copies of these articles in their file?

Today was the third installment of 5 articles they are putting in the newspapers, here is what Part 1 and 2 said. Today was Part 3, its not on line yet.

Thank you Michael,

[http://www.redwoodtimes.com/ci\\_16207329?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com](http://www.redwoodtimes.com/ci_16207329?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com)

[http://www.redwoodtimes.com/ci\\_16270766?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com](http://www.redwoodtimes.com/ci_16270766?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com)







## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, October 13, 2010 5:48 PM  
**To:** Richardson, Michael; Hofweber, Tom; Werner, Steve; Girard, Kirk  
**Subject:** Fw: SHCP fees

Dear Michael, I wasn't sure if maybe you didn't get this email? Or maybe I didn't get your reply? Let me know, please. Thank you, sandy

----- Forwarded Message -----

**From:** Sandy Feretto <sferetto@yahoo.com>  
**To:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**Sent:** Mon, October 11, 2010 12:46:58 PM  
**Subject:** Re: SHCP fees

Dear Michael, thank you. I was wanting the fee estimates that are specific to SHCP Board's project. Our local library has some sporadic summaries of minutes of some of the closed to the public SHCP Board meetings. On December 16, 2009 the SHCP minutes say " Members reviewed the List of Basic Requirements sent by Michael Richardson. Several questions about the fees arose, i.e. \$5000 each for inclusion of a cemetery and ball fields; \$7000 for Public Water Treatment, \$6000 for multi-fam housing."

I would like to see this entire "List of Basic Requirements" that you sent to the SHCP Board. In addition, will you please explain what "Public Water Treatment" means in regards to SHCP? Thank you, Sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Mon, October 11, 2010 8:47:08 AM  
**Subject:** RE: SHCP fees

Hi Sandy,

Attached is the current fee schedule. The charges for General Plan Amendments were assessed for this project. With all projects involving multiple permits only the highest fee is charged, so there were no separate fees charged for the zone reclassification, use permit or special permit.

There is also a fee charged for environmental impact report preparation that applies to this project. Those charges will be assessed on a time and materials basis.

- Michael R.

-----Original Message-----

**From:** Sandy Feretto [mailto:[sferetto@yahoo.com](mailto:sferetto@yahoo.com)]  
**Sent:** Sun 10/10/2010 9:03 PM  
**To:** Richardson, Michael  
**Cc:**  
**Subject:** SHCP fees

Dear Michael, please email to me the fees and estimated costs for the SHCP's

rezone and GPA and CUP and Special Permits, and the estimated costs broken down for each item required for the projects. Will there be any charges associated with rewriting zones and land use designations? If so, please send the cost schedule to me. I would like to view the county fees and state agency fees charged to SHCP for each item requested, broken down. I would like a detailed list showing the fees, costs or estimated fees that the county sent to the SHCP board. Thank you. Sandy

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Wednesday, October 13, 2010 11:37 AM  
**To:** Richardson, Michael  
**Subject:** Re-zoning of the SHCP  
**Attachments:** Scan001.pdf

Here's the Attachment Michael.

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, October 13, 2010 9:23 AM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Werner, Steve; Hofweber, Tom  
**Subject:** Re: More in the paper about the SHCP GPA EIR NOP Rezone?

Thanks Michael,

I guess the best thing to do is wait until all 5 articles have come out, yesterday was only #3 and at the end it states #4 next week will continue with "Modifications to the Original GPA". As you and I both know; "Significantly" in the eyes of a lead agency and then the public have two completely different meaning, i.e. "Adverse Effects". However, if you do add up all the changes the Park Board is making in these newspaper articles, one by one, cumulatively speaking, they can have direct and indirectly "Significantly" changed their NOP application, not to mention during an agency and public review/comment process.

Here is one example; the latest change or addition the Park Board stated yesterday:

*"Water: The Park has installed a 50,000-gallon water tank that is spring fed during the winter months in order to reduce our water foot-print. With filtration and chlorination this water can be used during summer events for hand and dish washing and as drinking water"*

This is not listed or found in any of the Park Boards GPA application documents or your NOP. So I'm sure agencies (i.e. RWQCB & DFG) would like to know about that one, given the fact in the Park Boards NOP application documents it only talks about trucking drinking water to the event venue sites and using the current connection from GSD for potable drinking water. The 50,000 gal water tank was going to serve for fire suppression if needed (and what about dust?). Nothing about instillation and construction of a "Commercial Public Drinking Water Treatment Plant" at the Community Park and given the fact all the Park Boards water diversion permits are for Ag use only. Wow, the Park must have had a good harvest at the farm?

Thanks again Michael,

Ed Voice

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
To: "Ed Voice" <evoice@mchsi.com>  
Cc: "Kirk Girard" <KGirard@co.humboldt.ca.us>, "Steve Werner" <SWerner@co.humboldt.ca.us>, "Tom Hofweber" <THofweber@co.humboldt.ca.us>  
Sent: Tuesday, October 12, 2010 7:48:39 PM GMT -08:00 US/Canada Pacific  
Subject: RE: More in the paper about the SHCP GPA EIR NOP Rezone?

Hi Ed,

Thanks for providing the links to the newspaper articles.

We are processing the application with the project description submitted at the time the application was accepted as complete. If the application is modified during the review process, there may be a need to circulate a revised project description to the reviewing agencies depending on the significance of them.

If you believe the project description has changed significantly, it would be helpful for me to understand those modifications, so please elaborate.

Thanks.

- Michael R.

-----Original Message-----

From: Ed Voice [mailto:evoice@mchsi.com]  
Sent: Tue 10/12/2010 4:23 PM  
To: Richardson, Michael  
Cc: Girard, Kirk; Werner, Steve; Hofweber, Tom  
Subject: More in the paper about the SHCP GPA EIR NOP Rezone?

Michael,

Don't like to be a bother, but I need your thoughts about this SHCP GPA EIR NOP. Its hard enough and frustrating to comment with the info we have been given from the scoping session, but now we get to read about more info by the Park Board in our local papers every week. Most of what they are adding is nothing we have seen or read before in any of the July application documents, in fact the change the wording in the documents that have been submitted to your office. Should we use this info from the newspapers in our comments? Again they list out more info about projects but give no answer towards mitigation or effects to the environment. They just keep adding to a bottomless pit.

I guess you should keep copies of these articles in their file?

Today was the third installment of 5 articles they are putting in the newspapers, here is what Part 1 and 2 said. Today was Part 3, its not on line yet.

Thank you Michael,

[http://www.redwoodtimes.com/ci\\_16207329?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com](http://www.redwoodtimes.com/ci_16207329?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com)

[http://www.redwoodtimes.com/ci\\_16270766?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com](http://www.redwoodtimes.com/ci_16270766?IADID=Search-www.redwoodtimes.com-www.redwoodtimes.com)

## Richardson, Michael

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**From:** fsvinth@illingworthrodkin.com  
**Sent:** Tuesday, October 12, 2010 9:21 AM  
**To:** Richardson, Michael  
**Cc:** Kathryn Lobato  
**Subject:** Southern Humboldt Community Park Noise Analysis

Michael,

I am working with Kathryn Lobato and Dennis Huber of the Southern Humboldt Community Park on a Noise study for their event plan at the Park. I understand you are working on the EIR for the park and would be using my noise report in the noise section of this document. I have reviewed current event plan details, visited the site, met with Kathryn and Dennis, conducted an ambient noise survey of representative noise sensitive receptors in the project area.

I am currently putting together scope of work to complete the noise analysis and noise report, which I plan to develop in standard CEQA format with Setting, Impact, and Mitigation Sections. I would like to know if you are in the Administrative Draft EIR or Draft EIR stage of the process, have any particular concerns or needs for the noise section, or if Humboldt County has any special procedures for EIR's.

Thank you,

Fred M. Svinth, INCE, Assoc. AIA  
Senior Consultant, Principal  
***Illingworth & Rodkin, Inc.***  
(707) 766-7700 ext 30  
[www.illingworthrodkin.com](http://www.illingworthrodkin.com)

## Richardson, Michael

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**From:** John Christianson <jvchristianson@asis.com>  
**Sent:** Monday, October 11, 2010 2:20 PM  
**To:** Richardson, Michael  
**Subject:** SCHCPGPAComment  
**Attachments:** ParkApplicationLetter.pdf

Hi Michael,

Thank you for coming down to SoHum and for your work on this application.

Attached are my written comments on the Southern Humboldt Coummunity Park General Plan Amendment Application.

Respectfully,

John Christianson

## Richardson, Michael

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**From:** Junia Sigsworth <tojunie@yahoo.com>  
**Sent:** Tuesday, October 05, 2010 5:03 PM  
**To:** Richardson, Michael  
**Subject:** RE: land use designation

Please let me be anonymous for fear of retaliation down here. And you can use that reason why I want to remain anom. Not taking a favorable stand, the locals will blacklist the motel I work for. It really does happen, even in this day & age. That's why I've been afraid/cautious to make any political comments on this very hot issue...businesses all over the county are hurting and we need all the business we can get. In the wintertime, its the locals that keep our bills paid. But the clientele these events attract are not ones I really want to encourage coming into this town. We have three families that live on the property.....we'd like to feel safe and get a good nights sleep. Doesn't happen with some of these events....thanks for listening but keep me anom.---junie

*Junie Sigsworth*

*"Do not follow a path; go instead where there is no path and leave a trail."*

*Ralph Waldo Emerson*

--- On **Tue, 10/5/10, Richardson, Michael** <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)> wrote:

From: Richardson, Michael <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>  
Subject: RE: land use designation  
To: "Junia Sigsworth" <tojunie@yahoo.com>  
Date: Tuesday, October 5, 2010, 6:56 PM

Hi Junia,

Thanks for your comments. I'll put you on the notification list for future updates on this project.

Do you want your comments to be a part of the public record in an anonymous fashion? Or can I forward your email to the applicants?

- Michael R.

-----Original Message-----

From: Junia Sigsworth [mailto:[tojunie@yahoo.com](mailto:tojunie@yahoo.com)]  
Sent: Sat 10/2/2010 8:44 AM  
To: Richardson, Michael  
Cc:  
Subject: land use designation

This email address was recently in the Redwood Times, Garberville, Ca. to respond to regarding the land use designation changing for the Community Park.

I cannot present evidence to support my opinion but I just wanted to say I am against this zoning change. I work as a front desk clerk in a local motel. Please keep my name out of the papers presented as I fear retaliation locally should anyone find out I'm against this zoning change. Our business is already impacted enough by the

people coming into town for concerts that stand outside our entrance asking for money from the tourists that walk by. At night, these people come onto the motel property testing each door to see if one has not been shut securely so they can have a free shower/bed for the night. This season alone, we've had four such breakins where the door has actually been kicked in to open it! Blatantly they will come onto the property in the evening or early morning and just turn on our water hoses and fill their bottles. So all of us are quite sick of this behaviour!

Thank you for listening!

junia sigsworth(withhold name by request!)

## Richardson, Michael

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**From:** Virginia Graziani <vgraz44@gmail.com>  
**Sent:** Monday, October 04, 2010 1:43 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park, GPA Checklist Comments  
**Attachments:** SCHP Env checklist 9-10.rtf

Hi, Michael --

Attached are my comments on the checklist. A copy with attachment will follow by U.S. Mail. Let me know if you have any questions for if you need anything (additional copies?) for this to be included in the official record.

Thank you,  
Virginia Graziani

## Richardson, Michael

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**From:** Susan and Dennis OSullivan <sprowlcreekcottage@gmail.com>  
**Sent:** Thursday, September 30, 2010 10:23 PM  
**To:** Richardson, Michael; Clendenen, Clif  
**Subject:** So. Humboldt Community Park

Good evening, we are Susan and Dennis O'Sullivan and we reside at 4235 Sprowl Creek Road. Thank you for the opportunity to provide input on the Draft EIR. We have been hesitant to respond to your request because on one hand we support the original vision of the Park to preserve one of the last flat agricultural pieces of property in So. Humboldt and on the other hand we have direct contact with the Park that infringes on our right to a peaceful residence. We understand your request for facts and we support and applaud your desire to view the request objectively and not politically. We have many concerns environmentally with respect to the entire amendment but we do not possess the knowledge to address them factually.

Our immediate concerns are related to the portions of the PR areas that will be used for events that are noted as medium sized and one sized at 5,000. We would like to state as fact that amplified events impact our property and the privacy we cherish. We also note as fact that Sprowl Creek Road cannot handle the flow of traffic required to handle large events. It is also fact that the CHP is in a much better position than your staff or other County agencies in assessing the roadway as worthy of this flow. While any County investment into the structure of this roadbed would be well received by residents and those that travel this route it is a fact that other roads in Southern Humboldt are in much greater need. Please consult Garberville VFD and Redway VFD who would be required to supply services at large events as well as protect those of us who reside beyond the entrance of the Park.

It is unfortunately a fact that this will be very political in nature and that we will be considered NIMBY's. It is a fact that you must support our concerns and when they cannot be mitigated you may be crucified and we thank you for taking this responsibility. We still trust the process, you and your staff. No politics, just facts.

Respectfully

Susan and Dennis O'Sullivan  
4235 Sprowl Creek Road  
Garberville

923-2889 h  
923-2188 w

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, September 29, 2010 12:45 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Smith, Jimmy R.; Lovelace, Mark; Duffy, Jill; Neely, Bonnie; Chaitin, Wendy  
**Subject:** SHCP Boards Closure of SHCP & Tooby Parks 2009, here we go again?

Michael,

I want to know from you if what Carol Van Sant said in the Paper yesterday (Redwood Times) is accurate, I mean to ask is this a true statement by the Park Board, that this is the only way for the SHCP to remain open to the public for low impact activities, as stated in their "temporary compliance agreement"? (I have underlined the part I am asking about below in Carol Van Sant's article).

Tooby Memorial Park does have a very long (1967) past of being a Community Park with established historical uses, rules, regulations, oversight, compliance, recreation and low impact community activities. Why is it being used by the Park Board as like-kind-same as the SHCP? The night & day difference is; Tooby Memorial Park was never used for non-commercial or commercial uses i.e. amplified events, fundraisers, concerts or festivals, until now; being operated by the SHCP Board.

Is this normal for a GPA applicant to state opinions' in a newspaper campaign as facts to the public during a DEIR public comment period?

Has the County stated something; that if the Park Board doesn't get this GPA/EIR (as requested and written by the Park Board) there is no way they can continue low impact activities and not use Tooby Memorial Park for non-amplified events, fundraisers and public recreation i.e. Family Picnics, Birthdays Parties, Weddings, Memorials, Easter Egg Hunt, Walk in the Park, BBQ's, Meetings and Education for under 200 people?

I know you have NO control over what the Park Board does or doesn't state in public, but are they omitting keys facts about the project to the public with no oversight by the County Planning Department?

Is this the job as a 501c3, to publicly lobby for something that only benefits private property land owners, not the community?

Maybe they would best be served allowing the public access to the studies and reports incorporated and referenced in their NOP IS/Checklist submitted for public and agency comment. Carol Van Sant's letter makes it very clear to be, they will close the Park once again if the Park Board doesn't get what they want! This is why I and many others want a second DEIR scoping session after this first round of public comments.

This deal was on the table from Steve Werner, just before the Park Board closed both Parks the first time, back in 2009. What party was not agreeable to this middle course? I thought this was a great idea to examine, but never got the chance:

Please place this email in the SHCP GPA/DEIR file,

Thank you  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Werner, Steve](#)  
**To:** [Jackson, Lucinda](#) ; [Girard, Kirk](#)  
**Cc:** [Hofweber, Tom](#) ; [Lazar, Steve](#)  
**Sent:** Thursday, February 26, 2009 11:52 AM  
**Subject:** RE: SHCP - Complaint by Public

Lucinda:

The closure was made by the SHCP Board of Directors and announced at the public meeting on Tuesday. According to reports, the decision was made to limit the Board's exposure to potential liability claims based on the fact that recreational activities were not sanctioned by the County without the securing of appropriate permits.

I would expect that this decision by the park Directors will raise the level of public comment with a two-fold purpose: 1) to get the County to accept the Public Recreation land use and zoning change as part of the GPU; and 2) to seek a reconsideration of the Department's position relative to low-scale on-commercial recreation pursuits at the SHCP property.

In discussing this matter with Tom Hofweber before Tuesday's public meeting, I mentioned the possibility of the Park obtaining a rezoning to add an "-R" Combining Zone to the existing AE zoned property. Under this zoning, a CUP could be applied for for non-commercial as well as commercial recreational uses, but the AE uses would remain as the only principally permitted use. Possibly a middle course if it were agreeable to all parties.

Steve W

## **Community Park's Land-Use Designation Must Change If Park to Remain Open to Public**

by Carol Van Sant

(Editor's Note: The following is the first of a series in which the Community Park plans to submit information to explain facts of the Park's GPA application. Next week's topic will be the request to rezone 96 acres. To obtain a digital copy of the application, narrative and maps, e-mail to [kathryn@sohumpark.org](mailto:kathryn@sohumpark.org))

**A change in the zoning and land use designation is necessary for the Southern Humboldt Community Park to continue as a park. Without zoning and land use changes these lands cannot continue to be open to the public for any uses other than farming, ranching and timber production. Since Tooby Park is part of the same parcel of Community Park property, a zoning and land use change is necessary for this acreage too.**

Four hundred acres of Southern Humboldt Community Park land is with a Land Use Designation of Agricultural Exclusive (AE) with a Land Use Designation of Agricultural Residential 5-20 and Agricultural Lands 20. An additional 33 acres of park ownership, the location of Randall Sand and Gravel, is zoned Heavy Industrial.

Agricultural Exclusive (AE) zoning means that the land can only be used for those activities that are directly related to agriculture such as farming, ranching and timber production.

Currently the park has a temporary compliance agreement with the Humboldt County Community Development Services. The agreement allows daily public access for low-impact activities - such as walking, biking, equestrian riding and, with special permission, an occasional organized activity - until the rezoning and change of land designation process is complete.

The current land use designation for all Community Park property, except for the gravel operation, allows for the land to be divided into a minimum of five-acre agricultural parcels on some of the acreage and 20-acre parcels on other parts. The term often used for this type of development is ranchettes. The Park is asking for an amendment to the current General Plan that would change the land use designation of Agricultural Residential

5-20 and Agricultural Lands 20 to "Public Recreation." No longer would ranchette development be on the table. The land would remain intact and be protected from future subdivisions.

A Public Recreation land use designation overlay on the AE-zoned lands would allow low-impact activities such as walking, biking, and equestrian riding on the land reserved for agriculture.

The County Planning staff recommended Public Recreation as the best fit for the proposed public uses of the Community Park land. The PR land designation is a good choice because watershed management and the protection of valuable resource lands and wildlife habitat is a strong element in this land use classification.

Michael Richardson, Humboldt County Senior Planner, is now taking comments on the Park's application. Evidence based comments that refer to positive or negative environmental impacts of the land use designation change are most helpful. He can be reached at 707-268-3723 or [mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us).

**Richardson, Michael**

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Thursday, September 23, 2010 9:05 PM  
**To:** Richardson, Michael  
**Subject:** Request for second scoping meeting

Dear Michael,

I would like to add my name to those requesting a second scoping meeting in Garberville when the SHCP GPA DEIR is ready. Please add this to the SHCP GPA file.

Thank you,

Kristin Vogel

POB 453

Garberville, CA 95542

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Thursday, September 23, 2010 4:39 PM  
**To:** Neely, Bonnie; Clendenen, Cliff; Duffy, Jill; Smith, Jimmy R.; Lovelace, Mark  
**Cc:** Richardson, Michael; Girard, Kirk  
**Subject:** Fw: Southern Humboldt Community Park's Trail's and the H.A.F. Grant

Afternoon Cliff,

I am re-sending this email as you requested this afternoon in our little talk down here. Also I would like to let you know that the CEQA process has not started yet. What Michael Richardson has sent out is not a CEQA Document, it's more like Fishing Expedition or plea for help.

The CEQA process will officially start when the county planners Draft the EIR (DEIR) and send this to the Responsible Agencies! So including the Active APN numbers and removing the old in-active ones now listed on Michael Richardson's poorly crafted document won't be slowing down the CEQA Process because this process hasn't even started yet.

And when Michael drafts the EIR the Studies listed in the CEQA Checklist need to be added just for starters. You see, we really have nothing to comment on with the current document, this like the SHCP Board's usual broad brush approach, with very little substance.

A CEQA, EIR in concerned with the proposed development's Impacts on the Environment. The Civic, Economic, or Political aspects are not to be considered in the CEQA, EIR, it's about the Environment. Allowing the SHCP to write this CEQA Document on the cheap with a little help from their friends might expose the Humboldt County Taxpayers to added expenses. Thank you for your time in this important matter. Donald Courtemanche Sprowel Creek Road Garberville

----- Original Message -----

**From:** [donaldcourtemanche](#)  
**To:** [bonnie](#) ; [cliff](#) ; [jd](#) ; [jimmy](#) ; [mark](#)  
**Sent:** Friday, September 10, 2010 10:17  
**Subject:** Fw: Southern Humboldt Community Park's Trail's and the H.A.F. Grant

Dear Supervisors,

At last night's SHCP GPA DEIR Scoping meeting in Garberville I stated that "I don't trust the SHCP Board", I have more examples like this with documents to back them up if you are interested.

Also I and others are interested in gathering information about starting a Recreation District funded by a dedicated bed tax, that would encompass Tooby Memorial Park and the Tooby Flat presently the SHCP holdings. Could the BOS or it's staff explain the process on how we would go about achieving this goal through our county's government.

Thank you Donald Courtemanche Sprowel Cr. Rd. Garberville

----- Original Message -----

**From:** [donauldcourtemanche](mailto:donauldcourtemanche)

**To:** [peterp@hafoundation.org](mailto:peterp@hafoundation.org) ; [Alexr@hafoundation.org](mailto:Alexr@hafoundation.org)

**Sent:** Wednesday, September 01, 2010 12:21

**Subject:** Southern Humboldt Community Park's Trail's and the H.A.F. Grant

Hello Peter,

I am including a my letter to the editor last week, the part that should be of interest to HAF is about the trail paid for in part by a grant (\$10,000) from HAF to SHCP. The SHCP Board approved the transfer of the shaded and nicest part of this trail to SHCP Board Member Steve Dazey in a 10 acre swap in which the trail goes to Steve Dazey and the Park (maybe some day the donors) gets the gravel bar. FYI Kathryn Loboto sits on your Board and the SHCP Board too. Looking forward to your response. Thank you

Donald Courtemanche Sprowel Creek Road Garberville

## This is why we need a recreation district now

Redwood Times

Posted: 08/25/2010 11:51:19 AM PDT

To the Editor:

The Southern Humboldt Community Park Board's new General Plan Amendment CEQA document is asking the county and the state to approve a massive, private commercial development.

The zones they are requesting, PF (Public Facility) and PR (Public Recreation), are for land owned by the public. The SHCP is not public and our county considers the SHCP board a private landowner. The structure of the board allows them to change their bylaws, appoint new board members at will and trade park property without community oversight or involvement in these processes.

Last March the park board found a way to trade part of the meadow (that includes the trail that was paid for in part by a grant from the Humboldt Area Foundation) to Steve Dazey for a strip of gravel bar. Now the prettiest part of the trail is on Dazey's land.

The SHCP has never had a management or business plan. This lack of planning has allowed our entire community donations (approximately \$700,000) to be consumed by the interest on loans, according to Tim Metz.

A CEQA document is supposed to include the current studies that support the zoning and land use changes proposed by the park board and planning but none of the studies listed in the CEQA document are available for review by the public. Yet in the planned scoping sessions (September 9, 2010 at the park) we will be required to make informed comment without all the pertinent information.

The SHCP and the planning department's intention to whip this through in-house and really fast leaves out the most important element, preservation of this land as a park. We can find the way to coexist with the wildlife in this ecosystem, instead of an environmentally degrading concert venue with parking all over the place and a housing development.

The sound studies alone could cost around \$20,000. There will have to be wildlife habitat and environmental impact studies, lighting impact studies. Remember, these lights and generators will be on until all traffic has left until about 1 or 2 in the morning, which disrupt nocturnal wildlife. They will also have to address cumulative impacts because they are requesting unlimited events of under 500 people, five large events that will go to 1,200 people, and one large event starting at 5,000 people, including camping for 1,000, and they also want the option to increase attendance at will.

The SHCP also proposes to turn Tooby Memorial park, a legacy gift from the Tooby family to our community in 1967, into an amplified commercial event venue and a parking lot for their large events.

The park board's plan is to convert 96 acres, half of the flat usable farmland, into a commercial concert site with parking on 20 acres of the historic orchard. This process will lead our park deeper and deeper into debt, and guess who will be handed the final bill?

The current park board is unwilling or unable to protect the community's park, the wildlife, the South Fork Eel River, and the peace and quiet we all deserve and respect.

This is why I think we need a recreation district now; funded by a dedicated bed tax for our park district with an elected board, open board meetings, and strict financial transparency, and independent yearly audits and the ability for all community members to craft a well thought out and environmentally sound park plan. The park board has had ten years and this environmentally destructive commercial development is a lousy and insensitive capture of our commons (the park). It will not protect riparian corridors, preserve wildlife habitat, nor protect our beautiful park from the jaws of greedy developers.

Stay informed and get involved. You can read the whole document at the library.

Donald (Frenchy) Courtemanche

Garberville

**Richardson, Michael**

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**From:** Jay Sooter <jay.sooter@gmail.com>  
**Sent:** Thursday, September 23, 2010 4:14 PM  
**To:** Richardson, Michael  
**Subject:** Fwd: Proposed Zone Change SHCP...Resend single copy

*Sorry for the multiple copies sent earlier. This letter is in the mail as well. Jay Sooter, 444-8001*

**9-23-2010**

**Attention: Michael Richardson, Senior Planner**

**Subject: Environmental Factors Potentially Affected by changes in Southern Humboldt Community Park if rezoned as the board proposes.**

**Michael,**

**I write primarily as a neighbor of the park. I've lived at 272 Sprowel Creek Road since 12/30/1979. I have been co-leader of the once a month Redwood Region Audubon Society bird walk in the park for about 5 years. I've been a resident of Southern Humboldt since 1965 when I taught at the high school.**

**I'm give my input on most of the 13 factors you want addressed starting with Aesthetics.**

**Aesthetics. I am completely opposed to the commercial development of this property with apartments and proposed recreational buildings, playing fields with lights and the attendant roads, noise and general degradation of this wonderful natural resource which so many of us enjoy. Additionally I do not trust the judgment of the board in any of these matters. This is a proposed project of the local counter-culture and this "group's" record for building functional, beautiful buildings is dismal. The Mattel Center is a good**

**2**

**example of a poorly planned, ugly structure build by some of the same folks who want to develop the park.**

**Widening the county road for parking and grading the riverbed for parking will be not to my aesthetic standards as well! Presumably (according to the park board) there will be a riparian trail adjacent to the road. Widening the road will leave little of the riparian habitat in several beautiful areas.**

**Biological Resources. The park is the home to many animals and plants and habitats that the proposed development would affect in a negative way. A better plan would be to restore the land which has been overgrazed. Native plants could replace the many non-native plants which have been introduced. A prime example is the big field which supports a population of Grasshopper Sparrows(a bird designated as “ a bird of concern” in the State of California and many other states). The Harding grass in the field is non-native and because of the height which it grows the Grasshopper Sparrows will abandon the site. This colony, I’m told, is the largest (up to 60) in N. California. The field also has a marsh (used by Mallards for nesting) which, like the rest of the field, has been drained. I see no mention of this marsh or the other marsh (near the barn) which supports a population of Wilson’s Snipe. The large meadow is also used by W. Meadowlark (breeding) and by White Tailed Kite (breed uphill from the meadow) and Bald**

**3**

**Eagle for hunting. We believe the B. Eagle has returned to this area and is now breeding. Breeding Bald Eagles have never been recorded in S. Humboldt since I moved there in 1965.**

**Widening the road for parking will reduce habitat for the Yellow Warbler and Yellow Breasted Chat which breed in that area. Grading the riverbed (proposed for the non park side of the river bridge) will negatively affect the Green Herons that nest adjacent to this site. The pollution from the cars and the muddy run off from this area are not acceptable.**

**Amplified sound and lights and BIG crowds and camping at events will all have a negative effect on the animals and humans in the area.**

**(The appeal of events, especially big ones, as a good revenue source has diminished. The Harley Run and Reggae Rising are prime examples of events that don't pay.)**

**We have a small population and have many existing resources for events. Benbow Park has parking, restrooms, excellent freeway access. The Mattel and Beginnings buildings can accommodate our population's needs. The same holds true for playing fields. The South Fork High School campus is under utilized and the gym is being refurbished. It's a small school and cannot field a football team. There's lots of room for soccer...I've been to many soccer games there. Parking, lights, restroom, food stand all exist.**

**4**

**Mineral Resources. Gravel is the only such resource I know of on the property. I believe the gravel company's river mining operation is regulated and legal and is meeting a community need. I'm not crazy about the destruction of the hillside upriver from the river bridge and the noise produced by this new venture.**

**Agricultural Resources. The non irrigated land that is , for the most part, currently being used for vegetable production which is clearly a benefit to the community. The planting of wheat on this land and the proposed planting of wheat in the big field is a terrible idea and is totally misguided!**

**Hydrology/Water Quality. I'm aware of 2 wells in the river that appear to be intended for irrigation. There are large pipes plumbed up to the big meadow. I'm opposed to these wells and doubt that they were constructed with proper permits although they may be permitted now. The Eel is already a dying river and shouldn't have more water extracted. The water quality of the river will be negatively affected by field parking, new roads and river parking because of increased sedimentation. Cars will pollute and compact the ground. The proposed buildings (one in consideration would be 3 times the size of the Mattel), playing fields and events will require a septic or waste disposal system of a grand scale. I don't believe the resources are available to build such a system that won't pollute the ground water. The**

**Garberville Sanitary District (of which I was once a board member) is spending millions to accommodate state law**

**5**

**regarding the water it discharges into the Eel. In passing, I might add that Doug Wallace (at the time a SHCP board member) told me the board was considering a deal in which the park would take the Garberville Sanitary District's final discharge water for use in the park. He wasn't sure what they would do with all of that water! I shudder to think about the impact on the land such a huge infusion of "free" (and questionably pure) water would have. Maybe lawns and a bigger bamboo farm will need the water!**

**There is much soil erosion on the land. Tim Metz started a project to stop erosion in one large run off area. The water is still muddy when it rains. The horses that are presently overgrazing some of the former pasture will cause more muddy run off. I sent Tim pictures of the heavy sediment running off the park land last winter. Hopefully the park board will try to control erosion and run off which will clearly raise the water table. The big fields were ditched by Tooby to increase run off.**

**Noise**

**Traffic noise and the use of generators for big events will degrade my life and that of the other park neighbors. The animals who live in the park will assuredly be disturbed negatively from additions day and night noise. Big events sometimes close down after midnight.**

**Recreation. It's a perfect place for walking, horse back riding, cycling and other low impact forms of recreation like wedding**

**6**

**and memorial gathering.**

**Land Use. If the county grants this new zoning it will set a precedent for other owners of agricultural land to demand the same zoning. That would be a nightmare for the county as you must be surely aware.**

**Population/Housing. I'm opposed to housing on the site.**

**Housing will bring more people, cars and pets (24/7 at that) to land that needs preservation and restoration. New housing in Garberville will be possible with the new sewage treatment plant since new hook ups will be allowed. I'm told a private party (partner of Bob McKee) has been granted 3 hook-ups adjacent to the park for residential housing due to a rather suspicious land swap.**

**Transportation/Traffic. The road down to the park is dangerous and totally unsuitable for heavy traffic . It'll be additionally hazardous when events serve alcohol. Furthermore, the route is a bottleneck and no amount of good planning for traffic control for events will made it safe and not noisome to the neighbors and community. Kimtu Circle (where, as a general contractor, I once built a lovely home) will be inundated with unwanted cars and maybe even campers. Sprowel Creek Road towards the airport will be a complete traffic jam if cars are "diverted" there. Parking in Garberville is already scarce.**

**Jay Sooter**

**7**

**Resident of 272 Sprowel Creek Rd., former Garberville Rotary member, Past President (2005-6) Rotary Club of Southwest Eureka, board member of the Redwood Region Audubon Society. what they would do with all of that water! I shutter to think about the impact on the land such a huge infusion of "free" (and questionably pure)water would have. Maybe lawns and a bigger bamboo farm will need the water!**

There is much soil erosion on the land. Tim Metz started a project to stop erosion in one large run off area. The water is still muddy when it rains. The horses that are presently overgrazing some of the former pasture will cause more muddy run off. I sent Tim pictures of the heavy sediment running off the park land last winter. Hopefully the park board will try to control erosion and run off which will clearly raise the water table. The big fields were ditched by Tooby to increase run off.

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Traffic noise and the use of generators for big events will

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Resident of 272 Sprowel Creek Rd., former Garberville Rotary member, Past President (2005-6) Rotary Club of Southwest

Eureka, board member of the Redwood Region Audubon Society.

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Thursday, September 23, 2010 2:48 PM  
**To:** Clendenen, Clif  
**Cc:** Neely, Bonnie; Duffy, Jill; Smith, Jimmy R.; Lovelace, Mark; Richardson, Michael; Girard, Kirk  
**Subject:** Lack of Correct Information Disturbing

Dear Board of Supervisors and County Planning Staff:

I am very concerned about the lack of current information in the maps submitted by the SHCP Board for their General Plan Amendment Project proposal. None of the submitted maps have the current, active APN's. I believe that this does not fit in with a valid project application. Despite requests by members of the Garberville community last November 10th of '09, that correct APN's be included in any upcoming SHCP project proposal, this vital information is not included in their July 2010 project application, nor is it on the County's GIS website.

Maybe there are situations where the County can take this kind of approach, but, at the very least, I find it ill-advised that this approach be taken with a project as controversial as this one. I ask that the NOP be corrected to reflect the current, valid APN numbers for the Southern Humboldt Community Park.

Please place this request in the SHCP GPA file.

Kristin Vogel

POB 453

Garberville, CA 95542

707 923 9284

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, September 23, 2010 2:46 PM  
**To:** Richardson, Michael  
**Cc:** Eric Kirk; Peter Ryce; Kathryn Lobato; Carol Van Sant; Dennis Huber; Tim Metz  
**Subject:** Re: SHCP GPA questions

Thanks Michael,

I'll wait and see what the Park Board should come up with and I'll let you know about the copy of the SHCP Cultural Resources Management Plan.

Please copy this email(s) into the SHCP GPA-10-02 file.

Thanks again,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Thursday, September 23, 2010 2:38 PM  
**Subject:** RE: SHCP GPA questions

Ed,

The report I referenced below is the only one we have on file to my knowledge.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Thursday, September 23, 2010 2:33 PM  
**To:** Richardson, Michael  
**Cc:** Eric Kirk; Peter Ryce; Tim Metz; Dennis Huber; Carol Van Sant; Kathryn Lobato  
**Subject:** Fw: SHCP GPA questions

Thank you,

But that is not the Thomas C. Brundage R-2 Report referenced in the SHCP IS/Checklist "G", it was the "Geological Report- Prepared by Thomas C. Brundage, August 15, 2005" and "Septic Report- Prepared by Thomas C. Brundage on July 27, 2005" that was referenced in section VI. GEOLOGY AND SOILS.

The Aug 11, 2005 Thomas C. Brundage R-2 Report was generated for Stephen Dazey, Parcel "A" of APN 222-241-008 from the SHCP LLA-04-02M, as noted on page 2 of the Aug 11, 2005 Thomas C. Brundage R-2 Report.

I have a copy of the Aug 11, 2005 Thomas C. Brundage R-2 Report, I am looking for the one's referenced above.

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Thursday, September 23, 2010 1:54 PM

**Subject:** RE: SHCP GPA questions

We have the August 11 2005 report. It is shorter than I remembered, so it may not take us \$25 in time and materials to copy it for you.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Thursday, September 23, 2010 1:41 PM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA questions

Thank you Michael,

What file and which one of the Thomas Brundage Geologic/Septic Reports do you have on file; APN 222-091-003, dated Aug 11, 2005 or APN 222-241-008, dated Aug 15, 2005 or Septic Report- Prepared by Thomas C. Brundage on July 27, 2005?

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#) ; [Eric Kirk](#)

**Cc:** [Peter Ryce](#) ; [Kathryn Lobato](#) ; [Tim Metz](#) ; [Dennis Huber](#) ; [Carol Van Sant](#)

**Sent:** Thursday, September 23, 2010 1:15 PM

**Subject:** RE: SHCP GPA questions

Ed,

The report by Thomas Brundage is on file in our office – if you would like a copy, I'll need you to provide a \$25 deposit for copying, postage and handling.

Attached is the Humboldt County General Plan and GRBA Community Plan.

We have a copy of the Cultural Resources Management Plan on file, but portions of it are confidential, and I'm not going to be able to those portions for you. If you'd like a copy of the non-confidential portions, I will need a deposit of \$20.

I don't believe we have any of the other studies on file.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Thursday, September 23, 2010 12:59 PM

**To:** Eric Kirk

**Cc:** Peter Ryce; Kathryn Lobato; Tim Metz; Dennis Huber; Carol Van Sant; Richardson, Michael

**Subject:** Fw: SHCP GPA questions

SHCP Board of Directors,

I am making my comments to Michael Richardson and I have not seen any of the below studies and reports that I have requested from the SHCP Board. These studies and reports were incorporated and referenced in the SHCP GPA IS/Checklist sections. These studies and reports are incorporated into the SHCP GPA IS/Checklist that the County is asking public comments. Without being able to read the studies and reports incorporated and referenced below, it would be very difficult to make a reasonable comments about the project and its effects to the environment.

These documents had been requested by email on Aug 14th and again in person during a SHCP Board meeting on Aug 25th 2010.

Please let me know when the public can have a copy of the below incorporated and referenced studies and reports, before the close of the public comment period (Oct 27th 2010).

FYI, I would like to make a suggestion; how the SHCP Board could conduct your public Board meeting for public comment. As seen at the Aug 25th 2010 meeting, you should have your public comment period after your agenda items (Advocate Reports) or allow for public comment after each agenda item (Advocate Reports), allowing the public to ask questions. This would eliminate the public asking questions during the discussion of that agenda item (Advocate Report) i.e. Dazey-Rotary Pavilion.

Thank you,  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Ed Voice](#)

**To:** [Eric V. Kirk](#)

**Sent:** Saturday, August 14, 2010 12:16 PM

**Subject:** Re: SHCP GPA questions

That sounds fair, but here are some documents I wanting to see and get a copy(s) of; the studies and reports that are incorporated and referenced through-out the SHCP GPA IS/Checklist sections. Maybe you could check and make sure those documents referenced are made available to the public at that meeting on Aug 25th?

Those studies and reports incorporated and referenced are as followed:

#### **IV. BIOLOGICAL RESOURCES**

(Humboldt County General Plan 1987)

(Biological Report prepared by Mad River Biologists, J. Brett Lovelace, Staff Biologist and Ron LeValley, Senior Biologist on November 25, 2002)

(Natural Resources Management Corporation - Golec 2000)

(Classification of Wetlands and Deepwater Habitats (Cowardin et al. 1979)

Grasshopper Sparrow account from: Shuford, W.D. and Gardali, T., editors.

2008. California Bird Species of Special Concern, a ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California,

Studies of Western Birds. Western Meadowlark (*Sturnella neglecta*) by Bob Allen California Dept. of Fish and Game and Humboldt State University

## **VI. GEOLOGY AND SOILS**

(Geological Report- Prepared by Thomas C. Brundage, August 15, 2005)  
(Septic Report- Prepared by Thomas C. Brundage on July 27, 2005)  
(Hydrogeological Report- Prepared by Winzler and Kelly Consulting Engineers, Kenneth Thielssen, April 13, 2001) .  
(Updated Soils Analysis, Prepared by Natural Resource Conservation Services, July 2005)  
(Draft Soils Analysis, Prepared by Natural Resource Conservation Services - unreleased data 11-2009)  
(Floodplain Study, Army Corp of Engineers, July 1969)

## **VII. HAZARDS AND HAZARDOUS MATERIALS**

(Hazardous Materials Report - Prepared by Winzler and Kelly Consulting Engineers in December 2000)

## **IX. LAND USE AND PLANNING**

(Humboldt County General Plan 1987, GRBA Community Plan)  
(Cultural Resources Management Plan-Southern Humboldt Community Park, prepared by Donald Verwayen, M.A. RPA and Erik Whiteman, M.A., RPA, Roscoe and Associates, Cultural Resource Consultants with contributions by Jerry Rohde, and Susie Van Kirk, August 2008.)

## **X. MINERAL RESOURCES**

(Geological Report, Prepared by Thomas C. Brundage, Date: August 15, 2005)

## **XI. NOISE**

(Humboldt County General Plan 1987, Framework, Land Use Noise Compatibility Standards, Figure 3-2)

## **XII. POPULATION AND HOUSING**

(Humboldt County General Plan 1987, GRBA Community Plan)  
(United States Census, California, Humboldt County, 2000)

## **XV. TRANSPORTATION/TRAFFIC**

(Traffic Analysis, Humboldt County Department of Public Works, Engineering Division, prepared by Jesse Middaugh, Aug.2008)  
(Traffic Analysis Prepared by Dazey and Son Enterprises, February 2004)

## **XVI. UTILITIES AND SERVICE SYSTEMS**

(Well Production Study, prepared by Laco and Associates, August 18, 2005)

Thanks Eric,

Ed

----- Original Message -----

**From:** [Eric V. Kirk](#)

**To:** [Ed Voice](#)

**Sent:** Friday, August 13, 2010 10:19 PM

**Subject:** Re: SHCP GPA questions

Ed,

While the GPA update will be on the agenda on the Board meeting on the 25th, we will not be devoting that much time to it. The Planning Division is planning a scoping meeting for early September. We have not yet confirmed the date. That is probably where you want to bring your questions.

We will have time for public input on the 25th, but we also have many other items on the agenda.

As for the work party, please feel free to bring something to share. It should be a fun event.

Eric

On Wed, Aug 11, 2010 at 11:11 AM, Ed Voice <[evoice@mchsi.com](mailto:evoice@mchsi.com)> wrote:  
Morning Carol and Park Board,

Would it be helpful if I send the Park Board questions I have about the GPA documents filed with the County before this meeting on Aug 25th?

And also, please let me know about my offer, too provide food and water for the Tooby Memorial Park work party that same day. Just tell me what food items you need and how many people you expect to feed.

Thank you,  
Ed Voice & Voice Family

**Richardson, Michael**

---

**From:** Jay Sooter <jay.sooter@gmail.com>  
**Sent:** Thursday, September 23, 2010 1:22 PM  
**To:** Richardson, Michael  
**Subject:** Proposed Zone Change SHCP

**9-23-2010**

**Attention: Michael Richardson, Senior Planner**

**Subject: Environmental Factors Potentially Affected by changes in Southern Humboldt Community Park if rezoned as the board proposes.**

**Michael,**

**I write primarily as a neighbor of the park. I've lived at 272 Sprowel Creek Road since 12/30/1979.**

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***Service is the Difference***

**I have been co-leader of the once a month Redwood Region Audubon Society bird walk in the park for about 5 years. I've been a resident of Southern Humboldt since 1965 when I taught at the high school.**

**I'm give my input on most of the 13 factors you want addressed starting with Aesthetics.**

**Aesthetics. I am completely opposed to the commercial development of this property with apartments and proposed recreational buildings, playing fields with lights and the attendant roads, noise and general degradation of this wonderful natural resource which so many of us enjoy. Additionally I do not trust the judgment of the board in any of these matters. This is a proposed**

**project of the local counter-culture and this “group’s” record for building functional, beautiful buildings is dismal. The Mattel Center is a good**

**2**

**example of a poorly planned, ugly structure build by some of the same folks who want to develop the park.**

**Widening the county road for parking and grading the riverbed for parking will be not to my aesthetic standards as well! Presumably (according to the park board) there will be a riparian trail adjacent to the road. Widening the road will leave little of the riparian habitat in several beautiful areas.**

**Biological Resources. The park is the home to many animals and plants and habitats that the proposed development would affect in a negative way. A better plan would be to restore the land which has been overgrazed. Native plants could replace the many non-native plants which have been introduced. A prime example is the big field which supports a population of Grasshopper Sparrows(a bird designated as “ a bird of concern” in the State of California and many other states). The Harding grass in the field is non-native and because of the height which it grows the Grasshopper Sparrows will abandon the site. This colony, I’m told, is the largest (up to 60) in N. California. The field also has a marsh (used by Mallards for nesting) which, like the rest of the field, has been drained. I see no mention of this marsh or the other marsh (near the barn) which supports a population of Wilson’s Snipe. The large meadow is also used by W. Meadowlark (breeding) and by White Tailed Kite (breed uphill from the meadow) and Bald**

**3**

**Eagle for hunting. We believe the B. Eagle has returned to this area and is now breeding. Breeding Bald Eagles have never been recorded in S. Humboldt since I moved there in 1965.**

**Widening the road for parking will reduce habitat for the Yellow Warbler and Yellow Breasted Chat which breed in that area. Grading the riverbed**

**(proposed for the non park side of the river bridge) will negatively affect the Green Herons that nest adjacent to this site. The pollution from the cars and the muddy run off from this area are not acceptable.**

**Amplified sound and lights and BIG crowds and camping at events will all have a negative effect on the animals and humans in the area.**

**(The appeal of events, especially big ones, as a good revenue source has diminished. The Harley Run and Reggae Rising are prime examples of events that don't pay.)**

**We have a small population and have many existing resources for events. Benbow Park has parking, restrooms, excellent freeway access. The Mattel and Beginnings buildings can accommodate our population's needs. The same holds true for playing fields. The South Fork High School campus is under utilized and the gym is being refurbished. It's a small school and cannot field a football team. There's lots of room for soccer...I've been to many soccer games there. Parking, lights, restroom, food stand all exist.**

**4**

**Mineral Resources. Gravel is the only such resource I know of on the property. I believe the gravel company's river mining operation is regulated and legal and is meeting a community need. I'm not crazy about the destruction of the hillside upriver from the river bridge and the noise produced by this new venture.**

**Agricultural Resources. The non irrigated land that is , for the most part, currently being used for vegetable production which is clearly a benefit to the community. The planting of wheat on this land and the proposed planting of wheat in the big field is a terrible idea and is totally misguided!**

**Hydrology/Water Quality. I'm aware of 2 wells in the river that appear to be intended for irrigation. There are large pipes plumbed up to the big meadow. I'm opposed to these wells and doubt that they were constructed with proper permits although they may be permitted now. The Eel is already a dying river**

and shouldn't have more water extracted. The water quality of the river will be negatively affected by field parking, new roads and river parking because of increased sedimentation. Cars will pollute and compact the ground. The proposed buildings (one in consideration would be 3 times the size of the Mattel), playing fields and events will require a septic or waste disposal system of a grand scale. I don't believe the resources are available to build such a system that won't pollute the ground water. The Garberville Sanitary District (of which I was once a board member) is spending millions to accommodate state law

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regarding the water it discharges into the Eel. In passing, I might add that Doug Wallace (at the time a SHCP board member) told me the board was considering a deal in which the park would take the Garberville Sanitary District's final discharge water for use in the park. He wasn't sure what they would do with all of that water! I shudder to think about the impact on the land such a huge infusion of "free" (and questionably pure) water would have. Maybe lawns and a bigger bamboo farm will need the water!

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Noise

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# *Pure Water Spas and Saunas*

*Service is the Difference*

I have been co-leader of the once a month Redwood Region Audubon Society bird walk in the park for about 5 years. I’ve been a resident of Southern Humboldt since 1965 when I taught at the high school.

I'm give my input on most of the 13 factors you want addressed starting with Aesthetics.

Aesthetics. I am completely opposed to the commercial development of this property with apartments and proposed recreational buildings, playing fields with lights and the attendant roads, noise and general degradation of this wonderful natural resource which so many of us enjoy. Additionally I do not trust the judgment of the board in any of these matters. This is a proposed project of the local counter-culture and this "group's" record for building functional, beautiful buildings is dismal. The Mattel Center is a good

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example of a poorly planned, ugly structure build by some of the same folks who want to develop the park.

Widening the county road for parking and grading the riverbed for parking will be not to my aesthetic standards as well! Presumably (according to the park board) there will be a riparian trail adjacent to the road. Widening the road will leave little of the riparian habitat in several beautiful areas.

Biological Resources. The park is the home to many animals and plants and habitats that the proposed development would affect in a negative way. A better plan would be to restore the land which has been overgrazed. Native plants could replace the many non-native plants which have been introduced. A prime example is the big field which supports a population of Grasshopper Sparrows(a bird designated as " a bird of concern" in the State of California and many other states). The Harding grass in the field is non-native and because of the height which it grows the Grasshopper Sparrows will abandon the site. This colony, I'm told, is the largest (up to 60) in N. California. The field also has a marsh (used by Mallards for nesting) which, like the rest of the field, has been drained. I see no mention of this marsh or the other marsh (near the barn) which supports a population of Wilson's Snipe. The large meadow is also used by W. Meadowlark (breeding) and by White Tailed Kite (breed uphill from the meadow) and Bald

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Eagle for hunting. We believe the B. Eagle has returned to this area and is now breeding. Breeding Bald Eagles have never been recorded in S. Humboldt since I moved there in 1965.

Widening the road for parking will reduce habitat for the Yellow Warbler and Yellow Breasted Chat which breed in that area. Grading the riverbed (proposed for the non park side of the river bridge) will negatively affect the Green Herons that nest adjacent to this site. The pollution from the cars and the muddy run off from this area are not acceptable.

Amplified sound and lights and BIG crowds and camping at events will all have a negative effect on the animals and humans in the area.

(The appeal of events, especially big ones, as a good revenue source has diminished. The Harley Run and Reggae Rising are prime examples of events that don't pay.)

We have a small population and have many existing resources for events. Benbow Park has parking, restrooms, excellent freeway access. The Mattel and Beginnings buildings can accommodate our population's needs. The same holds true for playing fields. The South Fork High School campus is under utilized and the gym is being refurbished. It's a small school and cannot field a football team. There's lots of room for soccer...I've been to many soccer games there. Parking, lights, restroom, food stand all exist.

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Mineral Resources. Gravel is the only such resource I know of on the property. I believe the gravel company's river mining operation is regulated and legal and is meeting a community need. I'm not crazy about the destruction of the hillside upriver from the river bridge and the noise produced by this new venture.

Agricultural Resources. The non irrigated land that is , for the most part, currently being used for vegetable production which is clearly a benefit to the community. The planting of wheat on this land and the proposed planting of wheat in the big field is a terrible idea and is totally misguided!

Hydrology/Water Quality. I'm aware of 2 wells in the river that appear to be intended for irrigation. There are large pipes plumbed up to the big meadow. I'm opposed to these wells and doubt that they were constructed with proper permits although they may be permitted now. The Eel is already a dying river and shouldn't have more water extracted. The water quality of the river will be negatively affected by field parking, new roads and river parking because of increased sedimentation. Cars will pollute and compact the ground. The proposed buildings (one in consideration would be 3 times the size of the Mattel), playing fields and events will require a septic or waste disposal system of a grand scale. I don't believe the resources are available to build such a system that won't pollute the ground water. The Garberville Sanitary District (of which I was once a board member) is spending millions to accommodate state law

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regarding the water it discharges into the Eel. In passing, I might add that Doug Wallace (at the time a SHCP board member) told me the board was considering a deal in which the park would take the Garberville Sanitary District's final discharge water for use in the park. He wasn't sure what they would do with all of that water! I shudder to think about the impact on the land such a huge infusion of "free" (and questionably pure) water would have. Maybe lawns and a bigger bamboo farm will need the water!

There is much soil erosion on the land. Tim Metz started a project to stop erosion in one large run off area. The water is still muddy when it rains. The horses that are presently overgrazing some of the former pasture will cause more muddy run off. I sent Tim pictures of the heavy sediment running off the park land last winter. Hopefully the park board will try to control erosion and run off which will clearly raise the water table. The big fields were ditched by Tooby to increase run off.

Noise

Traffic noise and the use of generators for big events will degrade my life and that of the other park neighbors. The animals who live in the park will assuredly be disturbed negatively from additions day and night noise. Big events sometimes close down after midnight.

Recreation. It's a perfect place for walking, horse back riding, cycling and other low impact forms of recreation like wedding  
6  
and memorial gathering.

Land Use. If the county grants this new zoning it will set a precedent for other owners of agricultural land to demand the same zoning. That would be a nightmare for the county as you must be surely aware.

Population/Housing. I'm opposed to housing on the site. Housing will bring more people, cars and pets (24/7 at that) to land that needs preservation and restoration. New housing in Garberville will be possible with the new sewage treatment plant since new hook ups will be allowed. I'm told a private party (partner of Bob McKee) has been granted 3 hook-ups adjacent to the park for residential housing due to a rather suspicious land swap.

Transportation/Traffic. The road down to the park is dangerous and totally unsuitable for heavy traffic . It'll be additionally hazardous when events serve alcohol. Furthermore, the route is a bottleneck and no amount of good planning for traffic control for events will made it safe and not noisome to the neighbors and community. Kimtu Circle (where, as a general contractor, I once built a lovely home) will be inundated with unwanted cars and maybe even campers. Sprowel Creek Road towards the airport will be a complete traffic jam if cars are "diverted" there. Parking in Garberville is already scarce.

Jay Sooter

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Resident of 272 Sprowel Creek Rd., former Garberville Rotary member, Past President (2005-6) Rotary Club of Southwest Eureka, board member of the Redwood Region Audubon Society.

## Richardson, Michael

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**From:** Siena Klein <sienaklein@gmail.com>  
**Sent:** Wednesday, September 22, 2010 6:30 PM  
**To:** Richardson, Michael  
**Subject:** SoHum Community Park

Please put me on the email list. I was unable to attend the scoping session. Thank you.  
Siena Klein

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, September 23, 2010 12:59 PM  
**To:** Eric Kirk  
**Cc:** Peter Ryce; Kathryn Lobato; Tim Metz; Dennis Huber; Carol Van Sant; Richardson, Michael  
**Subject:** Fw: SHCP GPA questions  
**Attachments:** SHCP 15150 Incorporation by Reference.doc

SHCP Board of Directors,

I am making my comments to Michael Richardson and I have not seen any of the below studies and reports that I have requested from the SHCP Board. These studies and reports were incorporated and referenced in the SHCP GPA IS/Checklist sections. These studies and reports are incorporated into the SHCP GPA IS/Checklist that the County is asking public comments. Without being able to read the studies and reports incorporated and referenced below, it would be very difficult to make a reasonable comments about the project and its effects to the environment.

These documents had been requested by email on Aug 14th and again in person during a SHCP Board meeting on Aug 25th 2010.

Please let me know when the public can have a copy of the below incorporated and referenced studies and reports, before the close of the public comment period (Oct 27th 2010).

FYI, I would like to make a suggestion; how the SHCP Board could conduct your public Board meeting for public comment. As seen at the Aug 25th 2010 meeting, you should have your public comment period after your agenda items (Advocate Reports) or allow for public comment after each agenda item (Advocate Reports), allowing the public to ask questions. This would eliminate the public asking questions during the discussion of that agenda item (Advocate Report) i.e. Dazey-Rotary Pavilion.

Thank you,  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Ed Voice](#)  
**To:** [Eric V. Kirk](#)  
**Sent:** Saturday, August 14, 2010 12:16 PM  
**Subject:** Re: SHCP GPA questions

That sounds fair, but here are some documents I wanting to see and get a copy(s) of; the studies and reports that are incorporated and referenced through-out the SHCP GPA IS/Checklist sections. Maybe you could check and make sure those documents referenced are made available to the public at that meeting on Aug 25th?

Those studies and reports incorporated and referenced are as followed:

**IV. BIOLOGICAL RESOURCES**  
(Humboldt County General Plan 1987)

(Biological Report prepared by Mad River Biologists, J. Brett Lovelace, Staff Biologist and Ron LeValley, Senior Biologist on November 25, 2002)  
(Natural Resources Management Corporation - Golec 2000)  
(Classification of Wetlands and Deepwater Habitats (Cowardin et al. 1979)  
Grasshopper Sparrow account from: Shuford, W.D. and Gardali, T., editors. 2008. California Bird Species of Special Concern, a ranked assessment of species, subspecies, and distinct populations of birds of immediate conservation concern in California,  
Studies of Western Birds. Western Meadowlark (*Sturnella neglecta*) by Bob Allen California Dept. of Fish and Game and Humboldt State University

## **VI. GEOLOGY AND SOILS**

(Geological Report- Prepared by Thomas C. Brundage, August 15, 2005)  
(Septic Report- Prepared by Thomas C. Brundage on July 27, 2005)  
(Hydrogeological Report- Prepared by Winzler and Kelly Consulting Engineers, Kenneth Thielssen, April 13, 2001) .  
(Updated Soils Analysis, Prepared by Natural Resource Conservation Services, July 2005)  
(Draft Soils Analysis, Prepared by Natural Resource Conservation Services - unreleased data 11-2009)  
(Floodplain Study, Army Corp of Engineers, July 1969)

## **VII. HAZARDS AND HAZARDOUS MATERIALS**

(Hazardous Materials Report - Prepared by Winzler and Kelly Consulting Engineers in December 2000)

## **IX. LAND USE AND PLANNING**

(Humboldt County General Plan 1987, GRBA Community Plan)  
(Cultural Resources Management Plan-Southern Humboldt Community Park, prepared by Donald Verwayen, M.A. RPA and Erik Whiteman, M.A., RPA, Roscoe and Associates, Cultural Resource Consultants with contributions by Jerry Rohde, and Susie Van Kirk, August 2008.)

## **X. MINERAL RESOURCES**

(Geological Report, Prepared by Thomas C. Brundage, Date: August 15, 2005)

## **XI. NOISE**

(Humboldt County General Plan 1987, Framework, Land Use Noise Compatibility Standards, Figure 3-2)

## **XII. POPULATION AND HOUSING**

(Humboldt County General Plan 1987, GRBA Community Plan)  
(United States Census, California, Humboldt County, 2000)

## **XV. TRANSPORTATION/TRAFFIC**

(Traffic Analysis, Humboldt County Department of Public Works, Engineering Division, prepared by Jesse Middaugh, Aug.2008)  
(Traffic Analysis Prepared by Dazey and Son Enterprises, February 2004)

## **XVI. UTILITIES AND SERVICE SYSTEMS**

(Well Production Study, prepared by Laco and Associates, August 18, 2005)

Thanks Eric,

Ed

----- Original Message -----

**From:** [Eric V. Kirk](#)

**To:** [Ed Voice](#)

**Sent:** Friday, August 13, 2010 10:19 PM

**Subject:** Re: SHCP GPA questions

Ed,

While the GPA update will be on the agenda on the Board meeting on the 25th, we will not be devoting that much time to it. The Planning Division is planning a scoping meeting for early September. We have not yet confirmed the date. That is probably where you want to bring your questions.

We will have time for public input on the 25th, but we also have many other items on the agenda.

As for the work party, please feel free to bring something to share. It should be a fun event.

Eric

On Wed, Aug 11, 2010 at 11:11 AM, Ed Voice <[evoice@mchsi.com](mailto:evoice@mchsi.com)> wrote:  
Morning Carol and Park Board,

Would it be helpful if I send the Park Board questions I have about the GPA documents filed with the County before this meeting on Aug 25th?

And also, please let me know about my offer, too provide food and water for the Tooby Memorial Park work party that same day. Just tell me what food items you need and how many people you expect to feed.

Thank you,  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** margaret Lewis <lewismargaret4@gmail.com>  
**Sent:** Wednesday, September 22, 2010 5:23 PM  
**To:** Richardson, Michael  
**Subject:** kimtu and sprowel cr. rd., garberville  
**Attachments:** DSC01474.JPG; DSC01475.JPG; DSC01477.JPG; DSC01478.JPG; DSC01479.JPG;  
DSC01481.JPG; DSC01482.JPG; DSC01483.JPG; DSC01484.JPG; DSC01485.JPG

You have been sent 10 pictures.

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DSC01484.JPG  
DSC01485.JPG

These pictures were sent with Picasa, from Google.  
Try it out here: <http://picasa.google.com/>

## Richardson, Michael

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**From:** Margaret Lewis <emell@wavecable.com>  
**Sent:** Wednesday, September 22, 2010 5:19 PM  
**To:** Richardson, Michael  
**Subject:** correction

Hi, Michael

I spoke with Kristen Vogel today, she had a copy of the letter I emailed to you. She corrected me on one point: Marty Messenger is not with Cal trans, he's with the county road department. My mistake.

Also, she said the pictures became blurry when she tried to zoom in on them. So, I'm sending the individual pictures just to be sure you have useful copies. Thanks, Margaret Lewis

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, September 22, 2010 1:16 PM  
**To:** Richardson, Michael; Nielsen, Christian  
**Cc:** Girard, Kirk; Chaitin, Wendy; Hill, Linda; Wilson, Mari; Clendenen, Clif; Duffy, Jill; Duffy, Jill; Neely, Bonnie; Smith, Jimmy R.; Lovelace, Mark; Lynne Saxton  
**Subject:** Southern Humboldt Community Park GPA-10-02/ZR-10-02/LLA-04-02M

Morning Michael & Christian,

After reading the email below, I wanted to throw in my two cents and add some facts to this discussion; some more facts about what happened between the Park Boards LLA-04-02M and their GPA-10-02.

Lets make this as simple as possible:

- 1) Since the SHCP LLA-04-02M was completed (March 18, 2009) and at a Park Board meeting (March 2010) Dazey had stated he had title, new APN and maps for his new property from the SHCP LLA-04-02M.
- 2) The application submitted by the Park Board for the GPA-10-02 was signed and dated May 2010 (Kathryn Lobato) and the same for the Park Board's IS/Checklist "G", it was signed in May 2010 (Lobato/Metz). In fact the first documents I received from Michael about the Park Board GPA were all dated in May 2010. Now all of these documents and applications had all the same old APN's from LLA-04-02M.
- 3) All of this information for GPA-10-02 & ZR-10-02 was provided by the Park Board (Lobato & Metz). They, the Park Board have known about the creation of new APN's from the County LLA-04-02M since March 2010. This came from a PRA request I made in June 2010 with the Humboldt County Assessors Office.
- 4) And there is this, from Eric Kirk's blog SoHum Parlance II (Eric Kirk is on the SHCP Board), here is a letter he wrote and posted on his blog [March 8, 2010 at 5:41 pm](#) :

*Susan Bradbury  
Humboldt County Tax Assessor's Office  
825 5th Street, Room #300  
Eureka, CA 95501*

*Re: Community Park APNs*

*Dear Ms. Bradbury:*

*I am a member of the Board of Directors of the Southern Humboldt Community Park. Our lot line adjustment having been completed nearly a year ago, we just received the APN's for the new parcels with your gracious help in clearing the final hurdles. We were a little perplexed to discover that the park owned property was assigned four APN's, and we are unclear as to the reason why. However, a community member who for some reason is extremely concerned about our APNs has publicly stated*

that he contacted your office and was told by a member of your staff that we had requested four APNs.

Please inform your fellow staff of the truth of the matter so that we can prevent the erroneous spreading of disinformation about our APNs which apparently impute to us a desire for the park to possess multiple APNs. This is apparently distressing this community member and maybe a few others. We wish for you and the community to know that we want only our fair share of APNs and no more.

Thank you for your attention to this matter.

Very truly yours,

Eric V. Kirk

Now it seems to me and I might be way off base here, but for some reason the Park Board continues to use inactive APN's numbers for the GPP and now currently for their GPA, and I do understand why the old APN's were used for the GPP, but given the fact the Park Board knew the new APN's between the GPP & GPA application. Of course my question to you guys; why is the Planning Department allowing the Park Board to include the same old inactive APN's for this GPA DEIR?

It really doesn't matter when the Planning Department was notified about the Park Boards new APN's from LLA-04-02M, its the fact the Park Board knew about the creation of new APN's when they filed all of their paperwork or applications for this GPA-10-02. It would also make since that the Planning Department would have checked the APN's submitted for this GPA NOP, both validated and established ownership or inactivity with the Tax Assessor before allowing the old APN's to be recorded and circulated into a formal CEQA EIR NOP County document.

It would seem (the only reason I can think of) for the Park Board to use the same old APN's from the SHCP LLA-04-02M, would be incorporating the same old reports & studies referenced from the LLA-04-02M (CEQA MND 2006) into this GPA-10-02/ZR-10-02 DEIR? Thus costing the Park Board less for obtaining new and more costly, current and relative studies and reports for this proposed GPA EIR. Again, just my take on this whole APN number game the Planning Department is allowing the Park Board to playing.

Please include this email into the record and file for SHCP GPA-10-02 and ZR-10-02.

Thanks again you guys for all you do for Humboldt County and this community,

Ed Voice & Voice Family

> ----- Original Message -----

> From: "Nielsen, Christian" <[CNielsen@co.humboldt.ca.us](mailto:CNielsen@co.humboldt.ca.us)>

> To: "donaldcourtemanche" <[donaldcourtemanche@wavecable.com](mailto:donaldcourtemanche@wavecable.com)>

> Cc: "Richardson, Michael" <[MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)>

> Sent: Tuesday, September 21, 2010 11:58

> Subject: RE: Current Assessor Parcel Maps

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> Donald:

>

> Here is what I have for you. The Lot Line Adjustment (LLA-04-02M) was

> approved on March 18, 2009 and the Assessors Parcel page was updated on  
> March 25, 2010. We received a copy of the new assessors parcel page on  
> June 29, 2010. The General Plan Amendment (GPA-10-02) and Zone  
> Reclassification (ZR-10-02) was applied for on July 25, 2010. The  
> applicant used the old parcel numbers on the application and the maps  
> submitted showed the old parcel shape. The referral packet went out on  
> September 5, 2010.

>  
> The file is using the old parcel numbers for the file, we believe,  
> because the petition was processed under the old parcel number due to  
> the new numbers not being available yet.

>  
> Using the old parcel numbers will not legally affect the outcome. We are  
> currently about 6 months behind on our computer mapping and the  
> technician who does this work will try to fix the maps in this area  
> first.

>  
> Christian Nielsen  
> Planning Technician II  
> Community Development Services  
> 3015 H Street, Eureka CA 95501-4484  
> (707) 268-3729 (direct line)  
> (707) 268-3792 (fax)

## Richardson, Michael

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**From:** Jerry Latsko <latsko.jerry@gmail.com>  
**Sent:** Monday, September 20, 2010 12:42 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park Rezone Proposal

I am Jerry Latsko and I have been a resident of Garberville at 215 Leino Lane for the last 27 years. I would like to address several potential environmental impacts that I know will result if the rezoning proposal submitted by Southern Humboldt Community Park is permitted. I know that you have requested as much documentation as possible but, not having scientific credentials that are generally accepted, I can only pledge to truthfully tell you what my eyes have seen and what my ears can hear. So please bear with me in that regard, and I am sure that there will be many others with scientific backgrounds who will support what I have to offer.

**MULTI FAMILY HOUSING:** This would be detrimental to traffic, water quality, sewage, biological resources, and aesthetics. Kimtu Road and Sprowl Creek Road are narrow and barely safe as is. The Garberville Sanitary District has sewage overload problems already. The river is so nearly dead now that dogs must be kept away at risk of certain death for at least a quarter of the year due to toxic algae growth. There is little "flow". In the 80s, dozens of great blue herons and egrets dotted the riverside and perched in the trees. Currently they are infrequently seen. People do not swim in the water or do so at risk of illness. 95 per cent of the trees are gone, perhaps forever, along with the shade that they provided. This real estate project would deteriorate and languish almost immediately. Wildlife that has flourished for decades would be adversely affected. Frogs and toads that were seen and heard regularly a few short years ago are already in severe decline.

**PUBLIC RECREATION:** The special events proposed would exacerbate already existing problems for the river and the surrounding land. Precious, valuable grasslands and nesting sites would be wantonly trampled. Owls, foxes, and all other wildlife that function at night would face severe reduction of space. Only if all motor vehicles and sound amplification devices were banned would these events be acceptable and, even then, a gathering of 500 people would not be "small". A gathering of 4-5,000 people would be preposterous. The CHP and Humboldt Sheriff would be derelict to their assigned duties to approve such a mess. And the anticipated revenue would never justify all of that and is, at the same time, not quantified by the proponents in any reasonable manner. Many of us would very much rather pay a reasonable yearly fee to use the park. From experience, I can tell you that, even if restrictions are mitigated on this proposal, it is extremely doubtful that they will be adhered to, and neighbors will be reduced to complaining after the fact.

**CAMPING:** This would be a disastrous permanent degradation to the lives of all humans and other creatures living in the area. Permitting this will lead to lighting, paving, and other ecological degradations. Who will police it? Currently, the private park board is not even able to enforce the leashing of dogs in the park and is unresponsive to complaints. Roadside litter is abundant already. Every property owner will suffer loss of value and the danger to public safety in an area already cumbersome to emergency vehicles will increase dramatically.

**PLAYING FIELDS:** This is a community that already has plenty of space for this. Despite the efforts of valiant volunteers to maintain existing fields, keeping them open and viable has been a struggle. Adding a new site will not improve that situation. This rezoning would be a permanent, huge mistake. 98 per cent of our forests, 99 per cent of our grasslands are already gone. We cannot continue to exchange them for money. Thank you.

## Richardson, Michael

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**From:** jkr49@asis.com  
**Sent:** Friday, September 17, 2010 9:43 PM  
**To:** Richardson, Michael  
**Subject:** So Hum Community Park

Hi Michael,

Some comments for the EIR:

It's important to remember that all environmental impacts are not necessarily negative. In some important ways, the Park's purchase and subsequent minimal development have already had positive mitigating effects on the immediate (trashed) environment, and on any possible future down-sides to the Board's plans.

For perhaps eighty years prior to the change of ownership, the predominant use of the entire parcel was for cattle grazing -- clearly a long-term questionable impact. The current populations of grasshopper sparrows and meadowlarks are the direct result of the Park's careful management since then. They would not be on site but for this change in use! And the current policy of not hay-mowing their nesting areas is testimony to the Board's pro-active sensitivity in ecological stewardship.

Another area that qualifies as a "pre-mitigation" is the extensive work already done (and continuing) in restoring the huge ravines that existed at the interface between slopes and meadows. This heavy erosion is the result of prior logging uphill, and continued over-grazing. It's obvious, viewed from the perimeter trail, that positive results have already been obtained in restoring the deeper washouts and streambeds. Again, this project was done by crews brought in by the Park long before anyone thought it might be required as EIR mitigation.

I already spoke at the scoping meeting about the parcel's use as literal "Ag land": productive truck gardening and Farmers' Marketing have expanded every year for the last seven, and amount to far more true agricultural use of this land than was ever managed before the Park's ownership. (My own personal positive effect has been my membership in the Farm's Community Supported Agriculture (CSA), which afforded me wonderful boxes of fresh organic produce the last two seasons.)

Please make sure the EIR reflects this notion: that the Park's vision and policies have already GREATLY improved the physical environment of this neglected and stressed parcel, even before taking into account the many benefits to our local social and cultural environment that will proceed from the Board's long-term planning.

I was an original large donor to the purchase, and it was made manifestly clear to all of us from the get-go that the founders'

intent was the creation of a multiple-use community gathering space, and not primarily a nature reserve. That it is becoming enhanced in both these realms is fruit of careful tending in this first decade of the "100-year vision".

Thanks for your work on this!

--Jared Rossman

Box 786 Redway 95560

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, September 16, 2010 2:24 PM  
**To:** Wilson, Mari  
**Cc:** Richardson, Michael  
**Subject:** Re: Current Assessor Parcel Maps

Mari, Thank you for clearing that up.

So just to confirm, from the SHCP LLA:

What was APN 222-091-003 (Past owner Dazey, currently in-active) are the following active APN's;  
222-091-009 active, property owner Dazey  
222-091-014 active, property owner SHCP

And; 222-091-006 (Past owner SHCP, currently in-active) are the following active APN's;  
222-091-011 active, property owner River Ranch Homes LLC/Service Sanford Goldeen  
222-091--14 active, property owner SHCP

And; 222-241-008 (Past owner SHCP, currently in-active) are the following active APN's;  
222-241-009 active, property owner SHCP  
222-241-010 active, property owner Dazey  
222-241-011 active, property owner SHCP

So since the LLA, which involved 3 APN's, 7 new active APN's were created. Can we get a date these new APN's were created?

Thank you very much again and your service to Humboldt County,

Ed Voice & Voice Family

----- Original Message -----

From: "Mari Wilson" <MWilson@co.humboldt.ca.us>  
To: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
Cc: evoice@mchsi.com  
Sent: Thursday, September 16, 2010 11:08:31 AM GMT -08:00 US/Canada Pacific  
Subject: Current Assessor Parcel Maps

Michael,

Per Mr. Voice's request I am sending you the current Assessor Parcel Maps for 222-09 and 222-24. Please let me know if you have any questions or if you would like any additional information.

Mari A. Wilson

Assistant Assessor

County of Humboldt

(707) 476-2336

[mwilson@co.humboldt.ca.us](mailto:mwilson@co.humboldt.ca.us)

## Richardson, Michael

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**From:** Ann Constantino <aconstantino@humboldt.k12.ca.us>  
**Sent:** Friday, September 17, 2010 1:52 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park, neighbor of park response

PO Box 337

215 Leino Lane,

Sprowel Creek Road

Garberville, CA 95542

707-923-7227

[hounddog@asis.com](mailto:hounddog@asis.com)

[aconstantino@humboldt.k12.ca.us](mailto:aconstantino@humboldt.k12.ca.us)

Michael Richardson, County Planning Commission

3015 H Street, Eureka, CA 95501

[mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)

September 17, 2010

Dear Mr. Richardson:

As a near neighbor of the Southern Humboldt Community Park there are a few issues that alarm me about the proposed rezoning which would allow amplified events and other developments in the park.

**Safety:** The road to the park is narrow and windy. Inebriated people driving home from amplified events are going to have bad accidents. Security of my property and other properties adjacent to the park will be compromised as concert goers cross private property on foot or in vehicles to get to and from events.

**Property value:** My property value could potentially be damaged by the security and safety issues. Other locations in this area where big concerts are held have had problems with concert-goers being disrespectful of private property.

**Wildlife:** As an almost daily user of the park for seven years I have found it to be a treasure of local wildlife. Every year I see young families of turkey, quail, countless other birds, as well as deer, raccoon, and squirrels. Their reproductive cycles will be impaired if not destroyed by the constant presence of noise and traffic during the breeding season.

**Type of recreation:** Southern Humboldt has numerous developed locales for amplified concerts and arts fairs. It has no public access areas for family recreation that serve the working class people of Southern Humboldt. For people who live

and work in town the park is an oasis of peace and quiet. Many studies show that it is disconnection from this kind of closeness to nature that contributes to stress-related ailments. There is a mental and physical health need for public access to nature. The state parks do not serve this function as well due to seasonal restrictions, closures, high entrance fees, and distance from town.

**Cost of maintenance:** I completely reject the idea that the developments allowing for amplified events will raise money. The maintenance and upkeep of concert areas is extremely expensive and will require a lot of manpower to achieve. Until there are concrete numbers proving money will be raised from these events beyond the cost of maintenance the park board is being very irresponsible in its claims that money will be raised in this way. There are numerous local examples of big events failing to net income, and in fact causing debt.

Let's keep this precious resource for outdoor education, family recreation, and interaction with nature as clean and untouched as possible. It is time to make some unselfish choices when human desires for certain kinds of recreation will negatively impact nature. I suspect many park board members and other supporters of the development would label themselves environmentalists. Yet a true environmentalist in this day and age must be willing to make sacrifices in order to make up for the countless sacrifices and degradation forced upon nature by human encroachment.

Thank you for your time.

Ann Constantino

## Richardson, Michael

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**From:** gayna uransky <woodsdy@humboldt.net>  
**Sent:** Thursday, September 16, 2010 8:38 AM  
**To:** Richardson, Michael  
**Subject:** Community park

Hello,

I live in Kimtu, so the park's activities will have a direct impact on our neighborhood. I was teaching a class when the previous meeting happened, so was unable to express my views at that time. I was delighted to see that there was a person to contact: you.

If the park plays host to a 500-5000 person event, as was suggested in the paper, the traffic will necessarily need to be routed somewhere.

Camp Kimtu Road would certainly seem to be the best place to route that traffic...on first thought.

HOWEVER there are a number of places where the road is truly only ONE LANE wide. This fact alone would obviate use of Camp Kimtu Road. In addition to this huge drawback, the necessity of getting emergency vehicles into the small neighborhood, in case of fire or medical emergency, would also point to a reason to consider other options for traffic.

Sprowel Creek Road, a much wider road, would present a potentially better option. Using that road would not block access to our homes or access to emergency vehicles if there were that need.

Please feel free to contact me if you would like to discuss this further. 707-923-9363.

Thank you for your consideration, gayna Uransky

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Wednesday, September 15, 2010 4:08 PM  
**To:** Richardson, Michael  
**Subject:** Fw: Lt. Jager (CHP) Response to Saftey at SHCP and the DEIR  
**Attachments:** From Lt. Adam Jager Garberville CHP.doc

Michael,

Thanks for your quick response. I have asked other questions in this email, I am hoping you could respond to these also? My reasons are. Am I required to respond to the safety issues too even after the CHP's comment in this DEIR? It's hard to figure what to respond to without the listed studies in the CEQA checklist. I noticed you said you sent the agencies an NOP does the include the SHCP complete GPA ,I.S.,CEQA, narrative and the maps (about 90 pages)? There so many un-answered or glossed over issues here in the I.S. checklist how could I make am informed on something that is hidden from me the SHCP has these studies, how long can this stonewalling go on?

Zoning; Michael are looking for the public to rewrite P.R. and P.F. to show our concerns and then CDS could zone around them. How can any of the agencies or the public make comments without the County Zones in place? Well I will be looking forward to your response. Don

----- Original Message -----

**From:** [donaldcourtemanche](#)  
**To:** [Mike Richardson](#)  
**Sent:** Wednesday, September 15, 2010 13:43  
**Subject:** Lt. Jager (CHP) Response to Saftey at SHCP and the DEIR

Michael,

This is the first response from a responsible agency that I have seen, do you have any other responses? The reason I am asking is the CHP's position on public safety changes everything. The serving of beer and wine at all events could pose a safety concern from the CHP's view point, and if this zoning goes forward there will be much added expense to all Humboldt County taxpayers.

Is it wise to even continue the zoning change at this time, the SHCP Board term limit comes due in March 2012 in affect this is a lame duck board. Let me know what your position on the question above. Thank you. Don

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Wednesday, September 15, 2010 1:44 PM  
**To:** Richardson, Michael  
**Subject:** Lt. Jager (CHP) Response to Saftey at SHCP and the DEIR  
**Attachments:** From Lt. Adam Jager Garberville CHP.doc

Michael,

This is the first response from a responsible agency that I have seen, do you have any other responses? The reason I am asking is the CHP's position on public safety changes everything. The serving of beer and wine at all events could pose a safety concern from the CHP's view point, and if this zoning goes forward there will be much added expense to all Humboldt County taxpayers.

Is it wise to even continue the zoning change at this time, the SHCP Board term limit comes due in March 2012 in affect this is a lame duck board. Let me know what your position on the question above. Thank you. Don

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Wednesday, September 15, 2010 11:32 AM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA EIR

Morning Michael,

Could you email me the list of state and county agencies that were sent the NOP?

Can you send me the comments that you have received so far from state & county agencies?

This is a bitch, this SHCP "IS" the public has to make comments on is so incomplete, the state and county agencies have to be asking the same questions I am? It just seems like a big waste of time to make comments on this current "IS". Why can't you kick it back to the SHCP Board and have them include more information, some kind of information, a lot more information?

Let me give you one of many examples:

NOISE; I know you want a pro sound study now, but they want amplified music events at their main venue site (96 acres) and at the Barn and then at Tooby Park. These are three completely different areas and location at the Park, just moving their main venue area stage will have nothing to do with the stage/speakers at the Barn and at Tooby Park. That doesn't include noise from parking on site, on the River Bar or along Kimtu Road. Then you have the vender's at the event that do make noise. Will pyro effects be used on stage during events, 4th of July Fireworks? This list goes on and on Michael. These are not out of line question, given the fact they already had pole dancer/ass shaking/thong wearing performers at one event that was illegal and unpermitted, the video(s)are on youtube!

How can the public make comments about effects to the environment when we have no idea what those projects or events include, unless the SHCP Board include the facts and disclose all there activities at their events.

I mean how can we submit public or agency comments to the PR and PF zoning and land use designations when they are not even down on paper or even been approved?

Is this the kind of information or comments you want, because that's all there is to comment on? The public needs some help here Michael. That's why you have been asked for a second Scoping meeting when the real DEIR has been submitted. That DEIR should have all the facts and information the public and agencies can make comments on, I mean is the Park Board so broke, they are going to use public comments to write their EIR for them. That is what it seems like. Maybe its time for the Park Board to hire an third party consultant.

Bottom line, you are asking the public and agencies to make public comments twice; one about the unknown and the second on a lot more information. I feel that is asking too much.

I also want to request a second scoping session when the DEIR is noticed to the public and it has a SCH number.

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** doug Ingold <dougingold171@gmail.com>  
**Sent:** Tuesday, September 14, 2010 10:21 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park  
**Attachments:** parklter091410.rtf

Attached in the letter I mentioned on the phone. Doug Ingold

## Richardson, Michael

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**From:** Dana and Kyle <owlsperch@asis.com>  
**Sent:** Monday, September 13, 2010 10:28 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park /EIR

Dear Michael,

I wanted to send you some thoughts as a concerned citizen regarding the EIR report and the possible proposed Community Park zoning issues. I am in support of some of the changes being implemented to the current park status but have serious concerns regarding the proposed once a year 5,000 person event that may take place on park grounds. My concerns are the inevitable compaction of soils due to the large number of people and vehicles that will be allowed on the site if this proposal goes forward. Soil compaction may seem like a petty concern upon first thought of the possible impacts of such an event but the compaction will undoubtedly diminish the lands ability to infiltrate water into the water table, have a direct negative effect on the soil biology, thus favoring non-native invasive species, and will result in increased run-off and erosion. The health of the soil dictates the diversity and health of the surrounding landscape and the parks unique grasslands, wetlands and woodlands may be seriously compromised by such a high impact event.

Please consider this in your EIR evaluations.

Thank you,

Kyle Keegan (Wildlife Biologist, restorationist, teacher and park user)

Kyle Keegan  
P.o box 565  
Miranda CA  
95553 (707) 943-1504

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Sunday, September 12, 2010 11:04 PM  
**To:** Richardson, Michael  
**Subject:** CEQA APPENDIX G: March 2010

Michael,

I wanted to Thank you for coming down and having the SHCP Scoping Session.

I also wanted to ask why the SHCP Appendix "G" did not include the new (March 2010) Greenhouse Gas Emissions & Agriculture and Forestry Resources sections. There are also new changes to questions on the rest of the other sections as well?

Will you be including these sections in the DEIR?

[http://www.califaep.org/resources/Documents/CEQA\\_Appendix%20G\\_2010.pdf](http://www.califaep.org/resources/Documents/CEQA_Appendix%20G_2010.pdf)

## Richardson, Michael

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**From:** Margaret Lewis <emell@wavecable.com>  
**Sent:** Sunday, September 12, 2010 5:40 PM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Greetings

I attended the scoping meeting at the Southern Humboldt Community Park Friday afternoon. Thank you for coming down to Garberville and listening to the concerns of residents and inviting additional comments from others.

I did not speak at the meeting. Often, others speak to my concerns and are more articulate, so I defer. Some of my concerns were touched on at the meeting, but the main problem, as I see it, was not.

I am a resident of the Kimtu neighborhood, and generally see the park as a wonderful addition to the entire region. I have long enjoyed the playground and made use of it in many different ways, from spending time there with my children and grandchildren to meeting there with friends, picnicking, accessing the river, and more. I have enjoyed various non-profit events at the barn and attended other events such as weddings and memorials. I was a member of the CSA (Consumer Supported Agriculture) the first year it was available.

I was not disturbed by the amplified music event that triggered most of the controversy about the use of the park. The sound apparently was directed more to the north due to the geography of the park. But the objections raised by those who were disturbed by it caused me to look at the history of the organization and become more involved in the ongoing interface between the community and the park's board.

My main concern is the park's apparent desire to host large events (such as the Summer Arts Festival mentioned on Friday) of up to 5,000 people and the traffic that would be generated by such an event.

The upper part of Sprowel Cr. Rd. (closest to Garberville) is extremely fragile. The hill across from Leino Ln. (470 Sprowel Cr. Rd.) has slid onto the road several times since I've lived here (4 yrs.) and many times before that. Since the property changed hands last year and some new ditches put in, the situation has worsened, not improved. Apparently, the ditching was not done properly - this information derived from a conversation with Marty Messenger, the CalTrans project manager for our area. As late as the end of June, water was still issuing from the hill and flowing across the road and down to the lower part of the hill. A few years ago the portion of the hill below the road slid out and caused a gap several feet deep and about 20 feet long that took a long time to repair. The road is not even sufficient for the existing traffic, especially the concrete mixers and gravel trucks, which travel up and down the road every day, and other large commercial vehicles, let alone the increased traffic a large event would generate. I'm thinking of trucks, campers, trailers, shuttle buses and other large vehicles, not just passenger cars. Additionally, the road is not safe for pedestrians or cyclists. There is no shoulder for them to walk or ride on and there are several blind curves along that section of the road. I've noticed that, with the opening of the park, the foot traffic has increased. I think that's a good thing, but would like to see a safer route for them.

There is also the proposed traffic diversion along Kimtu road, around the loop and back as people wait for parking. I don't know if you have looked at that section of road, but it bears careful examination. There are two sections that are one lane. There is another fragile hill that has water issuing most of the year and a low point that has been impassable during the flooding of winter storms. My main concern, though, is one of

safety. With traffic backed up along Kimtu Rd. I'm having difficulty imagining how emergency vehicles would enter in the case of fire, accident or medical emergencies. This is my most serious concern.

Thank you for inviting these comments and considering the many facets of this project.

Sincerely,

Margaret Lewis

Note: I sent you a composite photo of the several areas mentioned under separate cover

## Richardson, Michael

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**From:** margaret Lewis <lewismargaret4@gmail.com>  
**Sent:** Sunday, September 12, 2010 5:39 PM  
**To:** Richardson, Michael  
**Subject:** Sprowel Cr. and Kimtu Roads  
**Attachments:** KIMTU AND SPROWEL CR RDS.jpg

You have been sent 1 picture.

KIMTU AND SPROWEL CR RDS.jpg

These pictures were sent with Picasa, from Google.  
Try it out here: <http://picasa.google.com/>

## Richardson, Michael

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**From:** Melinda Bailey <mjbailey100@gmail.com>  
**Sent:** Saturday, September 11, 2010 8:32 AM  
**To:** Richardson, Michael  
**Cc:** Anne Constantino  
**Subject:** community park

I have been a science educator in the Southern Humboldt area for fourteen years. In addition, I have been studying natural places for many years and one thing is clear, nature gradually disappears with the influx of more people. If people want the community park as a natural place, truly natural, then only small groups should be allowed in the area. Any large groups should be prevented from making noise (especially with the help of electricity) There is a lot of information supporting this idea. There are good models showing the integration of people and wildlife can work - none of which allow large groups of people especially ones that make loud noises. Animals are smart. This is one of the reasons why the our parks systems doesn't put in more trails. When you put in a trail, animals like ravens and jays follow. Ravens and jays are nest robbers. The end product is less habitat for other animals. When wildlife like bobcats smell people and dogs, they tend to stay away. This upsets the natural food chain. For many years before the community park there was no good place to walk through an oak woodland. It is great to have this resource, but lets keep it a resource. I am now working with BLM, LCIA, and HSU integrating natural places with school curriculum. In the future we would like to use the community park as an outdoor classroom. The closer to wilderness a place is the richer it is for environmental study. The community needs a place of solitude in an oak forest again an environment that is very rare these days. I believe people donated their money to the park to have a place of solace - not another tromping ground for human affairs. Please I urge you to work towards the omission of large gatherings that make loud sounds at the community park. Thank You.

Sincerely,

Melinda Bailey  
Science educator

## Richardson, Michael

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**From:** garth@emeraldtechs.net on behalf of Garth Epling <garth@emeraldtech.biz>  
**Sent:** Friday, September 10, 2010 11:38 AM  
**To:** Richardson, Michael  
**Subject:** SoHumPark

Hi,

Could you add me to your e-mail list regarding the So-Hum Community Park.

Thanks much!

-Garth Epling

## Richardson, Michael

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**From:** Roger & Kristi Clark <kimtumonkey@yahoo.com>  
**Sent:** Friday, September 10, 2010 10:59 AM  
**To:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Good Morning,

We live at the end of Kimtu Road and we are some of the original donors to the park. We were thrilled to help preserve the area and to avoid residential and commercial development.

What we didn't expect was that the park board would eventually want to stage large events of 5000 people and amplified rock concerts there. Sprowel Creek Road in its present condition cannot handle all that traffic and we are very concerned about access for emergency vehicles during such events. We object to the idea of parking on the river bar. We vehemently object to the idea of using our neighborhood as a turnaround. The road narrows to one lane before you get out here and it's a private road from the Mitchell property on. We never envisioned the park being used to build housing and we also object to that. That doesn't say "park" to us.

Thank you for your time,  
Roger and Kristi Clark

## Richardson, Michael

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**From:** Susan Gardner <sgardner@redwoodtimes.com>  
**Sent:** Tuesday, September 07, 2010 4:18 PM  
**To:** Richardson, Michael  
**Subject:** SHCP

Good Afternoon Mr. Richardson,

My husband and I would like to comment on the rezoning of the Southern Humboldt Community Park in Garberville. We live on Kimtu Road right next door to Steve Dazey's 70+ acres. We are extremely concerned about increased traffic down the already treacherous Sprowel Creek Road and Kimtu Road, which is also very narrow with very few turnouts. The park has expressed possible plans to reroute excessive traffic down to the Kimtu subdivision cul-de-sac at the end of the road, which is a dead end. This is totally unacceptable. If both lanes are blocked, residents of Kimtu would be blocked in and unable to get out or have emergency vehicles/personnel reach us. Neither of these roads are equipped to handle this amount of increased traffic for these kinds of events and should not be allowed.

Also, addressing the noise issue. The location of the park is in a natural bowl. The sound travels for miles around the Garberville area up to four miles in all directions. People in Benbow, way out Sprowel Creek and Old Briceland Roads, up the hill to the east in the town of Garberville, and even further east in the Meadows Subdivision way above Garberville can hear every foul word coming out of large speakers used for these events. Even if curfews are instituted, the park board has proven they are unable to control the crowds and/or the promoters of these events and should not make promises they cannot keep. And, then there is the problem of 1,000 campers at the park, who will undoubtedly run generators late into the nights/early mornings at these events.

The thought of 1,000+ vehicles parked down on the river bar is disgusting. This is where many people get their water and the thought of the river bar being graded and cars leaking fluids onto the ground and into the river is unfathomable and should not be allowed. This is a Wild and Scenic River and should not be desecrated in this fashion.

We are looking forward to the scoping meeting on Thurs., Sept. 9. It is unfortunate it is being held at the park instead of a more neutral location.

Thank you,

Mike and Susan Gardner  
890 Kimtu Road  
P.O. Box 545  
Garberville, CA 95542

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, September 07, 2010 11:49 AM  
**To:** Richardson, Michael; Clendenen, Clif  
**Cc:** Girard, Kirk  
**Subject:** SHCP DEIR Scoping session Sept 9th 2010

Morning Michael,

I was wondering if you are taking any question before this scoping session at the Park on Thursday? Dennis Huber on Monday Morning Magazine announced that the first hour of the scoping meeting was going to be a self guided tour of the proposed zoning change on the Park with map handouts. If that is case, that will only leave an hour max for public input and after 7:30 pm it will be dark. Doesn't leave much time?

Do you have any kind of agenda for the scoping session?

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Tuesday, September 07, 2010 11:09 AM  
**To:** kathryn@lostcoast.net  
**Cc:** Kathryn@Sohumpark.org; lelahuber@asis.com; Tim Metz; Eric V. Kirk; Peter Ryce; Richardson, Michael; Neely, Bonnie; Duffy, Jill; Smith, Jimmy R.; Clendenen, Clif; Lovelace, Mark; Girard, Kirk  
**Subject:** SHCP GPA DEIR Scoping Meeting Place not appropriate

Dear Park Board,

Having an important NOP DEIR Scoping meeting in front of the Sohum Park barn for the biggest single land use decision in Garberville's history is not appropriate. The site is not handicapped accessible, so people in wheelchairs cannot attend. The situation is not comfortable for older persons to attend. Most people cannot hear comments outdoors because a normal human voice is not clearly audible when people sit outside in the open. Will it get cold and breezy as the sun sets and it gets darker. What kind of lighting will be provided at that point? Will it be cold or breezy outdoors? There is one portapotty but no place to wash hands.

Over two weeks ago, I emailed the note below asking for a suitable well-lighted accessible building for the meeting and made several suggestions. It would be a waste of everyone's time if unsuitable conditions at the meeting caused complaints that would invalidate the meeting.

Kristin Vogel  
Garberville, CA

See below the request I made on August 23rd:

----- Original Message -----

**From:** [Kristin](mailto:kv2@gotsky.com)  
**To:** [mrichardson@co.humboldt.ca.us](mailto:mrichardson@co.humboldt.ca.us)  
**Cc:** [bneely@co.humboldt.ca.us](mailto:bneely@co.humboldt.ca.us) ; [jrsmith@co.humboldt.ca.us](mailto:jrsmith@co.humboldt.ca.us) ; [jduffy@co.humboldt.ca.us](mailto:jduffy@co.humboldt.ca.us) ; [cclendenen@co.humboldt.ca.us](mailto:cclendenen@co.humboldt.ca.us) ; [mlovelace@co.humboldt.ca.us](mailto:mlovelace@co.humboldt.ca.us) ; [WChaitin@co.humboldt.ca.us](mailto:WChaitin@co.humboldt.ca.us)  
**Sent:** Monday, August 23, 2010 3:05 PM  
**Subject:** Clean well-lighted place for SHCP GPA EIR Scoping Meeting

Dear Mr. Richardson,

Please hold the public scoping meeting regarding the SHCP General Plan Amendment in a real public facility, not in the barn on SHCP property. It is a very old uninspected building with a heavy load of stored hay above the meeting area. It is not safe or clean nor does it have properly inspected lighting. It is not a neutral location that is comfortable for the whole age range of the community. It is not an enclosed structure which makes it difficult to hear what is being said. It is not handicapped accessible and has no place for handwashing. The Presbyterian church has a hall. Redway School has an auditorium. The Veteran's Hall and the Civic Club are usually available. All of these places offer far better conditions for a serious public meeting.

Thank you,

Kristin Vogel  
POB 453  
Garberville, CA 95542

## Richardson, Michael

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**From:** Arnoul Electric/Arnoul Accounting <arnoulelec@asis.com>  
**Sent:** Monday, September 06, 2010 5:51 PM  
**To:** Richardson, Michael  
**Subject:** Tooby Park

Why has no one enforced the red tag on tooby park that has been in effect for years for the trailer that is used as a residence ? Why has no one stoped steve dazey for illegally back filling the property next to Dean Creek Resort to try and get it out of a flood plane ?The inspectors pass the site and the fill sign 4 times a week they drive right on buy no red tag whats up with that?

Why has no one brought up the fact that tim metz built 2 unpermitted homes on his property on old briceland road ? The neighbors are wondering want a picture ? So these are the people that are running the park do you believe they will do it by the law ?Steve dazey approached me to take out an agrculter permit to pump water with the intention of taping off the service for an illeage caretaker unit in the park.

I will contact all the papers with this in if necessary and you can reply to them if you like but this will not go away . Kevin Arnoul Electric po box 378 Whitethorn ca 95589 ps I donated 8 thousand dollars to the park my family and I

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Sunday, September 05, 2010 10:24 PM  
**To:** Richardson, Michael  
**Subject:** SHCP

Dear Michael,  
So let me see if I have this right.

This current processes of SHCP Board through the county

- 1) Land Use Designation change
  - a) rewriting a Land Use Designation to conform with the Park Board's plans.
- 2) Zoning Change
  - a) rewriting a zone for the Park Board to use
- 3) Applying these land use changes and zoning changes to the Park in a confusing three part project.

This includes lopping the words publicly owned off land use designations and zones in order to give the false impression that a privately owned area of land is owned by the public.

#### 4) EIR

For land use and zoning changes to an unspecified (possibly between 400 and 500 acres) area of land of historical significance and prime agricultural soils situated in the middle of rural neighborhoods and purchased with donations from the Public, including but not limited to:

- a) a housing development
- b) a concert venue
- c) a sports complex with a fields house, swimming pool and ballfields, or maybe just "ballfields", but who knows?
- d) major land use changes to an established and formerly county park.

4) oh yeah, adding Parking Lots to their MHQ zoned land that is a separate parcel NOT included in this GPA.

None of these "uses" are presented with any actual plans of construction, actual evidence of any ecological plan to protect the ecology or the river or riparian corridors or the wildlife habitat, how the concepts presented will impact the river, how they will protect the investment of community dollars or how they will be implemented, constructed or maintained.

All this is to be accomplished with one (1) scoping session in some field at the Park (inaccessible to older people due to distance from the parking area and uneven terrain) and then any other public participation requiring the interested public to take time off work to drive to Eureka. And for some reason this is supposed to be accomplished by December or January?

Please send me the exact timeline and dates of comment periods and the correct governmental bodies and/or responsible and trustee agencies to address on each and every one of these aspects of this multi-part project. And let me know if what I have missed noting in this.

Are Dazey and Goldeen getting their land, formerly Park Property, rezoned or redesignated for housing developments in this GPA, maybe on a separate piece of paper? Or do they just get in the General Plan Update?

Please let me know if I am getting close to understanding the scope of this project.  
Thank you, sandy

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, September 03, 2010 5:01 PM  
**To:** Richardson, Michael  
**Subject:** Re: "Southern Humboldt Community Park General Plan Amendment" July 2010

Thank you, Michael. Is there a form or something that one fills out for a special permit? Or is it a requirement under certain circumstances? If it is a form, would you send me one so I could see what it looks like, please? I am having a hard time grasping what it is. The thing below says you do a special permit when it is required, but when is it required and what does it look like? Is it required because Public Facility is for "Extensive Impacts" activities?

To whom does one address comments on the language of PR and or PF? Your department or the Planning Commission?

And yes, please, do send me the drafts. By pertinent info, I meant period of comment and the correct department or whatever to comment to. I am trying to educate myself on how these processes work and appreciate your willingness and patience. Thank you.

Did you send the document to the Responsible and Trustee Agencies that said there would be much smaller attendance levels and only one event permitted with amplified music?

Sandy

---

**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Fri, September 3, 2010 1:19:43 PM  
**Subject:** RE: "Southern Humboldt Community Park General Plan Amendment" July 2010

Hi Sandy,

Here's my response to your questions:

Regarding The Document I received from you on August 31, 2010: Notice of Preparation to Responsible and Trustee Agencies.

Is this the document that you have sent to Responsible and Trustee Agencies?

Yes.

From the document I received from you on August 31, 2010:

"Portions of the PR areas are proposed to be used for small events of 200 persons or less, such as weddings, birthdays and memorials. Up to five (5) times per year, medium sized events for up to 500 persons would be allowed. These events would not have amplified music. And one time per year an event is proposed for up to 5,000 persons similar to the Benbow Summer Arts Fair (sic). Amplified music would be allowed at these events."

Now you email a few people (but not me) to say that it's all wrong?

How very confusing.

I believe I did email you the corrections. I can send you a copy of that email if you like.

What have you sent to the Responsible and Trustee Agencies? Please send me a copy of what you sent them: the same document(s) the Responsible Agencies and Trustee Agencies are sent and whatever we are supposed to discuss at the scoping session. Are they the same document or different?

I'll send you what I sent them.

Maybe this whole controversial, cockamamie SHCP GPA should just be put off until after the General Plan Update is completed and this can be attended to with the attention it deserves and requires. I can't imagine what the hurry is after all this time. What exactly is the hurry on this project, Michael? Especially since some things aren't even made up yet. How will we know what to comment on at the scoping session if there is no definition of what is being asked for?

I'm required to process the application according to specified time frames. The project is well defined at this point, and the environmental impacts may be assessed. The zoning and general plan designations will be written to conform to the proposed project. The scoping meeting will review all those potential impacts.

Please notify me when public comment period begins on the rewriting of Public Facilities and or Public Recreation or any combination thereof that you may come up with, including as it pertains to SHCP. Please forward to me the draft of this zone or land use designation, whether for the current General Plan or the General Plan Update, so that I may participate in the review by agencies, the Planning Commission and the Board of Supervisors. I have some comments to make on that, too. Send me all pertinent information and time requirements relating to this writing of land use designation or zone for the SHCP Board and the General Plan Update and the current General Plan. We are taking public comments on the rewriting of the PF and PR designations now. Or you can hold off until the actual language is prepared. I'll send you the drafts as soon as possible. The public comment period will be open on the new PR and PF designations from now until the Board takes action on it. I'm not sure what information you consider "pertinent". As I said earlier, I'll send you the draft PF and PR designations. Please let me know if there is anything else you want that you consider pertinent.

Please send me the definition and description of a Special Use Permit.

Below is the section out of the zoning ordinance that defines and describes special permits.

Let me know if you have any other questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

## 312-3 REQUIRED PERMITS AND VARIANCES

### 3.1 REQUIRED PERMITS

In addition to any other permits or approvals required by the County, including grading and building permits, any permit required by this Chapter shall be secured prior to the development of any lot in the unincorporated territory of Humboldt County. The following permits shall be required: (Former Section CZ#A315-3(A); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

**3.1.1 Special Permit (SP).** A Special Permit must be secured, pursuant to all requirements of this Code, prior to the initiation, modification or expansion of a use or development that is permitted with a Special Permit. (Former Section CZ#A315-3(A)(1); Ord. 1705, 9/10/85; Amended by Ord. 2214, 6/6/00)

**3.1.2 Use Permit (UP).** A Use Permit must be secured, pursuant to all requirements of this Code, prior to the initiation, modification or expansion of a use or development that is:

3.1.2.1 permitted only as a conditionally permitted use, or (Former Section CZ#A315-3(A)(2); Ord. 1705, 9/10/85)

3.1.2.2 for any use not specifically enumerated in these regulations, if it is similar to and compatible with the same uses permitted in the zone in which the subject property is situated. (Added by Ord. 2214, 6/6/00)

### **3.3 CONCURRENT PERMIT REQUIREMENTS**

3.3.1 **Concurrent/Combined Permit Requirements.** Whenever a development proposal requires the issuance of more than one permit for approval, the applicable permit procedures shall be applied simultaneously. (Former Section CZ#A315-4(A))

3.3.1.1 A proposed development or use that requires a Special Permit and a Use Permit shall be processed as a Use Permit. (Former Section CZ#A315-4(A)(1))

3.3.1.2 A proposed development or use that requires a Planned Unit Development Permit and a Use Permit shall be processed as a Planned Unit Development Permit. (Former Section CZ#A315-4(A)(2))

3.3.1.3 A proposed development or use that requires a Special Permit, Use Permit, or Planned Unit Development Permit and a Coastal Development Permit shall be processed as a Coastal Development Permit. (Former Section CZ#A315-4(A)(3))

## **312-4 CONDITIONS ON PERMITS AND VARIANCES**

### **4.1 CONDITIONS**

The Hearing Officer may impose conditions on a development permit or variance concerning any matter subject to regulation under this zoning ordinance, or the County General Plan, to accomplish the following purposes, or any additional related purposes: (Former Section CZ#A315-4(B)(1)(a-g))

4.1.1 To assure compliance with special development regulations or requirements for creation or improvement of building sites;

4.1.2 To minimize or mitigate any adverse impact of the development upon other land, including: regulation of the hours of use and operation, specification of type and intensity of activities that may be conducted, and establishment of buffer areas;

4.1.3 To control the sequence or timing of development;

4.1.4 To control the duration of use of the development and the time after which any structure must be removed;

4.1.5 To assure that development will be maintained properly;

4.1.6 To designate the exact location and nature of development; and

4.1.7 To establish more detailed records by submission of drawings, maps, plans, or specifications.

4.1.8 To pay any required County fees. (Added by Ord. 2214, 6/6/00)

## 312-10 RIGHTS ATTACHED TO PERMITS AND VARIANCES

### **10.1 EFFECT OF PERMIT OR VARIANCE.**

The issuance of a permit authorizes the property owner to undertake the proposed development immediately upon the effective date of the permit subject to all conditions or restrictions imposed by the Hearing Officer; provided, however, that all other permits, licenses, certificates and other grants of approval to which the proposed development project is subject must be secured before the development may be commenced. (Former Section CZ#A315-19(A))

### **10.2 EFFECTIVE DATE OF PERMIT OR VARIANCE.**

Except as specified below the Hearing Officer's decision on an application shall become effective after the ten (10) working day appeal period unless an appeal is filed in accordance with Section 312-13, Appeal Procedures. For development permits involving projects which are appealable to the Coastal Commission, the effective date shall coincide with the close of the Coastal Commission's ten (10) working day appeal period, unless either of the following occur. (Former Section CZ#A315-19(B); Amended by Ord. 2214, 6/6/00)

10.2.1 an appeal is filed in accordance with Section 312-13.11;

10.2.2 the notice of final action does not meet the requirements of Section 312-6.7.

When either of the circumstances in section 10.2.1 or 10.2.2 occur, the Coastal Commission shall, within five(5) calendar days of receiving notice of that circumstance, notify the Department and the applicant that the effective date of the Hearing Officer's action has been suspended.

### **10.3 ASSIGNMENTS OF PERMITS AND VARIANCES.**

A permit or variance is assignable to subsequent property owners, but an assignment does not discharge any conditions or obligations of the permit or variance. (Former Section CZ#A315-19(C); Amended by Ord. 2214, 6/6/00)

### **10.4 RIGHTS ATTACHED TO PERMITS AND VARIANCES.**

A change in this ordinance or other applicable ordinance that becomes effective after a permit or variance has been issued shall not apply to the right of the person to whom the permit was issued to complete development in accordance with the permit unless the permit has expired. (See also, Chapter 1, Section 311-11, Completion of Existing Buildings When the Regulations Change, which requires that work be commenced within 120 days of permit issuance.) (Former Section CZ#A315-19(D); Amended by Ord. 2214, 6/6/00)

### **10.5 EXPIRATION OF DEVELOPMENT PERMITS AND VARIANCES.**

A development permit or variance shall expire and become null and void at the time specified in such permit, or if no time is specified, at the expiration of one (1) year after all applicable appeal periods have lapsed; except where construction or use in reliance on such permit or variance has commenced prior to its expiration; provided, however, that the period within which such construction or use must be commenced may be extended as provided by Section 312-11, Minor Deviations, Modifications and Extensions. (See also, Chapter 1, Section 311-11, Completion of Existing Buildings When the Regulations Change, which requires that work be

commenced within 120 days of permit issuance.) (Former Section INL#317-27, 317-37, 317-40.8; CZ#A315-23; Ord. 946, Sec. 4, 10/2/73; Amended by Ord. 2214, 6/6/00)

## 312-11 MINOR DEVIATIONS, MODIFICATIONS AND EXTENSIONS

### 11.1 MINOR DEVIATION FROM THE PLOT PLAN.

11.1.1 Definition of Minor Deviation. A minor deviation from a plot plan includes one or more of the following:

11.1.1.1 An increase or decrease of less than 10 percent of the gross area of any yard, open space, working area or parking area; (Former Section CZ#A315-20(A)(1))

11.1.1.2. An increase or decrease of less than 10 percent of the size of any building or structure, or the total land area covered by any building or structure; (Former Section CZ#A315-20(A)(2))

11.1.1.3. An increase or decrease of less than 10 percent of the height of any building or structure or of any part thereof, or of the depth or area of an excavation, slope or working area; or (Former Section CZ#A315-20(A)(3); Amended by Ord. 1875, Sec. 6, 9/26/89)

11.1.1.4. In the case of development permits, an increase in the number of buildings or structures shown on the plot plan so as not to increase by more than 10 percent the total land area covered by all buildings and structures. (Former Section CZ#A315-20(A)(4))

11.1.2 Intent. This section provides for situations where it is necessary to deviate from a plan in a minor way which is consistent with the purpose and intent of the related variance or development permit. The intent of this section is to provide for flexibility in the operation of variances and development permits by permitting these minor deviations to be administratively granted by the Director. It is not the intent of this section to permit deviations from plot plans which violate the intent and purpose of the related variance or development permit or any of its conditions, or to allow any action for which a variance or development permit would be required by the Zoning Regulations. The Director may authorize a minor deviation from the plot plan. (Former Section CZ#A315-20(B))

11.1.3 Application Form, Filing and Fee. Application for a minor deviation from a plot plan shall be made on the form prescribed by the Director, and shall be filed with the Department. The fee prescribed by resolution of the Board of Supervisors shall be paid when application is made. (Former Section CZ#A315-20(C))

11.1.4 Required Findings. A minor deviation from a plot plan may be granted by the Director only after finding that: (Former Section CZ#A315-20(D); Amended by Ord. 2214, 6/6/00)

11.1.4.1 The deviation does not constitute a substantial change in the variance or development; and (Former Section CZ#A315-20(D)(1))

11.1.4.2 The deviation will not adversely affect adjacent property or property owners; and (Former Section CZ#A315-20(D)(2))

11.1.4.3 The deviation does not affect the conformity of the plot plan with permit conditions; and (Former Section CZ#A315-20(D)(3))

11.1.4.4 The deviation will not alter the findings made when the original permit or variance was approved. (Former Section CZ#A315-20(D)(4))

11.1.5 Decision is Final. The Director's decision shall be final and not appealable; provided, however, that the denial by the Director of a request for a minor deviation shall not prevent the applicant from applying for a new or modified variance or development permit. (Former Section CZ#A315-20(E); Amended by Ord. 2214, 6/6/00)

## **11.2 APPLICATION FOR MODIFICATION OF A DEVELOPMENT PERMIT OR VARIANCE.**

Any person holding a development permit or variance may apply for a modification by complying with Section 312-5, Filing Applications for Permits and Variances, and the following. For the purposes of this section, the modification of a development permit or variance may include modification of the terms of the permit itself or the waiver or alteration of conditions imposed by the permit or this Code. Section 312-17, Required Findings, as applicable, shall apply to the disposition of an application for modification of a development permit or variance. (Former Section CZ#A315-21; Amended by Ord. 2214, 6/6/00)

## **11.3 EXTENSION OF A PERMIT OR VARIANCE.**

11.3.1 The period within which construction or use in reliance on a development permit or variance must begin may be extended by order of the Hearing Officer, at any time within sixty (60) working days prior to the expiration date, as originally established. An application for such an extension shall be made on the prescribed form and filed with the Department. Such application extends the expiration date until final action is taken by the Hearing Officer. The fee established by the Board of Supervisors for an extension shall be paid at the time of application. (Former Section CZ#A315-24(A); Amended by Ord. 2214, 6/6/00)

11.3.2 Any number of extensions may be granted, but each extension shall be for no more than a total of two years. Extensions may be granted by the Hearing Officer if the following findings are made: (Former Section INL#317-37, 317-40.8; CZ#A315-24(B)(1-2); Ord. 946, Sec. 4, 10/2/73; Ord. 1726, Sec. 4, 3/4/86)

11.3.2.1 The development has not changed from that for which the permit or variance was granted; and

11.3.2.2 The findings made when the permit or variance was granted can still be made.

## **312-12 REAPPLICATION LIMITATIONS**

### **12.1 REAPPLICATION IF APPLICATION IS DENIED.**

No application shall be accepted nor acted upon, if within the preceding twelve (12) months, an application has been denied by the Hearing Officer or the Board of Supervisors, which application involves substantially the same real property, and which requests approval of substantially the same project, unless either the Hearing

Officer or the Board of Supervisors permits such reapplication because of an express finding that one or more of the following situations applies: (Former Section INL#317-11, 317-28, 317-38, 317-40.9; CZ#A315-22; Ord. 894, Sec. 1, Sec. 2, Sec. 4, 12/19/72; Ord. 1726, Sec. 4, 3/4/86)

12.1.1 New evidence material to a revised decision is presented which was unavailable or unknown to the applicant at the time of the previous decision and which could not have been discovered by the exercise of reasonable diligence by the applicant; (Former Section CZ#A315-22(A))

12.1.2 Subsequent to the previous decision there has been a substantial and permanent change of relevant circumstances which materially affects the real property involved; or (Former Section CZ#A315-22(B); Amended by Ord. 2214, 6/6/00)

12.1.3 The previous decision was based in whole or in part upon a mistake which was a material factor in the denial of the previous application. (Former Section CZ#A315-22(C))

## 312-13 APPEAL PROCEDURES

### 13.1 APPEALS TO THE BOARD OF SUPERVISORS.

Except as otherwise stated in this Code, any person, as defined in this Code, aggrieved by an action taken by the Hearing Officer on any completed application, may appeal such action to the Board of Supervisors by filing a notice of appeal with the Department within ten (10) working days of said action. Appeals on Coastal Development Permits for subdivisions shall be filed within 10 calendar days of the decision of the Hearing Officer. Upon receipt of the notice of appeal, the Department shall transmit to the Clerk of the Board a copy of the notice of appeal. An appeal fee as set by resolution of the Board of Supervisors shall be paid when the appeal is filed. This section does not apply to a rezoning or an amendment to this division. **(Note: For subdivision appeals see Subdivision Regulations.)** (Former Section INL#317-51; CZ#A315-26(A); Ord. 946, Sec. 4, 10/2/73; Amended by Ord. 1206, Sec. 2, 3/21/73; Amended by Ord. 1351, Sec. 1, 8/28/79; Amended by Ord. 1889, Sec. 1, 3/6/90; Amended by Ord. 2214, 6/6/00)

### 13.2 GROUNDS FOR APPEAL.

The Department shall provide a standard form on which the appellant shall state specifically why the decision of the Hearing Officer is not in accord with the standards and regulations of the zoning ordinances, or why it is believed that there was an error or an abuse of discretion by the Hearing Officer. (Former Section CZ#A315-26(B))

### 13.3 EFFECT OF FILING AN APPEAL.

A timely appeal and action shall stay the proceedings and the effective date of the action of the Hearing Officer, until the appeal has been acted upon or withdrawn. (Former Section CZ#A315-26(C))

### 13.4 PROCESSING AN APPEAL.

Prior to the appeal hearing, the Department shall transmit to the Board of Supervisors, and to the Planning Commission if necessary, copies of the permit application including all maps and data and a report from the Department setting forth the reasons for the Hearing Officer's action and the Department staff's recommendation. (Former Section INL#317-51; CZ#A315-26(D); Ord. 946, Sec. 4, 10/2/73; Amended by Ord. 1206, Sec. 2, 3/21/73; Amended by Ord. 1351, Sec. 1, 8/28/79; Amended by Ord. 1889, Sec. 1, 3/6/90; Amended by Ord. 2214, 6/6/00)

### **13.5 HEARING REQUIRED**

The first hearing before the Planning Commission or Board of Supervisors to consider the appeal shall begin within thirty (30) working days after the date of filing the appeal. (Former Section INL#317-52; CZ#A315-26(E); Added by Ord. 1351, Sec. 2, 8/28/79; Amended by Ord. 1889, Sec. 2, 3/6/90; Amended by Ord. 2214, 6/6/00)

### **13.6 NOTICE OF PUBLIC HEARING**

Notice of the time and place of the public hearing shall be given in the manner prescribed in Section 312-8, Public Notice Procedures. (Former Section INL#317-53; CZ#A315-26(F); Ord. 519, Sec. 752, 5/11/65; Amended by Ord. 1251, Sec. 4, 8/15/78; Amended by Ord. 1889, Sec. 3, 3/6/90)

### **13.7 DECISION AND NOTICE**

After the appeal hearing before the Board of Supervisors, the Board may sustain the action which is being appealed, grant or modify the application subject to specified conditions, or it may deny the application. The Board shall adopt findings, which specify the facts relied upon in deciding the appeal. The findings shall state the reasons for any conditions imposed by the Board. Notice of the decision of the Board of Supervisors, together with a copy of the findings adopted by the Hearing Officer shall be given in accordance with subsection 312-6.7, Notice of Final Action. (Former Section CZ#A315-26(G); Amended by Ord. 2214, 6/6/00)

### **13.8 FINALITY AND EFFECTIVE DATE**

The decision of the Board of Supervisors to sustain or deny an appeal is final, unless the decision is appealable to the Coastal Commission. (Former Section INL#317-55; CZ#A315-26(H); Ord. 519, Sec. 754, 5/11/65)

### **13.9 IF NO DECISION REACHED**

Failure of the Board of Supervisors to render its decision on the matter within thirty-five (35) working days of the conclusion of the hearing shall be deemed to be a denial of the appeal and an affirmation of the action of the Hearing Officer. (Former Section INL#317-54; CZ#A315-26(I); Ord. 1007, Sec. 1, 12/10/74; Amended by Ord. 2214, 6/6/00)

### **13.10 RIGHT TO DECIDE ALL MATTERS**

The Board of Supervisors hereby reserves the right to hear and decide all appealable matters, decisions and actions taken under the authority of the Zoning Code of the County of Humboldt. Within the time prescribed for filing appeals in this Code, the Board of Supervisors by its own motion may decide to review and make a final decision on any action or decision of the Hearing Officer. (Former Section INL#317-51.5; CZ#A315-26(J); Added by Ord. 1351, Sec. 2, 8/28/79; Amended by Ord. 1889, Sec. 2, 3/6/90; Amended by Ord. 2214, 6/6/00)

## **312-14 REVOCATION PROCEDURES**

### **14.1 GROUNDS FOR REVOCATION.**

A development permit or variance may be revoked or modified by the Board of Supervisors after a Public Hearing, upon finding that: (Former Section INL#317-42; CZ#A315-25(A); Ord. 894, Sec. 5, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86; Amended by Ord. 2214, 6/6/00)

14.1.1 The permit or variance was obtained or extended by fraud, material omissions or misstatements of fact. (Former Section INL#317-42(a); CZ#A315-25(A)(1))

14.1.2 The permit or variance granted is being, or recently has been, exercised contrary to the terms or conditions of such approval, or in violation of any statute, Code section, law or regulation. (Former Section INL#317-42(c); CZ#A315-25(A)(2); Amended by Ord. 2214, 6/6/00)

14.1.3 The use for which the permit or variance was granted is so conducted as to be a nuisance. (Former Section INL#317-42(d); CZ#A315-25(A)(3); Ord. 894, Sec. 6, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86)

14.1.4 The use for which such permit or variance was granted has ceased to exist or has been suspended for one (1) year or more. (Former Section INL#317-42(b); Amended by Ord. 2214, 6/6/00)

## **14.2 PROCEEDINGS**

Proceedings to revoke a development permit or variance may be initiated by the Board of Supervisors, Planning Commission, or the Planning Division of the Community Development Services Department. (Former Section INL#317-41; CZ#A315-25(B); Ord. 894, Sec. 5, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86; Amended by Ord. 2214, 6/6/00)

## **14.3 REVOCATION HEARING**

Any proceeding to revoke a development permit or variance shall be before the Board of Supervisors. The property owner or permit applicant shall have an opportunity to show cause why the permit or variance should not be revoked. (Former Section INL#317-41; CZ#A315-25(C); Ord. 894, Sec. 5, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86; Amended by Ord. 2214, 6/6/00)

## **14.4 NOTICE OF INTENTION TO REVOKE**

The Department shall give notice to the holder of a development permit or variance of its intention to revoke such development permit or variance. Notice need be given only to the holder of the development permit or variance, and any other person who has requested such notice. (Former Section INL#317-41; Ord. 894, Sec. 5, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86; Amended by Ord. 2214, 6/6/00)

## **14.5 NOTICE OF REVOCATION HEARING.**

Notice of a Revocation Hearing shall be given not less than ten (10) working days prior to the date of the Hearing by either personal service of a copy of said notice on the holder of the development permit or variance, or by sending a copy of the notice by certified or registered mail, return receipt requested, to said holder at the address given on the application. The notice shall include the information required by Section 312-8.2 and shall state the reason or reasons why action is being taken for revocation of the permit or variance. (Former Section INL#317-41; Ord. 894, Sec. 5, 12/19/72; Amended by Ord. 1726, Sec. 5, 3/4/86; Amended by Ord. 2214, 6/6/00)

## **312-17 REQUIRED FINDINGS FOR ALL PERMITS AND VARIANCES**

### **17.1 REQUIRED FINDINGS FOR ALL PERMITS.**

Unless waived by State law, the Hearing Officer may approve or conditionally approve an application for a Special Permit, Use Permit, Coastal Development Permit, or Planned Unit Development Permit only if all of the

following findings, in addition to any applicable findings in Sections 312-18 through 312-49, Supplemental Findings, are made: (Former Section INL#317-36, 317-40.7; CZ#A315-14; Ord. 946, Sec. 4, 10/2/73; Ord. 1726, Sec. 4, 3/4/86; Amended by Ord. 2214, 6/6/00)

- 17.1.1 The proposed development is in conformance with the County General Plan; (Former Section INL#317-36(c), 317-40.7(3); CZ#A315-14(A); Ord. 946, Sec. 4, 10/2/73; Ord. 1726, Sec. 4, 3/4/86)
- 17.1.2 The proposed development is consistent with the purposes of the existing zone in which the site is located, or when processed in conjunction with a zone reclassification, is consistent with the purposes of the proposed zone; (Former Section INL#317-36(a), 317-40.7(1); CZ#A315-14(B))
- 17.1.3 The proposed development conforms with all applicable standards and requirements of these regulations; and (Former Section CZ#A315-14(C))
- 17.1.4 The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity. (Former Section INL#317-36(b), 317-40.7(2); CZ#A315-14(D))
- 17.1.5 The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law (the mid point of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:
  - 17.1.5.1 The reduction is consistent with the adopted general plan, including the housing element, and
  - 17.1.5.2 The remaining sites identified in the housing element are adequate to accommodate the County's share of the regional housing need pursuant to Section 65584 of the Government Code, and
  - 17.1.5.3 The property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions has been maximized.

## **17.2 REQUIRED FINDINGS FOR VARIANCES.**

The Hearing Officer may approve or conditionally approve an application for a variance only if all of the following findings are made: (See, Sections 65906 and 65906.5 of the Government Code.) (Former Section INL#317-26; CZ#A315-15)

- 17.2.1 That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to the property or class of use in the same zone in the vicinity; (Former Section INL#317-26(b); CZ#A315-15(A))
- 17.2.2 The strict or literal interpretation and enforcement of the specified regulation would result in practical difficulty or unnecessary physical hardship and would deprive the applicant of privileges enjoyed by the owners of other properties classified in the same zoning district; (Former Section INL#317-26(a); INL#317-26(c); CZ#A315-15(B))
- 17.2.3 That the granting of the variance will not constitute a grant of special privilege inconsistent with the limitations on other properties classified in the same zoning district; and (Former Section INL#317-26(d); CZ#A315-15(C))
- 17.2.4 That granting the variance or its modification will not be materially detrimental to the public health, safety or welfare. (Former Section INL#317-26(e); CZ#A315-15(D); Ord. 946, Sec. 4, 10/2/73)
- 17.2.5 In addition to the findings of this section, requests for variances in the Coastal Zone shall be approved only if the following additional finding is made:

The development for which the variance is proposed will be in conformity with the Coastal Land Use Plan. (Former Section CZ#A315-15(E))

**17.2.6 Parking Variances.** Notwithstanding subsection 65906 (Variances) of the Government Code, a variance may be granted from the parking requirements of a zoning ordinance in order that some or all of the required parking spaces be located offsite, including locations in other local jurisdictions, or that in-lieu fees or facilities be provided instead of the required parking spaces, if both the following conditions are met: (From Government Code Sec. 65906.5; Added by Ord. 2214, 6/6/00)

17.2.6.1 The variance will be an incentive to, and a benefit for, the nonresidential development. (From Government Code Sec. 65906.5; Added by Ord. 2214, 6/6/00)

17.2.6.2 The variance will facilitate access to the nonresidential development by patrons of public transit facilities, particularly guideway facilities. (From Government Code Sec. 65906.5; Added by Ord. 2214, 6/6/00)

### **17.3 SUPPLEMENTAL FINDINGS**

In addition to the required findings for all permits and variances, the Hearing Officer may approve or conditionally approve an application for a Special Permit, Use Permit, Coastal Development Permit, or Planned Unit Development Permit only if the supplemental findings, as applicable, are made. (See Sections 312-18 through 312-49)

Those findings that apply throughout the County, within and outside of the coastal zone, are listed in Sections 312-18 through 312-29 (County-Wide). Those findings that are only applicable within the County's coastal zone are listed in Sections 312-30 through 312-49 (Coastal Zone). (Former Section CZ#A315-16; Amended by Ord. 2214, 6/6/00)

#### **312-18 SUPPLEMENTAL COUNTY-WIDE AGRICULTURAL USE TYPE FINDINGS**

### **18.1 CONDITIONALLY PERMITTED USES IN AN AE ZONE**

18.1.1 The proposed use will not impair the continued agricultural use on the subject property or on adjacent lands or the economic viability of agricultural operations on the site. (Former Section CZ#A315-16(C))

#### **312-19 SUPPLEMENTAL COUNTY-WIDE CIVIC USE TYPE FINDINGS**

### **19.1 OIL AND GAS PIPELINES.**

19.1.1 New or expanded facilities related to such development are consolidated, to the maximum extent feasible and legally permissible, unless consolidation will have adverse environmental consequences and will not significantly reduce the number of producing wells, support facilities, and sites required to produce the reservoir economically and with minimal environmental impacts. (Former Section CZ#A315-16(E)(2)(c))

### **19.2 SOLID WASTE DISPOSAL.**

19.2.1 The proposed solid waste disposal project conforms with the County Solid Waste Management Plan; (Former Section CZ#A315-16(E)(4)(a))

19.2.2 The proposed new site is the least environmentally damaging feasible alternative location for the project; (Former Section CZ#A315-16(E)(4)(c))

19.2.3 Projects in agricultural and timberland designations will be limited to nontoxic ash, muds and sludges that would be compatible with continued agriculture and timberland use; and (Former Section CZ#A315-16(E)(4)(d))

19.2.4 The project will meet the requirements of the Solid Waste Management Board regulations (Division 7, Title 14, California Code of Regulations) as applicable. (Former Section CZ#A315-16(E)(4)(e))

## 312-20 SUPPLEMENTAL COUNTY-WIDE COMMERCIAL USE TYPE FINDINGS

20.1 *(Section Reserved for Future Use)*

## 312-21 SUPPLEMENTAL COUNTY-WIDE COMMERCIAL TIMBER USE TYPE FINDINGS

### **22.1 USES PERMITTED WITH A CONDITIONAL OR SPECIAL PERMIT IN TC AND TPZ ZONES.**

22.1.1 The proposed use will not significantly detract from, or inhibit the growing and harvesting of timber on the site or on adjacent properties. (Former Section CZ#A315-16(D))

## 312-22 SUPPLEMENTAL COUNTY-WIDE EXTRACTIVE USE TYPE FINDINGS

### **22.1 OIL AND GAS DRILLING AND PROCESSING**

22.1.1 The development will be performed safely and consistent with the geologic conditions of the well site; (Former Section CZ#A315-16(F)(1)(a))

22.1.2 New or expanded facilities related to such development will be consolidated to the maximum extent feasible and legally permissible, except where: (Former Section CZ#A315-16(F)(1)(b))

22.1.2.1 Consolidation will have adverse environmental consequences; and (Former Section CZ#A315-16(F)(1)(b)(i))

22.1.2.2 Consolidation will not significantly reduce the number of producing wells, the number of sites required to produce the reservoir economically and with minimal environmental impact; and (Former Section CZ#A315-16(F)(1)(b)(ii))

22.1.3 The development will not cause or contribute to subsidence, or it is determined that adequate measures will be undertaken to prevent damage from subsidence; (Former Section CZ#A315-16(F)(1)(c))

### **22.2 SURFACE MINING**

22.2.1 The prepared reclamation plan conforms with all applicable provisions of the Surface Mining and Reclamation regulations in Section 313-59 of Chapter 3 of this Code. (Former Section INL#317-39(b); CZ#A315-16(F)(2)(a); Ord. 1552, Sec. 2, 9/21/82)

## 312-23 SUPPLEMENTAL COUNTY-WIDE INDUSTRIAL USE TYPE FINDINGS

### 23.1 HAZARDOUS INDUSTRY

23.1.1 The project includes mitigation measures sufficient to offset increased risks to adjacent human populations; or (Former Section CZ#A315-16(G)(4)(a))

23.1.2 Increased risks to adjacent human populations have been adequately mitigated by approved disaster response plans, as provided in the general plan Seismic and Public Safety elements. (Former Section CZ#A315-16(G)(4)(b))

## 312-24 SUPPLEMENTAL COUNTY-WIDE NATURAL RESOURCE USE TYPE FINDINGS

24.1 *(Section Reserved for Future Use)*

## 312-25 SUPPLEMENTAL COUNTY-WIDE RESIDENTIAL USE TYPE FINDINGS

### 25.1 SECONDARY DWELLING UNIT

25.1.1 The secondary dwelling unit is subordinate to the principal residence and is compatible with the character of the neighborhood, . (Former Section INL#316.1-3(b), 316.1-3(c); CZ#A315-16(A)(1); )

## 312-26 SUPPLEMENTAL COUNTY-WIDE PUBLIC SAFETY IMPACT FINDINGS

### 26.1 ALQUIST-PRIOLO GEOLOGIC FAULT HAZARD AREAS

26.1.1 A report has been prepared and reviewed or waived pursuant to this section; and, (Former Section CZ#A315-16(H)(1)(a))

26.1.2 A project as proposed will not cause or allow a structure for human occupancy to be placed within fifty (50) feet of a trace of an active fault; and, (Former Section CZ#A315-16(H)(1)(b))

26.1.3 The project otherwise conforms to the recommendations and conclusions of the geologic report that has been concurred with by the County reviewing geologist; and, (Former Section CZ#A315-16(H)(1)(c))

26.1.4 The project is not in conflict with any of the County reviewing geologist's final recommendations. (Former Section CZ#A315-16(H)(1)(d))

312-27 through 312-29 (*Sections Reserved for Future Use*)

## 312-30 SUPPLEMENTAL COASTAL ZONE AGRICULTURAL USE TYPE FINDINGS

### **30.1 CONDITIONALLY PERMITTED USES IN AN AE ZONE.**

30.1.1 The proposed use will not impair the continued agricultural use on the subject property, or on adjacent lands, or the economic viability of agricultural operations on the site. (Former Section CZ#A315-16(C))

## 312-31 SUPPLEMENTAL COASTAL ZONE CIVIC USE TYPE FINDINGS

### **31.1 ELECTRICAL TRANSMISSION LINES.**

31.1.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(E)(1)(a))

31.1.2 Transmission rights-of-way will be routed to minimize impacts on the views of the coast, especially in designated Coastal Scenic or Coastal View Areas, and will avoid locations which are near habitat, recreational, or archeological resources, wherever feasible; and (Former Section CZ#A315-16(E)(1)(b))

31.1.3 Above-ground transmission lines will be sited so as to minimize visual impacts where feasible. Where an above-ground transmission line must be sited in a view corridor, it will not extend along the road right-of-way for continuous extended distances. (Former Section CZ#A315-16(E)(1)(c))

### **31.2 OIL AND GAS PIPELINES.**

31.2.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(E)(2)(a))

31.2.2 The best feasible mitigations, adequate to offset significant adverse impacts, are included; (Former Section CZ#A315-16(E)(2)(b))

31.2.3 Protection against the spillage of crude oil, gas, petroleum products, or hazardous substances will be provided in relation to any development or transportation of such materials. Effective containment and cleanup facilities and procedures will be provided for accidental spills that do occur; (Former Section CZ#A315-16(E)(2)(d))

31.2.4 The proposed pipeline will follow existing utility corridors where they are present and where feasible, and will avoid sensitive habitat areas, and archaeological sites, except that where avoidance of a sensitive habitat area or archaeological site is not feasible, effective mitigation measures will be employed to minimize adverse impacts; (Former Section CZ#A315-16(E)(2)(e))

31.2.5 Active faults or other geologically unstable areas will be avoided where feasible, or the pipeline will be designed to mitigate the potential impacts of such hazards; (Former Section CZ#A315-16(E)(2)(f))

31.2.6 If above-ground pipelines must be sited in a highly scenic area, it will be visually buffered with vegetation and other means as necessary; and (Former Section CZ#A315-16(E)(2)(g))

31.2.7 Aboveground pipelines will not be sited in Coastal Scenic Areas as designated on the Zoning Maps. (Former Section CZ#A315-16(E)(2)(h))

### **31.3 WIND ELECTRICAL GENERATING FACILITIES.**

31.3.1 The facility will have no significant adverse impact on sensitive habitat resources. (Former Section CZ#A315-16(E)(3)(a))

### **31.4 SOLID WASTE DISPOSAL**

31.4.1 The project will use an existing approved disposal site, except that where use of an existing site is not feasible, new projects may be located in any zone outside the urban limit line except NR and PR; (Former Section CZ#A315-16(E)(4)(b))

## **312-32 SUPPLEMENTAL COASTAL ZONE COMMERCIAL USE TYPE FINDINGS**

### **32.1 NEIGHBORHOOD COMMERCIAL**

32.1.1 At least 50 percent of the parcels within the contiguously zoned area, where the proposed development is to be located, have been developed with dwellings; and (Former Section CZ#A315-16(B)(1)(a))

32.1.2 There is a demonstrated need for such a facility at the location proposed. (Former Section CZ#A315-16(B)(1)(b))

32.1.3 Neighborhood commercial development will be restricted to a location along minor collectors or a higher order road classification (e.g. major collectors or arterials). (Former Section CZ#A315-16(B)(1)(c))

### **32.2 BED AND BREAKFAST ESTABLISHMENTS**

32.2.1 That the proposed use at the size and intensity contemplated, and at the proposed location, will provide a development that is compatible with the neighborhood or the community, including but not limited to: (Former Section CZ#A315-16(B)(2)(a))

32.2.2 The nature of the proposed site, including its size and shape, and the proposed size, shape and arrangement of structures; and (Former Section CZ#A315-16(B)(2)(a)(i))

32.2.3 Treatment given, as appropriate, to such aspects as landscaping, screening, open spaces, lighting and signs. (Former Section CZ#A315-16(B)(2)(a)(ii))

## **312-33 SUPPLEMENTAL COASTAL ZONE COMMERCIAL TIMBER USE TYPE FINDINGS**

*33.1 (Section Reserved for Future Use)*

## 312-34 SUPPLEMENTAL COASTAL ZONE EXTRACTIVE USE TYPE FINDINGS

### 34.1 SURFACE MINING.

34.1.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(F)(2)(b)(i))

34.1.2 Sand and gravel operations will not remove sediments essential to the maintenance of beach areas used for public recreation, or which protect upland areas planned for commercial, residential or industrial use from erosion; (Former Section CZ#A315-16(F)(2)(b)(ii))

34.1.3 The sand and gravel projects will emphasize flood control or bank protection, if applicable; (Former Section CZ#A315-16(F)(2)(b)(iii))

34.1.4 Channelization, dams, or other substantial alterations of rivers and streams shall incorporate the best mitigation measures feasible; and (Former Section CZ#A315-16(F)(2)(b)(iv))

34.1.5 Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values. (Former Section CZ#A315-16(F)(2)(b)(v))

## 312-35 SUPPLEMENTAL COASTAL ZONE INDUSTRIAL USE TYPE FINDINGS

### 35.1 COASTAL DEPENDENT INDUSTRY

35.1.1 The proposed use will be located on the site with the lowest numeric priority (i.e. priority 1 is the lowest), if feasible. (Former Section CZ#A315-16(G)(1)(a))

35.1.2 If proposed on a site with a Priority 3 or 4:

35.1.2.1 That the proposed use cannot feasibly be accommodated in Priority 1 or 2 sites; or (Former Section CZ#A315-16(G)(1)(b)(i))

35.1.2.2 The use of Priority 1 or 2 sites would be more environmentally damaging; and (Former Section CZ#A315-16(G)(1)(b)(ii))

35.1.2.3 To deny the project because it cannot feasibly be located in the least environmentally damaging location would adversely affect the public welfare. (Former Section CZ#A315-16(G)(1)(b)(iii))

### 35.2 MARINE PETROLEUM TRANSFER FACILITIES.

35.2.1 Increased tanker operations and associated onshore development will be compatible with the land use, safety, and environmental policies for the area; (Former Section CZ#A315-16(G)(2)(a))

35.2.2 That existing facilities will be expanded, or that it will not be feasible or legally permissible to utilize existing facilities; (Former Section CZ#A315-16(G)(2)(b))

35.2.3 If it will not be feasible or legally permissible to expand existing facilities, then new tanker terminals located outside of existing terminal areas will be sited in a manner which avoids risk to sensitive environmental habitat areas; and (Former Section CZ#A315-16(G)(2)(c))

35.2.4 The risk of collision from movement of other vessels will be minimized. (Former Section CZ#A315-16(G)(2)(d))

### **35.3 DREDGE SPOILS DISPOSAL.**

35.3.1 Where dredge spoils disposal is proposed at the King Salmon site designated on the Resource Protection map, such disposal will mitigate erosion and protect water quality and existing uses; (Former Section CZ#A315-16(G)(3)(a))

35.3.2 Provisions for disease and vector control have been included in the project; (Former Section CZ#A315-16(G)(3)(b))

35.3.3 In the Humboldt Bay Planning Area, opportunities for island building that would be beneficial to the overall productivity of the Bay have been reviewed as an alternative disposal site; and (Former Section CZ#A315-16(G)(3)(c))

35.3.4 The project includes provisions to protect water quality. (Former Section CZ#A315-16(G)(3)(d))

## **312-36 SUPPLEMENTAL COASTAL ZONE NATURAL RESOURCE USE TYPE FINDINGS**

*36.1 (Section Reserved for Future Use)*

## **312-37 SUPPLEMENTAL COASTAL ZONE RESIDENTIAL USE TYPE FINDINGS**

*37.1 (Section Reserved for Future Use)*

## **312-38 SUPPLEMENTAL COASTAL ZONE PUBLIC SAFETY IMPACT FINDINGS**

### **38.1 COASTAL GEOLOGIC HAZARD**

38.1.1 The development will be sited and designed to assure stability and structural integrity for the expected economic life span while minimizing alteration of natural land forms; (Former Section CZ#A315-16(H)(2)(a))

38.1.2 Development on bluffs and cliffs (including related storm runoff, foot traffic, site preparation, construction activity, irrigation, wastewater disposal and other activities and facilities accompanying such development) will not create or contribute significantly to problems of erosion or geologic instability on the site or on surrounding areas; and (Former Section CZ#A315-16(H)(2)(b))

38.1.3 Alteration of cliffs and bluff tops, faces, or bases by excavation or other means will be minimized. Cliff retaining walls shall be allowed only to stabilize slopes. (Former Section CZ#A315-16(H)(2)(c))

## **38.2 COASTAL SHORELINES**

38.2.1 The structure is the least environmentally damaging feasible alternative; and (Former Section CZ#A315-16(H)(3)(1))

38.2.2 (If applicable), Beach nourishment and vegetative protection is not feasible. (Former Section CZ#A315-16(H)(3)(2))

## **312-39 SUPPLEMENTAL COASTAL RESOURCE PROTECTION IMPACT FINDINGS**

### **39.1 ANADROMOUS FISH STREAMS.**

39.1.1 Minimum stream flows necessary to protect the anadromous stream population will be maintained; (Former Section CZ#A315-16(I)(1)(a))

39.1.2 Environmentally sensitive habitat areas will be protected against any significant disruption of habitat values; and (Former Section CZ#A315-16(I)(1)(b))

39.1.3 Channelizations, dams, or other substantial alterations of rivers and streams will incorporate the best mitigation measures feasible. (Former Section CZ#A315-16(I)(1)(c))

### **39.2 PUBLIC ACCESS**

39.2.1 For Dedication of Public Access Required by the Coastal Land Use Plan:

39.2.1.1 The access way conforms with or is adequate to carry out the public access designations and development guidelines of the County's Coastal Land Use Plan. (Former Section CZ#A315-16(I)(2)(a)(i))

39.2.2 For Protection of Coastal Access ways with Substantial Evidence of Historic Public Use (except where the applicant has established that the State has disposed of any interest in the access way or that there has been a final court determination that there has been no implied dedication or prescriptive use): (Former Section CZ#A315-16(I)(2)(b))

39.2.2.1 There is substantial evidence of Historic Public Use; and (Former Section CZ#A315-16(I)(2)(b)(i))

39.2.2.2 The development has been sited or designed so as not to interfere with the use of such access way; or (Former Section CZ#A315-16(I)(2)(b)(ii))

39.2.2.3 If it is determined:

39.2.2.3.1 that use of the access way would have adverse impacts on fragile coastal resources, including but not limited to, rocky intertidal areas, seal haul-out and pupping areas, and bird rookeries; or (Former Section CZ#A315-16(I)(2)(b)(iii))

39.2.2.3.2 that use of the access way will significantly aggravate existing coastal bluff erosion in a manner which cannot be mitigated; or (Former Section CZ#A315-16(I)(2)(b)(iii))

39.2.2.3.3. that use of the access way is inconsistent with protection of public safety due to extraordinary hazards; and (Former Section CZ#A315-16(I)(2)(b)(iii))

39.2.2.3.4 that an equivalent access way which mitigates such adverse impacts will be provided. (Former Section CZ#A315-16(I)(2)(b)(iii))

### **39.3 COASTAL SCENIC AREAS**

39.3.1. The project is sited and designed to be subordinate to the character of the setting. (Former Section CZ#A315-16(I)(3)(a))

### **39.4 COASTAL STREAMS AND RIPARIAN AREAS**

39.4.1 There are no significant adverse affects on habitat areas; (Former Section CZ#A315-16(I)(4)(a))

39.4.2 There is no less environmentally damaging feasible alternative; and (Former Section CZ#A315-16(I)(4)(b))

39.4.3 The best mitigation measures feasible have been provided to minimize adverse environmental effects. (Former Section CZ#A315-16(I)(4)(c))

### **39.5 COASTAL VIEW AREAS**

39.5.1 To the maximum extent feasible, the project is sited so as not to interfere with public views to and along the ocean from public roads and recreation areas. (Former Section CZ#A315-16(I)(5)(a))

### **39.6 COASTAL DUNE AND BEACH AREAS**

#### **39.6.1 All Development**

39.6.1.1 Development shall be sited and designed to prevent impacts which would significantly degrade such areas, and shall be compatible with the continuance of such habitat areas; (Former Section CZ#A315-16(I)(6)(a)(i))

39.6.1.2 There is no less environmentally damaging feasible alternative; and (Former Section CZ#A315-16(I)(6)(a)(ii))

39.6.1.3 The development will not interfere with the protection of dredge spoils disposal locations designated on the Humboldt Bay Area Plan Resource Protection Maps. (Former Section CZ#A315-16(I)(6)(a)(iii))

#### **39.6.2 Caretaker's Residence.**

39.6.2.1 The development will, on balance, help to protect environmentally sensitive habitat areas (e.g. by providing an opportunity for property owners, on a 24 hour basis, to exclude ORV's from their property); (Former Section CZ#A315-16(I)(6)(b)(i))

39.6.2.2 It is located as close as is practicable to existing roads and rights of ways when it is the least environmentally damaging alternative; (Former Section CZ#A315-16(I)(6)(b)(ii))

39.6.2.3 Clearing around the residence is minimized; (Former Section CZ#A315-16(I)(6)(b)(iii))

39.6.2.4 An open space easement or similar easement has been offered for dedication over the undeveloped portion of the parcel. (Former Section CZ#A315-16(I)(6)(b)(iv))

### **39.7 COASTAL ELK HABITAT AREAS**

39.7.1 The development will be compatible with the continuance of elk habitat areas. (Former Section CZ#A315-16(I)(7)(a))

### **39.8 COASTAL NATURAL DRAINAGE COURSES.**

39.8.1 Natural drainage courses, including ephemeral streams, will be retained and protected from development which would impede the natural drainage pattern or have a significant adverse affect on water quality or wildlife habitat. (Former Section CZ#A315-16(I)(8)(a))

### **39.9 COASTAL NATURAL LANDFORMS**

39.9.1 Alterations to natural land forms will be minimized. (Former Section CZ#A315-16(I)(9)(a))

### **39.10 OFFSHORE ROCKS AND ROCKY INTERTIDAL AREAS**

39.10.1 The development will not increase the risk of biological damage to the Area of Special Biological Significance as identified by the Water Quality Control Board, offshore rocks and the communities they support, or intertidal areas. (Former Section CZ#A315-16(I)(15))

### **39.11 COASTAL ROAD CONSTRUCTION**

39.11.1 Alteration of natural streams and drainage will be minimized; (Former Section CZ#A315-16(I)(10)(a))

39.11.2 The project is sited and designed to prevent impacts which would significantly degrade water resources. (Former Section CZ#A315-16(I)(10)(b))

### **39.12 COASTAL TRANSITIONAL AGRICULTURAL LAND**

39.12.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(I)(11)(a))

39.12.2 The best feasible mitigations are included; and (Former Section CZ#A315-16(I)(11)(b))

39.12.3 The functional capacity of the wetland will be maintained. (Former Section CZ#A315-16(I)(11)(c))

### **39.13 COASTAL VEGETATION REMOVAL, MAJOR**

39.13.1 **Within Riparian Corridors**

39.13.1.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(I)(12)(a)(i))

39.13.1.2 The plan includes the best mitigation measures feasible; and (Former Section CZ#A315-16(I)(12)(a)(ii))

39.13.1.3 The vegetation removal will result in no significant adverse impacts to habitat values. (Former Section CZ#A315-16(I)(12)(a)(iii))

### **39.13.2 Within Coastal Scenic Areas**

39.13.2.1 The visual effects of the vegetation removal will be subordinate to the character of its setting. (Former Section CZ#A315-16(I)(12)(b)(i))

## **39.14 COASTAL WETLANDS**

### **39.14.1 All wetlands, with the exception of Pocket Marshes**

39.14.1.1 There is no less environmentally damaging feasible alternative; (Former Section CZ#A315-16(I)(13)(a)(i))

39.14.1.2 The best mitigation measures feasible have been provided to minimize adverse environmental effects; and (Former Section CZ#A315-16(I)(13)(a)(ii))

39.14.1.3 The required mitigation will maintain or enhance the functional capacity of the wetland or estuary. (Former Section CZ#A315-16(I)(13)(a)(iii))

### **39.14.2 Pocket Marshes**

39.14.2.1 The wetland to be filled is small (typically less than one acre) and isolated (i.e. not contiguous or adjacent to a larger wetland) and it is not capable of recovering and maintaining a high level of biological productivity without major restoration activities; (Former Section CZ#A315-16(I)(13)(b)(i))

39.14.2.2 Major restoration activities are not feasible; (Former Section CZ#A315-16(I)(13)(b)(ii))

39.14.2.3 The wetland does not provide significant habitat value to wetland fish and wildlife species, and is not used by any species which are rare or endangered; (Former Section CZ#A315-16(I)(13)(b)(iii))

39.14.2.4 It is located within an urban limit line as designated in the land use plan; and (Former Section CZ#A315-16(I)(13)(b)(iv))

39.14.2.5 Restoration of another wetland to mitigate for fill can be achieved in conjunction with filling a small wetland. (Former Section CZ#A315-16(I)(13)(b)(v))

## **39.15 COASTAL WETLAND BUFFERS.**

39.15.1 Development will be sited and designed to prevent impacts which would significantly degrade wetland habitat areas, and shall be compatible with the continuance of such habitat areas; and (Former Section CZ#A315-16(I)(14)(a))

39.15.2 The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms shall be maintained, and where feasible, restored. (Former Section CZ#A315-16(I)(14)(b))

## 312-40 SUPPLEMENTAL COASTAL SUBDIVISION FINDINGS

### **40.1 SUBDIVISIONS IN AN AGRICULTURAL EXCLUSIVE 60 ACRE MINIMUM ZONE**

40.1.1 The land division is necessary for a specific agricultural purpose, such as providing a separate starter farm for a family member; and (Former Section CZ#A315-17(A)(1))

40.1.2 The land division will not lower the economic viability of agriculture on the farm unit to be subdivided and will not adversely affect the area's agricultural economy or habitat resources. (Former Section CZ#A315-17(A)(2))

### **40.2 SUBDIVISIONS IN AGRICULTURAL EXCLUSIVE 160 AND 600 ACRE MINIMUM ZONES.**

40.2.1 The land division is necessary for a specific agricultural purpose; and (Former Section CZ#A315-17(B)(1))

40.2.2 The land division will not lower the economic viability of agriculture on the ranch unit to be subdivided and will not adversely affect the area's agricultural economy or habitat resources. (Former Section CZ#A315-17(B)(2))

### **40.3 SUBDIVISIONS IN A COMMERCIAL RECREATION ZONE**

40.3.1 Where an existing principal permitted use is to be segregated from the remainder of the property, the economic viability of the principal permitted use on that parcel has been demonstrated; or (Former Section CZ#A315-17(C)(1))

40.3.2 Where the land to be divided is undeveloped, the economic viability of principal permitted uses on the parcels to be created has been demonstrated; and (Former Section CZ#A315-17(C)(2))

40.3.3 The new lots created have adequate onsite water, waste-water disposal and parking facilities to serve the principal permitted use. (Former Section CZ#A315-17(C)(3))

## 312-41 SUPPLEMENTAL COASTAL FINDINGS FOR GRANTING AN EXCEPTION

### **41.1 FINDINGS FOR EXCEPTIONS**

The Hearing Officer may grant exceptions, as authorized by this Chapter, if all of the following findings are made: (Former Section CZ#A315-18)

41.1.1 There are special circumstances or conditions associated with the proposed development, use, or project site that support granting the exception; and (Former Section CZ#A315-18(A))

41.1.2 The granting of the exception will not be detrimental to the public welfare; and (Former Section CZ#A315-18(B))

41.1.3 The applicant has proposed alternative standards which conform with the established standard(s) as closely as feasible; and (Former Section CZ#A315-18(C))

41.1.4 In the Coastal Zone, the granting of the exception will not have a significant adverse effect on environmentally sensitive habitats. (Former Section CZ#A315-18(D); Amended by Ord. 2214, 6/6/00)

### 312-42 REQUESTS FOR MODIFICATIONS OR EXCEPTIONS FOR RESIDENTIAL ACCESSIBILITY

42.1 A person who is disabled pursuant to the Americans with Disabilities Act of 1990 may request modification or exception from specific development standards for principal zones, including minimum yard setbacks, maximum ground coverage and maximum building height, in the event of an unexpected need to make their residence accessible consistent with the Housing Accessibility Guidelines of the 2007 California Building Code and its successors located at 24 CFR 1101A et seq. The request may be made by a family member, domestic partner or agent on behalf of a disabled permanent resident of the home. (Ord. 2407, § 2, 12/16/2008)

42.2 The person requesting the modification or exception from a specific development standard of a principal zone to make their home accessible shall provide the Director of Community Development Services a written request for the modification or exception which includes all of the following: (Ord. 2407, § 2, 12/16/2008)

- the nature of the disability; (Ord. 2407, § 2, 12/16/2008)
- which resident of the home has the disability; (Ord. 2407, § 2, 12/16/2008)
- what modification or exception the applicant is requesting; (Ord. 2407, § 2, 12/16/2008)
- the impact the existing regulation or standard has on the applicant; (Ord. 2407, § 2, 12/16/2008)
- any other methods or actions considered by the applicant to provide necessary relief; and; (Ord. 2407, § 2, 12/16/2008))
- why those methods or actions were not found to be feasible. (Ord. 2407, § 2, 12/16/2008)

42.3 Upon finding the request complete, and following consultation with any knowledgeable party or parties as determined appropriate, the Director may process the request for a modification or exception of a specific development standard of a principal zone according to the procedures for Special Permits. The applicant must obtain all other applicable permits, including Coastal Development Permits, for the development to be accommodated by the request. If this determination of modification or exception is related to a discretionary land use project, the matter may be taken to the hearing officer ahead of the project as a whole, so as to expedite review and render a decision on which other permit findings may be dependant. (Ord. 2407, § 2, 12/16/2008)

42.4 In addition to the findings for approving Special Permits, approval of a request for a modification or exception from a specific development standard of a principal zone for residential accessibility shall include the following findings; (Ord. 2407, § 2, 12/16/2008)

- the modification or exception is in conformance with the General Plan, and , if in the Coastal Zone, is in conformance with the Certified LCP; (Ord. 2407, § 2, 12/16/2008)
- if located in the Coastal Zone, the modification or exception involves no potential for any adverse effects, either individually or cumulatively, on coastal resources, (Ord. 2407, § 2, 12/16/2008)
- the modification or exception is not detrimental to public health, safety, or welfare; (Ord. 2407, § 2, 12/16/2008)
- the modification or exception conforms with all applicable standards and requirements of the California Building Code; (Ord. 2407, § 2, 12/16/2008)
- the modification or exception results in the only feasible design for accessibility; and (Ord. 2407, § 2, 12/16/2008)
- the modification or exception will provide residential accessibility for a disabled resident of the home consistent with the Housing Accessibility Guidelines of the 2007 California Building Code and its successors. (Ord. 2407, § 2, 12/16/2008)

312-43 through 312-49 (*Sections Reserved for Future Use*)

## 312-50 AMENDMENTS TO THE ZONING REGULATIONS AND ZONING MAPS

### 50.1 PURPOSE

The General Plan of Humboldt County is a dynamic document that can be modified to reflect changing social, economic or environmental conditions, or changes in state law. As the Plan is updated, need may arise for changes in zoning district boundaries and other regulations. Likely changes include: changing zoning boundaries, changing property from one zone to another, imposing new regulations, or deleting obsolete or unnecessary sections. (Former Section INL#317-1; Ord. 894, Sec. 1, 12/19/72; Amended by Ord. 2214, 6/6/00)

### 50.2 AUTHORITY TO MAKE AMENDMENTS

The Board of Supervisors shall have the authority to initiate, grant, deny, or modify proposed amendments to these Zoning Regulations in accordance with the provisions of this Code and State Law. (Former Section INL#317-1; CZ#A316-1; Ord. 894, Sec. 1, 12/19/72)

### 50.3 REQUIRED FINDINGS FOR ALL AMENDMENTS.

Amendments to this Division may be approved only if the following findings are made: (Former Section INL#317-9; CZ#A316-9; Ord. 894, Sec. 1, 12/19/72)

50.3.1 The amendment is in the public interest; and (Former Section INL#317-9; CZ#A316-9(a))

50.3.2 The amendment is consistent with the County General Plan. (Former Section INL#317-9; CZ#A316-9(b))

50.3.3 If the amendment requires a Local Coastal Plan Amendment, the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. (Added by Ord. 2214, 6/6/00)

50.3.4 The proposed amendment does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with

housing element law (the mid point of the density range specified in the plan designation) unless the following written findings are made supported by substantial evidence:

- 50.3.4.1 The reduction is consistent with the adopted general plan, including the housing element, and
- 50.3.4.2 The remaining sites identified in the housing element are adequate to accommodate the County's share of the regional housing need pursuant to Section 65584 of the Government Code, and
- 50.3.4.3 The property contains insurmountable physical or environmental limitations and clustering of residential units on the developable portions has been maximized.

## **50.4 INITIATING AMENDMENTS.**

50.4.1 Amendments to the zoning code and maps may be initiated by a majority vote of the Board of Supervisors based on: (Former Section CZ#A316-2; Amended by Ord. 2214, 6/6/00)

50.4.1.1 Recommendation of any Board member; (Added by Ord. 2214, 6/6/00)

50.4.1.2 Recommendation of the County Planning Commission; (Former Section CZ#A316-2(a)(1); CZ#A316-4(a)(1))

50.4.1.3 Recommendation of the County Community Development Services Department; (Former Section CZ#A316-2(a)(2); CZ#A316-4(a)(2))

50.4.1.4 Receipt of a petition for amendment, pursuant to Section 312-50.5, by the owner of the property within the area proposed for reclassification. If the area proposed for reclassification is in more than one (1) ownership, at least fifty percent (50%) of the property owners or the owners of not less than sixty percent (60%) of the land area included in the application shall join in filing the application. (Former Section INL#317-2; CZ#A316-2(A)(3); CZ#A316-4(A)(3); Ord. 894, Sec. 1, 12/19/72)

50.4.2 The Director of the Community Development Services Department may initiate an amendment to the maps of the Zoning Regulations for minor amendments of the zone district boundaries. For the purpose of this section a minor zone boundary adjustment shall include the adjustment of zone district boundaries to be coterminous with parcel boundaries where a zone district boundary dissects a parcel into more than one zone district, or in conjunction with a lot line adjustment. Zoning map amendments initiated by the Director shall be reviewed and processed in accordance with these regulations. (Former Section CZ#A316-1(B); Amended by Ord. 2214, 6/6/00)

## **50.5 PETITION FORM, FILING, AND FEE**

50.5.1 A petition for amendment of these regulations or zoning maps shall be made on the prescribed form and filed with the Department. The petition fee established by the Board of Supervisors shall be paid when the petition is filed. (Former Section INL#317-3; CZ#A316-5(A); Ord. 894, Sec. 1, 12/19/72)

50.5.2 The petition for amendment shall include information concerning the need and reason for amendment. The applicant must demonstrate that the change will be in the public interest, is consistent with the General Plan and, if the amendment requires a Local Coastal Plan Amendment, that the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. (Former Section INL#317-3; CZ#A316-5(B); Amended by Ord. 2214, 6/6/00)

50.5.3 A petition to amend the maps of the Zoning Regulations shall include a map of the proposed amendment area depicting the affected area by assessor's parcel number. (Former Section CZ#A316-5(C))

50.5.4 The Department shall not accept for filing any petition for amendment of the County Zoning Regulations or zoning maps that does not conform with the requirements of these regulations, or is clearly inconsistent with the General Plan. (Former Section INL#317-3; CZ#A316-5(D))

## **50.6 PETITION IN CONJUNCTION WITH A GENERAL PLAN AMENDMENT.**

A petition for amendment of the text or the zoning maps of the Zoning Regulations may also be initiated in conjunction with a petition for a General Plan amendment. (Former Section INL#317-2, 317-3; CZ#A316-2, A316-4(B); Ord. 894, Sec. 1, 12/19/72; Amended by Ord. 2214, 6/6/00)

## **50.7 PROCESSING OF PROPOSED AMENDMENTS.**

The Community Development Services Department shall process an application for amendment as follows:

**50.7.1 Administrative Review.** The Department shall process the application for amendment through the project review process in accordance with Sections 65800 through 65863.9 of the California Government Code, Sections 21000 through 21177 of the California Public Resources Code and Sections 15000 through 15387 of Title 14 of the California Code of Regulations, or any successor provisions to the statutes and regulations listed in this subsection. (Former Section INL#317-4, 317-5(b), 317-5(c); CZ#A316-6(A); Ord. 894, Sec. 1, 12/19/72; Ord. 1107, Sec. 1, 11/9/76; Amended by Ord. 1251, Sec. 1, 8/15/78; Amended by Ord. 2214, 6/6/00)

### **50.7.2 Planning Commission Hearing.**

**50.7.2.1** After Administrative Review, the Planning Commission shall hold a duly noticed public hearing on the application for amendment. Notice shall be given pursuant to Sections 65090 through 65094 of the California Government Code. (Former Section INL#317-4, 317-5(a), 317-5(b); CZ#A316-6(B); Ord. 894, Sec. 1, 12/19/72; Ord. 1107, Sec. 1, 11/9/76; Amended by Ord. 1251, Sec. 1, 8/15/78)

**50.7.2.2** At the Public Hearing, the Planning Commission shall review the proposed amendment and shall receive pertinent evidence relating to the following: (Former Section INL#317-6(a)(1); Amended by Ord. 2214, 6/6/00)

**50.7.2.2.1** Whether the proposed amendment is in the public interest; and, (Former Section INL#317-6(a)(1); Amended by Ord. 2214, 6/6/00)

**50.7.2.2.2** Whether the proposed amendment is consistent with the General Plan. (Former Section INL#317-6(a)(2); Amended by Ord. 2214, 6/6/00)

**50.7.2.2.3** If the amendment requires a Local Coastal Plan Amendment, whether the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. (Added by Ord. 2214, 6/6/00)

**50.7.2.3** The Public Hearing may be continued if necessary, but shall be concluded within a reasonable period. (Former Section INL#317-7; Ord. 1007, Sec. 1, 11/9/76))

**50.7.3 Planning Commission Recommendation.** After the hearing, the Commission shall make a recommendation on the application for amendment to the Board of Supervisors. Failure of the Planning Commission to make a recommendation within thirty (30) working days after the conclusion of the hearing, shall be deemed to be a recommendation for denial of the application for amendment. (Former

#### 50.7.4 Board of Supervisors Hearing.

50.7.4.1 Scheduling. Upon receipt of the Planning Commission's recommendation, the Board of Supervisors shall schedule a duly noticed public hearing on the proposed amendment. Notice shall be given pursuant to Sections 65090 through 65094 of the California Government Code. (Former Section INL#317-8; CZ#A316-6(D); Amended by Ord. 2214, 6/6/00)

#### 50.7.4.2 When the Board Shall Not Be Required to Hold a Hearing Nor Take Any Further Action.

If the amendment involves change of property from one zone to another, and the Planning Commission has recommended that the proposed amendment be denied, the Board shall not be required to hold a hearing nor take any further action unless any interested party files a written request for hearing with the Clerk of the Board no later than five (5) calendar days after the Planning Commission recommendations are filed with the Board. The fee for a request for hearing established by the Board of Supervisors shall be paid when the request is filed. The request shall identify the grounds for the request. (Former Section INL#317-8; CZ#A316-6(D); Ord. 1516, Sec. 1, 3/30/82; Amended by Ord. 1609, Sec. 1, 8/9/83; Amended by Ord. 2214, 6/6/00)

50.7.4.3 Public Hearing. At the Public Hearing the Board of Supervisors shall review the proposed amendment and may receive pertinent evidence on the following matters: (Former Section INL#317-9(a); Ord. 894, Sec. 1, 12/19/72; Amended by Ord. 2214, 6/6/00)

50.7.4.3.1 Whether the proposed amendment is in the public interest; and, (Former Section INL#317-9(a)(1); Amended by Ord. 2214, 6/6/00)

50.7.4.3.2 Whether the proposed amendment is consistent with the General Plan. (Former Section INL#317-9(a)(2); Amended by Ord. 2214, 6/6/00)

50.7.4.3.3. If the amendment requires a Local Coastal Plan Amendment, whether the amendment is in conformity with the policies of Chapter 3 (commencing with Section 30200) of the Coastal Act. (Added by Ord. 2214, 6/6/00)

#### 50.7.5 Board of Supervisors Action

50.7.5.1 For all amendments to the Zoning Code or Maps, the Board of Supervisors may approve, modify or disapprove the recommendation of the Planning Commission. Any substantial modification by the Board of Supervisors during its Public Hearing, which was not previously considered by the Planning Commission, shall first be referred to the Planning Commission for report and recommendation. Failure of the Planning Commission to report within forty (40) calendar days after the referral, or a longer period designated by the Board of Supervisors, shall be deemed as approval. (Former Section INL#317-10(b); Ord. 1007, Sec. 1, 11/9/76; Amended by Ord. 2214, 6/6/00)

50.7.5.2 After the hearing, the Board of Supervisors shall render a decision on the application for amendment. Failure of the Board of Supervisors to render its decision on the matter within thirty (30) working days of the conclusion of the hearing shall be deemed to be a denial of the application for amendment. The Board of Supervisors may approve the proposed reclassification if it makes the required findings related to the evidence received. The Board of Supervisors may also impose conditions necessary to promote public health, safety, and welfare. (Former Section INL#317-9(a)(1), 317-9(a)(2), 317-9(b), 317-10(c); CZ#A316-6(E); Ord. 894, Sec. 1, 12/19/72; Ord. 1007, Sec. 1, 11/9/76; Amended by Ord. 2214, 6/6/00)

**50.7.6 Notice of Action** Within ten (10) working days after a decision by the Board of Supervisors, the Clerk of the Board shall give notice of the decision to the petitioner for the amendment and any other party who has requested such notice. Notice of the decision shall be provided to the Coastal Commission for an amendment that affects property within the Humboldt County Coastal Zone. (Former Section CZ#A316-6(F); Amended by Ord. 2214, 6/6/00)

**50.7.7 Notice of Environmental Determination** Following each amendment approved by the Board of Supervisors, a Notice of Determination shall be filed pursuant to all requirements of Sections 15075 and 15094 of the California Code of Regulations and Section 21152 of the California Public Resources Code, or any successor provisions thereto. (Former Section CZ#A316-6(G); Amended by Ord. 2214, 6/6/00)

**50.7.8 Coastal Commission Certification** An approval of an application for amendment that affects property within the Humboldt County Coastal Zone shall not become effective until the amendment has been approved and certified by the Coastal Commission. (Former Section CZ#A316-6(H))

**50.7.9 Limits to Reapplication for Zone Reclassification** Following the grant or denial of an application for a Zone Reclassification, no new application shall be accepted within one (1) year for the same or substantially the same property. (Former Section INL#317-11; Ord. 894, Sec. 1, 12/19/72)

## **50.8 SUPPLEMENTAL TIMBERLAND PRODUCTION ZONING PROCEDURES.**

**50.8.1** After November 1977, an owner of real property may apply to zone land as Timberland Production. This application shall be made directly to the Department and does not require Board of Supervisor's authorization to process. The Board of Supervisors, pursuant to these Regulations and Public Resources Code Section 51110.2, shall zone as Timberland Production all parcels submitted to it pursuant to this Section, which meet all of the following criteria:

**50.8.1.1** A map shall be prepared showing the legal description of or the assessor's parcel number of the property desired to be zoned Timberland Production Zone. (Former Section CZ#A316-7(A); Amended by Ord. 2214, 6/6/00)

**50.8.1.2** A plan for forest management of the property must be prepared or approved as to content by a registered professional forester. Such plan shall provide for the eventual harvest of timber within a reasonable period of time, as determined by the preparer of the plan. (Former Section CZ#A316-7(B))

**50.8.1.3** The parcel shall currently meet the timber stocking standards as set forth in Section 4561 of the Public Resources Code and the forest practice rules adopted by the State Board of Forestry for the district in which the parcel is located, or the owner must sign an agreement with the Board of Supervisors to meet such stocking standards and forest practice rules by the fifth anniversary of the signing of such agreement. If the parcel is subsequently zoned as Timberland Production and the owner fails to meet such stocking standards and forest practice rules within this time period, the Board of Supervisors may rezone the parcel pursuant to Section 51121 of the Government Code. (Former Section CZ#A316-7(C); Amended by Ord. 2214, 6/6/00)

**50.8.1.4** The land to be rezoned Timberland Production shall be in the ownership of one person, as defined in Section 38106 of the Revenue and Taxation Code, and shall be comprised of single or contiguous parcels as defined in Section 51100 of the Government Code, which are 160 acres or one-quarter section in size or larger. (Former Section CZ#A316-7(D); Amended by Ord. 2214, 6/6/00)

50.8.1.5 The land to be rezoned Timberland Production shall be twenty (20) acres or more of “good site III” or better, or 160 acres or more of “site IV” or better as defined in Section 434 of the Revenue and Taxation Code, or any successor provision thereto. (Former Section CZ#A316-7(E))

50.8.1.6 The existing uses on the parcel must be uses permitted in the TPZ zone. (Former Section CZ#A316-7(F))

**50.8.2 Rezoning From Timberland Production To a Different Zone.** Rezoning of the land from Timberland Production Zone (TPZ) to another zoning district shall be in conformance with the requirements of the Forest Taxation Reform Act of 1976, in addition to the requirements of these zoning regulations. (Former Section CZ#A316-8)

## 312-51 ENFORCEMENT PROCEDURES

Note: For administrative enforcement procedures, see Title II, Division 12, Recovery of Costs Related to Processing and Enforcement of Code Violations; and Title II, Division 13, Administrative Penalties.

### 51.1 DUTY TO ENFORCE

It shall be the duty of the Community Development Services Director to enforce all provisions of the County Zoning Regulations. All officials, departments, and employees of the County of Humboldt vested with the authority to issue permits, certificates, or licenses shall adhere to and require conformance with the County Zoning Regulations.

### 51.2 EXCEPTIONS

The Community Development Services Department has responsibility for enforcing this Code, except:

51.2.1 The Department of Public Health shall enforce the provisions of this Code relating to animals and animal shelters. (Former Section INL#319-5)

51.2.2 The Building Division of the Community Development Services Department shall enforce the provisions of this Code for building height, site area and minimum yards, after designation of minimum yards has been made by the Community Development Services Department. The Building Division will also inspect mobile home skirting and storage shed installation. (Former Section INL#319-5; Ord. 1086, Sec. 21, 7/13/76)

51.2.3 Other enforcement provisions mandated by the Planning Commission or Board of Supervisors, or enforcement agreements made between Department Heads. (Added by Ord. 2214, 6/6/00)

### 51.3 PERMITS IN CONFLICT WITH THIS CODE.

No County department, employee or officer shall issue a permit, certificate or license for any land uses or building which conflicts with this Code, consistent with state law. Any permit, certificate or license issued in conflict with this Code shall be null and void. (Former Section INL#319--1; Ord. 519, Sec. 801, 5/11/65; Amended by Ord. 2214, 6/6/00)

### 51.4 INSPECTION TO ENSURE COMPLIANCE.

51.4.1 Any official or duly authorized representative of such official, who is responsible for enforcement or administration of the County Zoning Regulations, may enter any site for the purpose of investigation to be conducted in a reasonable manner in the following circumstances: (Former Section CZ#A317-1(B); Amended by Ord. 2214, 6/6/00)

51.4.1.1 It is necessary to investigate an application for development permit or variance or an extension, modification thereof, or an action to revoke or modify a development permit or variance. (Former Section CZ#A317-1(B)(2))

51.4.1.2 It is necessary to investigate a proposed amendment of the County Zoning Regulations. (Former Section CZ#A317-1(B)(3))

51.4.2 No owner or occupant or agent thereof shall, after appropriate notice and opportunity to comply, refuse to permit such entry. (Former Section CZ#A317-1(B))

51.4.3 No building or structure shall be entered without the express permission of the owner or occupant. (Former Section CZ#A317-1(B))

51.4.4 A refusal of permission to enter upon the land shall be deemed to constitute a withdrawal of the application for which the inspection is required, or grounds for revocation of a development permit or variance issued pursuant to this division. (Former Section CZ#A317-1(B); Amended by Ord. 2214, 6/6/00)

## 51.5 VIOLATION OF THE COUNTY ZONING REGULATIONS

The following provisions shall apply to violations of the County Zoning Regulations. All of the remedies provided for in this section shall be cumulative and not exclusive. (Former Section INL#319-4; CZ#A317-1(C); Ord. 519, Sec. 804, 5/11/65; Amended by Ord. 2214, 6/6/00)

51.5.1 **Penalty** Any person, whether principal, agent, employee or otherwise, violating or causing or permitting the violation of any of the provisions of this Code shall be guilty of a misdemeanor and shall be subject to the penalties provided for in Section 112-5 of the County Code. (Former Section INL#319-2; CZ#A317-1(C)(1); Ord. 519, Sec. 802, 5/11/65)

51.5.2 **Public Nuisance.** Any building or use operated or maintained contrary to the provisions of this Code shall be and the same hereby is declared to be a public nuisance and shall be subject to injunction and abatement as such. (Former Section INL#319-3; CZ#A317-1(C)(2); Ord. 519, Sec. 803, 5/11/65)

51.5.3 **Redway Q Zone** This Section does not include additional sanctions imposed under the Redway Q Zone Ordinance. (Added by Ord. 2214, 6/6/00)

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]

**Sent:** Thursday, September 02, 2010 11:32 PM

**To:** Richardson, Michael

**Subject:** Fw: "Southern Humboldt Community Park General Plan Amendment" July 2010

Thank you for the reply to my questions sent in August. I hope there are more than One scoping meeting, though. It is kind of a controversial issue.

I did send you the email below, did you get it? I am most confused about what document the

Responsible and Trustee Agencies are receiving to comment on. Please send me what you sent them. I am still unclear about the other questions below, too, if you could let me know. And what is a special permit... well, you can see what I asked below. Thank you. Sandy

----- Forwarded Message -----

**From:** Sandy Feretto <sferetto@yahoo.com>

**To:** mrichardson@co.humboldt.ca.us

**Cc:** kgirard@co.humboldt.ca.us

**Sent:** Wed, September 1, 2010 8:44:44 PM

**Subject:** Fw: "Southern Humboldt Community Park General Plan Amendment" July 2010

Dear Michael, Regarding The Document I received from you on August 31, 2010: Notice of Preparation to Responsible and Trustee Agencies.

Is this the document that you have sent to Responsible and Trustee Agencies?

From the document I received from you on August 31, 2010:

"Portions of the PR areas are proposed to be used for small events of 200 persons or less, such as weddings, birthdays and memorials. Up to five (5) times per year, medium sized events for up to 500 persons would be allowed. These events would not have amplified music. And one time per year an event is proposed for up to 5,000 persons similar to the Benbow Summer Arts Fair (sic). Amplified music would be allowed at these events."

Now you email a few people (but not me) to say that it's all wrong?

How very confusing.

What have you sent to the Responsible and Trustee Agencies? Please send me a copy of what you sent them: the same document(s) the Responsible Agencies and Trustee Agencies are sent and whatever we are supposed to discuss at the scoping session. Are they the same document or different?

Maybe this whole controversial, cockamamie SHCP GPA should just be put off until after the General Plan Update is completed and this can be attended to with the attention it deserves and requires. I can't imagine what the hurry is after all this time. What exactly is the hurry on this project, Michael? Especially since some things aren't even made up yet. How will we know what to comment on at the scoping session if there is no definition of what is being asked for?

Please notify me when public comment period begins on the rewriting of Public Facilities and or Public Recreation or any combination thereof that you may come up with, including as it pertains to SHCP. Please forward to me the draft of this zone or land use designation, whether for the current General Plan or the General Plan Update, so that I may participate in the review by agencies, the Planning Commission and the Board of Supervisors. I have some comments to make on that, too. Send me all pertinent information and time requirements relating to this writing of land use designation or zone for the SHCP Board and the General Plan Update and the current General Plan.

Please send me the definition and description of a Special Use Permit.

And once again, please answer the questions that I have sent throughout the month of August. Sorry you are having a weird time, or whatever is going on.

Thank you . Sandy

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## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Friday, September 03, 2010 4:35 PM  
**To:** Richardson, Michael  
**Subject:** Re: Scoping

Michael,

Let me see if I understand your partial response. Sept.9, 2010 is the One Only Public Scoping Session. Did you make this decision on your own or is there some basis in CEQA Law? Is it the Only One for the whole GPA and the I.S. and the EIR? The two hours allotted for the public comment is not enough. And it is outside the barn with all the bugs and whatnot and on real uneven ground, and it starts getting dark at 7:30 pm these days. This is not the place for the most important public meeting yet, concerning the complete and total change of land uses for the SHCP. which by the way was not paid for by the Park Board but by the community and for a Park? In this meeting we are supposed to make informed comment on a P.F. special zone just for the SHCP, which you have told me is not even drafted yet. How does that work, are we supposed to read your mind?

Michael I would like an answer to the question below starting with "it would seem we are still on the GPA process"

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [donaldcourtemanche](#)  
**Sent:** Friday, September 03, 2010 13:41  
**Subject:** RE: Scoping

Hi Don,

[Here's my response to your questions.](#)

Lets see if I got this right, the Sept.9, 2010 public scoping session at the park is for you and the park board and you to gather information for the upcoming EIR.

yes

This is not an EIR Public Scoping Session right? So the question is will there be one or more Scoping Sessions when you draft the EIR? And do you have any idea when time wise this will happen.

We are calling in an EIR scoping meeting. However, we will not be discussing the prepared draft EIR. Instead, we will be discussing what should go into the draft EIR. After the EIR is prepared in the coming weeks and months, there will be public hearings in the future in front of the Planning Commission and the Board of Supervisors to review the draft EIR.

- Michael R.

-----Original Message-----

**From:** donaldcourtemanche [mailto:[donaldcourtemanche@wavecable.com](mailto:donaldcourtemanche@wavecable.com)]

**Sent:** Friday, September 03, 2010 10:28 AM

**To:** Richardson, Michael

**Subject:** Scoping

Michael,

Lets see if I got this right, the Sept.9, 2010 public scoping session at the park is for you and the park board and you to gather information for the upcoming EIR. This is not an EIR Public Scoping Session right? It seem we are still on the GPA process from Nov.10, 2009 and in that Supervisors meeting the Board said that this GPA would go straight to an EIR, you were there Michael am I wrong?

So the question is will there be one or more Scoping Sessions when you draft the EIR? And do you have any idea when time wise this will happen. Thanks Don

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, September 03, 2010 4:02 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA

Morning Michael,

Did you ever get a chance to scan what you have sent to R & T agencies? Could you give me a list of R & T agencies you are sending the NOP?

Thanks  
Ed Voice

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Friday, September 03, 2010 11:09 AM  
**To:** Richardson, Michael  
**Subject:** Noticing

Michael,

I have been looking for the CDS notice about the Sept. 9, 2010 Scoping Meeting at the Park Barn in both the Times Standard and our local papers, I can't seem to find the Official Notice anywhere. Maybe you can help me? Thanks Don

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, September 02, 2010 9:06 AM  
**To:** Richardson, Michael  
**Subject:** SHCP LLA-04-02 SCH # 2006022098

Morning Michael,

In an attempt to read the studies and reports referenced in this SHCP GPA IS/Checklist, I ran across something on the SHCP LLA-04-02 MND from 2006. In the MND under Geology and Soils, listed in Mitigation Measure #3 it states; *Any future development shall adhere to the recommendations in the R-2 soils Reports (Brundage, Aug 11, 15, Oct 12 (addendum) 2005) on file in Planning and Building. This shall be included as a note on the Development Plan.*

Since Brundage is listed in this SHCP GPA IS/Checklist for this same report on Aug 15, 2005, your office should have a copy of that study/report. I want to know if that Brundage Aug 15, 2005 R-2 report could be found, so I could read it, along with the Development Plan?

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, September 01, 2010 5:37 PM  
**To:** Richardson, Michael  
**Subject:** Re: Public Notice, SHCP EIR Scoping Meeting?

Hi Michael,

Thanks for all the info, it helps a lot. And to remind you about what you're going to scan and sending me today,

Thanks again,  
Ed

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Wednesday, September 01, 2010 11:28 AM  
**Subject:** RE: Public Notice, SHCP EIR Scoping Meeting?

Hi Ed,

Here are my responses to your questions:

1. Has the IS/Checklist you sent me from July 23, 2010 changed? If so can I see the revised version?

I haven't modified the initial study drafted by the applicants. I have identified in the NOP the list of potential impacts of the project to be discussed in the DEIR, which is different from the list the applicants provided.

2. What information or IS/Checklist was sent to the Responsible & Trustee Agencies? Can I get a copy?

Yes, I'll scan it and send it to you this afternoon.

3. What is this new Plan designation you have stated?

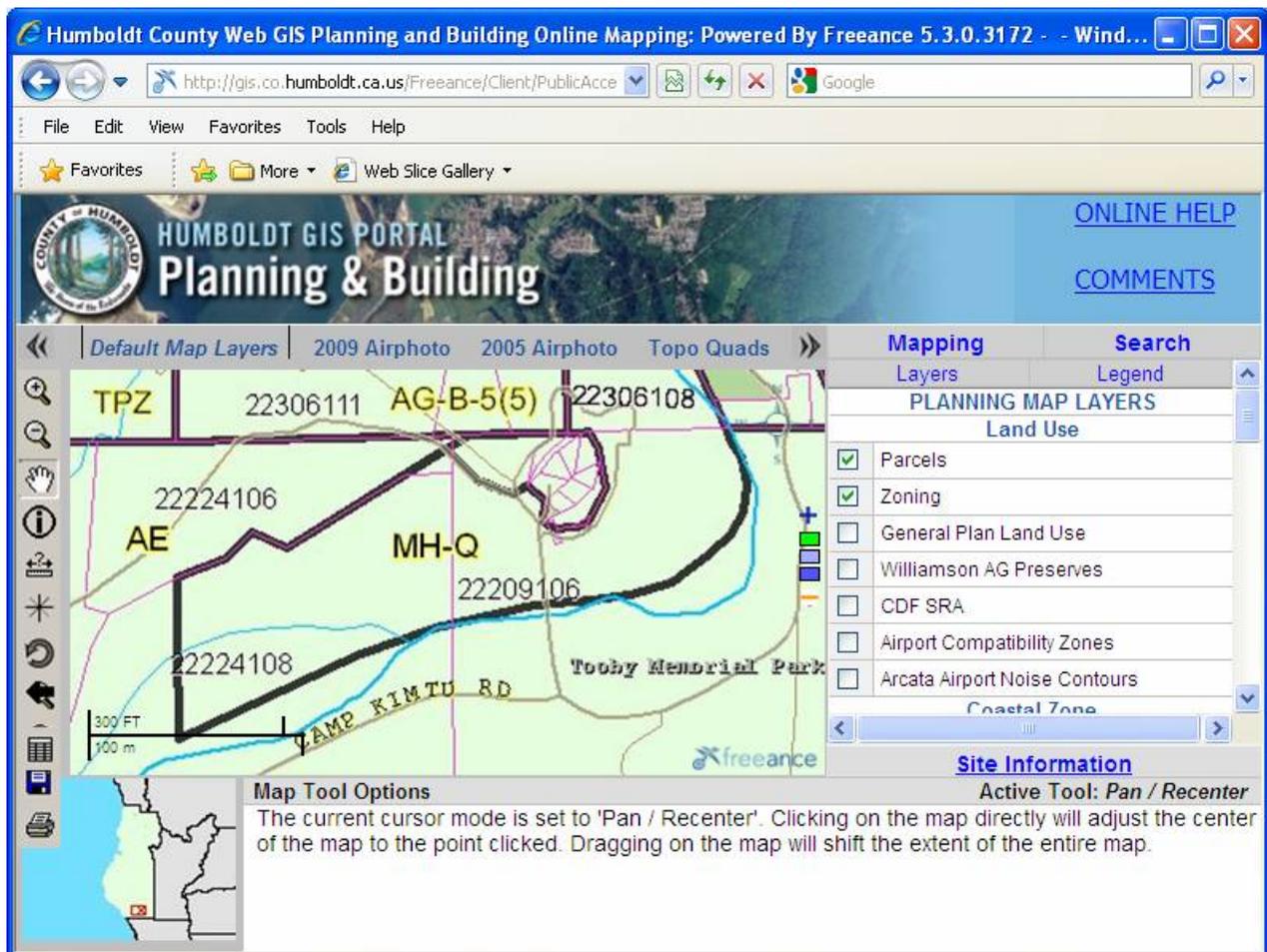
The applicant is proposing a PR – Public Recreation Plan designation.

4. I don't understand this: "The third part of the project is the proposed Conditional Use Permit and Special Permit to allow specific activities within the PR areas" does this mean they do or don't need a CUP or SP for their events? Or does it mean all events are principally permitted? Please help me understand this one!

The events would be conditionally permitted, not principally permitted. The use permit/special permit for the events will be evaluated concurrent with the GPA application.

5. You said: "and a 20-acre parcel zoned Heavy Industrial – Qualified (MH-Q) in operation" You must be talking about APN 222-241-006 which is zoned AE/AS(1-5), not MH-Q/IR.

That statement applies to the property zoned MH-Q as shown in the below image:



One other thing, below is a correction to the project description in the NOP. Sorry for the confusion on my part.

Portions of the PR areas are proposed to be used for small events of **200 500** persons or less, such as weddings, birthdays and memorials. Up to five (5) times per year, medium sized events for up to **500 1,200** persons would be allowed. ~~These events would not have amplified music.~~ And one time per year an event is proposed for up to 5,000 persons similar to the Benbow Summer Arts Fair. Amplified music would be allowed at **all** these events.

- Michael Richardson  
 Senior Planner  
 Humboldt County Community Development Services  
 (707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Tuesday, August 31, 2010 10:54 PM  
**To:** Richardson, Michael  
**Subject:** Re: Public Notice, SHCP EIR Scoping Meeting?

Morning Michael,

Thank you for the info. I do have a gazillion questions about the NOP SEIR or DEIR you sent me, but to keep it short here are a couple:

1. Has the IS/Checklist you sent me from July 23, 2010 changed? If so can I see the revised version?
2. What information or IS/Checklist was sent to the Responsible & Trustee Agencies? Can I get a copy?
3. What is this new Plan designation you have stated?
4. I don't understand this: "The third part of the project is the proposed Conditional Use Permit and Special Permit to allow specific activities within the PR areas" does this mean they do or don't need a CUP or SP for their events? Or does it mean all events are principally permitted? Please help me understand this one!
5. You said: "and a 20-acre parcel zoned Heavy Industrial – Qualified (MH-Q) in operation" You must be talking about APN 222-241-006 which is zoned AE/AS(1-5), not MH-Q/IR.

That's it for now, see you at the Scoping session,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Tuesday, August 31, 2010 4:13 PM

**Subject:** RE: Public Notice, SHCP EIR Scoping Meeting?

Hi Ed,

The scoping session will be on the park property in front of the barn from 5 – 7 pm on Thursday, September 9<sup>th</sup>.

Attached is the Notice of Preparation of a Draft Environmental Impact Report, which will be the focus of the scoping session.

Notices will be provided later this week to all the property owners that were noticed for the SHCP Plan Petition and to the Times-Standard.

Please let me know if you have any questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]

**Sent:** Tuesday, August 31, 2010 11:32 AM

**To:** Richardson, Michael

**Cc:** Clendenen, Clif; Jackson, Lucinda

**Subject:** Public Notice, SHCP EIR Scoping Meeing?

Michael,

Checked the Times Standard today and no public notice about the SHCP Scoping session/meeting down at the Park on Sept 9th at the Barn. Would you please confirm the date, time and place?

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Wednesday, September 01, 2010 11:57 AM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Lovelace, Mark; Duffy, Jill; Neely, Bonnie  
**Subject:** Re: Public Notice, SHCP EIR Scoping Meeting

Thanks for the corrections the 500 number is a bit much seems like it should be 200 and 500 for five times a year. Its not like we do not already have plenty of concerts small and large in Southern Humboldt to have any more concerts with more than 200 people is in our opinion not needed in a rural area and to allow it on the SHCP property would be a shame.

This SHCP property has a history for decades of being a working a ranch to turn our backs on this history and rezone this property for any amplified concerts is not the proper land.

Regards  
Sonny and Iris

DOBSON IMAGES

Hi Sonny,

Thanks for your comments.

We do consider events at the Park for 200 persons or less a legal non-conforming use, which wouldn't require a conditional use permit, but it would be better to have them get a use permit for these events because it offers all of us more security that we know what the allowed uses are through a public hearing process.

One thing I wanted to mention is I was a little off in the project description in the Notice of Preparation. The below paragraph shows the corrections in ~~strikeout~~ and underline.

Portions of the PR areas are proposed to be used for small events of 200 500 persons or less, such as weddings, birthdays and memorials. Up to five (5) times per year, medium sized events for up to 500 1,200 persons would be allowed. These events would not have amplified music. And one time per year an event is proposed for up to 5,000 persons similar to the Benbow Summer Arts Fair. Amplified music would be allowed at all these events.

I'll talk to you soon!

- Michael R.

-----Original Message-----

**From:** DOBSON IMAGES [<mailto:dobsonimages@asis.com>]  
**Sent:** Tuesday, August 31, 2010 5:57 PM  
**To:** Richardson, Michael  
**Cc:** Smith, Jimmy R.; Ed Voice  
**Subject:** Re: Public Notice, SHCP EIR Scoping Meeting

Michael

Thanks for keeping us updated.

Iris and I are against the proposed rezoing of the SHCP parcel.

We have no problem with the proposal of small unamplified events of 200 people or less and we have .no problems with up to five medium sized unamplified events of 500 persons.

The above stated events could already be allowed on the parcel with a simple Conditional Use Permit .

I may be wrong but would the SHCP event need a permit for unamplified events of 200 people or less?  
We are opposed to any multi family dwellings that are not AG related.  
They are asking for one proposed event of up to 5,000 persons per year this could also be granted under a conditional use permit and not a costly rezoning of the SHCP.  
We do however that any event the size of 5,000 should be done at Benbow all though we are opposed to any event in Southern Humboldt of more than 3500 people.  
I donated money the SHCP years ago at the start and am disappointed at what they are now proposing.  
If the county allows this rezoning to go through this could have a negative impact on the future use of other AG parcels in our county.  
We have already lost to much of the rural feeling of Southern Humboldt to Reggae Rising , Reggae on the River when they grew larger than 3500 people and more than two days.  
While the SHCP is asking for one event of 5,000 you can bet money that they will be asking for larger and larger crowds as the years go on.  
This is not a public park it is privately owned and can be sold at any time to anyone without any public comment.  
Best regards  
Sonny Anderson  
Iris Dobson  
Petrolia, California  
415 794 3353

To Iris and I it is

DOBSON IMAGES  
Hi Sonny,

The Southern Humboldt Community Park Draft EIR Scoping Meeting will be on the SHCP property in front of the barn on the property, which is located at the intersection of Sprowel Creek Road with Camp Kimtu Road (1144 Sprowel Creek Road). The meeting will be from 5 – 7 pm on Thursday, September 9th, 2010.

Attached is the Notice of Preparation of a Draft Environmental Impact Report, which will be the focus of the scoping session.

Notices of the meeting will also be mailed later this week to all the surrounding property owners and to the Times-Standard.

Please let me know if you have any questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723"

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**Cc:** Clendenen, Clif; Jackson, Lucinda  
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Ed Voice & Voice Family

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Petrolia, California

415 794 3353

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Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723"

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**Sent:** Tuesday, August 31, 2010 11:32 AM

**To:** Richardson, Michael

**Cc:** Clendenen, Clif; Jackson, Lucinda

**Subject:** Public Notice, SHCP EIR Scoping Meeeing?

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Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, August 31, 2010 1:00 PM  
**To:** Clendenen, Clif  
**Cc:** Lovelace, Mark; Neely, Bonnie; Smith, Jimmy R.; Duffy, Jill; polly.escovedo@resources.ca.gov; riverparkways@resources.ca.gov; VPATI@parks.ca.gov; dshap@parks.ca.gov; Richardson, Michael  
**Subject:** Prop 84 proposed Grant projects at the Southern Humboldt Community Park  
**Attachments:** Randall SG CUP-02-41 SWPPP 2004-1.jpg

Morning Supervisor Clendenen,

I wanted you to see what has already been planned in the South Fork Eel Riverbed (Wild & Scenic River). This project was included & approved in July 2004 for a 15 year Conditional Use Permit, Surface Mining Plan/Reclamation Plan (**CASE Nos. CUP-02-41, SMP-02-04 & RP-02-04; FILE Nos. 222-091-06 et al. & MND SCH# 2004052134**). The property is leased to Randall Sand & Gravel from the Southern Humboldt Community Park Board of Directors (30 year lease). This is the same project area known as the "South Fork Eel River Parkways Project" as proposed by the Southern Humboldt Community Park Board of Directors. This is also a proposed Prop 84 River Parkways Grant project that the Southern Humboldt Community Park Board of Directors have submitted to the Humboldt County Board of Supervisors for supported and approved since 2005.

I wanted to show you this, because even now with the Southern Humboldt Community Parks General Plan Amendment application and EIR being circulated and publicly noticed for public comment and input, what never comes up is the 85 acres of instream gravel with-in the South Fork Eel River Parkways Projects boundaries that can be extracted with a lease from the Southern Humboldt Community Park Board of Directors to Randall Sand & Gravel.

I guess what I don't understand, is why a private land owner like the Southern Humboldt Community Park Board would ask for State funding to make a river better, knowing that allowing this same kind of activity in the same river will cause the same problems over and over again. If you want to help the river habitat, wildlife and eco-system you need to find and fix the source of the problem first. I just wanted you to know this when you take everything else under consideration in the Second District here in Southern Humboldt.

Thank you very much for your time and service to this County and Communities here in Humboldt County,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, August 30, 2010 6:20 PM  
**To:** Clendenen, Clif  
**Cc:** Richardson, Michael  
**Subject:** Evolution of the SHCP since 2001 to 2002  
**Attachments:** SHCP Reichard third Work shops 2002-09-14.pdf; SHCP Reichard second public meeting Jan 10 2002 Notes.doc; SHCP Reichard first public meeting Aug 15 2001Notes.doc; SHCP news Mateel Summer Arts CUP denied 2001.rtf; SHCP mateel summer arts at Park 2001.rtf; SHCP Mateel CUP-00-13 SAMF at Park 2001.doc

Dear Supervisor Clendenen and Senior Planner Michael Richardson;

Since I heard Supervisor Clendenen on KMUD Monday Morning Magazine this morning, telling Dennis Huber he wanted to know more about the evolution of the Community Park from the beginning, i.e. early public/community planning sessions about the Park. I thought I would send you some history I have collected over the years about some of the first project permit applications and community meetings held just after the Tooby Flat property was first purchased by Southern Humboldt Working Together in Oct 2000. This is a sample of some of the newspaper articles I have electronically scanned and also all of the Nancy Reichard notes starting in Aug 2001 from the Masonic Hall in Garberville.

If you would like to see anymore (20 to 30) newspaper articles that appeared in the local Garberville papers back in 2000, 2001, 2002 etc, please let me know. There are a fair share of both pro & con editorials from all sides, almost a carbon copy of issues since 2008, it seems nothing has changed.

Thank you, I hope this is what you were looking for Supervisor Clendenen,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Thursday, August 26, 2010 4:43 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA CEQA EIR

Morning Michael,

Last night was a public SHCP Board meeting, at the meeting Kathryn Lobato talked about the SHCP GPA application process. She talked about a 30 day public comment period that followed the SHCP submitting what she called their GPA Application. Do you know what 30 day public notice she was talking about?

The Park Board also talked about that the reason there are so many projects on their GPA application, was because County Planning told them to include everything including the kitchen sink into their zoning, land use designation changes and permitted uses, is that true?

And last but not least, during the public comment period of the meeting, I gave the Park Board (which I had emailed one week in advance) a detailed list of incorporated references, studies and reports named in their GPA Application (IS/Checklist) and that I wanted copies of them to read before the Scoping Session (SEPT 9th), but the Board had no comment.

Have you had a chance to send copies to State and County agencies about this project?

Kathryn Lobato also said, that public notices will be sent out by the County, but only property owners 300 ft from the SHCP property? I had thought we talked about sending public notices out to property owners in the same area as the GPA Petition Hearing! The public notice should be sent to the same property owners if not the whole town of Garberville as well, since most all of the projects will impact them as well.

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Monday, August 23, 2010 3:06 PM  
**To:** Richardson, Michael  
**Cc:** Neely, Bonnie; Smith, Jimmy R.; Duffy, Jill; Clendenen, Clif; Lovelace, Mark; Chaitin, Wendy  
**Subject:** Clean well-lighted place for SHCP GPA EIR Scoping Meeting

Dear Mr. Richardson,

Please hold the public scoping meeting regarding the SHCP General Plan Amendment in a real public facility, not in the barn on SHCP property. It is a very old uninspected building with a heavy load of stored hay above the meeting area. It is not safe or clean nor does it have properly inspected lighting. It is not a neutral location that is comfortable for the whole age range of the community. It is not an enclosed structure which makes it difficult to hear what is being said. It is not handicapped accessible and has no place for handwashing. The Presbyterian church has a hall. Redway School has an auditorium. The Veteran's Hall and the Civic Club are usually available. All of these places offer far better conditions for a serious public meeting.

Thank you,

Kristin Vogel  
POB 453  
Garberville, CA 95542

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, August 23, 2010 1:30 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Smith, Jimmy R.; Duffy, Jill; Neely, Bonnie; Lovelace, Mark  
**Subject:** Re: SHCP Board on KMUD Radio, Monday Morning Magazine w/ Dennis Huber 8/23/10-8am

Morning Michael and Thanks I know you are very busy,

however, you should re-think having this public scoping session at the SHCP "barn", because it is just that; a working "barn" with the upper floor full of hay and the lower section full of bats. This "barn" has never been inspected, permitted or approved by the Humboldt County Building Department, Fire Marshall or Cal-Fire SRA authority to be an indoor place of Public assembly, gathering or commercial use. Since this will be a Humboldt County CDS sanctioned and documented CEQA scoping meeting, I feel this scoping session would be more appropriate and located at a County or State approved public place i.e. School, Church, Town Hall etc.

Will the County notice you are sending be the same area of property owners as the GPA Petition Hearing notice back in Nov 10th 2009?

Any word about the studies and reports named and referenced in the SHCP GPA EIR IS/Checklist for the public to read before this scoping session on Sept 9th?

Thanks again Michael,

Ed Voice & Voice Family

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>  
To: evoice@mchsi.  
Sent: Monday, August 23, 2010 12:01:24 PM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP Board on KMUD Radio, Monday Morning Magazine w/ Dennis Huber 8/23/10-8am

Hi Ed,

I will be conducting a public scoping session for the EIR for their proposed General Plan Amendment on Thursday September 9, 2010 from 5 - 7 pm in the barn on the SHCP property. We will be taking comments from the public on what impacts the EIR should address. I will be sending more formal notification of this meeting to the neighboring property owners by the end of the week. I will make sure you are on that list.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Monday, August 23, 2010 11:52 AM

To: Richardson, Michael

Cc: Clendenen, Clif; Smith, Jimmy R.; Duffy, Jill; Neely, Bonnie; Lovelace, Mark

Subject: SHCP Board on KMUD Radio, Monday Morning Magazine w/ Dennis Huber 8/23/10-8am

Morning Michael,

I think its starting to make sense now, about what the Park Board talked about on KMUD Radio this morning; that is they never called this GPA an EIR, only an application. Even though they filed a CEQA IS/Checklist that states this GPA/project requires an EIR, they now state this is only an application for changing land use designations for currently listed "AR" & "AL"?

Here is my problem Michael, you are very busy with the GPU, the Park Board said that Supervisor Clendenen and yourself, along with other people will have a scoping meeting about this "application" or what I thought was an "EIR" on Sept 9th. If this is not officially an EIR project going forward, what is it and when does the public get to see all of the Incorporated reference documents and materials included into the IS/Checklist or what the Park Board is now (after this morning) calling a "GPA Application".

What page are we on Michael! Is this just an "application" or is it an "EIR". I mean to say, it was already determined at the GPA petition hearing, that this GPA would go forward as an EIR. Nothing about this proposed project GPA process has gone according to CEQA EIR protocol. I am not sure for the reason, but it would seem that the Park Board needs to hire some kind of third party consultant for this project, not just jumping on the back of CDS because they have no money. Or will it turn into another "he said she said" with CDS staff, just like in 2007/2008 with illegal and un-permitted concerts and events?

The other statement I heard this morning, was the word "detractors" (he might as well have said "scum bag"), in reference to people and neighbors who want to know what the hell is going on in their neighborhoods, river and habitat. So much for the Park Board wanting to know and talk about the concerns we as neighbors have about their proposed project. Given the fact most of us, including Tooby Memorial Park have been on the ground here 3 to 5 times longer than the Community Park has.

And while I'm thinking about it, why does the Park Board always say:

"while Tooby Memorial Park was under the control of the County and zoned "AE" it was never an issue about public events, until the SHCP took control and operation of Tooby Memorial Park from the County"

This was talked about again by Tim Metz, President of the Park Board of Directors this morning. It was always my understanding that Tooby Memorial Park was never allowed to have any kind of amplified music, organized recreation, Camping or events, unless you contacted the County Parks Department at Public Works and even then you could not have amplified music of any kind, live or pre-recorded, no overnight parking or camping. That is the way it had been since 1967, as per the Tooby Family! So why does the Park Board state there is this long historic use of Tooby Memorial Park that includes all the above?

Again, Thanks Michael

Ed Voice & Voice Family

## Richardson, Michael

---

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**Sent:** Monday, August 23, 2010 11:52 AM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Smith, Jimmy R.; Duffy, Jill; Neely, Bonnie; Lovelace, Mark  
**Subject:** SHCP Board on KMUD Radio, Monday Morning Magazine w/ Dennis Huber 8/23/10-8am

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Again, Thanks Michael

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, August 21, 2010 2:45 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Neely, Bonnie; Smith, Jimmy R.; Lovelace, Mark; Duffy, Jill  
**Subject:** SHCP GPA EIR ?

Morning Michael,

First off, our family would like to be notified and included in any public process, meeting(s) and or noticing that have to do with this SHCP GPA EIR and your office.

I do have some comments (questions) to what has been publicly submitted by the SHCP Board of Directors; concerning the IS/Checklist, Plan of Operation for events and Introduction or narrative to the SHCP General Plan Amendment.

1. It seems there is no documented detailed information or analyses concerning the different aspects to this EIR and the proposed projects included for this Big Box Concert/Festival Venue site and Housing Development:

- a. Current Humboldt County Assessors Parcel Numbers for the proposed project area(s) including title and lien holders of the SHCP properties.
- b. Project description, details, plans, studies and reports for: Multi-Family Housing, Public Facilities, Public Recreation and Industrial Zone (MH-Q).

Example one: The SHCP wants to use 20/30 acres of riverbed as parking for large events, but only on a map (aerial) of the property does it show the area in question, with no detailed description of the development of that section of the riverbed e.g. the road in or road out to the riverbed for public parking, how people attending the large events get back and forth from the riverbed parking lot and the event venue site or will the people using that area on the riverbed be required to leave everyday or use the same area for camping i.e. Reggae Rising and Reggae on the River in past years. The only detailed outline in this EIR is the following description and I quote:

*"This area is on a separate parcel and is owned by Southern Humboldt Community Park and leased and operated by Randall Sand and Gravel. • Current uses: Surface mining, gravel and shale extraction, storage, and processing. • Proposed Uses: Current uses continue with addition of public parking for events. No zoning change is proposed for this parcel. An additional land use is requested for public parking for special events."*

Example two: The SHCP wants to rezone 3-5 acres of Park property (AE, AR, AL) to build Multi-Family Housing (R-3), but the area on the maps look more like 8 to 10 acres and again there is no description, details, plans or studies for this Multi-Family Housing (R-3) project. The only details outlined in this EIR is the following description and I quote:

*"This GPA does not include development plans for this spot. The number of units has not been proposed. This project is consistent with the GBRA community plan for the Tooby Flat area. (Map: Figure 8—Proposed Zoning)".*

I guess Michael, until the Park Board or you can give the public something better to go on than the examples above, this so called "EIR" is a complete waste of everyone's time, at best this is a piece-meal project description not an EIR, that started as a public nuisance and now turned into a County approved public nuisance.

Thank you Michael, that's all I have for now,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, August 20, 2010 12:06 AM  
**To:** Richardson, Michael  
**Subject:** EIR process

Morning Michael,

I thought this is the way things would normally work:

**1. CEQA Lead Agency Issues a Notice of Preparation (NOP) of an EIR.** (NOP is available for a 30-day public review period)

**2. Lead Agency Holds a Public Scoping Meeting to receive comments on the scope of the analysis in the EIR (Optional)**

**3. Lead Agency Prepares a Draft EIR**

**4. Lead Agency files a Notice of Completion (NOC) with the State Clearinghouse and gives public Notice of Availability (NOA) of Draft EIR** (NOA is sent to: OPR - Trustee Agencies - Responsible Agencies - Involved Federal Agencies - Affected Cities and Counties - Relevant Regional Agencies - Interested Parties)

**5. Lead Agency holds a public hearing and prepares a Hearing Transcript** (Draft EIR is available for a 30-day public review period, 45 days if Draft EIR is submitted to the State Clearinghouse for review by state agencies)

**6. Lead Agency prepares a C&R Document**

**7. Lead Agency Prepares a Mitigation and Monitoring Program**

**8. Lead Agency prepares Findings and Overriding Considerations** (if necessary)

**9. Decision-making body certifies EIR and makes a decision on project approval**

**10. Lead Agency publishes a Final EIR**

**11. Lead Agency files a Notice of Determination (NOD) of Final EIR** (NOD is sent to: OPR - County Clerk - Responsible Agencies - City and/or County Agencies - Interested Parties)

**12. Begin Project Implementation and Mitigation and Monitoring Program**

Thanks Michael,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Phil Ayers <pgayers@ayersdistributing.com>  
**Sent:** Wednesday, August 18, 2010 9:05 AM  
**To:** Richardson, Michael  
**Subject:** SHCP application

Hi Mike,

Please put me on the notice list for the SHCP application.

Thanks and please confirm your receipt of this email.

Phil Ayers

E.G. Ayers Distributing Inc.  
5819 South Broadway  
Eureka, CA 95503

707-445-2077  
pgayers@ayersdistributing.com

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Tuesday, August 17, 2010 11:14 AM  
**To:** Girard, Kirk; kirk  
**Cc:** Smith, Jimmy R.; Neely, Bonnie; Clendenen, Clif; Lovelace, Mark; Duffy, Jill; Richardson, Michael; Director@dfg.ca.gov; fgc; jdonnell@dfg.ca.gov; dmeans@dfg.ca.gov; pperrine@dfg.ca.gov  
**Subject:** Fwd: Parking on a listed Salmonid Recovery Riverbed for Concerts & Festivals, SONCC  
**Attachments:** rotraerial2003.jpg

FYI....

----- Forwarded Message -----

From: evoice@mchsi.com  
To: CKuhlman@waterboards.ca.gov  
Cc: KAshley@waterboards.ca.gov, DHenriouille-Henry@waterboards.ca.gov, DLeland@waterboards.ca.gov, JShort@waterboards.ca.gov, CWoodhouse@waterboards.ca.gov  
Sent: Tuesday, August 17, 2010 10:10:40 AM GMT -08:00 US/Canada Pacific  
Subject: Fwd: Parking on a listed Salmonid Recovery Riverbed for Concerts & Festivals, SONCC

Good Morning Director Kuhlman;

I wanted to talk with you today about a CEQA EIR that is being proposed by the Southern Humboldt Community Park Board of Directors ( <http://sohumpark.org/> ), located in Garberville Ca. One of many projects proposed in this Humboldt County General Plan Amendment EIR by the Park Board is the development of a 20/30 acre parking lot(s), restrooms, picnic area's and night lighting with-in the 10 year flood plain, below ordinary high water, below the established vegetation line and with-in the streambed of the South Fork Eel River (SFER). I cannot seem to find any beneficial uses listed for the South Fork Eel River; that include Parking thousands of vehicles on the Streambed and River banks for Concerts and Festivals. I have included a photo of what it would look like. It was taken just up stream at Cooks Valley (9 miles). When that event started, it was small, under 1000 people, now its over 14,000 people. Think if every vehicle dripped one once of; motor oil, coolant, transmission and axle fluid, battery acid and brake pad dust?

This proposed EIR project is about a half mile up stream and just down stream of the Sprowel Creek Road Bridge at Tooby Memorial Park along Kimtu Road, on both sides of the SFER. This parking would be for the Park Boards proposed General Plan Amendment EIR; aka Commercial Concert & Festival venue site(s) located on the Community Park & Tooby Memorial Park property, with proposed multiple day Concert(s) & Festival(s) scheduled from May thru October every year.

This section of the South Fork Eel River is listed state and federal Wild & Scenic River, contains habitat for both state and federally listed (ESA, EFH and ESU) populations of anadromous salmonid species (Steelhead, Coho & Chinook) and drinking water for the town of Garberville and many other home owners along the way down stream. However, I do find these items listed as beneficial uses in the South Fork Eel River and NCRWQCB1 Basin Plan(s).

I am asking for your help concerning this matter and what the Community Park Board is planning for the Park property and South Fork Eel River watershed and basin. My hope is that NCRWQCB1 and staff are as concerned as I am about the wildlife habitat and watershed eco-systems species populations that will be effected by this project(s) i.e. loss of habitat and territory; loss of food supply; behavioral changes in mating predation and migration; and changes in nocturnal and interspecies relationships, altered predator-prey balance, increased competition for food and shelter and the protection

of clean drinking water for human consumption. The goal of the Basin Plan is to provide a definitive program of actions designed to preserve and enhance water quality and to protect beneficial uses of water in the North Coast Region.

And I quote:

"The Stream and Wetland System Protection Policy will achieve these goals by recognizing that it is necessary to protect and restore the physical characteristics of stream and wetlands systems—stream channels, wetlands, riparian areas, and floodplains—including their connectivity and natural hydrologic regimes, to achieve water quality standards and protect beneficial uses. The Policy will clarify that stream and wetlands system protection and restoration are viable forms of pollution prevention in all land use settings, and that the strategies of pollutant source control and stream and wetlands system protection need to be integrated to complete the entire watershed water quality management strategy. The Policy will be based on sound scientific principles and will develop reasonable methods to protect water quality"

As always, Thank you for your time in this matter,

Ed Voice & Voice Family

Home owner and neighbor Tooby Memorial Park since 1966

707.349.1069

<http://member.merchantcircle.com/shcpneighbors>

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Tuesday, August 17, 2010 10:18 AM  
**To:** Werner, Steve; Richardson, Michael; Spencer, Martha; Lovelace, Mark; Marcella Clem; Girard, Kirk; Smith, Jimmy R.; Duffy, Jill; Clendenen, Clif; Neely, Bonnie  
**Subject:** Southern Humboldt Community Parks GPA CEQA

Morning all,

Supervisor Clendenen has stated on KMUD on Monday morning that there will be a scoping meeting on Sept. 9, 2010 regarding the CEQA document the SHCP has submitted to CSD and Michael Richardson. Unless the SHCP and CSD can provide to the public the studies that support the proposed massive land use changes before the meeting, we cannot have an informed discussion, and I would question the purpose for this meeting. The Park Board and the CSD have this vital information but we do not, and once again the public will be disadvantaged and the people most affected by this conversion of A.E. lands for private commercialization, will be left searching for a level playing field within our county government. As an added incentive I will include Ed Voice's email which has the relevant State CEQA codes pertaining to the SHCP document. Please let me know by email how you will provide these studies before the Sept.9, 2010 meeting. Thank you Donald Courtemanche Sprowel Creek Road Garberville

Morning Michael,

- >
- > Did not hear back from you last week as you had talked about. I had some questions about the CUP for 5 events you had been talking about. I know you are busy. Just checking.
- >
- > I heard today on Monday Morning Magazine, Dennis Huber talking with Supervisor Clendenen about making the SHCP EIR scoping meeting in Garberville on September 9th? Had you heard anything?
- >
- > I would also remind you of the following:
- >
- > Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act;
- >
- > Article 10. Considerations in Preparing EIRs and Negative Declarations i.e Sections; 15145 Speculation, 15146 Degree of Specificity, 15147 Technical Detail, 15148 Citation, 15149 Use of Registered Professionals in Preparing EIRs, 15150 Incorporation by Reference and 15151 Standards for Adequacy of an EIR.
- >
- > As far as this scoping meeting goes, without detailed plans for the different zoning and land use designations listed i.e. Housing, how can the community make a fair comment to something we can't see or read in any great detail? Other than to say we want to build family homes later, down the road? We need to see and read the detailed plans of each project, along with all supporting documents. We don't need another narrative, just the facts!

- >
- > Thanks Michael, you really have your work cut out for yourself with this one.....
- >
- > Ed Voice & Voice Family

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Tuesday, August 17, 2010 12:50 AM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif  
**Subject:** SHCP update?

Morning Michael,

Did not hear back from you last week as you had talked about. I had some questions about the CUP for 5 events you had been talking about. I know you are busy. Just checking.

I heard today on Monday Morning Magazine, Dennis Huber talking with Supervisor Clendenen about making the SHCP EIR scoping meeting in Garberville on September 9th? Had you heard anything?

I would also remind you of the following:

Title 14. California Code of Regulations, Chapter 3. Guidelines for Implementation of the California Environmental Quality Act;

Article 10. Considerations in Preparing EIRs and Negative Declarations i.e Sections; 15145 Speculation, 15146 Degree of Specificity, 15147 Technical Detail, 15148 Citation, 15149 Use of Registered Professionals in Preparing EIRs, 15150 Incorporation by Reference and 15151 Standards for Adequacy of an EIR.

As far as this scoping meeting goes, without detailed plans for the different zoning and land use designations listed i.e. Housing, how can the community make a fair comment to something we can't see or read in any great detail? Other than to say we want to build family homes later, down the road? We need to see and read the detailed plans of each project, along with all supporting documents. We don't need another narrative, just the facts!

Thanks Michael, you really have your work cut out for yourself with this one.....

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Sandra Perez <sperez@5counties.org>  
**Sent:** Friday, August 13, 2010 11:42 AM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Mark Lancaster  
**Subject:** Humb Co proposed project FW: Parking on a listed Salmonid Recovery Riverbed for Concerts & Festivals  
**Attachments:** rotraerial2003.jpg

Hi Michael,

We've been contacted by Ed Voice and recently Kurt Volckmar regarding the proposed South Fork Eel River project (see emails below). As you can see, I'd emailed some of our primary contacts at the Humb Co Planning Dept to get more information. Since it appears that you are the planner for this project, I thought I'd send you all the correspondence we've received. Like I said in my original email, we haven't spoken to the concerned residents and would like to get more info beforehand. Thanks.

Sandra

**From:** Sandra Perez [mailto:sperez@5counties.org]  
**Sent:** Friday, August 13, 2010 10:13 AM  
**To:** Kirk Girard; Martha Spencer (Humb Planning); Michael Wheeler (Humb Planning)  
**Cc:** Mark Lancaster  
**Subject:** Humb Co proposed project FW: Parking on a listed Salmonid Recovery Riverbed for Concerts & Festivals

Hi All,

We just received the email below from a concerned resident in the South Fork Eel River. It seems he ran across our website. From the email it sounds like the Southern Humboldt Community Park Board is the project proponent. I assume however, that Humboldt County is the CEQA lead agency? It's hard to tell from the email. We wanted to alert you to this concern and also to set up a time to talk to you about the project. We could do this by email, but it might be faster by phone. We haven't responded to Mr. Voice yet and wanted to find out more before doing so. I'm not sure which of you would be the best contact on this. Thanks.

Sandra Pérez  
5C Program Manager

**From:** Kristin [mailto:kv2@gotsky.com]  
**Sent:** Friday, August 13, 2010 11:16 AM  
**To:** staff@5counties.org  
**Cc:** mlancaster@5counties.org; sperez@5counties.org; cjordan@5counties.org; Jill.Duffy@co.humboldt.ca.us.ca.us; Bryon.Hadwick@ca.usda.gov; Judy.Carter@rcdnet.net; tmccleendon@co.del-norte.ca.us; jdaniels@co.del-norte.ca.us; hkunstal@co.del-norte.ca.us; dashielh@co.mendocino.ca.us; straessa@co.mendocino.ca.us; gonzalei@co.mendocino.ca.us; slotad@co.mendocino.ca.us; ssumner@co.siskiyou.ca.us; gplucker@co.siskiyou.ca.us;

rtippett@trinitycounty.org; apence@trinitycounty.org; rossntaylor@sbcglobal.net

**Subject:** Festival and Concert Parking on a listed Salmonid Recovery Riverbed

Dear Recovery Planners,

This is my letter to the local newspapers (Redwood Times, Independent) regarding the planned parking for mass amplified events on the So. Fork Eel right next to Garberville.

Dear Editor:

With complete disregard for publicly-registered opposition to an amplified Park from 314 community members who support an acoustic Park, the board of the Community Park has submitted a rezoning plan to the County that will allow the Park to become a permanent venue for commercial amplified events. If this plan is approved, there will be numerous loud events staged yearly from May through October on weekends and weekdays.

For events that attract thousands, parking is planned not only on the Park's organic hayfield but also in Tooby Memorial Park and on 20-30 acres of the So. Fork Eel's riverbar. So far, this area, which is below ordinary high water, has never been mechanically stripped of vegetation and graded for parking vehicles. This will be very hard on water quality, wildlife and on people who love the Park as it is. The riverbar and riverbed is an area with trees and shrubs and is great for wildlife and birdwatching, as is the Park itself. The birding group saw a magnificent Bald Eagle gliding over them recently.

It may come as news to some that the Park board is not being forced to rezone the Community Park by the County. It is the Park board's desire for commercial amplified events, camping, RV parking, and housing development that requires them to go through this expensive General Plan Amendment and Environmental Impact Report. Walking, hiking, bike riding, Frisbee, and farming on Ag-zoned land is allowed. Small community events could have been negotiated or permitted separately but never were, because the commercial agenda was planned to begin once the lot-line adjustment was completed.

Please come to the Park's next board meeting at 6:15pm on August 25th at Tooby Park to see this 68-page document with 17 maps. Or you may come to a later scoping meeting that will be conducted by County Planner Michael Richardson at the Park in September, (day still to be announced). If you would like to read the Park board's Plan of Operation with maps at your own pace, email [shcpneighbors@mchsi.com](mailto:shcpneighbors@mchsi.com). Michael Richardson will email the document to you as well. [MRichardson@co.humboldt.ca.us](mailto:MRichardson@co.humboldt.ca.us)

Your comments to the Park board and the County about this kind of development less than one mile from Garberville are important and do matter. Big changes to the Community Park, to Tooby Park and to the So. Fork Eel riverbed will affect our lives long into the future.

Kurt Volckmar

Garberville, CA

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**From:** Ed Voice [mailto:evoice@mchsi.com]

**Sent:** Friday, August 13, 2010 9:21 AM

**To:** staff@5counties.org

**Cc:** mlancaster@5counties.org; sperez@5counties.org; cjordan@5counties.org; Jill.Duffy@co.humboldt.ca.us.ca.us; Bryon.Hadwick@ca.usda.gov; Judy.Carter@rcdnet.net; tmccleendon@co.del-norte.ca.us; jdaniels@co.del-norte.ca.us; hkunstal@co.del-norte.ca.us; dashielh@co.mendocino.ca.us; straessa@co.mendocino.ca.us; gonzalei@co.mendocino.ca.us; slotad@co.mendocino.ca.us; ssummer@co.siskiyou.ca.us; gplucker@co.siskiyou.ca.us; rtippett@trinitycounty.org; apence@trinitycounty.org; rossntaylor@sbcglobal.net

**Subject:** Parking on a listed Salmonid Recovery Riverbed for Concerts & Festivals

Dear; Five Counties Salmonid Conservation Program and Staff and Northwest CA Resource Conservation & Development Council:

Good Morning.

I wanted to talk with you today about a CEQA EIR that is being proposed by the Southern Humboldt Community Park Board of Directors, located in Garberville Ca. One of many projects proposed in this General Plan Amendment EIR by the Park Board is the development of a 20 acre parking lot, restrooms, picnic area's and lighting with-in the 10 year flood plain, below ordinary high water, below the established vegetation line and with-in the streambed of the South Fork Eel River (SFER). I cannot seem to find any beneficial uses listed for the South Fork Eel River; that include Parking thousands of vehicles on the River bed and River banks for Concerts and Festivals. I have included a photo of what it would look like. It was taken just up stream at Cooks Valley. When that event started, it was small, under 1000 people, now its over 14,000 people.

This proposed EIR project is about a half mile up stream and just down stream of the Sprowel Creek Road Bridge at Tooby Memorial Park along Kimtu Road, on both sides of the SFER. This parking would be for the Park Boards proposed commercial Concert & Festival venue site located on the Community Park & Tooby Memorial Park property.

This section of the South Fork Eel River is listed state and federal Wild & Scenic River and contains habitat for both state and federally listed (ESA, EFH and ESU) populations of anadromous salmonid species (Steelhead, Coho & Chinook).

I request that your Program & Council look into this matter and what the Community Park Board is planning for the Park property and South Fork Eel River watershed. My hope is that the 5C Salmonid Conservation Program and Northwest CA Resource Conservation & Development Council are as concerned as I am about the wildlife habitat and watershed eco-systems species populations that will be effected by this project(s) i.e. loss of habitat and territory; loss of food supply; behavioral changes in mating predation and migration; and changes in nocturnal and interspecies relationships, altered predator-prey balance, increased competition for food and shelter or just leaving the area. Our house is located just across and down stream from this proposed project, when will they ever learn.

I want to know how they can propose this kind of project on a Riverbed, Riverbar and watershed that is listed with-in the SONCC Recovery Plan(s) both CDFG & NOAA Fisheries?

Thank you for your time,

Ed Voice & Voice Family  
Home owner and neighbor Tooby Memorial Park since 1966  
707.349.1069

## Richardson, Michael

---

**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, August 06, 2010 4:12 PM  
**To:** Richardson, Michael  
**Subject:** SHCP

Dear Michael, I have another question.

How can SHCP, which is Privately Owned, use land use designations or zones that are for Publicly Owned Land? If these land use designations are being rewritten for the General Plan Update (and they should NOT BE) how can the Park use them when they are seeking rezone under the Current General Plan? Do you just make up zones at land owners request? I want one!

Please let me know how this is legally justified. Thank you. sandy

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, August 06, 2010 3:40 PM  
**To:** Richardson, Michael  
**Subject:** "Southern Humboldt Community Park General Plan Amendment" July 2010

Dear Michael. This document that SHCP submitted to your office that is called the "Southern Humboldt Community Park General Plan Amendment" dated July, 2010...what is it? Is is yet another "project description" that the Park Board is so handy with?

I noticed that page 2 of the document -this side to be completed by staff- is blank with no fees filed or any boxes checked.

So what is it?

I am not at all understanding how this process works. Where are the official documents? Certainly this thing would seem to qualify for, as Kathryn Lobato has characterized other park documents submitted to the county, a "trial balloon". Is that what this is?

Why is there an "initial study" included when at the Nov. 10 Bof S meeting, they were told to go directly to an EIR. ? Is this what you would submit to agencies for review? I can't imagine that. Please let me know what is going on. Thank you. Sandy

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, August 06, 2010 12:31 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA

Thanks Michael, I think;

but now I am very confused? So this whole proposed SHCP GPA EIR, changing zoning, land used designations for development i.e. housing, sport complex, Concert and Festival venues, camping, parking and river restoration is all about obtaining a CUP for 5 large events per year at the Park? The paper work pdf's you have been so kind to send me do not state this information. Do you have any time to explain this in more detail?

1. Do you have an CUP application for these 5 large events per year at the Park? What are the event names?
2. In the "Plan of Operation" for events at the Park, you just sent me, it talks about 5 large events from 500 to 1200 people and 1 bigger event at 4000 people and 1000 vendors and volunteers, that is 5000 per day. That makes 6 large events a year?
3. The IS/Checklist doesn't go into any detail about this CUP for 5 large events per year at the Park?
4. Since Tooby Memorial Park was established (1967) does the County have any record of anyone requesting a CUP or permit for any kind of amplified events or public gatherings at Tooby Memorial Park?

Michael, I have listed some quotes below from the most current SHCP GPA documents and nothing talks about a CUP for 5 large events per year at the Park!

Thanks, please let me know,

Ed Voice & Voice Family

Re:

Here is what the July 23, 2010 SHCP "Plan of Operation" states:

**Public Events:** *In the nine years that the Community Park has been in existence, the most requested community activities have been related to public assembly events that range from birthday parties, weddings, memorial services, non-profit fundraisers to concerts, sporting events, and festivals. The park serves an important role as a place for community interaction and as a gathering place for a wide range of activities. Holding back community enthusiasm for this type of use of the park has been difficult. While the majority of the events at the park will be community-driven, the Southern Humboldt Community Park will be responsible for the oversight of all events that are scheduled at the park. While the park is engaged in this rezoning process, many unfulfilled requests have continued to pour in from a wide range of community interest groups looking to find a place for their outdoor events and get-togethers.*

Here is what the Park Board states on their web site;

***Why is it important for the park to request Public Recreation (PR) zoning classification?***

*At the present time, the majority of the Community Park is zoned Agriculture Exclusive (AE) and most of the activities that we have come to enjoy at the park are outside of the AE zoning regulations. This includes activities like hiking, bicycling, birthday parties, weddings, memorials, bike races and clinics, painting workshops, nature walks, picnicking, baby showers, exercise classes, Hospice Barnyard Brew, and other non-profit benefits are not permitted at the Park as they do not relate to agriculture. In order to fulfill our mission to become a fully operational Community Park, it is necessary to rezone the park to a classification that includes recreation, education, civic, and social activities. Even Tooby Memorial Park is currently zoned AE. This is the reason that the Board of Directors of the Park has been working to rezone the Park since its initial purchase.*

***What Is Allowable Under the Current Agriculture Exclusive?***

Under current AE zoning regulations the only activities that can be allowable at the Park are those activities that are related to agriculture. In addition the zoning regulations states the following are allowable with a permit: Hog farm, turkey farm, animal feed lot, frog farm, agricultural and timber products processing plant (mill), animal hospital, labor camp, and sales of irrigation equipment.

***What is the Best Zoning Choice for the Community Park?***

The County Planning staff recommended Public Recreation for Park land. Public Recreation is the zoning classification for Benbow Lake and Richardson Grove. PR zoning would allow a much wider variety of activities than the current AE classification. In addition, PR zoning is a good choice because watershed management and the protection of valuable resource lands and wildlife habitat is a strong element in this zoning classification.

Even in the July 23, 2010 SHCP GPA CEQA IS/Checklist it states;

***8. Description of project:***

*The Southern Humboldt Community Park seeks to change the zoning and land-use designation of park property consisting of one (1) parcel totaling 405.7 acres on Sprowel Creek Road in Garberville. The applicant owns a second parcel at 36.3 acres of adjoining property that is currently zoned Heavy Industrial (MH-Q) and a residential lot (R-1-B-6) that are outside the rezoning project. The project will accommodate the community's stated purposes for the Community Park property and to provide for a future mixture of public, private and non-profit uses.*

*This project seeks a General Plan Amendment to 1) Add to the Framework Plan and the Garberville Community Plan a Public Recreation (PR) Plan designation, which would allow Natural Resource uses, Resource Production uses, Recreation uses, and Education and Research uses. 2) Create zones within the property to allow for a variety of uses. The majority of the property, approximately 305 acres, will remain as Agricultural Exclusive (AE). The zoning change requested would designate parts of the property to a combination of Public Facilities (PF), approximately 95-acres, and Residential Multiple Family (RM-3), approximately 3-5 acres, to allow the proposed uses on the site. The attached maps show the approximate zone boundaries on the property, the proposed areas for Public Facilities, trails, multi/family housing and special events, general agricultural uses, and other proposed facilities and improvements. 3) Put a Public Recreation (PR) Plan designation on the entire parcel to allow various public uses.*

*The current land use designation in the Garberville/Redway/Benbow/Alderpoint Community Plan is a combination of Agricultural Lands with a 20 acre minimum (AL-20) on approximately 150 acres, and Agricultural Rural with a 5-20 acre minimum parcel size (AP 5-20) on the remaining =/256 acres.*

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Friday, August 06, 2010 11:09 AM

**Subject:** RE: SHCP GPA

They're asking for a conditional use permit to be approved to allow up to 5 large events per year.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Friday, August 06, 2010 10:52 AM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA

Morning Michael,

Maybe you could shed some light on this question?

Is the SHCP asking for commercial Concerts, Festivals, large events and fundraisers to be principally permitted with this GPA? Or will they still need to obtain a CUP per event? I had thought as per §314-62.1 it authorizes Special Events with a Conditional Use Permit in any zone or land use designation?

Thanks

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Monday, August 02, 2010 1:47 PM

**Subject:** RE: SHCP GPA

Thanks Ed,

I'll put your email in the EIR scoping section of the file.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Monday, August 02, 2010 1:27 PM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA

Morning Michael,

I wanted to add something to you comment about a "noise study done by a qualified professional" for the SHCP GPA EIR.

Plenty of evidence exists to indicate that serious damage is occurring to animals in the wild. Long-term effects from medium to low level noise intrusion need much more study, with emphasis on threatened and endangered species. The synergistic effects of noise with other stressors on animals also need investigation for the SHCP GPA EIR.

The impacts of human encroachment, environmental pollution and noise are evident wherever research biologists perform their studies: loss of habitat and territory; loss of food supply; behavioral changes in mating predation and migration; and changes in interspecies relationships, altered predator-prey balance, increased competition for food and shelter.

Since the sensitivity to noise increases during the evening and at night, because excessive noise interferes with all the above for humans as well as wildlife. 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Community Noise Equivalent Level, CNEL, is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 pm - 10:00 pm) and a 10 dB addition to nocturnal (10:00 pm - 7:00 am) noise levels. The Day/Night Average Sound Level, Ldn, is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

Because of the amount of large and small commercial amplified music concerts & festivals planned for the SHCP, given the frequency and hours of each event (12 to 14 hours a day, ending at 12 midnight) and given the fact that outdoor sound or music levels are the same (no matter between 1000 or 5000 attending each event); I would request one additional step, that the noise study you have requested and included, include standards for: Single Event Noise Exposure Level and Community Noise Equivalent Level for the wildlife habitat in the area, along a 3 mile radius of the SHCP, not just an Ldn sound or noise study guideline as stated in the IS/Checklist.

You can check with the Park Board, Tim Metz could hear the music at his house from the SHCP during their 2007 and 2008 unpermitted and illegal concert series. Tim's home is over 3 miles from SHCP on Old Briceland Road. I think you underestimate whom is effected by amplified music being conducted at the SHCP. That's why you have over 300 people who have signed petitions not wanting Amplified music at the SHCP.

Thank you again Michael,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Friday, July 30, 2010 10:14 AM

**Subject:** RE: SHCP GPA

[Hi again,](#)

[Here are the maps...](#)

I've told them we will also need a noise study done by a qualified professional I believe they are working on that.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]

**Sent:** Thursday, July 29, 2010 11:32 PM

**To:** Richardson, Michael

**Subject:** SHCP GPA

Morning Michael;

Just wanting to know if the SHCP Board has submitted any new CEQA documents since we last talked and Don had copied what was in the file (IS Check List and Plan of Operation-Events)? Anything about the draft EIR or NOP?

Thanks

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, August 02, 2010 1:27 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA

Morning Michael,

I wanted to add something to your comment about a "noise study done by a qualified professional" for the SHCP GPA EIR.

Plenty of evidence exists to indicate that serious damage is occurring to animals in the wild. Long-term effects from medium to low level noise intrusion need much more study, with emphasis on threatened and endangered species. The synergistic effects of noise with other stressors on animals also need investigation for the SHCP GPA EIR.

The impacts of human encroachment, environmental pollution and noise are evident wherever research biologists perform their studies: loss of habitat and territory; loss of food supply; behavioral changes in mating, predation and migration; and changes in interspecies relationships, altered predator-prey balance, increased competition for food and shelter.

Since the sensitivity to noise increases during the evening and at night, because excessive noise interferes with all the above for humans as well as wildlife, 24-hour descriptors have been developed that incorporate artificial noise penalties added to quiet-time noise events. The Community Noise Equivalent Level, CNEL, is a measure of the cumulative noise exposure in a community, with a 5 dB penalty added to evening (7:00 pm - 10:00 pm) and a 10 dB addition to nocturnal (10:00 pm - 7:00 am) noise levels. The Day/Night Average Sound Level, Ldn, is essentially the same as CNEL, with the exception that the evening time period is dropped and all occurrences during this three-hour period are grouped into the daytime period.

Because of the amount of large and small commercial amplified music concerts & festivals planned for the SHCP, given the frequency and hours of each event (12 to 14 hours a day, ending at 12 midnight) and given the fact that outdoor sound or music levels are the same (no matter between 1000 or 5000 attending each event); I would request one additional step, that the noise study you have requested and included, include standards for: Single Event Noise Exposure Level and Community Noise Equivalent Level for the wildlife habitat in the area, along a 3 mile radius of the SHCP, not just an Ldn sound or noise study guideline as stated in the IS/Checklist.

You can check with the Park Board, Tim Metz could hear the music at his house from the SHCP during their 2007 and 2008 unpermitted and illegal concert series. Tim's home is over 3 miles from SHCP on Old Briceland Road. I think you underestimate whom is effected by amplified music being conducted at the SHCP. That's why you have over 300 people who have signed petitions not wanting Amplified music at the SHCP.

Thank you again Michael,

Ed Voice & Voice Family

| ----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Friday, July 30, 2010 10:14 AM

**Subject:** RE: SHCP GPA

Hi again,

Here are the maps...

I've told them we will also need a noise study done by a qualified professional I believe they are working on that.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Thursday, July 29, 2010 11:32 PM

**To:** Richardson, Michael

**Subject:** SHCP GPA

Morning Michael;

Just wanting to know if the SHCP Board has submitted any new CEQA documents since we last talked and Don had copied what was in the file (IS Check List and Plan of Operation-Events)? Anything about the draft EIR or NOP?

Thanks

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, July 29, 2010 12:15 PM  
**To:** Dennis Huber  
**Cc:** Kathryn Lobato; Richardson, Michael; Clendenen, Clif; Duffy, Jill; Lovelace, Mark; Neely, Bonnie; Smith, Jimmy R.  
**Subject:** Another PipeJam at the SHCP as a fundraiser for the Skate Park?  
**Attachments:** Pipejam ghetto\_sept08\_2007.jpg; Pipejamposterscan.jpg; Pipejam rolls through Community Park this Saturday - Redwood Times

Dennis,

I had heard your conversation with Richard Barnick on Monday Morning Magazine this week (7/26/10) and wanted to ask you about what you had said on the air. That is, about being allowed to have fundraiser(s) at the SHCP again and Richard talking about another PipeJam at the SHCP?. I am hoping this type of event is not being planned or even considered, amplified music and serving alcohol that is... i.e. PipeJam 2007 and PipeJam2 2008. I thought it was very clear at the SHCP GPA petition hearing on Nov 10th 2010, that NO amplified music events were to be allowed at either Tooby or the Community Park(s) during the SHCP GPA EIR process.

It was sad to hear (from what Richard said) how the Skate Park made very little (\$100) and even lost money at both PipeJam(s) 2007 and 2008, while it seems PipeJam made money for everyone else and not the group it was to benefit? Could you tell me how much the SHCP made from this event(s)?

Here are two events posters about PipeJam 2007 and 2008. And something from the Redwood Times about PipeJam 2 in 2008, I can't read from the Redwood Times article who benefits from this event? I thought it was the Skate Park?

Please get back to me Dennis. See you at the Aug 18th meeting at the barn.

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, July 02, 2010 11:44 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA EIR

Michael, this is my understanding;

As soon as the draft EIR is completed, a [notice of completion](#) must be filed with the [State Clearinghouse](#) in a printed hard copy or in electronic form on a diskette or by electronic mail transmission.

The notice of completion shall include a brief description of the project, the proposed location of the project, address where copies of the draft EIR are available, and the period during which comments will be received on the draft EIR. (Where the EIR will be reviewed through the state review process handled by the State Clearinghouse, the cover form required by the State Clearinghouse will serve as the notice of completion.)

Note: Public agencies are encouraged to make copies of notices of completion filed pursuant to this section available in electronic format on the Internet.

Reference: [State Clearinghouse Environmental Review](#)

The lead agency shall provide public notice of the availability of a draft EIR at the same time it sends a notice of completion to the State Clearinghouse. This notice shall be given as provided under [Section 15105](#). Notice shall be mailed to the last known name and address of all organizations and individuals who have previously requested such notice in writing, and shall be given by at least one of the following procedures:

- Publication at least one time by the public agency in a newspaper of general circulation in the area affected by the proposed project. If more than one area is affected, the notice shall be published in the newspaper of largest circulation from among the newspapers of general circulation in those areas.
- Posting of notice by the public agency on and off the site in the area where the project is to be located.
- Direct mailing to the owners and occupants of property contiguous to the parcel or parcels on which the project is located. Owners of such property shall be identified as shown on the latest equalized assessment roll.

The notice shall disclose the following:

- A brief description of the proposed project and its location.
- The starting and ending dates for the review period during which the lead agency will receive comments. If the review period is shortened, the notice shall disclose that fact.
- The date, time, and place of any scheduled public meetings or hearings to be held by the lead agency on the proposed project when known to the lead agency at the time of notice.
- A list of the significant environmental effects anticipated as a result of the project, to the extent which such effects are known to the lead agency at the time of the notice.

- The address where copies of the EIR and all documents referenced in the EIR will be available for public review. This location shall be readily accessible to the public during the lead agency's normal working hours.
- The presence of the site on any of the lists of sites enumerated under [Section 65962.5 of the Government Code](#) including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the hazardous waste and substances statement required under subsection (f) of that Section.

In addition, the notice required under this section shall be posted in the Office of the County Clerk of each county in which the project will be located for a period of at least 30 days. The County Clerk shall post such notices within 24 hours of receipt.

In order to provide sufficient time for public review, the review period for a draft EIR shall be as provided in [Section 15105](#). The review period shall be combined with the consultation required under Section 15086. When a draft EIR has been submitted to the State Clearinghouse, the public review period shall be at least as long as the review period established by the State Clearinghouse.

Public agencies shall use the State Clearinghouse to distribute a draft EIR to State agencies for review and should use area wide clearinghouses to distribute the documents to regional and local agencies. Public hearings may be conducted on the environmental documents, either in separate proceedings or in conjunction with other proceedings of the public agency. Public hearings are encouraged, but not required as an element of the CEQA process.

The draft EIR shall be prepared directly by or under contract to the lead agency. The required contents of a draft EIR are discussed beginning in Title 14, CCR Section 15120.

The lead agency may require the project applicant to supply data and information both to determine whether the project may have a significant effect on the environment, and to assist the lead agency in preparing the draft EIR. The requested information should include an identification of other public agencies that will have jurisdiction by law over the project.

Any person, including the applicant, may submit information or comments to the lead agency to assist in the preparation of the draft EIR. The submittal may be presented in any format, including the form of a draft EIR. The lead agency must consider all information and comments received. The information or comments may be included in the draft EIR in whole or in part. The lead agency may choose one of the following arrangements or a combination of them for preparing a draft EIR.

- Preparing the draft EIR directly with its own staff.
- Contracting with another entity, public or private, to prepare the draft EIR.
- Accepting a draft prepared by the applicant, a consultant retained by the applicant, or any other person.
- Executing a third party contract or memorandum of understanding with the applicant to govern the preparation of a draft EIR by an independent contractor.
- Using a previously prepared EIR.

Before using a draft prepared by another person, the lead agency shall subject the draft to the agency's own review and analysis. The draft EIR that is sent out for public review must reflect the independent judgment of the lead agency. The lead agency is responsible for the adequacy and objectivity of the draft EIR.

References:

- [PRC Sections 21083 and 21087, 21003, 21061, 21100, and 21151](#)
- [Title 14 CCR Time Limits](#)

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Friday, July 02, 2010 11:22 AM

**Subject:** RE: SHCP GPA EIR

No, the NOP comes before the drafting of the EIR. There is a Notice of Completion that is also files, which begins the 45 day review period for the EIR.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Friday, July 02, 2010 11:20 AM

**To:** Richardson, Michael

**Subject:** Re: SHCP GPA EIR

Thanks Michael,

Its the NOP that triggers the 45 day public review and comment period, right? Once the NOP is filed with the SCH, the EIR would be made public?

Thanks again,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Friday, July 02, 2010 11:13 AM

**Subject:** RE: SHCP GPA EIR

Hi Ed,

I appreciate your good questions.

The Planning Commission is required to hold a public hearing before they take action on the EIR, so that will be one opportunity. There may be others, but we haven't scheduled any yet.

The EIR is required to be circulated for public review at least 45 days before the Planning Commission meeting when they discuss it.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Friday, July 02, 2010 11:06 AM

**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA EIR

Thanks again Michael,

At what point will there be public Community meetings about the EIR? After the NOP or before the Planning Commission? At what point will the public be able to read the EIR?

Thanks,  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Friday, July 02, 2010 10:35 AM  
**Subject:** RE: SHCP GPA EIR

Hi Ed,

Haven't filed a Notice of Preparation. They are hoping to be in front of the Planning Commission with the project in January of next year. I'm not sure what type of EIR will be most appropriate, but my sense at this moment is it will be a standard project level EIR with some program EIR qualities as well.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
**Sent:** Thursday, July 01, 2010 9:37 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA EIR

Thank you Michael,

Have you filed a Notice of Preparation with SCH? Do you have any sense of a time frame? And what would the sequence of events be for the SHCP EIR process? My last and final question; what type of EIR will SHCP be using?

Thanks Michael, Happy 4th,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Thursday, July 01, 2010 4:56 PM  
**Subject:** RE: SHCP GPA EIR

Hi Ed,

Yes, they've submitted some materials. We're still waiting for more information before we begin to seek input from other agencies and the public.

Let me know if you have any other questions.

- Michael Richardson  
Senior Planner

Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Wednesday, June 23, 2010 12:25 PM

**To:** Richardson, Michael

**Subject:** SHCP GPA EIR

Morning Michael,

Just checking to see if SHCP has started their GPA EIR with your office or department?

Thanks

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, June 29, 2010 11:44 AM  
**To:** Clendenen, Clif  
**Cc:** secretary@resources.ca.gov; LaBoyteaux John; Melvin McKinney; greggjgold@netscape.net; Richardson, Michael; riverparkways@resources.ca.gov; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill; Kathryn Lobato  
**Subject:** More SHCP River Parkways  
**Attachments:** SHCP River Parkway Richardson Support letter.rtf

Supervisor Clendenen,

One more point that needs to be talked about and shown to you along with the public; in the 2008 River Parkways Grant Guidelines and Application the SHCP Board submitted in November 2008, on page 18 it states under:

### *B. Community Support and Involvement*

*1. Describe community involvement and support for the project, including watershed groups, appropriate business groups, landowners, local governments, environmental groups, technical experts, neighborhood associations and individual citizens, etc.*

*2. Has there been any opposition to the project? If so, explain the nature of the concerns and how they were addressed.*

- Describe efforts to address potential conflicts between competing user groups.*

*3. Discuss any demographic, social, and/or cultural issues that are important to the local community and that will influence design, implementation, and maintenance of the project.*

- Describe the importance of the project to the local community.*

*4. How does the project promote and/or encourage involvement or use from diverse cultural backgrounds and incomes?*

*5. Describe how the project will use State or local youth employment programs (e.g., California Conservation Corps, local conservation corps or similar youth employment programs) and how the youth employment element will be integrated into the program.*

*6. Explain plans to keep the community informed and involved in the project.*

[http://www.resources.ca.gov/bonds\\_docs/FINAL\\_PROP.84\\_GUIDELINES.pdf](http://www.resources.ca.gov/bonds_docs/FINAL_PROP.84_GUIDELINES.pdf)

I would like to see the answers to these questions! Because as I have stated before, not once has the SHCP Board of Directors had any kind of a public community planning meeting about this grant application or project, nor have they kept the community informed or involved in the project what so ever! Not in 2005, 2007 or 2008!

Have you read the letter Michael Richardson included in the SHCP River Parkways Grant application, in support of this 2008 River Parkways Project? Please find me the file from 2008, that this process has already been initialized, please show the public a Mater Plan, some kind of CEQA document, some kind of anything. I guess there is the GPA Petition, that has NO mention of the 2008 River Parkways Grant application or South Fork Eel River Parkways Project:

"The South Fork Eel River Parkways Project is folded into the larger overall plans for the Community Park and it has been determined that it would be most advantageous and cost effective to complete the all required environmental studies as part of the overall plan"

"The SHCP will complete an environmental review process, which may include development and review of an environmental impact report, that will include public meetings. This process has already been initialized. SHCP will hire a consultant to develop the scope and begin analysis of the project components to come into full environmental compliance"

How many more Inconsistencies and/or Contradictions do I have to show you, before this project is not supported by your office? Maybe have public meeting or Community Planning meetings about the project? Better late than never?

I have enclosed this letter as an attachment.

Thank you,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, June 28, 2010 11:49 PM  
**To:** Clendenen, Clif  
**Cc:** secretary@resources.ca.gov; riverparkways@resources.ca.gov; Kathryn Lobato; Lovelace, Mark; Smith, Jimmy R.; Neely, Bonnie; Duffy, Jill; gregggold@netscape.net; Melvin McKinney; LaBoyteaux John; Richardson, Michael  
**Subject:** Re: Prop 84 Visit to Southern Humboldt Community Park

Supervisor Clendenen,

Without beating around the bush, I want to know why there is no public input for this grant application, not one Community planning meeting with the public and the SHCP Boards "South Fork Eel River Parkways Project" Grant application project, not one. And yet you, Humboldt County Supervisor Clendenen, Supervisor Neely, Michael Richardson and four members of the River Parkways Grant Staff can meet with the SHCP Board without having the Community or public included? Who's thought or idea was it not to invite or include the public in this meeting, the River Parkways Staff?

The SHCP Board is asking for the State of California to give them Hundreds of Thousands of public funds \$\$\$, to develop private land and private property that is not even zoned to be a Community Park for low impact activities! This River Parkways Grant application was submitted by the SHCP Board of Directors to the Humboldt County Board of Supervisors for support and approved on October 28, 2008 (before you became a Supervisor) and if my chronology is correct, 6 months before the SHCP Board applied for their General Plan Amendment Petition for re-zoning and changing land use designations on SHCP property.

I am not sure what you meant by " It's important to me that we don't jump ahead of the GPA public process" but it sure seems to me, the SHCP Board did that when they applied for and submitted this River Parkways Grant application for 2008! And it seems you are doing the same thing by meeting with the SHCP Board, Planning Department and River Parkways Grant Staff outside of a public meeting, before the SHCP Board has submitted one document toward their GPA EIR; the cart before the horse, sor'ta speaking?

So with no public input and or community support of a project that does not meet the zoning and land use designation, this meeting took place. But yet you have not seen or read the project application. Why would a Supervisor who has no background information about a project, give a planning chronology for the SHCP Board? I mean the public is not aware of any planning chronology. That would mean the Park Board has a management plan, business plan or operational plan for the development of the Community Park! I for one would sure like to see this Planning Chronology you gave to the River Parkway Staff! Because the SHCP Board has never said they have a plan they would share with the public or have never had a public meeting about one.

In the beginning of 2010 there was a meeting with some of the SHCP Board and "neighbors". In that meeting, we asked the Park Board for any management, business or operational plan they have in writing for the development of the Community Park and we were told they did not have one in writing, they make it up as they go! To quote SHCP Directors present at that meeting; "When asked, Kirk said that the park board doesn't have a business plan, but that they want to be able to do concert events and a housing complex because they need money". "Huber said they couldn't come up with a

business plan or even determine what use the park will be put to until the County approves their EIR and zone change". "You make your plans as you go along" Ryce said. And as of today, there is still no plan in writing for the public or this Community to read!

Supervisor Clendenen, do you think it is your job to support a project that over 300 people in your district oppose, in writing? Without first having some kind of Community Planning meetings to back up your claim?

Please Supervisor Clendenen, ask the SHCP for a plan in writing, please let us all see one.

Thank you for your time,

Ed Voice & Voice Family

----- Original Message -----

From: "Clendenen, Clif" <[Clif.Clendenen@co.humboldt.ca.us](mailto:Clif.Clendenen@co.humboldt.ca.us)>

To: "Ed Voice" <[evoice@mchsi.com](mailto:evoice@mchsi.com)>

Cc: "Duffy, Jill" <[Jill.Duffy@co.humboldt.ca.us](mailto:Jill.Duffy@co.humboldt.ca.us)>; "Neely, Bonnie" <[Bonnie.Neely@co.humboldt.ca.us](mailto:Bonnie.Neely@co.humboldt.ca.us)>; "Smith, Jimmy R." <[JRSmith@co.humboldt.ca.us](mailto:JRSmith@co.humboldt.ca.us)>; "Lovelace, Mark" <[Mark.Lovelace@co.humboldt.ca.us](mailto:Mark.Lovelace@co.humboldt.ca.us)>

Sent: Monday, June 28, 2010 5:19 PM

Subject: RE: Prop 84 Visit to Southern Humboldt Community Park

Hi Ed,

As I mentioned, I went to meet with park board members and the prop 84 folks. It was a time for the state folks to look at the site to help in evaluating the park board's River Parkway grant application, and not a public meeting, nor have I seen their application. I was there to let the prop 84 folks know where SHCP was in the planning chronology, along with challenges and opportunities ahead. It's important to me that we don't jump ahead of the GPA public process, currently in M. Richardson's office.

Hope that helps,

Clif

Clif Clendenen, 2nd District Supervisor  
825 5th Street, Room #111  
Eureka, CA 95501  
476-2392  
Email: [cclendenen@co.humboldt.ca.us](mailto:cclendenen@co.humboldt.ca.us)

-----Original Message-----

From: Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

Sent: Tuesday, June 22, 2010 3:09 PM  
To: Clendenen, Clif  
Cc: Duffy, Jill; Neely, Bonnie; Smith, Jimmy R.; Lovelace, Mark  
Subject: Re: Prop 84 Visit to Southern Humboldt Community Park

Thank you Supervisor Clendenen,

I guess my question would be; If you attended a meeting with some of the Southern Humboldt Community Park Board and State Prop 84 grant funding staff, do you know if anyone from the public, GRBA community and or neighborhoods who are directly effected and impacted by the projects of the Southern Humboldt Community Park Board were informed of this meeting or attended?

And do you know what State Prop 84 grant funding staff were present? i.e. State Natural Resources Agency/River Parkways Grant, State Parks/Community Revitalization Program Grant? What was the name of the project for the Southern Humboldt Community Park grant application?.

At the meeting, did you receive any written information or plans about the Prop 84 grant application project? If so can I get a copy?

Thank you very much,

Ed Voice & Voice Family

----- Original Message -----

From: "Clendenen, Clif" <[Clif.Clendenen@co.humboldt.ca.us](mailto:Clif.Clendenen@co.humboldt.ca.us)>  
To: <[evoice@mchsi.com](mailto:evoice@mchsi.com)>  
Sent: Tuesday, June 22, 2010 12:28 PM  
Subject: RE: Prop 84 Visit to Southern Humboldt Community Park

Hi Ed,

Yes, after our board meeting of June 1st, I met with some of the park board members and prop. 84 folks. We discussed SHCP's grant application.

Thanks,  
Clif

Clif Clendenen, 2nd District Supervisor  
825 5th Street, Room #111  
Eureka, CA 95501  
476-2392  
Email: [cclendenen@co.humboldt.ca.us](mailto:cclendenen@co.humboldt.ca.us)

-----Original Message-----

From: [evoice@mchsi.com](mailto:evoice@mchsi.com) [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]  
Sent: Monday, June 21, 2010 10:58 PM

To: Clendenen, Clif  
Cc: Smith, Jimmy R.; Neely, Bonnie; Lovelace, Mark  
Subject: Prop 84 Visit to Southern Humboldt Community Park

Morning Supervisor Clendenen;

There is a rumor around town, from at the farmers market, that you along with State Prop 84 grant funding staff met with some of the Southern Humboldt Community Park folks down at the Park. Is this correct? And if so, could you tell me what the meeting agenda was?

Thank you,

Ed Voice & Voice Family













## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, June 28, 2010 2:18 PM  
**To:** secretary@resources.ca.gov; riverparkways@resources.ca.gov  
**Cc:** Clendenen, Clif; Richardson, Michael; Kathryn Lobato; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill; greggjgold@netscape.net; Melvin McKinney; LaBoyteaux John  
**Subject:** Southern Humboldt Community Park, River Parkways Grant Application Prop 84 Project.  
**Attachments:** SHCP Sierra Club letter 1.doc; SHCP Sierra Club\_Voice letter 011409.doc

Morning,

I would like some information about the meeting that took place between River Parkways Prop 84 Grant staff and the Southern Humboldt Community Park (SHCP) Board of Directors, Humboldt County Supervisor Clif Clendenen and Michael Richardson; Senior Planner, Humboldt County Community Development Services in Garberville Ca, on June 1st 2010..

I have tried to obtain information from Supervisor Clendenen, the SHCP Board and Mr. Richardson to no avail. We own property and a home just on the other side of the South Fork Eel River from this project area (since 1966), above SHCP leased property to Randall Sand & Gravel. We as neighbors or stakeholders have never been informed nor asked about our input to this "South Fork Eel River Parkways Project". No public community meetings have ever been held for this grant application or project! The only thing we have been shown is this document from 2007 on the SHCP web site, with no other re-zoning or land use changes that Humboldt County has requested to allow the SHCP to be zoned anything else but Ag Exclusive; not a Commercial Concert or Music Festival Venue site, Camping or RV Park during events, Parking cars on the River Bar for events or Housing Development. The SHCP is not even zoned for a Community Park, with no plan shown to the public or community to become one!

<http://www.sohumpark.org/pdfs/South%20Fork%20Eel%20River%20Parkway..pdf>

We wish the right to be kept informed about this project. I think you will find all of our requests along with my California Public Records Act request in the SHCP file. We don't understand why so many public agencies and entities' representing the public don't want to share this information with the public, community and the neighborhoods of home/property owners next to the SHCP! We as neighbors of the SHCP are very concerned about this and many other projects.

As of November 10th 2009, there were over 300 people in the Community that are opposed to the projects proposed by the SHCP Board and their General Plan Amendment for rezoning of the SHCP for those events. At that time, copies of those 300 petitions' were given to the Humboldt County Board of Supervisors, not including what the Planning Department had received.

Thank you again for your time and attention to this matter,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Thursday, May 20, 2010 12:53 PM  
**To:** Richardson, Michael  
**Subject:** SHCP Open Board Meeting ? Please add this email to the SHCP's GPA file or folder.

Good morning Michael

The Southern Humboldt Community Park held an open ("public") Park Board meeting at their barn on Wed. at 6 pm 5/19/2010. This important event went on without any public notice in our local papers or on KMUD Radio, although Board member Dennis Huber has a two hour talk radio show on KMUD, Monday Morning Magazine from 7am to 9pm.

Dennis failed to mention the Park Board meeting even when discussing the upcoming Walk in the Park Fund Raiser, which has been noticed in both the local papers, in mailers and on the radio for weeks now. My concern is that the SHCP Board will attempt to include this as another public meeting even though not noticed through their usual media outlets. The County and State Governments are requiring the SHCP Board to hold public meetings to qualify for their Prop. 84 grant application. I don't think this qualifies.

Humboldt County has asked the SHCP Board to also hold public meetings, to keep the all of the public informed of their planned development of parklands through the GPA Rezoning and EIR Process before the County now. This was not a properly noticed public meeting. Michael please include in the SHCP's GPA file or folder. Thank you Don

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, May 20, 2010 11:01 AM  
**To:** contact@sohumpark.org  
**Cc:** Kathryn Lobato; Peter Ryce; Tim Metz; suzi@realestatedepot1.com; Carol Van Sant; Eric Kirk; Dennis Huber; Richardson, Michael; Clendenen, Clif; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill  
**Subject:** Park Board open meetings

Dear Park Board,

Have you done away with the Park's email announcements? The last email announcement I received from the Park Board was on 8/28/2009, before that I had been receiving Park Board meeting minute(s) emails in January and July 2009 (Thank you very much). It seems this system of announcements has stopped. I would have attended this last open Park Board meeting on May 19th 2010 and the one(s) back in February and March 2010, had I been notified or had more notification of the meeting(s). As a up close and effected stakeholder and neighbor I have tried to keep myself and family informed about the projects and events planned at the Community Park. I have always hoped that our family and the Park Board could work together as neighbors to work out our differences and still wish this for our neighborhood & community into the future.

Maybe you could post the meeting dates location and time on the opening home page of the Park web site, in the upper right hand corner under "Communications and Updates" like you have for "4th Annual Walk in the Park" and "Park Financial History Available".

When I found out today I had missed the open Park Board meeting yesterday (May 19th) it took awhile to find it on the Park web site under "Communication". If you are not going to publicly notice your meeting date(s), time and location in the local two newspapers, please post it on your opening home page of the Parks web site, or please start up your Park email announcements again. I know as a NPO almost all the Park Board donates a lot of their own time and money towards the operation of the Community Park. However, there should be a way to keep the community informed in advance of open Park Board meetings.

Thank you very much for your time and service to this community,

Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, May 18, 2010 5:02 PM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP GPA GPP-08-02

Michael,

If you go to page 8, last paragraph, you will read that Mr. Rouda or LACO contacted Kathryn Lobato and in the phone conversation she talks about plans and projects the Park Board has never talked about with the Community or the County i.e. GPA CEQA EIR.

If you go to the bottom of page 12, last paragraph it talks about "Dazey Property". Besides indicating the wrong APN for Dazey as of that date, the phone conversation with Mr. Rouda or LACO contradicts what Mr. Dazey has requested and stated to Humboldt County Planning for housing development on his property APN 222-241-010 (Parcel A of the SHCP LLA). Mr. Dazey had title to Parcel A (APN 222-241-010) since March/April 2009.

I want these comments by Lobato and Dazey to be put in the file as what their plans are and what they have stated in that document.

Thanks  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Tuesday, May 18, 2010 2:12 PM  
**Subject:** RE: SHCP GPA GPP-08-02

Ed,

While I can include it in the file, it would helpful if you explained in a cover letter why you think It should be placed in the file.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Monday, May 17, 2010 4:55 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA GPP-08-02

Michael,

Could you please include this attached document into the Southern Humboldt Community Park GPA file?

Please let me know if that is possible.

Thanks,

Ed Voice & Voice family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, May 17, 2010 4:55 PM  
**To:** Richardson, Michael  
**Subject:** SHCP GPA GPP-08-02  
**Attachments:** GSD 6795.01 DRAFT PDF Co Humboldt 20100427.pdf

Michael,

Could you please include this attached document into the Southern Humboldt Community Park GPA file?

Please let me know if that is possible.

Thanks,

Ed Voice & Voice family

## Richardson, Michael

---

**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Monday, May 03, 2010 12:50 PM  
**To:** Clendenen, Clif  
**Cc:** Duffy, Jill; Lovelace, Mark; Neely, Bonnie; Richardson, Michael; Katherine Ziemer; vpati@parks.ca.gov; Smith, Jimmy R.  
**Subject:** Southern Humboldt Community Park  
**Attachments:** RE\_ Community Park.rtf; ATT403604.txt

April 5, 2010

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

Dear Supervisors:

I am concerned that projects for which the Southern Humboldt Community Park is seeking \$700,000.00 plus of Proposition 84 State grant funding will pre-empt and prejudice the General Plan Amendment/Rezone and public planning process through the County.

No new information has been submitted to the GPA file since the hearing before your Board however Michael Richardson has written the attached letter on behalf of the County in support of the grant application.

Portions of the application, like a trail and landscaping along the Kimtu Rd. river frontage, are benign, but other projects, like locating a new visitor center, will change patterns of land use and appear to leverage future more intensive developments. These future plans include an athletic complex, community center, hospital facilities, conference center, senior/multi-generational housing and an events venue. All as described on the Park web site.

I believe the County should not automatically support these funding applications without knowing the specifics of the intended projects. At very least the County should screen these applications and indicate to the funding agency which projects have no negative impacts and which will need further review.

Hard copy to follow.

Sincerely,

John LaBoyteaux

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Tuesday, April 06, 2010 12:02 AM  
**To:** Lovelace, Mark  
**Cc:** Richardson, Michael; Girard, Kirk; Smith, Jimmy R.; Duffy, Jill; Neely, Bonnie; Clendenen, Clif  
**Subject:** Re: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).  
**Attachments:** SHCP River Parkway Richardson Support letter[1].rtf

Morning Supervisor Lovelace,

Good to hear from you too. I am teaching in the Bay area for the next couple of days, when I get home, I will put together some info and past history about the SHCP South Fork Eel River Parkway Project. You were not a Supervisor when all that took place. It will show some background and why I am asking the same questions then as I am now.

My only question(s) I have for you tonight would be; When you approved the SHCP GPA petition on Nov 10th, 2009, did you approve the SHCP petition to; "accept the petition to rezone the property"? Because that is what Michael said in his letter. That is not what I heard at the hearing and what I have watched on the video since. In fact if you watch the video:

[http://216.102.9.16/archive/2009/20091110\\_001.asf](http://216.102.9.16/archive/2009/20091110_001.asf)

On counter time 1:28:21 of the video, you will see and hear Supervisor Smith state something different and also on counter time 1:34:40, you will see and hear Supervisor Clendenen state something different than Michael stated in his letter to the Park Board i.e. "Statewide Park Program Grant". I thought, that the Supervisors were approving the petition, that would allow the SHCP to submit their GPA application, and that is all, that was my understanding.

It just seems to me, that Michael was pulling the cart way before the horse in his letter. In fact I thought it was you, who asked very clear questions about the lack of information and project planning given in the SHCP petition staff report, maps and presentation. Which is my point two, studies never entered into the conversation, the record or the paper on which the staff report was written. And sure had nothing to do with SHCP CEQA coming out of the gate with an EIR, again watch the video at counter time 4:12:50 this is clearly shown and said by Supervisor Neely.

<http://co.humboldt.ca.us/board/agenda/questys/MG152784/AS152841/AS152842/AI190156/DO190696/BOSAgendaItem.pdf>

Like I said, when I get back home, I'll send you some attachments about the same kind of letter Michael sent to the South Fork Eel River Parkways Project Grant agency in 2007 (see attachment) so you can see and understand what I am talking about and where I am coming from.

<http://co.humboldt.ca.us/board/agenda/questys/MG115742/AS115745/AS115749/AI148401/DO148402/2.PDF>

Thank you very much for taking time an interest in this matter,

Ed Voice

----- Original Message -----

From: "Mark Lovelace" <Mark.Lovelace@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Monday, April 5, 2010 10:32:55 AM GMT -08:00 US/Canada Pacific  
Subject: RE: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

Hi Ed. Thanks for keeping me in the loop.

I think the first two points in your original e-mail are just differing interpretations of the same words, but ultimately I believe you and Michael are on the same page. The third point, regarding the Eel River Parkways Project, is something on which I need a little more info. I will look into it.

Mark

Mark Lovelace  
Supervisor, 3rd District  
Humboldt County Board of Supervisors  
(707) 476-2393

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
Sent: Wednesday, March 31, 2010 7:08 PM  
To: Richardson, Michael  
Cc: Girard, Kirk; Neely, Bonnie; Smith, Jimmy R.; Clendenen, Clif; Duffy, Jill; Lovelace, Mark; Chaitin, Wendy  
Subject: Re: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

Michael,

Thank you, but I am not the one to rewrite this letter coming from your office or the County. As I have explained in my email to you, you just need to stick to the facts and the truth of the matter, i.e. all the Park Board has submitted to date is their GPA Petition and all that has been approved on that matter by the Board of Supervisors is the petition to move forward and file their GPA. That's all! Your office has not received any other documents, plans, reports, studies or EIR paper work to file the NOP, your office has no idea yet what the SHCP Board even wants to do or make any kind of determination about their CEQA. So why can't you just say that? If you have nothing on file concerning the SHCP project or CEQA, stick to the facts. Same goes for the decisions made by the Board of Supervisors. Only state what was approved from the record nothing less, nothing more. We were both there, we know what was asked and answered.

And as for the "The South Fork Eel River Parkways Project" that project has nothing to do with the "Statewide Park Development and Community Revitalization Program Grant Funding Project", we are talking apples and grapefruit, so I would leave that Rivers Parkway grant funding project out of the letter. Its not like you ever received plan's for that

project either! Just stick with the facts Michael, that is all I am asking from you, Kirk Girard and the Planning Department, just the facts.

To be honest Michael, the letter doesn't even sound like you, it sounds like the Park Board wrote it and you signed it. Don't get me wrong, there is nothing wrong with that, as long as it states the facts.....

Thank you and it was very kind of you to ask, Cork One Up and have a grape Day!

Ed Voice & Voice Family

----- Original Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Wednesday, March 31, 2010 2:18:46 PM GMT -08:00 US/Canada Pacific

Subject: RE: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

ning

Ed,

I'm not clear what you would like me to revise. Below is the original text of my letter, could you please indicate your suggested edits with underline and strikeout?

Thanks.

- Michael R.

The Southern Humboldt Community Park has been actively working with our agency in the establishment of a Community Park on this 430-acre park property. The property has a current zoning of Agriculture Exclusive (AE). The applicant is currently in process with our agency to rezone the property to include Public Recreation (PR) in addition to agricultural uses. On Nov.10, 2009, during review of the applicants petition for amendment, the Humboldt County Board of Supervisors voted unanimously to accept the petition to rezone the property.

The applicant has completed numerous studies to date that allowed the Board of Supervisors to make the determination that a fully completed Environmental Impact Report is required in an effort to proceed with the applicants intended Public Recreation uses.

The South Fork Eel River Parkways project is folded into the overall master plan for the Park and it will not require a separate CEQA Initial Study. The process has been initialized and all project components will come into full environmental compliance through the EIR process.

Our Department supports the applicants efforts to provide much need park facilities in this outlying and underserved part of the county.

-----Original Message-----

From: evoice@mchsi.com [mailto:evoice@mchsi.com ]

Sent: Tuesday, March 30, 2010 4:40 PM

To: Richardson, Michael

Cc: Girard, Kirk; Smith, Jimmy R.; Clendenen, Clif; Duffy, Jill; Lovelace, Mark; Neely, Bonnie; Chaitin, Wendy

Subject: Fwd: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

Michael,

First, Thank you for sending me a copy of the CEQA compliance letter you gave the SHCP Board (it is not dated?).

I would also like to know, how such a letter could be written with so many inaccuracies? Your account and wording of the SHCP GPA Petition hearing is inaccurate to say the least (as the record shows). This was a GPA Petition hearing, heard and recorded by the Humboldt County Board of Supervisors (BOS). This document will then be given to the California State Parks Grant Department, a State agency.

I for one would like to know how you could have mis-quoted the BOS and there decision from the SHCP GPA Petition Public hearing on Nov 10th 2009. It is clear to me this CEQA compliance letter should be re-written and submitted from the record and by the record of the SHCP GPA Petition BOS hearing from Nov 10th, 2009. There is also the fact, no CEQA paper work or master plan has been submitted to your office, ever!

Again, your wording of events, decisions and facts at the BOS hearing are inaccurate and mis-leading and need to be re-stated to follow the record and decisions of the Humboldt County Board of Supervisors:

1) The BOS approved the SHCP petition to allow the SHCP GPA and rezone to move forward. This issue came up more than a couple times from Supervisor(s) Smith, Clendenen and Lovelace, i.e. they were not approving the GPA, rezoning or change of land use designation, only the petition to move forward, right?

2) The SHCP Board never submitted any studies to the BOS and this was not why Supervisor Neely wanted this GPA to start with an EIR. Supervisor Neely stated it was because the fear of a Law suit, because of the controversy surrounding the holding of Commercial Concerts at the SHCP, not because of the "completed numerous studies to date". In fact we know of only one "completed study" for the SHCP, which could be used in a CEQA EIR, it is the Cultural Resources Management Plan.

3) I really question this one, we are not talking about the "South Fork Eel River Parkways Project" that was from last year. This new Grant application was with California State Parks. And by the way, the SHCP Board does not have a "master plan", at least that is what they have told the public twice this year when we asked. And I don't think the SHCP Board has submitted any document or

master plan to your office as well, in regards to their GPA and rezone CEQA and EIR, right?

Here is the public record of the hearing on Nov 10th 2009. The SHCP Petition starts @ 1:22:50 on the counter, click the link below.

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Thank you time Michael and please let me know your answer to my questions above,

Ed Voice & Voice Family

----- Forwarded Message -----

From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>

To: evoice@mchsi.com

Sent: Tuesday, March 30, 2010 11:36:40 AM GMT -08:00 US/Canada Pacific

Subject: RE: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

Ed,

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Let me know if you have any other questions or comments.

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## Richardson, Michael

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To: Richardson, Michael

Cc: Girard, Kirk; Smith, Jimmy R.; Clendenen, Clif; Duffy, Jill; Lovelace, Mark; Neely, Bonnie; Chaitin, Wendy

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Ed Voice & Voice Family

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From: "Michael Richardson" <MRichardson@co.humboldt.ca.us>

To: [evoice@mchsi.com](mailto:evoice@mchsi.com)

Sent: Tuesday, March 30, 2010 11:36:40 AM GMT -08:00 US/Canada Pacific

Subject: RE: SHCP application for: "Statewide Park Development and Community Revitalization Program Grant Funding" (Statewide Park Program).

Ed,

Attached is the letter I sent them.

Let me know if you have any other questions or comments.

- Michael R.

## Richardson, Michael

---

**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Thursday, February 25, 2010 11:51 AM  
**To:** Richardson, Michael  
**Subject:** Fw: Prop. 84 Grant  
**Attachments:** state parks grant#3.doc

Hello Michael,  
I would this letter added to the Southern Humboldt Community Park's current GPAP file.

Thank you Don

----- Original Message -----

**From:** [donaldcourtemanche](#)  
**To:** [cliff](#) ; [mark](#) ; [jd](#) ; [jimmy](#) ; [bonnie](#)  
**Cc:** [kirk](#) ; [Mike Richardson](#)  
**Sent:** Thursday, February 25, 2010 08:26  
**Subject:** Prop. 84 Grant

## Richardson, Michael

---

**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Thursday, February 18, 2010 12:37 PM  
**To:** Richardson, Michael; Girard, Kirk; Clendenen, Clif; Lovelace, Mark; Duffy, Jill; Smith, Jimmy R.; Neely, Bonnie  
**Subject:** Fw: Park

Good afternoon Michael, I am requesting that my letter to the editor and Park Board member Dennis Huber's e-mail response to me be entered into the folder of the Southern Humboldt Community Parks, current General Plan Amendment Petition. Will you let me know when this task is done by e-mail. Thanks for your time in this matter. Don Courtemanche Garberville

Park fundraising will divert money from more pressing needs Redwood Times

Posted: 02/17/2010 10:22:18 AM PST

To the Editor:

In more than nine years since the deal closed on the "Community Park" there have been four lot line adjustments. Starting in 2001 the first LLA was filed by S.H.W.T. at the County Planning office. At this time the Dazey and McKee or Goldeen properties could have and should been separated from the then Tooby Ranch. But here we are in 2010 and the park board has spent tens of thousands of park funds and donations on these four lot line adjustments. Why is that?

Here's what I've found and documented. Water pipe was laid from an in-stream well at the start of Sprowel Creek Road with park money and a gift, all the way to the soon-to-be-Goldeen Group L.P. - McKee parcel.

In the park's 1600 Application to Fish and Game for this well they stated it was for a community garden and 20 head of cattle with 1-1/2" pipe. But what's in the ground now is twice this size, enough for, say, a small town or a large development. Water, water, you got to have it.

Then on the soon-to-be, 70-acre Dazey parcel, another in-stream well was installed without a 1600 permit from Fish and Game for the development of Dazey's proposed residential estates. This on property Dazey did not have title to. Was all Community Park property at that time (in 2007) held by Southern Humboldt Working Together?

Think of the cost of these four LLA's: at least five surveys, land consultants and attorneys fees, countless hours by board members diverted from the real park business, and what do the donors get out of this deal?

Well, Steve Dazey trades 10 acres of gravel bar to the park and what he gets is a well easement and a swath the park meadow including part of the Park Trail paid for by a Humboldt Area Foundation grant and others.

The trouble I have with the park board is all decisions are made in secret without the public's input: land swaps, contractual agreements, hand shakes. All board meeting minuetts concerning decisions about the most valuable park assets (land) are missing.

That's why I feel it's time for the whole park board to step down and let this park start new as a Recreation District with all meetings public and full financial accountability. Can you believe that in nine years the board has never had a

business plan, and still don't. In fact one of the newly appointed park board members said he wouldn't know what a business plan looked like.

Now their plan is to pull 50 or 75 thousand dollars out of this community for an E.I.R., for large scale music events, and housing.

There is no model to show that housing would make money, according to park board members at the recent meeting, again no plan. The park board's fundraising for this E.I.R. will divert money from other more pressing community needs.

Thank you.

Don Courtemanche

Garberville

----- Original Message -----

From: "Dennis Huber" <lalahuber@asis.com>

To: "donaldcourtemanche" <donaldcourtemanche@wavecable.com>

Sent: Wednesday, February 17, 2010 22:27

Subject: Park

>  
>  
>  
> Frenchy,  
>  
> I am really disappointed in your letter to the editor in the local paper  
> this week. For some reason you can only frame your interest in the Park in  
> the most disparaging terms. When I look at the records, I cannot find  
> anywhere that you have contributed anything other than negativity. Have  
> you ever been involved in a collaborative project for the benefit of the  
> greater community ? And, if so, were you able to accomplish anything  
> noteworthy?  
>  
> You strike me as a person who is embittered, envious, and totally lacking  
> in empathy. Your eagerness to attack the motives and ethics of everyone  
> who is working to help establish a community resource for the generations  
> to follow is mind-boggling ! To have concerns is to be expected. To have  
> only venomous diatribes is a sign of mental illness. If you really see  
> yourself as a " Park supporter ", then put on your coveralls and come join  
> me in helping to build this community dream. There is so much to do while  
> we argue about how to do it better.  
>  
> We are going to establish a true " Community Park " with or without your  
> help. That you should understand to be a fact. I would much rather find a  
> way to incorporate your perspective in a constructive manner, but I am  
> willing to take on your stone-throwing head on if necessary. This e-mail  
> is only for you today, but if i don't get a reply, than I will consider  
> you to be an active opponent of the Park who must be dealt with on all  
> levels.  
>

> Hopefully,  
>  
> Dennis Huber  
> Briceland  
>

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Tuesday, February 09, 2010 2:18 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park GPA

# Community Park lot line adjustment

November 21, 2009 in [Uncategorized](#) | Tags: [Community Park](#)

As stated earlier, there has only been one lot line adjustment, which sorted out the property purchased from Buck Mountain according to all of the agreements. I have some of the instruments which tell the story. All of them were recorded on March 18, 2009.

Steve Dazey conveyed all of his interest in APN 222-241-008 and the Park's portion of 222-091-003, with which he and the Park held title as tenants in common. The instrument number is 2009-5745-2. The Park simultaneously conveyed its interest in 222-241-008 and 222-091-006 in instrument number 2009-5746-2.

The deed to Buck Mountain is numbered 2009-5749-4.

The legal descriptions refer to a survey which was not yet recorded at the time the legal descriptions were written. I'll provide the survey instrument numbers when I have them. I saw the preliminary maps, but they didn't contain the instrument numbers.

The Notice of Lot Line Adjustment and Certification of Subdivision Compliance is numbered 2009-5747-15, executed by Kirk Girard on January 21, 2009.

The Notice of Development Plan and Notice of Geologic Report is numbered 2009-5748-15.

The reconveyance negating Steve's deed of trust is numbered 2009-5754-1.

Buck Mountain's grant of a water easement and tank site to the Park is numbered 2009-5751-20. The report itself is filed with the Planning Department, case number LLA-04-02M.

....

---

**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Tue, February 9, 2010 9:31:22 AM  
**Subject:** RE: Southern Humboldt Community Park GPA

Hi Sandy,

I have no problem requesting an updated title report and documentation that they are a non-profit as evidence we can use in the staff report. This would seem to address the concerns you raise in asking for a chain of title. If you have information to suggest otherwise, I'm glad to take a look at it.

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**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
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**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park GPA

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sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Mon, February 8, 2010 12:56:33 PM  
**Subject:** RE: Southern Humboldt Community Park GPA

Hi Sandy,

Here's my response to your questions:

1) How does the county planning department define "public interest"? I need a clear definition and some examples, please.

Response: public interest means of value to the public, for instance a public hearing process is in the public interest because it is good for the community to be able to express themselves on projects.

2) Please explain to me why there is a place on the GPA application requiring a Chain Of Title and when you would require it of an applicant?

Response: we use the same application form for GPA's as we do for all applications. Typically, a chain of title is only required of lot line adjustments and determinations of legal status of parcels.. We would require a chain of title for a GPA if there was some question of the legal status of the parcels.

3) When and why would Chain of Title be required for a General Plan Amendment or other county documents?

response: see above.

Let me know if you have any other questions or comments.

Thanks.

- Michael R.

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**From:** Sandy Feretto [mailto:sferetto@yahoo.com]

**Sent:** Sunday, February 07, 2010 1:56 PM

**To:** Richardson, Michael

**Subject:** Re: Southern Humboldt Community Park GPA

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Thank you, sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>

**To:** Sandy Feretto <sferetto@yahoo.com>

**Sent:** Thu, February 4, 2010 4:19:59 PM

**Subject:** RE: Southern Humboldt Community Park GPA

Sandy,

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Thanks.

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**Sent:** Fri, January 29, 2010 4:24:05 PM

**Subject:** RE: Southern Humboldt Community Park GPA

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Michael? I want to see the Chain of title for SHCP. Do you have it? sandy

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**Sent:** Fri, January 29, 2010 3:55:06 PM  
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Sandy,

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**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
**Sent:** Thursday, January 28, 2010 7:57 PM  
**To:** Richardson, Michael  
**Subject:** Fw: Southern Humboldt Community Park GPA

Dear Michael, please put this request for a chain of title in the file of the Southern Humboldt Community Park General Plan Amendment Application and EIR. Thank you, sandy

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**To:** bonnie.neely@co.humboldt.ca.us;

Mark.Lovelace@co.humboldt.ca.us; jduffy@co.humboldt.ca.us;  
JRSmith@co.humboldt.ca..us; cclendenen@co.humboldt.ca.us;  
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I am, at this point, doubtful about Mr. Girard's assertion, and even moreso now that Park Board Director Eric Kirk has stated that Bob McKee and Steve Dazey, as individuals, are or have been or have gotten on the title of the park as co-owners.

For this reason, (and there are others), I request that the County Board of Supervisors direct the Planning Department to require the Park Board to submit a Chain of Title for the property in question with their General Plan Amendment Application.

Please let me know if my request has been acted upon or whether I will need to come up and address the Board of Supervisors in person.

Thank you,  
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## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Tuesday, February 09, 2010 2:16 PM  
**To:** Richardson, Michael  
**Subject:** Re: Southern Humboldt Community Park GPA

[November 29, 2009 at 11:18 pm](#)

**Eric Kirk**



SHWT did not sell the patent parcels. Tooby sold the patent parcels. You've spoken to one of the buyers, so I know you understand that.

The question I'm tired of answering is why Steven was a joint tenant with the park on one of the parcels, and the fact that Buck Mountain was never on title until after the lot line adjustment. It's been answered. I'm sorry if you don't like the answer, but that's the answer.

Again, from my perspective this whole line is a Thurberian kangaroo. I'm answering them because you ask them. I don't see those earlier lot line adjustments as relevant to any question about the rezoning, or for that matter "accountability." As I've said before, I'm going to sit down with Steven, get the story every inch of the way from beginning to end, and write it down. It will be posted. But I see most of it as purely extraneous.

---

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wchaitin@co.humboldt.ca.us; kgirard@co.humboldt.ca.us  
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Thank you,  
Sandy Feretto

## Richardson, Michael

---

**From:** Casandra <casandra@mateel.org>  
**Sent:** Tuesday, November 10, 2009 12:08 PM  
**To:** Casandra  
**Subject:** Support of Petition to Rezone the Southern Humboldt Community Park  
**Attachments:** So Hum Park Letter to Board of Supes 11-3-09.doc

To Whom It May Concern:

Attached is my letter in support of the petition to rezone the Southern Humboldt Community Park. I hope this letter is taken into consideration, even though it is just now being submitted.

Sincerely,  
Casandra

Casandra Taliaferro  
Special Projects



Mateel Community Center  
P.O. Box 1910  
59 Rusk Lane  
Redway, CA 95560  
phone: (707) 923-3368 ext. 27  
fax : (707) 923-3370  
email: [casandra@mateel.org](mailto:casandra@mateel.org)  
website: [www.mateel.org](http://www.mateel.org)

I GoodSearch for the Mateel Community Center.

Raise money for your favorite charity or school just by searching the Internet with GoodSearch - [www.goodsearch.com](http://www.goodsearch.com) - powered by Yahoo!

## Richardson, Michael

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**From:** Peter Galvin <pgalvin@biologicaldiversity.org>  
**Sent:** Tuesday, November 10, 2009 10:05 AM  
**To:** Clendenen, Clif; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill  
**Cc:** Girard, Kirk; Richardson, Michael  
**Subject:** SUPPORT FOR THE PETITION FOR RE- ZONING  
**Attachments:** pgletter coomunitypark.doc

Peter Galvin  
POB 220  
Whitethorn, CA 95589

November 8, 2009

Humboldt County Board of Supervisors:  
Mark Lovelace, Clif Clendenen, Jill Duffy,  
Bonnie Neeley, Jimmy Smith  
825 Fifth Street, Room 111  
Eureka, CA 95501

Dear Supervisors:

**Re: LETTER IN SUPPORT FOR THE PETITION FOR RE- ZONING FOR  
THE SOUTHERN HUMBOLDT COMMUNITY PARK**

I am writing to express my strong support for the rezoning request submitted by the Southern Humboldt Community Park (SHCP) organization. The park organization has done an incredible job in purchasing and creating a world class park facility. The rezoning request will allow this incredible institution to maintain its programs and expand upon the creative, very well managed facilities already in operation at the park.

The Southern Humboldt Community Park organization has taken its obligations to be a good steward of the land and a good neighbor diligently and very seriously. I am continually impressed by the forward thinking and community building efforts of this dedicated group of people.

By voting to accept the rezoning request, the Board of Supervisors will be allow this critical community asset and community building effort to continue to reach it's full potential.

I respectfully urge the Humboldt County Board of Supervisors to support the rezoning request.

Sincerely,

Peter Galvin

## Richardson, Michael

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**From:** Katherine Ziemer <humboldtfb@sbcglobal.net>  
**Sent:** Thursday, November 05, 2009 10:28 AM  
**To:** Richardson, Michael  
**Cc:** John LaBoyteaux  
**Subject:** Katherine at Farm Bureau

Michael: I was wondering if I could pick up and "clean" copy of the Staff Report when it is complete on Friday. I have a PDF File that has some very black maps and we can't read the information. Also, I noticed that you have scanned copies of letters - one which has page 1 of the Farm Bureau and the second page belongs to another organization (SHCP) with Peter Ryce signature which is NOT Farm Bureau. These letters are Page 24 and 25 in the staff report.

I have pulled the letters which I have mailed to the county regarding this issue and would like to bring copies by your office today. I realize that our letters were addressed to different individuals so that explains why they are not in your file. The are as follows:

September 17, 2000	Planning Dept.
January 10, 2001	Kirk Girard
April 16, 2002	Kirk Girard
December 27, 2007	Board of Supervisors
April 22, 2009	Michael Richardson

In addition to these letters, I will also include letters we submitted on November 12, 2001 to the California Department of Fish and Game and a letter February 15t, 2002 to Wesley Chesbro.

As you can see, we have been concerned with this issue in the past would like a copy of the final staff report so we can make comments in the future.

Sincerely,

Katherine Ziemer

## Richardson, Michael

---

**From:** Christina Huff <christina354@gmail.com>  
**Sent:** Monday, November 02, 2009 11:16 AM  
**To:** jrmsith@co.humboldt.ca.us; Clendenen, Clif; Lovelace, Mark; Neely, Bonnie; Duffy, Jill; Girard, Kirk; Richardson, Michael  
**Cc:** Kathryn Lobato  
**Subject:** Southern Humboldt Community Park

November 1, 2009

Humboldt County Board of Supervisors  
825 5<sup>th</sup> Street  
Eureka, CA 95521

Dear Supervisors:

I am writing to express my support for the Southern Humboldt Community Park. As a 37 year resident of this community I was excited to be a donor for the initial purchase and have enjoyed the park for the past several years in a variety of ways. I have attended fundraising events for local non-profit organizations and also private family events. I have joined in the monthly bird-walk led by the local Audubon Society members. Currently I am a regular weekly (and more) walker with my husband, family members and friends. We “do the loop”, walking the two mile path usually early in the morning when it is very quiet and beautiful.

In my work with the local school district I have had the pleasure of seeing the park used as a work site for teenagers through the Nick’s Interns program and the Workforce Investment Board’s youth program has placed teens there in work experience training positions. I’ve seen youth and families participate in the trail bike-riding events there as well. School District staff have promoted use of the Park’s walking and biking trails in our fitness and healthy living programs. The community farm has been an important partner in nutrition and environmental education activities with the local schools and we continue to plan for more cooperative efforts for the children, youth and families of Southern Humboldt.

Last spring the School District’s Family Resource Center conducted a survey with response from over 200 teens and 50 adults. Recreation for teens was the highest ranked need for improvement in the health and social services available in Southern Humboldt. The community park has great potential to be a part of meeting that need and offers such a variety of activities that contribute to my personal and our community’s health well being.

I hope that a way can be found to address land use issues that allow us all to continue to see the benefits of the Southern Humboldt Community Park grow and develop in the most effective and responsible manner.

I wish you well as you deliberate on the best path forward for this invaluable community institution.

Sincerely,

Christina Huff  
PO Box 354  
Miranda, CA 95553

707-499-1271  
[christina354@gmail.com](mailto:christina354@gmail.com)

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, October 29, 2009 3:25 PM  
**To:** Richardson, Michael  
**Cc:** Nickolaus, Loretta; Ruth, Carolyn; Turner, Nicole; Bryant, Nanci  
**Subject:** Re: SHCP Petition Notice GPP-08-02

Morning once again Michael,

Now that we know Steve Dazey still holds title to APN 222-091-03 (which was listed on the public notice; Petition Case No. GPP-08-02 for the Southern Humboldt Community Park) and as you stated:

*"It seems a good strategy for my presentation to the Board of Supervisors would be to show them a map of the existing parcels and ownerships (those reflected in the public hearing notice), and another map showing the new parcel lines and ownerships".*

What about the property of the Park that was included in the 2004 LLA, separated into "Parcel A" (Steve Dazey) and "Parcel D" (Buck Mountain Ranch LP aka Bob McKee). Both Parcel "A" & "D" were in part included in APN: 222-091-06 (portions) & 222-241-08, listed on the public notice. Parcel "A" & "D" have not been assigned new assessor's parcel numbers to reflect the recorded LLA. Should you also include this property onto the maps provided in your staff report and directed to the Board of Supervisors at the Petition Hearing? The Staff report maps you sent me Tuesday, do not indicate Parcel "A" or "D", just Parcel "B" & "C". I feel that if the Southern Humboldt Community Park still holds title to this land, it should be so referenced on your staff report maps. This is not only misleading to the Board of Supervisors, but the Public as well.

Bottom line and as we have talked about before, this Petition Hearing should not go forward until all property has changed hands, clear and free of each other and been assigned new assessor's parcel numbers to reflect ownership. Until this takes effect, the information in this Public Notice does not show the proper property ownership of the land that is in question.

Thank you very much,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Tuesday, October 27, 2009 11:45 AM  
**Subject:** RE: SHCP Petition Notice

Ed,

Thanks for your suggestions. I'll discuss them with Kirk when we pull together our presentation. Attached are the maps referred to in the staff report.

Let me know if you have any other questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Tuesday, October 27, 2009 11:37 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP Petition Notice

Michael,

Yes, I feel that all LLA information should be included in the Planning staff report for this property. I think that it is very important for the Supervisors to know the reason for the Park Boards LLA and who benefited from that same LLA's.

I also feel, that information pertaining all CUP applications for this property be included. For me this will show how long the Park Board has never once applied for commercial events or land use changes on the current Park property and still allowed un-permitted events to be held since 2006.

I think all complaints that were submitted to the County about the commercial concerts on this property should also be included in the staff report. Showing a track record of non-compliance of County land use.

Can you send me the maps that are being used in the staff report and or referred to in the public notice?

Thank you very much,  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Tuesday, October 27, 2009 11:14 AM  
**Subject:** RE: SHCP Petition Notice

Ed,

I have checked with the assessor's office. They have not assigned new assessor's parcel numbers to reflect the recorded lot line adjustment, and they are not likely to do so before the date of the public meeting. It seems a good strategy for my presentation to the Board of Supervisors would be to show them a map of the existing parcels and ownerships (those reflected in the public hearing notice), and another map showing the new parcel lines and ownerships. Do you have any other suggestions to clarify the property involved with the petition?

Thanks in advance for your help!

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Tuesday, October 27, 2009 10:11 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP Petition Notice

Michael,

In the public notice it states: "A General Plan Petition application, Case No. GPP-08-02; SOUTHERN HUMBOLDT COMMUNITY PARK, applicant; File Nos. APN 222-091-03, 222-091-06 (portions) & 222-241-08; Garberville area". Now right there it listed APN 222-091-03. The County Assessors office has that APN listed as being owned by Stephen Dazey, not the SHCP.

Thank you for the map, but it does not show the location of the APN's listed on the public notice. If the LLA cleared this up, and I believe that was back in April, why is Dazey still listed as being owner of 222-091-03 by Humboldt County? Maybe someone should check with the Assessors office and Recorders office before this petition get's heard.

Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Monday, October 26, 2009 5:31 PM

**Subject:** RE: SHCP Petition Notice

Ed,

The property on which the SHCP Board is applying for a general plan amendment is not owned by Steve Dazey. Attached is a figure from the draft staff report showing the approximate parcel lines of their property. The parcel boundaries are intended to be the same as those that resulted after their lot line adjustment was recorded.

Let me know if you have any other questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]

**Sent:** Monday, October 26, 2009 4:40 PM

**To:** Richardson, Michael

**Subject:** SHCP Petition Notice

Morning again Michael,

I have one more question about the SHCP Petition Notice, the public notice shows APN 222-091-003. As of today the County Assessors office has that APN listed as being owned by Stephen Dazey, no the SHCP?

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Tuesday, October 27, 2009 11:37 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP Petition Notice

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Can you send me the maps that are being used in the staff report and or referred to in the public notice?

Thank you very much,  
Ed Voice & Voice Family

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Tuesday, October 27, 2009 11:14 AM  
**Subject:** RE: SHCP Petition Notice

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**Sent:** Tuesday, October 27, 2009 10:11 AM  
**To:** Richardson, Michael  
**Subject:** Re: SHCP Petition Notice

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Thanks  
Ed Voice

----- Original Message -----

**From:** [Richardson, Michael](#)

**To:** [Ed Voice](#)

**Sent:** Monday, October 26, 2009 5:31 PM

**Subject:** RE: SHCP Petition Notice

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Let me know if you have any other questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Monday, October 26, 2009 4:40 PM

**To:** Richardson, Michael

**Subject:** SHCP Petition Notice

Morning again Michael,

I have one more question about the SHCP Petition Notice, the public notice shows APN 222-091-003. As of today the County Assessors office has that APN listed as being owned by Stephen Dazey, no the SHCP?

Thanks  
Ed Voice & Voice Family

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Friday, October 16, 2009 12:58 PM  
**To:** Richardson, Michael  
**Subject:** RedwoodTimes: Park board working toward special zoning designation; events needed for revenue

This article link was mailed to you by: [evoice@mchsi.com](mailto:evoice@mchsi.com) \*  
The sender included the following message:

Morning, Thought you would want to see in print, what Tim Metz said "KirK Girard" said about housing development for down at the Community Park. Thanks Ed Voice & Voice Family

---

[Park board working toward special zoning designation; events needed for revenue - Susan Gardner, Redwood Times](#)

The Southern Humboldt Community Park Board welcomed the media with a tour of the park on Monday, October 5. Earlier tours had been given to members of the Humboldt County Board of Supervisors. Members of the press included Jessie Faulkner - Times-Standard, Cynthia Elkins - KMUD, Craig Braunschweig - The Independent, and Susan Gardner - Redwood Times. [View Full Story](#)

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## Most E-Mailed

(From the last 12 hours)  
No data currently available.

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[http://www.redwoodtimes.com/garbervillenews/ci\\_13559413](http://www.redwoodtimes.com/garbervillenews/ci_13559413)  
<http://www.redwoodtimes.com>

This e-mail was delivered by machines from the following IP addresses [173.16.184.119],[64.212.198.5].

\* Please note, the sender's email address has not been verified.

## Richardson, Michael

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**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Wednesday, September 16, 2009 4:44 PM  
**To:** Richardson, Michael  
**Cc:** Smith, Jimmy R.  
**Subject:** SCHP

Michael

This is off the SHCP site which I am sure you may already read.

"It is with deep regrets we inform you that the Southern Humboldt Community Park had to shut its gates on Feb. 24, 2009 due to a determination by the Humboldt County Planning Department that all of the current Park uses (besides agriculture) fall outside the Parks zone." current Agriculture Exclusive Zoning. This means until further notice there will be no more hiking, biking, Frisbee golf, picnics, dog walks, horseback riding, birthday parties, weddings, memorials, or mellow non-profit fundraisers."

Was this just scare tactics to get the community riled up to demand the county change the zoning, or did anyone in the county tell them these uses were not allowed??

and this from Kirk states as follows

,Kirks guidelines for allowed usage

- > "walking, hiking, bicycling, horse back riding, swimming, boating,
- > fishing, nature study by individuals, families or small groups,
- picnics,
- > weddings, celebrations, memorials by families or small groups, and
- > impromptu recreation by families or small groups.

I am sure a few of the letters you received demanding a zone change was because the community was lead to believe the county wants no frisbee golf etc.

Of course people will demand a zone change if lead to believe they cannot walk the dog or have a birthday party for their child in the park, because the property is zoned AG .T Iris and I attended the first meeting with Cliff and Kirk at the Redway school.

I set at one of the tables set up for discussion for people at the table to state what direction they wanted the park to go while one clear voice by all was the concern of size, number of days, time, number, traffic, etc.

The way I read the draft zoning application these guys are asking for the moon and you are giving it to them on a silver platter. The private non profit landowners can do as they please as long as someone from the public attends. If the county does not meet their demands they may close their gates and rile up the community again making the county the bad guys.

At the very least this draft should have had major input from your department on several issues before being submitted to a hearing before the board.

Even a supervisor that is for a park should have major concerns about letting such an open ended application move forward.

Michael

Thanks for keeping us up to date

There are a number of people that want more concerts, the summer arts faire etc all events that presently can be granted after PUBLIC comment under a use permit.

I would hope this draft would go back to the planners for more detail on what real limits should at the minimum be set. Michael we are all for a park and many are happy with the one we have without the zone change.

The AG zone should remain and any use outside of the low impact would require a use permit.

Two questions how many privately owned parcels in Humboldt County have the zoning that the SHCP is applying for??

What is the number of people in a small gathering 300 is the number a lot of people believe is OK before a permit is required on AG lands??

Iris and I remain opposed to any zone change when give the real facts we are sure more people would feel the same.

Thanks for taking our comments.

Regards

Sonny and Iris

PHONE (415)794-3353

<http://www.dobsonimages.com/plogger/index.php?level=collection&id=3>

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Wednesday, September 16, 2009 4:23 PM  
**To:** Richardson, Michael  
**Subject:** Where to start?

Hello Michael its been awhile.

After Sandy's visit with you yesterday, she brought home a page( a document). The title starts (Source of Funding), in the second -paragraph it states, "The Petition seeks to change the designation of lands comprised of 3 (three) parcels totaling +/- 431 acres in the Garberville area, off Sprowel Creek Road, ...

What 3 parcels are these, what are the 3(three) Parcel APN numbers, and won't expansion of the Park require a LLA. is your Development Dept. allowing Mining on this new P.R.zoning for SHCP, can anyone just do what the Park Board is doing? Is this not called Leapfrog Development in Planning speak. Also I am real interested in (Attachment 1).

This will either be a boon to your Dept. or you will looking for a job out of state, its gonna be real big.

Looking forward to you response. Frenchy

## Richardson, Michael

---

**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Wednesday, September 16, 2009 12:19 PM  
**To:** Richardson, Michael  
**Subject:** SHCP

Dear Michael

Sorry to hear that in the draft staff report you will be recommending to the that the accept the rezoning petition" based on evidence the Plan amendment is in the public interest and the base information has changed and community values and assumptions have changed.

Iris and I were wondering what evidence are you basing this on???

Dose the rezoning process include the values and public interest of the whole county and not just the Southern Humboldt party community??

You you send us any copies of maps and the draft petition the park submitted to you.

Also please advise us how many acres the total parcel is that is affected , how many acres are TPZ and how many are AG lands.

And please let us know what current uses are OK without a permit ie can they have groups of less than 300-200 or 100 people without a permit.

Can they have horseback riding, dog walking, frisbee throwing , softball and other low impact events without a permit under the existing zoning.

I have spoken to many people in the Petrolia most of them are against this rezoning plan.

Thank you for your time

Sonny and Iris

Dobsonimages.com

PHONE (415)794-3353

<http://www.dobsonimages.com/plogger/index.php?level=collection&id=3>

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

---

**From:** evoice@mchsi.com  
**Sent:** Wednesday, September 16, 2009 11:02 AM  
**To:** Richardson, Michael  
**Subject:** RE: Findings for Park Boards Petition

Morning again Michael,

In the new zoning and principally permitted land use proposal the Park Board has submitted to your office ("Community Park Zone") and for public for review & comment (Aug 28, 2009), it looks like they are asking or requesting that all of their property, including their M-HQ zoning (leasing to Randall Sand & Gravel) be included in this zoning and land use change, is that correct?

The reason I ask, the current maps listed on the Park web site, show (what is currently M-HQ zone) this new "Community Park Zone" as encompassing all Park property, on both sides of the river, including below my property where it is now M-HQ zoned. Here is the link to their web site, showing the letter and maps for the proposed "Community Park Zoning" <http://www.sohumpark.org/updates.html>

Thanks again Michael,

Ed Voice

Thanks again,  
Ed Voice

----- Original message from "Richardson, Michael" <MRichardson@co.humboldt.ca.us>: -----

-----

Ed,

In the draft staff report I will be recommending the Board accept the petition based on evidence the Plan amendment is in the public interest and the base information has changed and community values and assumptions have changed.

- Michael R.

-----Original Message-----

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, September 16, 2009 7:56 AM  
**To:** Richardson, Michael  
**Cc:** Neely, Bonnie; Lovelace, Mark; Clendenen, Clif; Girard, Kirk; Smith, Jimmy R.; Duffy, Jill  
**Subject:** Findings for Park Boards Petition

Morning Michael,

I would like to know what findings the Planning Department is considering or recommending from section 1452.2 of the current General Plan to the Board of Supervisors for the Southern Humboldt Community Park Boards Petition?

Thank you very much,

Ed Voice & Voice Family

Re: 1452.2 Findings Required:

In reviewing proposals for General Plan amendments, the Board and Commission should remember that the General Plan is a policy document for the entire County and that it may only be amended "in the public interest" (Government Code Section 65356.1) as determined by the Board of Supervisors. In other words, the plan should only be amended when the County, with the support of the broad consensus, determines a change is necessary, not merely because a property owner or a group of citizens desires the amendment. Every General Plan amendment, additionally, must be consistent with the rest of the General Plan or appropriate changes need to be made to maintain consistency.

Amendment of this plan shall be considered upon making any of the following findings:

1. Base information or physical conditions have changed; or
2. Community values and assumptions have changed; or
3. There is an error in the plan; or
4. To maintain established uses otherwise consistent with a comprehensive view of the plan.

## Richardson, Michael

---

**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Sunday, September 13, 2009 12:48 PM  
**To:** Smith, Jimmy R.  
**Cc:** Richardson, Michael  
**Subject:** Southern Humboldt Community Park

Dear Jimmy,

Hope all is well we have read the draft proposal for rezoning the SHCP lands.

This is a bad mistake to let this application go any future.

At the in Redway in March I asked Kirk Girard if this Public Recreation zoning had been granted to any private landowners in the past and he said no it had only been granted to public lands, now Michael Richarson has been quoted in an interview on KMUD that he favors a PR zoning for this private land, how the heck did this man get so much power when are the supervisors going to step in and make the right decision that PR zoning should only be for public lands. This is AG and TPZ lands and should remain so no one is objecting to people hiking, biking, walking their dogs, sport events, weddings or any other event that has 300 people or less.

These people are asking for the moon and it is sad that the county would think about rezoning these lands to public recreation.

This would surely have a major impact on this land and other AG lands of Humboldt county in the future.

If Reggae Rising has taught us anything this summer with the loss of a beautiful active 21 year old lady it is time to scale back the party in Southern Humboldt.

We have spoken to many people on your district who are very much opposed to rezoning this AG and TPZ land.

Some of the planners in the county wanted to stop people from building their single family homes on TPZ lands but they are ok with rezoning this property.

Frankly we just don't get it.

If necessary we will put a petition together opposing this rezoning and submit it to the board.

Regards

Sonny and Iris

Dobsonimages.com

PHONE (415)794-3353

<http://www.dobsonimages.com/plogger/index.php?level=collection&id=3>

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

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**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Sunday, September 13, 2009 12:21 PM  
**To:** Richardson, Michael  
**Cc:** Smith, Jimmy R.  
**Subject:** Southern Humboldt community park rezoning

Dear Michael

We have read the draft - zoning for community park this is really a perfect plan if you have no concerns about the AG lands of Humboldt.

This plan is so vague that it will be absurd if the planning department allows it to move forward in any way.

This is not a public land it is held in private lands we are very much opposed to any rezoning of any private lands in Humboldt county for public recreation.

We are tired of the partying attitude of Southern Humboldt we have Reggae Rising, Harley Run , Reggae on the river, Summer Arts, enough is enough keep the events at Benbow where the law can be enforced and the crowds controlled.

We see nothing wrong with biking , hiking , events with less than 300 people being held at the community park to even entertain the idea of rezoning private land for public recreation is absurd.

Please keep us posted on any new developments and meetings on this application for rezoning.

Best Regards

Sonny Anderson

Iris Dobson

Dobsonimages.com

PHONE (415)794-3353

<http://www.dobsonimages.com/plogger/index.php?level=collection&id=3>

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Monday, September 07, 2009 12:34 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Girard, Kirk; Hofweber, Tom; Werner, Steve; Spencer, Martha; Lazar, Steve  
**Subject:** Re: SHCP Petition questions

Thank you Michael,

If that is the case, will you be including past non-compliance issues of the Park Board (e.g. failure to obtain County Permits for commercial concerts and events) or a track record of non-compliance complaints from the public that have been documented in your department and the long list of letters sent to the Park Board telling them to stop. Will this documented information be included in your background information included in your staff report to the BOS?

Thanks  
Ed Voice

----- Original Message -----

From: "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
To: <evoice@mchsi.com>  
Cc: "Clendenen, Clif" <Clif.Clendenen@co.humboldt.ca.us>; "Girard, Kirk" <KGirard@co.humboldt.ca.us>  
Sent: Monday, September 07, 2009 12:13 PM  
Subject: RE: SHCP Petition questions

> Ed,  
>  
> While I may touch on the options for future zoning of the property in the  
> staff report, I will not likely be raising it as an issue to be discussed  
> at the meeting, instead it would be background information.

>  
> - Michael R.

>  
> -----Original Message-----  
> From: evoice@mchsi.com [mailto:evoice@mchsi.com]  
> Sent: Sun 9/6/2009 12:30 PM  
> To: Richardson, Michael  
> Cc: Clendenen, Clif; Girard, Kirk  
> Subject: SHCP Petition questions

>  
>  
> Morning again Michael,  
>  
> I have noticed, you are separating the Park Boards Petition and why they  
> ultimately want the Petition approved, which will be changing the zoning  
> and land use for the current Park property. It seems to me, the reason  
> they want the rezoning and land use change should be explained in the

> staff report to the Board of Supervisors. The BOS must need to know why  
> they are approving the Petition for the Park Board and it's property.  
>  
> Will there be anything in your staff report, that indicates or includes  
> the reason the Park Board is requesting this Petition? Other than "In  
> order to fulfill their mission to become a fully operational Community  
> Park, it is necessary to rezone the park to a classification that includes  
> recreation, education, civic, and social activities'. And will your staff  
> report include all the types of land use activities they are requesting  
> other than Public Recreation e.g. Housing Development, Green Cemetery,  
> Commercial Recreation, Camping Facilities, Recreational Courses and Tracks  
> or (this is the one I like the best) "Any use not specifically enumerated  
> is allowable if it is similar to and compatible with the uses permitted in  
> the zone"?

>  
> Again, I am sorry to bother you with my questions, but we cannot get any  
> of this information out of the Park Board.

>  
> Thanks as always,  
> Ed Voice & Voice Family  
>  
>

## Richardson, Michael

---

**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, September 04, 2009 9:27 PM  
**To:** Richardson, Michael  
**Subject:** Re: public facility,public recreation and whatever

Michael, In addition to the info I asked for about PF, please include PR, both of their current and updated versions and any zones that planning is writing for or with the Park. Also, haven't yet received the noticing info either. Thank you.

---

**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Thursday, August 27, 2009 11:16:55 AM  
**Subject:** RE: public facility

Sandy,

I'll be able to get back to you with that information early next week. I've got a major deadline tomorrow and I feel like I'm drowning.

- Michael R.

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
**Sent:** Wednesday, August 26, 2009 9:30 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Hofweber, Tom; Spencer, Martha  
**Subject:** public facility

Dear Michael, one more thing. Please send me the current definition and regulations of Public Facility as fully quoted in the current general plan, and also any and all complete rewrite that might be done for the SHCP. When land is zoned Public Facility will it lose it's Agricultural Exclusive zoning? Thank you,  
sandy

## Richardson, Michael

---

**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Friday, September 04, 2009 9:22 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif  
**Subject:** who crafted the zone?

Dear Michael, here is a quote from the new letter that the park board wants their adherents to write: "We understand that the together the (sic) SHCP Board and the County Planning Department have crafted a zoning recommendation that will allow the community to utilize all of the Park properties for multiple use, including close to 100 acres for agriculture." I heard you say on KMUD radio news, on Sept. 2, something that sounded entirely different. What gives? Who at the County Planning Department crafted this carte blanch development zone with the Park Board? I believe that you said on the news that the Board was "jumping the gun" in designing their own zone. Was someone at planning jumping it with them? Who is it? What else haven't we been informed of? Who shall we believe? How far has this whole thing progressed? Will concerts be principally permitted in their zone? Will there be an EIR ? I know that you have told me that the Park Boards Petition Hearing is just the first step, but that does not seem to be the case. Where does a concerned citizen and neighbor go to get the truth about this? Please let me know right away. Thank you. sandy

## Richardson, Michael

---

**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, September 03, 2009 11:08 PM  
**To:** Richardson, Michael  
**Cc:** Cynthia Elkins; Clendenen, Clif; Girard, Kirk  
**Subject:** Re: KMUD Park news report 6 pm 8/01/09

Morning again Michael,

I thought you would want to see what Director Kirk Girard said at the March 18 2009 SHCP meeting at Redway School. The transcript is from a recording I made. I also think KMUD made a recording as well.

Thanks Ed voice

**B.TRUITT:** Thank you Clif, and now we'll hear from Kirk Girard.

**K.GIRARD:** I don't often receive applause, thank you very much, you're so polite. So, I want to focus on where we go from here, but I think a lot of you have questions about the relationship between our department and the Park from the very beginning, so I'm going to give you a very quick thumbnail sketch of sort of how the Park development has looked from my seat in the County Planning Department, and then I do want to focus on some of the more recent discussions we've had with the PBoard representatives, and I think my role is to tell you'all the recommendation I've been making to the PBoard in the last few meetings that we've had. And then after me, perhaps some members of the Park Board are gonna come and give you their sense about my recommendations.

So, HISTORY....Steve Dazey called me in 2000, sometime in October 2000, it was the first concept of using this land for a public Park down here, and invited me down for some the public meetings, that were held in the very early days to try to figure out what the community might want, and what I really got a sense of, a concept and the perspective for the community, I thought that it would be a very good use for that lower section of land, and we talked about from a Planning Department perspective what would have to change so that the Park's dreams, and some of the dreams were quite large at the time, could basically be accomplished, and have the right sort and be consistent with the plan and zoning designation on the property.

At a very early stage we knew that no matter what happened in that Park, they would have to change the zone because the plan designation of the Park,... forgive me for talking my world, but every property has got a plan designation and then a more detailed description of what can happen in the zone in Humboldt and the zone for that area is Agricultural Exclusive. Because of a lot of insight? in the past, Farm Bureau representation and input over the years, it is the most tightly controlled zone in the inland areas of this County, Agriculture Exclusive.

And, whereas you can do recreation almost anywhere in the County, in the agricultural zone, the recreation actually has to be related to agriculture. It has to be subordinate to the agricultural activities on the property. So, anything associated with recreation on the site, which is the heart of what the Park does for the community, runs up against or will eventually run up against that zoning designation. But the issue for the Park has always been, well, how do we go through the permit process?

And now fast forward multiple years, when, when many of the friends of the Park were doing special studies instead of looking at the information that would be necessary for the permitting process and I believe trying to raise money so that they **could do the permitting and the zone changes**, meanwhile, there was a grass-roots organic demand for the Park, and the Park started being used in ways that sort of looked like the master plan or the long term plans for the Park. And that was okay, quite frankly, for many years. The system that we have in the County for people using the property is, if somebody complains about it, then we check to make sure whether the use is actually allowed on the property, based on the plan and zone designation.

And for years, we heard nothing. And it was to some degree, "out of sight, out of mind". We had meetings with the Park and the Park said, "we don't think we're going to be able to get enough of our money together to change the plan and the

zone" and we said, if there's widespread community support, then we could propose to the Planning Commission and the Board that the plan and zone be changed as a result of the General Plan Update. And that was sort of the agreement we had and we were working in that direction.

And then there was one or two incidences that sparked complaints and raised the whole issue of: are the activities at the Park consistent with the plan and zone of the Park? and I think that got us to the point in the controversy. Steven Lazar was here at the height of the controversy trying to explain the compliance posture on the Park and the balancing act that we were trying to do between the people that were complaining and the interests of the Park.

And I wanted to say something about the balance that we struck, because I think that this is another issue that has come up not directly relating to our future, but I want to cover this ground. The complaints were about public assembly and large scale events and our discussions with the PBoard are: **before you use the Park for public assembly, write us a letter, tell us what you're proposing and then we'll write you a letter back. We'll formalize it on whether or not we think it is or isn't consistent within an agricultural exclusive zone.**

So, the enforcement issue we've got is about public assembly and we have an agreement with the Park on the public assembly issues. **WE'VE NEVER GOTTEN A COMPLAINT ABOUT ANY OTHER USES OF THE PARK.** And from our perspective, those are not in our regulatory view and we don't think they really rise to the level of being dangerous to public health and safety. Quite frankly, if the Park is continuing to work with us on the permitting perspective and trying to legitimize the use of the Park then, we think, that working in good faith, if there is an activity that may raise into question the compatibility of the zoning with the activity, people are working in good faith to legitimize it, then we do not step in and stop the activity. So, a part of, in my sense, the strategy of the recommendation is: let's work forward on getting the Park on firm footing, uh, out from under the restrictions that are in place because of the current zoning and the whole issue of the low level activities, quite frankly, will go away from our perspective. I just wanted to sort of hit that head-on. I'd be happy to answer more questions about that.

But what's the solution going forward and what's my recommendation. One of the caveats of carrying the plan and zone change forward in the General Plan Update is, if it became very controversial or required a lot of special studies then it became too specific project for the General Plan. The General Plan is for planning properties throughout the entire County. It's very much a very high level view and it's on a schedule of its own. If an individual project starts to raise lot of questions and controversy, and it looks like it's an individual project issue as opposed to a county-wide issue then what I've always advised the PBoard is that the Planning Commission and Board (of Supes) could decide it needs to go on some path so we can handle the public interest associated with this, give closer attention to the details associated with the project that are local to that situation. And in my judgment we'd gotten to that point.

So that, a fear is, if the project continued on the path of being part of the General Plan Update, two things: the General Plan Update schedule may go on and the Park would sit in limbo on a timeline it has no control over and two, even if it did get heard in front of the Planning Commission and the BOS if the issues were really specific, and the Planning Commission to try to make sure that the General Plan stays on track may say they'd rather it go through its own independent process. And I think those are two significant risks. No control over time, and the potential that you spend all that time waiting, only to be told you have to do your own permit process again.

And that's some of the guidance I've given the PBoard.

If it was its own process, you can do a Plan Amendment and a zone reclassification and a Conditional Use Permit at the same time, if you do your own independent permitting effort. That means you go through the permit process once. You go through public process once and your special studies are prepared and reviewed once which saves time and money. Going through the process with the General Plan, you get the plan and zone designation possibly changed, but then you have to do a Conditional Use Permit for the specific activities on the property.

Mostly what really drives the Conditional Use Permit are public events where you've got to deal with traffic issues and the handling of an operations plan associated with and dealing with large numbers of people. Those public assemblies are conditionally permitted wherever you are in the County.

**Path A**, I'll sort of recap what I told the PBoard, is: uncertain time-frame, you have a lot of risk that you may not be successful in the first-place, because the Planning Commission and the BOS may not consider it appropriate for the General Plan Update, and then you will still have to follow that with Staff even if you are successful with the Conditional Use Permit application and go through the Planning Commission and BOS once again.

**Path B, which is my recommendation**, is its own independent permit process where the Plan Amendment, the rezone and the Conditional Use Permit are bundled, it would start with a petition to the BOS asking the Board to accept the application for a General Plan Amendment and that could happen in as little as six weeks.

And then it would follow with the actual General Plan Amendment and the Conditional Use Permit application. That comes with fees. The petition is around two thousand. The application and the Conditional Use Permit is probably about another two or three thousand with, not just our department but all the departments who review it, and then it will require an EIR because of the issue of agricultural conversion, but it can be a very focused EIR. There's not that many issues, quite frankly. It really does boil down to the ag conversion issue and an operations plan to make sure the site can carry the number of people it can carry efficiently without a lot of problems. There's some other issues, some species issues, but **those are not really that significant.**

So, the EIR cost is a major wild card. What we've decided within our department is that we and our staff can prepare the EIR, which can very much lower the cost as compared to a consultant prepared EIR. Now, we've told the PBoard that we will work as much as we can to keep their costs for the Environmental Impact Report as low as possible. It's hard to know how much that cost would be. Could be upwards of fifty thousand if it's very controversial and takes a lot of special studies. If the issues in many of the studies that the PBoard has already done can be applied and some of the operational plan issues, traffic, engineering report can be done locally, maybe by friends of the Park, so there are ways to reduce the cost. But there's no way of getting around the fact that you realize any sort of dream for the Park, being a community asset as a Park, that it's going to have to go through the plan and zone process and Conditional Use Permit. And we want to work with the PBoard and the community to try to make that go. We are really leaning in favor of the Park, especially some of the concepts of the Park's talked about as recently, about protection of the ag component of the property, scaling back some of the plans, we really think that it's appropriate if you might want widespread support.

So I think that sums up everything I've got to say.

#### QUESTIONS

**PAUL SINCOCK:** Agriculture Exclusive, what's the next level down of agricultural zoning?

**KIRK GIRARD:** Agricultural General.

PAUL: Inaudible

KIRK: Particularly on recreation, you don't necessarily have to have the recreation related to agriculture. And that's a really clear distinction.

PAUL: So you could put a recreation overlay zone on that,...inaudible.

KIRK: Well I think, ..We've had discussions with the PBoard in our shop about what would be the right plan and zone combination,...I think we're not exactly sure what to do yet because we haven't seen the final plans, but the prime ag soils, the discussion with the PBoard, maybe I'm jumping ahead of myself here, is protect those, and that could be protected with a long-term conservation easement on a Public Facility zone, or we could potentially leave that Agricultural Exclusive zone on that portion of the Park. Our view is

Public Facility gives the widest latitude for the Park on the non-ag areas, or the non-prime areas of the Park. So, we don't know the details yet, or what's involved with the operational plan, but once you get a plan involved in the zone process, you get a lot of flexibility of how it would work. We'd just present a solution to the Board that we think is the cleanest way to do it, which gives the best fit for the operations plan.

**SONNY ANDERSON:** Okay, General Plan Amendment...What are they asking for on the General Plan Amendment?...Are they asking for ag?...what was that ag interpretation you just said?...the next level down?...are they asking for recreational use?...are they asking for concerts of 2500 people?...what Amendment are we talking about on the General Plan Amendment?

KIRK: Yeah, uh, I think that I'll let the PBoard speak for themselves...

SONNY: Well, I mean, speak for yourself as far as what the County now has, as far the General Plan, the classification of land, we have Ag Exclusive, Ag General,...we have timber preserve zones....what are we talking about as what the County is looking at as far as what different levels that they're willing to work on?

KIRK: Our recommendation is.....

FEMALE VOICE: No, no, no, no.....I think he's asking is what is available, not just what your recommendation is.

SONNY: Yeah, what is available.

KIRK: There's probably fifteen to twenty general plan designations and about that same number of zoning designations, believe it or not.

SONNY: Let me finish, let me ask my questions first. So what is the County position on this right now.....what their

recommendations are, as far as what they're willing to go with, on the zoning? without having to go through, you know....say, I'm the Park, I want to do hiking, I don't want to do large concerts, I want to keep it low key, I don't want bad stuff happening, Is there any way that as a community I could say, hey, look man, we're not into large concerts because I'm not into paying this fifty thousand bucks...I don't really want the traffic but I would like to have hiking trails...I would like to have bike trails...I would like to have gatherings...of weddings and stuff with less than three hundred people..

Would the County accommodate the Park more easily if they came to the County on a lower key plan, would you guys be willing to do something for them that wouldn't cost them so much money and so much red tape?

KIRK: Let me see if this answers your question. You're basically saying, look, if they really scale down their ideals and maybe there's no large public assemblies but there's just more passive use of the Park, **one**, would first they have to go through a plan/zone amendment and then two, could that be a much lesser deal?

So, the answer to the first question is yes, they would have to go through a plan/zone amendment because of how strictly worded Agriculture Exclusive zoning is. **Second** question is, would it be a lot cheaper and the answer is yes, in that the larger, the more intense the activity is, the more chance for environmental effect and **effect on the neighbors**, the more diligent we've got to be in making sure we hear what the issues are and analyze it carefully for the decision makers. So that drives the cost up. So as the project scale goes down, the cost and time for the permit goes down. That's the general rule. The PBoard has been looking at one end of the spectrum...amplified park-scale public assemblies, ala mini-reggae, don't quote me on that, I thought defining ends of the spectrum...and the other you know, is just the occasional, casual use of the Park and public assemblies that are lower key smaller numbers that might still be able to generate some revenue to support the smaller-scale passive activities and keeping the Park open. And you'll hear from them, but the sessions have been focused on the smaller-scale public assemblies, not the large events.

JOHN LABOYTEAUX: Are you looking at the ag conversion issue with respect to..inaudible

KIRK: Well, this is the framework we would look at it in, and what drives the EIR. A change of one square-foot of Agricultural Exclusive zoning in the County, almost no matter what those underlying soils are, is a significant effect under CEQA. And so you do the balancing act. If it's converting prime, you have much more significant effect than if it's non-prime. But we would look at the balance, at the kind of balance that could be struck. If the best parts of the property that have agricultural production potential are retained in agricultural production, and even if there are operations plans that might intensify their use over historical use, that helps balance or mitigate the conversion of some portion of the property for Public Facility. At the end of the day, if that balancing doesn't come up to what's considered sort of standard ...inaudible..agricultural conversion in the State of California, this is a issue that is time-tested in the California, then we would be recommending the Planning Commission and the BOS that they adopt a statement of right in considerations that yes agricultural land will be converted under all feasible mitigation options have been ...the project but there's still going to be conversion and there's overriding public interest in providing public recreation at the site. And so that might be the final calculus. But everything on the positive side for agricultural production and sustainability at use of the site will be weighed against conversion wherein there's public assembly and public recreation.

QUESTIONER: ....Inaudible.....(regarded the EIR requirements with the General Plan Update versus within a plan amendment.

KIRK: Well, yeah, and you've got to the heart of the issue of whether it belongs to the Plan Update or doesn't belong to the Plan Update. The EIR that is being written for the Plan Update does not typically deal with individual properties and the uses of individual properties. Traffic studies on the corner of Murray and Lapham? for example, you just don't see that sort of work in the EIR. You get to a project that you want to change its plan and zone and there's a lot of detailed questions that have to be asked, it is not appropriate to be put into the General Plan Update EIR. So, often what you do , you say you're only allowing a certain very small amount of uses or you're only permitting a certain amount of use on that side of the Plan level, any other use has to go through its own CEQA review and evaluation following the conditional use permit.

Now you reach a breaking point. If people are saying, just the basic conversion of setting up this public facility, this public recreation and therefore you must have a traffic study, you must do a detailed agricultural conservation plan, you must do noise studies, to determine where around the area people can and cannot hear this, then it becomes a real misfit in the Plan Update EIR, and it's at that point that the Planning Commission or the BOS might decide they see too many special studies, too much specificity, it deserves its own EIR, you have to do one on your own, you have to fund your own project. And that's really, sort of, it's the practical aspect of why we're recommending it's on its own track.

QUESTIONER: Does it not then follow that you could .....inaudible.

KIRK: Yeah, that is a scenario that they could proposean operations plan that is say AG, but they would really have to change the nature of their plans and, quite frankly, the community would have to change its intentions for the Park,... I

received all your letters, thank you very much for your feedback, what it meant to you, and if you just ask me what the PBoard's expectations, what are the community's expectations about the use of the Park, that it's a place where everybody can come and do their activities, Easter egg hunts and occasional fundraising activities, you're looking at a Public Facility designation and calling it AG, to try to lighten up the permit load, or lighten up the EIR, just, quite frankly, doesn't work. Under CEQA that would be considered the piece meal or not really providing for enough latitude for what the true intention of the use of the plan is.

BTRUITT: The sooner we move on, the more progress.. we will be able to find out from Tim what the PBoard has in mind and this may forestall the need for more questions. So are people willing to move on at this point? and hear what Tim has to say?

SONNY: Can we have Kirk come up at the end of the meeting tonight?

KIRK: Sure, I'll be here.

**From:** [Richardson, Michael](#)

**To:** [evoice@mchsi.com](mailto:evoice@mchsi.com)

**Sent:** Wednesday, September 02, 2009 12:53 PM

**Subject:** RE: KMUD Park news report 6 pm 8/01/09

Ed,

Sorry for that – it looks like I didn't paste it into the last email. I got it in there this time.

- Michael R.

"Kathryn,

This is to confirm that on March 25, 2009, we received and accepted an application from your Board for a General Plan Amendment petition for the Southern Humboldt Community Park property. The Department considers the application submittal demonstration that the Park Board is acting in good faith to resolve the outstanding General Plan conformance issues related to low-impact passive activities that have occurred on park property; for example, walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups. We will consider the diligent pursuit of the General Plan Amendment Petition and the possible subsequent General Plan Amendment and use permit as acceptable performance to resolve these potential compliance issues as part of the compliance agreement with the Park (expressed in Code Enforcement Unit letter dated 11/19/08).

To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement.

We have started processing the petition application. We are ensuring the application is complete and will be preparing it for circulation to other agencies for comment. Marcella Clem or Michael Richardson from our office will contact you if we require additional information.

We deeply appreciate the Park Board's cooperation with the Department and the public and its willingness to pursue the necessary Plan changes and permits for the long-term operation of the park. Feel free to contact me if you have any questions.

Kirk Girard"

-----Original Message-----

**From:** [evoice@mchsi.com](mailto:evoice@mchsi.com) [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Wednesday, September 02, 2009 12:38 PM  
**To:** Richardson, Michael  
**Subject:** RE: KMUD Park news report 6 pm 8/01/09

Thank you Michael, I don't see what you sent me on April 17. I am not at home right now, so if you could resend what you sent?

Thanks  
Ed Voice

----- Original message from "Richardson, Michael"  
<MRichardson@co.humboldt.ca.us>: -----

Ed,

In response to your question, below is a resend of an email I sent you on April 17 of this year. Our Department's position on this issue has not changed since then.

Please let me know if you have any other questions or comments.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** evoice@mchsi.com [mailto:evoice@mchsi.com]  
**Sent:** Wednesday, September 02, 2009 7:57 AM  
**To:** cynthia@kmud.org; Richardson, Michael  
**Cc:** Clendenen, Clif; Girard, Kirk  
**Subject:** KMUD Park news report 6 pm 8/01/09

Morning Cynthia & Michael,

I have a question for both of you. My understanding is the Community Park is allowed to have individual people, not groups or public gatherings at the Community & Tooby Park for "low impact & passive activities" only as listed with the Planning Department in an agreement with Kirt Girard?

As to the 6pm news on KMUD last night, Cynthia opened her news report about the Parks new zoning request and if the Park doesn't get a rezone from AE, people will not be allowed to walk, bike, run, or any of the normal day to day individual activities that have taken place at the Community Park?

I would like to know Cynthia, if you got this information from the County or the Park Board?

I have heard Kirt Girard state on KMUD radio and at the Redway School Park meeting, that those low impact & passive activities that individual people are using at the Community Park are not of any concern to his office. Again this would only be for individual usage, not group or commercial events, just people by themselves coming down to use the Community or Tooby Parks on a individual bases.

I do understand that the County is a little gun shy about the past track record of the Park Board and their un-permitted events and concerts. Since the Planning Department is complaint driven, and no one that I know of has ever submitted a complaint about individual low impact & passive activities, I would hate to think the County or Park Board is using this activity as a pawn or bargaining chip, to get what they want. This is not fair to anyone.

Also it was my understanding, that it was not the County that shut down the Parks, only the Park Board because of insurance liabilities for not obtaining County permits for commercial events.

Please let me know your answers as soon as possible.

Thank you,  
Ed Voice & Voice Family  
Garberville, Ca  
707.349.1069

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, August 26, 2009 9:30 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Hofweber, Tom; Spencer, Martha  
**Subject:** public facility

Dear Michael, one more thing. Please send me the current definition and regulations of Public Facility as fully quoted in the current general plan, and also any and all complete rewrite that might be done for the SHCP. When land is zoned Public Facility will it lose it's Agricultural Exclusive zoning? Thank you, sandy

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, August 26, 2009 9:16 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Hofweber, Tom; Girard, Kirk; Smith, Jimmy R.; Chaitin, Wendy  
**Subject:** Re: neighborhood noticing of SHCP petition

Dear Michael, when we spoke on the phone some time ago, it seemed to me that you said that the petition and staff and agency reports would not be available until the Friday before the Board of Supervisors would hear the petition. That can't be right, can it? That would mean that we only get one and a half working day to review the reports and then what, THREE MINUTES to address them verbally at the Supervisors meeting? Do we not get several weeks to look over the documents and WRITE our comments to the Board of Supes? Please clarify how the process works as soon as possible. I understand that you are very busy with the GPU, but there must be some public noticing and enough time for written comments for such a controversial issue.

Thanks again, sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Cc:** "Girard, Kirk" <KGirard@co.humboldt.ca.us>; "Clendenen, Clif" <Clif.Clendenen@co.humboldt.ca.us>; "Hofweber, Tom" <THofweber@co.humboldt.ca.us>; mspenser@co.humboldt.ca.us  
**Sent:** Wednesday, August 26, 2009 5:59:48 PM  
**Subject:** RE: neighborhood noticing of SHCP petition

Sandy,

The Park project is on hold while I finish my work on the Housing Element, which is scheduled to be adopted by the Board this Friday. I'll figure out the precise scheduling for sending out the notices next week and get back to you with that information.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
**Sent:** Wednesday, August 26, 2009 5:54 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Clendenen, Clif; Hofweber, Tom; mspenser@co.humboldt.ca.us  
**Subject:** Re: neighborhood noticing of SHCP petition

Dear Michael,

I have several questions regarding the process of public noticing about the Southern Humboldt Community Park Board's petition to rezone, general plan amendment and Conditional Use Permit for the park. I know that everybody at Planning is very busy, but since I have not heard from you about the public noticing and or the expanded areas to be noticed, I must beg a moment of your time. I was not sure whether to look for the map showing the location of those people who will be noticed before the end of July or August, but i have not gotten anything yet. Is there such a map and may I see it, please? I have not gotten any notice at all regarding this, though i had sent a check so that I could be noticed. Is the tentative date for the Park Boards Petition request before the Board Of Supervisors September 22, as the Park Board has indicated? That is not very much time for people who are to be noticed to obtain the

relevant documents and submit written comments (along with 14 copies, or whatever). How will the public have time to do all that? Please let me know exactly how this public process is supposed to work, and send me the map of those to be noticed right away. .Thank you, sandy

---

**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, July 13, 2009 11:47:43 AM  
**Subject:** RE: neighborhood noticing of SHCP petition

Sandy,

We will be providing public notice of the upcoming Board of Supervisors meeting to all property owners within 1,000 feet of the SCHP property, and to those people residing along travel corridors that may be significantly impacted by the project. I'll be developing a map showing the location of those people who will be noticed before the end of the month, and I can email that to you if you like.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
**Sent:** Sunday, July 12, 2009 10:30 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk  
**Subject:** neighborhood noticing of SHCP petition

Dear Michael. Thank you for the email that you sent. I would also like to know how much your department has decided to expand the noticing of the Southern Humboldt Park rezone petition, since, as you know 300 feet isn't nearly enough. Marcella Clem and you both indicated that this would be done in a special circumstance such as this. I have counted at least 85 homes in the vicinity, not counting the entire town of Garberville which will also be impacted. I just counted Leino Lane, Rivercrest, Kimtu, Sprowel Creek Rd and the lower part of Old Briceland Road, which are within a half mile of the park as the sound flies. Please notify all the neighbors of this General Plan Amendment Petition. Please respond to this email and let me know how much the noticing will be expanded. Thank you, Sandy

start: 0000-00-00 end: 0000-00-00

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, August 26, 2009 5:54 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk; Clendenen, Clif; Hofweber, Tom; mspenser@co.humboldt.ca.us  
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**Sent:** Sunday, July 12, 2009 10:30 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk  
**Subject:** neighborhood noticing of SHCP petition

Dear Michael. Thank you for the email that you sent. I would also like to know how much your department has decided to expand the noticing of the Southern Humboldt Park rezone petition, since, as you know 300 feet isn't nearly enough. Marcella Clem and you both indicated that this would be done in a special circumstance such as this. I have counted at least 85 homes in the vicinity, not counting the entire town of Garberville which will also be impacted. I just counted Leino Lane, Rivercrest, Kimtu, Sprowel Creek Rd and the lower part of Old Briceland Road, which are within a half mile of the park as

the sound flies. Please notify all the neighbors of this General Plan Amendment Petition. Please respond to this email and let me know how much the noticing will be expanded. Thank you, Sandy

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Sunday, August 23, 2009 8:37 PM  
**To:** Richardson, Michael  
**Subject:** Community Park

Michael,

Can you tell me where you are with the staff report on the Community Park? I'm wondering about this with respect to the scheduling of the meeting with the neighbors.

John L

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Wednesday, August 19, 2009 2:31 PM  
**To:** Richardson, Michael; Clendenen, Clif  
**Cc:** Girard, Kirk; Werner, Steve; Hofweber, Tom; Spencer, Martha; Hayes, Kathy  
**Subject:** Re: Meeting with the Park Neighbors.....

Morning Michael Richardson,

Here is what we would like to do. That is to have this Q & A meeting with you and Supervisor Clendenen at 1:00 pm the Wednesday before the Park Boards Petition is going to be heard at the Board of Supervisors (e.g. September 16, 2009 1:00 pm if the BOS is going to hear the petition on September 22, 2009).

I have contacted Norma Lorenzo to open a Planning Account in my name and sent her \$250 to cover any of the Planning Departments time for this meeting.

I would also stipulate, that any or all Planning Staff who wish to attend this meeting, including Director Girard are more than welcome. As for the public, we only want the neighbors, community members, contributors and concerned Humboldt County citizens that have requested this meeting to attend.

Again, Thank you Michael for your time and service to Humboldt County. I look forward hearing from you soon,

Ed Voice & Voice Family  
33 River Crest Dr  
PO Box 580  
Garberville, Ca. 95542  
707.349.1069

Tooby Ranch and now Southern Humboldt Community Park Neighbor since 1966

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Sent:** Tuesday, August 11, 2009 11:10 AM  
**Subject:** RE: Meeting with the Park Neighbors.....

Ed,

Sure, we can sit down and meet. I'll have to bill you for my time (which is billed at @87/hr.). We can go ahead and schedule it for any time between 10 – 4 Monday through Friday after September 1.

- Michael R.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]  
**Sent:** Saturday, August 08, 2009 2:00 AM  
**To:** Richardson, Michael; Clendenen, Clif; Smith, Jimmy R.; Neely, Bonnie; Lovelace, Mark; Duffy, Jill  
**Cc:** Girard, Kirk; Werner, Steve; Hofweber, Tom  
**Subject:** Meeting with the Park Neighbors.....

Morning again Michael,

Thanks for the info on LLA-00-04.

There is one thing you should know about the document that the Southern Humboldt Park Board (Park) calls "*Existing Conditions: Studies Completed*". Last year I contacted everyone on what the Park called their "Studies" list, and asked each of them if their topic was a full blown study or just an assessment.

Most of them called me and/or emailed me. All the ones who replied by phone said that SHCP did not pay them to do a CEQA Study or Mitigation Report, only an assessment. Most were surprised they were named in a CUP application with the County, because of the CEQA implication and the sheer magnitude of the project.

As far as Cultural Resources and Management Plan goes, I did have a couple of phone conversations with Jamie Roscoe of Roscoe & Associates. He was the only one that said his studies met or exceeded CEQA. However, he never studied Parcel "A" or "D" of the Park property because he was told by the Park Board that these were private properties, not owned by SHCP. That is what's so weird, because when he was out at the Park in 2008 doing his Cultural Resources Study, the LLA was not finished, so, in fact, Parcel "A" & "D" were still in Park ownership.

The other thing I was wondering, may I pay Humboldt County Planning to have a meeting with me and a few other park neighbors? I would like to sit down with you and go over what the Park Board is looking to do on their property. The main reason for this is, the Park Board tells your department one thing and the community another. Before the Park's Petition comes before the Board of Supervisors, we would like to share our thoughts and facts about Park documents and their Petition with you in your office.

Back in February of 2009, Peter Ryce (Park Board Director) emailed me that seven of us could soon meet with the Park Board and talk about our concerns. As of today, this meeting has never taken place. We are still waiting to hear when and where the meeting will be held. Remember, there are now over 150 home and property owners living within ear shot of the Park who don't want to see or hear Amplified Music Concerts & Festivals staged at the Park.

We, as neighbors and community members, just want a Park, with Community Farming and what you are calling "low impact activities", nothing else. I have attended every SHCP public meeting since Oct. 30th, 2008 (the first one in four years) and not once, at any of those meetings, did I hear any overwhelming support for amplified concerts, festival venues, camping or parking on SHCP property. In fact, it has been nearly the opposite. The Redwood Times has published several articles about the so-called "Community Planning Meetings" that were facilitated by the Park board's advocate and unabashed booster, Mrs. Truitt. Again, there was no clear or decisive community support for an amplified concert or festival venue, for camping, or for RV and car parking.

I think there are two or more sides to every story, not just the Park Board's. I also think we, as neighbors and community members, should be given more than just 3 minutes to plead our case before the Board of Supervisors or Planning Commission. We should be allowed as much time as the Park Board to get our points across. After all, we are the most affected part of the "Community" in the name "Southern Humboldt Community Park".

That is why I am willing to pay your department for your time to meet with us. We, as neighbors and stakeholders, are willing to do whatever it takes to be allowed the same opportunity as the Park Board to speak about this very important wildlife habitat, agricultural treasure, and community recreation area. We are tired of being called "Detractors of the Park" by the Park Board. They have put an intense negative spin onto anyone who stands in the way of their amplified concert or festival venue project. We, the neighbors, property and home owners, cannot fully participate in creating the future of our neighborhood without having the right to get information about what the Park Board is really requesting of Humboldt County and the Planning Department. We should not be left in the dark, not knowing what changes to expect in the blink of an eye.

Thanks Again,

Ed Voice & Voice Family

----- Original Message -----

**From:** [Peter Ryce](#)  
**To:** [Ed Voice](#)  
**Sent:** Thursday, February 26, 2009 9:40 PM  
**Subject:** SHCP

Dear John and Virginia, Frenchy and Sandy, Kurt and Kristin, and Ed,

After last Tuesday meeting I believe it would be a good thing for all of us to sit down and talk with each other to hear what is being said in the hope of both better understanding and finding a pathway to achieve a common visions for the Park. I truly believe that each of you wants to see a Park for the community and activities at the park that meet the needs of many of our constituents. The Master Plan for the Park should have input from all of us and be part of a community wide process. It seems that with the current action of the Planning Department we will have some time to accomplish this. I am sadden that Park has been closed and hope that there will be some community actions that will allow it to reopen without a multi-year and many thousands of dollar process, but in the long term that may well be what happens.

At any rate, I will be out of town for the next three weeks, but when I return I hope you are willing to sit with us and have this dialogue.

Peter Ryce  
Director, SHCP  
[skyfish@asis.com](mailto:skyfish@asis.com)  
707-923-3617

PS. I am sending this to Ed as I do not have each of your E-mail addresses.  
Thanks, Ed for forwarding.

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Sunday, August 09, 2009 10:28 PM  
**To:** Richardson, Michael  
**Cc:** Mark Lovelace; Neely, Bonnie; Duffy, Jill; Werner, Steve; Smith, Jimmy R.; Clendenen, Clif; Hofweber, Tom; Girard, Kirk  
**Subject:** Meeting Request

Dear Michael:

We are in support of the request you have received from Ed Voice for a meeting of planning staff with neighbors of the Community Park.

Steve Dazey and the Park Board have operated without accountability since the inception of the Park nearly ten years ago. Only recently, in the run-up to their General Plan amendment petition, the Park Board has held several open meetings. In my opinion, these meetings have been heavily scripted and controlled in order to validate pre-existing plans.

For the last 7-8 years I have been trying to engage the Park leadership in a discussion of soils and agricultural issues, with no result. For several months recently I have been trying to work with Barbara Truitt toward a public accounting of the approximately 2.5 million dollars in donations and other income which has been transacted through the Community Park project. This is not happening. My recent efforts to meet with Jim Truitt regarding possible locations for ball fields at the Park have also been stalled.

Planning staff has spent a great deal of time with the applicants. Please allow an opportunity for the park neighbors and concerned community members to explain and discuss the many complex issues surrounding this project. We hope that Supervisor Clendenen will attend this meeting as well.

John LaBoyteaux  
Virginia Graziani

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, August 08, 2009 2:00 AM  
**To:** Richardson, Michael; Clendenen, Clif; Smith, Jimmy R.; Neely, Bonnie; Lovelace, Mark; Duffy, Jill  
**Cc:** Girard, Kirk; Werner, Steve; Hofweber, Tom  
**Subject:** Meeting with the Park Neighbors.....

Morning again Michael,

Thanks for the info on LLA-00-04.

There is one thing you should know about the document that the Southern Humboldt Park Board (Park) calls "*Existing Conditions: Studies Completed*". Last year I contacted everyone on what the Park called their "Studies" list, and asked each of them if their topic was a full blown study or just an assessment.

Most of them called me and/or emailed me. All the ones who replied by phone said that SHCP did not pay them to do a CEQA Study or Mitigation Report, only an assessment. Most were surprised they were named in a CUP application with the County, because of the CEQA implication and the sheer magnitude of the project.

As far as Cultural Resources and Management Plan goes, I did have a couple of phone conversations with Jamie Roscoe of Roscoe & Associates. He was the only one that said his studies met or exceeded CEQA. However, he never studied Parcel "A" or "D" of the Park property because he was told by the Park Board that these were private properties, not owned by SHCP. That is what's so weird, because when he was out at the Park in 2008 doing his Cultural Resources Study, the LLA was not finished, so, in fact, Parcel "A" & "D" were still in Park ownership.

The other thing I was wondering, may I pay Humboldt County Planning to have a meeting with me and a few other park neighbors? I would like to sit down with you and go over what the Park Board is looking to do on their property. The main reason for this is, the Park Board tells your department one thing and the community another. Before the Park's Petition comes before the Board of Supervisors, we would like to share our thoughts and facts about Park documents and their Petition with you in your office.

Back in February of 2009, Peter Ryce (Park Board Director) emailed me that seven of us could soon meet with the Park Board and talk about our concerns. As of today, this meeting has never taken place. We are still waiting to hear when and where the meeting will be held. Remember, there are now over 150 home and property owners living within ear shot of the Park who don't want to see or hear Amplified Music Concerts & Festivals staged at the Park.

We, as neighbors and community members, just want a Park, with Community Farming and what you are calling "low impact activities", nothing else. I have attended every SHCP public meeting since Oct. 30th, 2008 (the first one in four years) and not once, at any of those meetings, did I hear any overwhelming support for amplified concerts, festival venues, camping or parking on SHCP property. In fact, it has been nearly the opposite. The Redwood Times has published several articles about the so-called "Community Planning Meetings" that were facilitated by the Park board's advocate and

unabashed booster, Mrs. Truitt. Again, there was no clear or decisive community support for an amplified concert or festival venue, for camping, or for RV and car parking.

I think there are two or more sides to every story, not just the Park Board's. I also think we, as neighbors and community members, should be given more than just 3 minutes to plead our case before the Board of Supervisors or Planning Commission. We should be allowed as much time as the Park Board to get our points across. After all, we are the most affected part of the "Community" in the name "Southern Humboldt Community Park".

That is why I am willing to pay your department for your time to meet with us. We, as neighbors and stakeholders, are willing to do whatever it takes to be allowed the same opportunity as the Park Board to speak about this very important wildlife habitat, agricultural treasure, and community recreation area. We are tired of being called "Detractors of the Park" by the Park Board. They have put an intense negative spin onto anyone who stands in the way of their amplified concert or festival venue project. We, the neighbors, property and home owners, cannot fully participate in creating the future of our neighborhood without having the right to get information about what the Park Board is really requesting of Humboldt County and the Planning Department. We should not be left in the dark, not knowing what changes to expect in the blink of an eye.

Thanks Again,

Ed Voice & Voice Family

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Wednesday, July 29, 2009 5:50 PM  
**To:** Richardson, Michael  
**Cc:** Katherine Ziemer  
**Subject:** Re: Community Park

Michael,

Thanks for leaving the file for me today. I really didn't see anything about current plans, the most detailed document being the CUP request from October 08. Are you sure it was all there? I saw one letter from Farm Bureau signed by Jim Regli but there is a more recent one signed by Jay Russ, in response to the GPP notice (which was not referred to Farm Bureau).

I didn't see that one.

I should have asked you the above while I was there but got distracted.

John L

On Jul 28, 2009, at 11:37 AM, Richardson, Michael wrote:

> OK I'll leave it at the front counter for you.

>

> -----Original Message-----

> From: John LaBoyteaux [mailto:helenthemelon@earthlink.net]

> Sent: Monday, July 27, 2009 3:29 PM

> To: Richardson, Michael

> Subject: Community Park

>

> Michael,

>

> I will be in Eureka on Wednesday and would like to come by in the

> early afternoon to look over the Community Park file.

>

> John L

>

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>

## Richardson, Michael

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**From:** Robert Sutherland <woods@asis.com>  
**Sent:** Friday, July 24, 2009 1:54 PM  
**To:** Richardson, Michael; Bronkall, Bob; Clendenen, Clif; Hofweber, Tom; Spencer, Martha; Werner, Steve  
**Cc:** Kathryn Lobato; Dennis and Ellie Huber; timmetz@asis.com; Peter Ryce; Herb Schwartz; Barbara Truitt  
**Subject:** Ed Voice of 24 July

Friends:

I have witnessed a flood of letters from Ed Voice concerning Community Park, and I am sure you have too. I am really tired of his efforts, and suspect you realize that he is disingenuous. For example, he uses legal catch phrases in his e-letter to you of 24 July that have no significant relevance and are attempts to wield power that he doesn't have or understand, in my opinion. The example here is "cumulative effects". The Park's proposal to enhance parking as well as improve a short access by removing non-native invasive species is concise; it is not linked to a grand scheme that must be elaborately discussed in advance. It was never on anyone's long-term radar, so far as I am aware. There was never a necessity then to link this small project to any other large park plan. In addition, I strongly salute any effort to remove the invasive broom as a significant contribution to environmental protection, and such efforts are excused from CEQA formalities. By the way, I know something about cumulative effects and CEQA since I shepherded the concept through EPIC v. Johnson and Sierra Club v. Bd. of Forestry, the two suits that established adherence to this standard.

I certainly do agree the Park needs to develop a long-term plan so as to avoid willy-nilly development. The present proposal basically does not coincide well with that, however. For example, recent positive improvements to Little Tooby Park removed a large amount of the historic parking area. The present proposal is not nearly so much an expansion as a replacement, a fact Mr. Voice typically fails to note.

Moreover, the need here is immediate, more nearly of an emergency character, as there already is a problem. Further, the area proposed for parking has no natural environmental value, contrary to Voice's clearly implied claim. This is because for many years it has been used as a storage yard for gravel piles and a temporary bridge, both as adjuncts to nearby gravel mining operations. It is presently a combination of bare gravelly soil and non-native weeds, along with large waste cement blocks. The natural soil profile was deeply overlain with near-sterile clay subsoils. On two sides it adjoins County roads. And its severely disturbed character long predates even the gravel operation, not to mention Park ownership. Just because the Park is navigating through a planning process does not mean everything must stop and become a part of that ponderous plan; Voice's concern here does not reflect the reasonableness that is one of the cornerstones of CEQA. I would conclude then that he is once again maliciously harassing the Park.

I represent to you that Mr. Voice does not have the Park's or the community's interests at heart, but is intent on working out his own personal matters at the expense of nearly anyone else. He occasionally touches on some valid criticism, but these seem more of a coincidence than the expression of legitimate concern. His well established style of harassing the Park clearly demonstrates that no one should pay heed to him, I'm sorry to say. I strongly dislike criticizing the man as opposed to his stand, but his misleading efforts are now quite monumental and thus implicate him only too well. It is time for everyone to ignore him as best they can.

Robert Sutherland

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, July 24, 2009 10:57 AM  
**To:** Richardson, Michael  
**Cc:** Bronkall, Bob; Clendenen, Clif; Hofweber, Tom; Spencer, Martha; Werner, Steve  
**Subject:** New Parking Lot & Trail for Tooby Park?

Morning Michael,

I had attended the Last Community Park meeting down at the Park Barn on July 15th. One of the new projects at the Park, is talked about below (New Parking Lot and Trail for Tooby Park). I wonder if County Planning or Public Works knows anything about this project next to and under the Moody bridge? You know it might not sound like a big thing, what they are doing at that end of the bridge, but there again, how crazy could they go, what do they mean by "We decided to rip out everything along the hillside".

So my question along those same lines: How many recent (just this year 2009) un-permitted projects will County Planning allow, before you see the cumulative effects they have on zoning and land use. Please remember: "Each subsequent action may have only a small incremental effect, but taken together with past, present, and reasonably foreseeable future actions, will have a significant effect that would further degrade the environmental baseline and undermine the improvements in habitat conditions necessary for listed species to survive and their recovery". "The consequence of several actions [that] will have cumulative or synergistic environmental impacts must be considered together".

Thanks again,

Ed Voice & Voice Family

RE:

Park caretaker Eric Arcos said, "We have a serious parking issue over at Tooby Park and we are talking about developing the other side of the bridge to make it a parking area. What we need to do is make a walking pathway under the bridge, which is filled with scotch broom, thistle, and all sorts of invasive plants. We decided to rip out everything along the hillside. We have exposed everything underneath the bridge so we can see people who camp under there. There is some more area on the other side we need to finish off. With two days worth of work and nine people we got a lot done. It was great to have them around and they are eager to come back."

Lobato said that she receives a call when there are a few days open with the CCC crew and hopefully they will be returning again. She also said their funding is good through 2010 and it looks like they are going to survive the budget crises.

Arcos also said, "We exposed a lot of trees. There are probably seven madrones, an oak, and a willow that were previously swallowed up by the scotch broom."

He expressed concern that with the increased usage at Tooby Park they need more portable toilets. He said even with the current toilet being emptied twice a week, it's just not enough.

The whole news article is the link below.

[http://www.redwoodtimes.com/garbervillenews/ci\\_12899608](http://www.redwoodtimes.com/garbervillenews/ci_12899608)

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, July 17, 2009 7:22 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Girard, Kirk; Hofweber, Tom; Werner, Steve; Lazar, Steve; Spencer, Martha  
**Subject:** Community Support Letters

Dear Michael, Planning Director and County Planners,

I wanted to talk to you about the support letters the Planning Department and Board of Supervisors have been sent:e.g. "Please reopen our Park" and "Put us back into the GPU" or "Put the park back in the General Plan "B" Update" or "FIND A WAY TO LET US USE OUR PARK NOW" or "IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park".

It would seem to me, that after reading all of the community support letters I requested from Supervisor Clendenen and now from your office, this is the main theme in all the letters. Now I know most of these letter were generated from a form letter, posted on the SHCP web site, this was announced at the February Park Meeting at the Mateel Center (or as I like to call it "the Park Neighbor tar and feather meeting" or "Boo and Hiss Meeting") at the same meeting the Park Board announced that the Park(s) (both Tooby and Community Park) were know closed to the public until further notice. I wish you could have gone Michael. You could have felt the hate toward the four family households (or Park detractors) in the air and cut it with a knife.

It's too bad the County never came out with a letter to the SOHUM community and said, County was not to blame for the Parks Closing, then maybe the Park Board could have taken the responsibility of telling everyone, they and they alone closed down both Park(s), to get what they wanted! After all, in reading some of the email you are sending me, the County and the Park Board both knew back in January of 2009, that this petition is the only way they were going to get any kind of zoning or land use change for concerts down at the Park. This is the reason they closed the Parks. This method of controlling people is called the Delphi technique.

If you read the Parks web site, they do say the County closed the Park(s).

So my question to you and others at County Planning, should these letters of support be used for the current petition the Park Board is requesting from your department and office? Or should they be new letters, supporting this current petition request?

The other thing I did notice, is that most of the support letters from early this year, do not say anything, not a word supporting the Concert/Festival/Fundraiser/Public Gathering events at the Community Park. I thought this was the reason the Park Board has requested a land use change for their private property, after all that is what they are telling the public down here.

Anyway, Thank you for all the emails, keep them coming. I'm sure if there is anymore heat about this project, you will be the second one to know.

Thanks Again,

Ed Voice & Voice Family

PS, what does the term "POD" mean in the Planning Department?

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, July 13, 2009 7:29 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk  
**Subject:** Re: neighborhood noticing of SHCP petition

Dear Michael and Kirk, you guys are awesome! A thousand feet, though... isn't that less than 1/5 of a mile? I don't think that's enough. I hope you will include all the houses along Sprowel Creek Road across from the airport. Lots of retired people have lived there for a long time. I don't think they go to concerts much, so may not be following the local news. Since those houses are on the bluff directly across the river from the Park, don't they have a right to know about what's happening? In San Francisco, I saw that land requesting to be rezoned had signs right in front of the area noticing the public. I think this is something that should be done at the Park, too. And yes, please send me the map when you have it ready. Thank you! Sandy

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**From:** "Richardson, Michael" <MRichardson@co.humboldt.ca.us>  
**To:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, July 13, 2009 11:47:43 AM  
**Subject:** RE: neighborhood noticing of SHCP petition

Sandy,

We will be providing public notice of the upcoming Board of Supervisors meeting to all property owners within 1,000 feet of the SCHP property, and to those people residing along travel corridors that may be significantly impacted by the project. I'll be developing a map showing the location of those people who will be noticed before the end of the month, and I can email that to you if you like.

- Michael Richardson  
Senior Planner  
Humboldt County Community Development Services  
(707) 268-3723

-----Original Message-----

**From:** Sandy Feretto [mailto:sferetto@yahoo.com]  
**Sent:** Sunday, July 12, 2009 10:30 PM  
**To:** Richardson, Michael  
**Cc:** Girard, Kirk  
**Subject:** neighborhood noticing of SHCP petition

Dear Michael. Thank you for the email that you sent. I would also like to know how much your department has decided to expand the noticing of the Southern Humboldt Park rezone petition, since, as you know 300 feet isn't nearly enough. Marcella Clem and you both indicated that this would be done in a special circumstance such as this. I have counted at least 85 homes in the vicinity, not counting the entire town of Garberville which will also be impacted. I just counted Leino Lane, Rivercrest, Kimtu, Sprowel Creek Rd and the lower part of Old Briceland Road, which are within a half mile of the park as the sound flies. Please notify all the neighbors of this General Plan Amendment Petition. Please respond to this email and let me know how much the noticing will be expanded. Thank you, Sandy

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, July 10, 2009 11:51 AM  
**To:** Richardson, Michael  
**Cc:** Jackson, Lucinda; Girard, Kirk; Chaitin, Wendy  
**Subject:** PRA Request  
**Attachments:** PRA M Richardson\_SHCP 7\_10\_2009.doc

Morning,

Attn: Michael Richardson Senior Planner, Humboldt County Community Development Services Department.

Please see attachment for a California Public Records Act Request.

Thank you very much.

Ed Voice & Voice Family  
707.349.1069

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Wednesday, July 08, 2009 10:24 PM  
**To:** Richardson, Michael  
**Subject:** SHCP rezone petition

Dear Michael, please send by email the all the stuff regarding the rezone petition for Southern Humboldt Community Park that you have in your folder. I phoned you, but didn't hear back. Thank you. Sandy P.S. Remember back in october I sent a check for notification regarding the Southern Humboldt Community Park General Plan Amendment to the Community Development Services Department at your suggestion? Why have I never gotten anything?

## Richardson, Michael

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**From:** John LaBoyteaux <helenthemelon@earthlink.net>  
**Sent:** Thursday, July 02, 2009 2:07 PM  
**To:** Richardson, Michael  
**Cc:** Clif Clendenen  
**Subject:** Community Park

Michael,

I last heard from Marcella that the Community Park's GPA application would go the the Board on August 18th. I want to catch up on what is going on there.

I think Marcella considered that the inland Public Recreation zone might apply to places like Benbow Lake SRA or Humboldt Redwoods. It did not seem right to me to apply that zone to units of the State Park System or other public owned lands over which the County has no jurisdiction. I would think those would be designated Public Lands perhaps with a qualifier indicating recreation, preservation or national forest. Although I know the coastal PR zone specifies public ownership, it seems to me there are many privately owned lands in the inland area which might be planned and zoned PR. This would include golf courses, resorts, rodeo grounds, private campgrounds and church camps in addition to the Community Park. The Community Park is owned by a private non-profit and they have demonstrated that they can close the gates and exclude the public when they wish. It is not publicly owned or publicly managed and in my view has more in common with the golf courses, resorts and camps.

Secondly, the last get together down at the barn, Katherine Lobato made the statement that they might not go for the PR designation after all, so I'm curious what direction that is going since I went to some effort to outline an inland PR zone, with an eye to the Community Park.

That outline was also attached to the Farm Bureau letter.

Lastly, if they have gotten as far as drafts of a management plan, or other more detailed application for the GPA, maybe I should come in and read the file. Is there anything of substance there yet?

Thanks.

John LaBoyteaux

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, June 15, 2009 12:49 PM  
**To:** Richardson, Michael  
**Cc:** susan; manderson@redwoodtimes.com; Smith, Jimmy R.; Clendenen, Clif; Lovelace, Mark; Duffy, Jill; Girard, Kirk; Neely, Bonnie; Hofweber, Tom  
**Subject:** RE: Redwood Times Artical.....

Morning Michael,

Thanks for taking the time to reply. I feel it's not what Mary Anderson should have said, it's what you should have told Mary Anderson (reporter for the Redwood Times).

Look, it's hard enough to get any credible or accurate information out of the Park Board, let alone when the Planning office adds more questions to the mix. Most people down here still don't understand what is going on. Even though the Park Board has had two public meetings since Director Girard came to one and tried his best to explain the process. You have to remember, at that meeting Mr. Girard was the first person to explain what the Park Board is requesting to the community and how the process works. We the community are not given the opportunity to ask questions of the Park Board at these community planning meetings (like a town hall meeting). The community is only invited to these meetings to debate a one-sided forum of discussion, scripted by the Park Board. Since the public meeting started in Oct 2008, not once have we seen or read any form of report, summary or minutes of those past community planning meetings, not once.

I myself along with many other neighbors want to know: WHO, WHAT, WHY, WHEN and WHERE. Is this too much to ask for? What if this project was being planned in your neighborhood, in your backyard, would you ask the same questions?

We are trying to be a part of the solution. Please help us to understand what the Park Board is doing, keep our community informed. Please make this easy for our community to understand and ask questions.

Please try and remember Michael, this is just not another project on paper, it's a project that will adversely affect many more people than it will benefit. It will affect our normal day to day life, our river, our farm land, our safety, the habitat and most of all our Earth. We only get one shot at this, so let's take our time, not rush in until we all have the facts and examine both sides of the story.....

I would like to request, that this project not go any further alone, until the GPU is completed. When you and your staff at the Planning Department can take your time and look at this project from outside the box.

Ask yourself this question, can you spare adequate time on this project right now, without being rushed? Please kick this idea around at your next morning staff meeting.

Thank you,

Ed Voice & Voice Family

----- Original message from "Richardson, Michael" <MRichardson@co.humboldt.ca.us>: -----  
-----

Mary should have said it will be up for review by the Board of Supervisors in late August. They will be reviewing the General Plan Petition.

-----Original Message-----

**From:** Ed Voice [mailto:evoice@mchsi.com]

**Sent:** Friday, June 12, 2009 6:23 PM

**To:** Richardson, Michael

**Cc:** Susan Gardner; Mary Anderson; donaldcourtemanche; dobsonimages@asis.com; Clendenen, Clif; Girard, Kirk

**Subject:** Redwood Times Artical.....

Morning Michael,

Wanted to speak with you about this article in the Redwood Times (see below). It has to do with the very last sentence (I underlined it for you). How can you say this, when the Park has not even had their petition heard in front of the Board of Supervisors?

Here is what you should have said, they are the steps the Park Board must take:

*Step 1 is before the Board of Supervisors when they consider to accept the petition and initiate amendment of the general plan. Public input may be given to the Board at this time on whether it should or shouldn't be accepted as an individual amendment of the general plan. If the Board accepts the petition and agrees to initiate the amendment, they refer it to the Planning Commission.*

*Step 2 is the hearing before the Planning Commission. At this time all information necessary for decision-making is developed and put before the Commission. Environmental documents are subject to public review, as are the staff report and any other support materials. The Planning Commission, after public hearing, makes a recommendation on the amendment to the Board of Supervisors.*

*Step 3 the Board receives the PC's recommendation and holds their own public hearing and makes a decision on whether to amend the plan.*

You sir are pulling the cart before the horse, by skipping over step one, that have not been taken and heard by the Board of Supervisors or public to which they serve. How dare you mislead the pubic in your comment below. Too make this wrong a right, I feel you should submit a article to the Redwood Times, explaining this process in more detail and sharing with the public in Southern Humboldt County what steps the County Planning Department must make (by law) to take the Park out of "AE" and change into "PR". I feel this will help educate the public and right a wrong at the same time.

Thank you for your time,  
Ed Voice & Voice Family

## Reggae Rising at the Community Park?

Redwood Times

Posted: 06/10/2009 10:39:04 AM PDT

Although the commissioners did not discuss the item raised by Don Courtemanche regarding the consideration of the Community Park as an alternate location for Reggae Rising, this reporter raised the question with Planner Michael Richardson. Richardson said the Community Park was used as an alternate location as part of the Environmental Review Process for the event. The EIR process is “blind” to zoning and just requires a similar property to use for comparison of environmental effects. The use of the park in no way suggests that there would be the possibility of moving the event to the Community Park should it not take place at Dimmick Ranch. Richardson said further that the General Plan redesignation of the Community Park to a Public Recreation (PR) designation is moving forward and should be up for review at the Planning Commission in late August.

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, June 12, 2009 6:23 PM  
**To:** Richardson, Michael  
**Cc:** Susan Gardner; Mary Anderson; donaldcourtemanche; dobsonimages@asis.com; Clendenen, Clif; Girard, Kirk  
**Subject:** Redwood Times Artical.....

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*Step 2 is the hearing before the Planning Commission. At this time all information necessary for decision-making is developed and put before the Commission. Environmental documents are subject to public review, as are the staff report and any other support materials. The Planning Commission, after public hearing, makes a recommendation on the amendment to the Board of Supervisors.*

*Step 3 the Board receives the PC's recommendation and holds their own public hearing and makes a decision on whether to amend the plan.*

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Ed Voice & Voice Family

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## Richardson, Michael

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**From:** donaldcourtemanche <donaldcourtemanche@wavecable.com>  
**Sent:** Saturday, May 09, 2009 8:53 PM  
**To:** Werner, Steve; Richardson, Michael; Spencer, Martha; Lovelace, Mark; Clem, Marcella; Girard, Kirk; Smith, Jimmy R.; Duffy, Jill; Clendenen, Clif; Neely, Bonnie  
**Subject:** Fw: rewards  
**Attachments:** may 9, 2009 #2.doc; new may90001.pdf

----- Original Message -----

**From:** [don fren courtemanche](#)  
**To:** [donaldcourtemanche@wavecable.com](mailto:donaldcourtemanche@wavecable.com)  
**Sent:** Saturday, May 09, 2009 20:44  
**Subject:** rewards

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No virus found in this incoming message.

Checked by AVG - [www.avg.com](http://www.avg.com)

Version: 8.5.325 / Virus Database: 270.12.23/2106 - Release Date: 05/09/09 06:54:00

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Thursday, April 30, 2009 10:01 PM  
**To:** Richardson, Michael  
**Cc:** Hofweber, Tom; mspenser@co.humboldt.ca.us; Clem, Marcella; Girard, Kirk; Clendenen, Clif; Duffy, Jill; Smith, Jimmy R.; nlovelace@co.humboldt.ca.us; Neely, Bonnie  
**Subject:** Rezoning Southern Humboldt Community Park

Dear Michael, Can this rezone of the Southern Humboldt Community Park be delayed until after everybody in the Planning Department is done with the much bigger task of the General Plan Update so that the issue of the park can really receive the all attention it deserves, please? Tooby Flat is, according to Bob McKee, five times the size of Garberville; it is centrally located, and surrounded by many neighborhoods. It is too big a deal to not be fully addressed. I know you are all very busy and working hard on the much bigger and more consuming GPU. Please do not let this be the reason for some "streamlined" version of process in this important matter.

It has already been this long. People are very confused now about whether they are supporting a park or a concert venue or housing or some other development or certain people or what. And the Park Board seems to want something but they won't tell us exactly what their plans are (if indeed there are any specific ones) or how they will mitigate the damage and manage their fiduciary duty.

I would like to see the issue of concert venues (indoor and outdoor) addressed in the General Plan Update along with big box development and adult entertainment since, at least in Southern Humboldt, anything and everything is one thing but can also be something else (like a big event site) It is very tiresome and it is time to get some standards and definitions. Thank you for all the work you are doing. Please let me know about this.  
Sincerely, Sandy Feretto

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, April 30, 2009 12:15 PM  
**To:** Clem, Marcella; Richardson, Michael  
**Cc:** Girard, Kirk; Clendenen, Clif  
**Subject:** Southern Humboldt Community Park meeting @ the Barn May 5th.

Morning Marcella & Michael,

After reading about the public meeting (public assembly) down at the Community Park Barn on May 5th, I wonder again if such a public meeting meets the criteria and compliance agreement between the County (Dir. Girard) and the Park Board (Kathryn Lobato). This meeting is said to be held at the Community Park Barn, this building is not recognized or permitted as a public meeting place or assembly for public gatherings. Nor has it been addressed for max occupancy, inspected by a fire marshal, fire department, County Building Department or Health Department as being safe for the Public or Public Assembly. This public assembly meeting is a first down at the Park since 2002.

There are no records at the County Building Department ever inspecting this Barn for public assembly. This is a barn, not a town meeting hall.

Again and time after time It seems, the Park Board is pulling the cart before the horse. Allowing this type of public assembly. Not even knowing the number of the public attending. At the March 18th meeting at Redway School 60 to 70 people attended, February 18th meeting at the Mateel Community Center over 200 people attended. I must refer to the agreement that the County Planning Department has with the Park Board:

(e.g. "To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement").

Just so we are clear about attendance for this meeting at the Community Park Barn on May 5th, all members of the Mateel Community Center and Southern Humboldt Working Together have been emailed this announcement, along with the local newspapers and the Park web site. So I would have to assume the Park Board is expecting a large turn out.

Please let me know your thought on this matter. Again Thank you for your time and attention to our community,

Ed Voice  
707.349.1069

## Community Park planning session set for May 5

Redwood Times  
Posted: 04/29/2009 09:45:29 AM PDT

As most of you know, we have been able to reopen the Park and make significant progress towards obtaining a more compatible zoning. An important part of this process includes developing the Park's Master Plan.

This scoping session will focus on "Guiding Principles" for the Park's planning process. These principles are a critical part of the Park's Master Plan. They will serve as an expression of our values and ideals and provide a foundation for decisions regarding community use and stewardship of the Park.

This session will be an active working session similar to the "World Café" style of group conversation. Each group will focus on a different component of the guiding principles. Participants will move from table to table to give input and discuss each of the components over the course of the session.

Join us on Tuesday, May 5, from 5:30 to 7:30 p.m., at the Barn in the Community Park and share your vision for the future of the Park. With your help the Park can realize its full potential and mission. Help us create the best park, serving the most people in the best way. For more information, call 923-2287.

Submitted by Kathryn Lobato

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Saturday, April 25, 2009 11:27 AM  
**To:** Richardson, Michael; Clem, Marcella  
**Cc:** Girard, Kirk; Clendenen, Clif  
**Subject:** Southern Humboldt Labyrinth Project at the Community Park.....

Morning Michael & Marcella,

It was great hearing from you last week, and thank you.

We found out yesterday on KMUD Radio (6pm news cast 4/24/09) starting this weekend the Southern Humboldt Labyrinth Project planned at the Community Park will be breaking ground and excavating where the new Labyrinth construction and installation will be taking place sometime in mid May 2009.

As far as I know, the Park Board (acting as property and land owner) has not requested or obtained permits or permission from your office for this Labyrinth Project to be constructed on the Community Park property. So without notifying your office about this project, not knowing if it conflicts with zoning and land use, this project would not trigger any public comment or mitigation considerations (size, shape, depth and scope, project description, construction requirements, project parking, project events, number of people attending events etc etc) for Cultural Resources, Land use and current Ag Exclusive zoning for the property and site location.

It seems, the Park Board is pulling the cart before the horse. Constructing, installation and use of unrelated agriculture improvements to the property ("**To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement**") as stated below in the email from Kirk Girard to Kathryn Lobato, before their petition for rezoning has even been heard and approved by the Board of Supervisors.

Please let me know if you have anymore information about this planned project at the Community Park. I have included a link for the Southern Humboldt Labyrinth Projects web site.

[http://www.sohumlabyrinth.org/sum\\_solst.html](http://www.sohumlabyrinth.org/sum_solst.html)

Thanks Again,  
Ed Voice  
707.349.1069

----- Original Message -----

**From:** [Richardson, Michael](#)  
**To:** [Ed Voice](#)  
**Cc:** [Clem, Marcella](#)  
**Sent:** Friday, April 17, 2009 4:15 PM  
**Subject:** RE: Actively engaged in this rezoning process.....

Ed,

Below is the contents of an April 1, 2009 email from Director Girard that describes the understanding between our office and the Park Board about the allowed uses of the site.

- Michael R.

"Kathryn,

This is to confirm that on March 25, 2009, we received and accepted an application from your Board for a General Plan Amendment petition for the Southern Humboldt Community Park property. The Department considers the application submittal demonstration that the Park Board is acting in good faith to resolve the outstanding General Plan conformance issues related to low-impact passive activities that have occurred on park property; for example, walking, hiking, bicycling, horse back riding, swimming, boating, fishing, nature study by individuals, families or small groups, picnics, weddings, celebrations, memorials by families or small groups, and impromptu recreation by families or small groups. We will consider the diligent pursuit of the General Plan Amendment Petition and the possible subsequent General Plan Amendment and use permit as acceptable performance to resolve these potential compliance issues as part of the compliance agreement with the Park (expressed in Code Enforcement Unit letter dated 11/19/08).

To re-state our previous position; the compliance agreement prohibits public assembly, amplified music, commercial performances, motorized recreation, construction of non-agriculturally related improvements and other uses not allowed in the Agriculture Exclusive Zone. If the Park Board has any question about a proposed activity that could possibly fall within this later category, you have agreed to notify us in writing of the proposed activity so that our Department can give you a written determination as to its consistency with the existing Plan and Zone designation and the compliance agreement.

We have started processing the petition application. We are ensuring the application is complete and will be preparing it for circulation to other agencies for comment. Marcella Clem or Michael Richardson from our office will contact you if we require additional information.

We deeply appreciate the Park Board's cooperation with the Department and the public and its willingness to pursue the necessary Plan changes and permits for the long-term operation of the park. Feel free to contact me if you have any questions.

Kirk Girard

Kirk Girard  
Director  
Community Development Services  
County of Humboldt  
3015 H Street  
Eureka, CA 95501  
Ph: (707) 268-3735  
Fax: (707) 445-7446  
[kgirard@co.humboldt.ca.us](mailto:kgirard@co.humboldt.ca.us)

## Richardson, Michael

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**From:** Kathryn Lobato <kathryn@sohumpark.org>  
**Sent:** Thursday, April 16, 2009 12:54 PM  
**To:** Richardson, Michael; Clem, Marcella  
**Subject:** Southern Humboldt Community Park

Hi Michael and Marcella,

Thanks again for helping get the park reopened. We held the annual egg hunt at Tooby Memorial Park last Saturday and it was heart warming to see all the young children running around in the playground once again.

Just a quick question. Now that spring has sprung, we would like to host our next two Community Planning meetings at the park, like we have done in the past. I am unsure whether this would be alright under our current agreement. The last two meetings have had between 40-60 folks sitting at tables working and talking.

We have the Redway School multipurpose room already booked but the park would be so much more appropriate so I am checking in.

Best Regards,

Kathryn Lobato

## Richardson, Michael

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**From:** evoice@mchsi.com  
**Sent:** Monday, April 13, 2009 3:23 PM  
**To:** Clem, Marcella  
**Cc:** Richardson, Michael  
**Subject:** Park Petition letters

Morning Marcella,

I wanted to ask, can I or someone come to the Planning office and see the 300 letters the Park Board said were sent to your office for rezoning for the Community Park so the Park Board can re-open the Park? If there is a file, can we see all of them?

The reason I ask, in talking with other people and neighbors here, it seems some people that sent in a Park petition to the County are now questioning what they had signed. Re: They want the Park re=opened for what is currently allowed but nothing more. Many had thought the County Had shut down the Park, and now are finding out the County had nothing to do with the Park being closed to the public. So people are thinking they have convinced the County with their peition they want Large gatherings, Fundraisers or what everyone else calls, a Concerts Venue. A lot of people down here are now concerned they asked for more than what they want. Most the community only wants what is allowed now, nothing more. FYI

<http://sohumpark.org/docs/Letter-BoardOfSupervisors.rtf>

They have a point, if you read the letter the Park Board has on their web site for people to use, it is a liitle or a lot only asking for rezoning to reopen the Park, not asking about any other events at the Park, like the Mateel Summer Arts Festival @ 2500 people per day for two days or 6 events over 500 people with amplified music or even the unlimited amount of events under 500 people with amplified music.

Thanks as always,  
Ed Voice

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Friday, April 10, 2009 9:11 AM  
**To:** Richardson, Michael  
**Subject:** Fw: Southern Humboldt Community Park Petition/Rezone application

Sorry Michael, I forgot to copy you with this email, have a great weekend, Rain baby Rain!!!

Ed

----- Original Message -----

**From:** [Ed Voice](#)  
**To:** [Clem, Marcella](#)  
**Sent:** Thursday, April 09, 2009 6:47 PM  
**Subject:** Re: Southern Humboldt Community Park Petition/Rezone application

Morning Marcella and Michael,

Love this rain, we need more, lots more.

Anyway, this might be a hard question to answer, or if it even applies here, so here goes. At what point before the Board of Supervisors hear this petition, and you announce the public comment notice, will the public be able to read the: Referral Agency Comments and Response to Comments, Planning Staff Report or Analysis or Recommendation, The need and reason for the amendment and how it will best service the public Interest, The basic plan of operation listing the number and type of events the SHCP would like to establish and how said events are in the Public Interest?

My other question; How can this petition and its zoning change be consistent with the GP when the PR zoning will have to be written just for this location and activities for their project?

I am sure these proceedings are similar to other County Planning hearings, but with much less detail.

Thank you,  
Ed Voice  
707.349.1069

----- Original Message -----

**From:** [Clem, Marcella](#)  
**To:** [Ed Voice](#)  
**Sent:** Monday, April 06, 2009 2:11 PM  
**Subject:** RE: Southern Humboldt Community Park Petition/Rezone application

Hello Ed,

I hope that you had a great weekend. I was out of town but I hear that the weather was excellent. I do wish that it would rain a bit more this year though.

The first thing that I am doing my best to make clear, not only to the public, but to the applicants, is that a General Plan Petition is the first phase in requesting a change to the General Plan and zone designation. I have attached our brochure explaining the process. Please recognize that we are just beginning the first phase of the project.

The applicants have submitted an application. After speaking with Katherine, she confirmed that they are requesting a General Plan Designation change from Agricultural Rural and Agricultural Lands to Public Recreation. The Public Recreation land use designation has been adopted in many of the Coastal general plans, but not in our current (inland) General Plan. The General Plan Update draft, currently before the Planning Commission, includes the inclusion of the Public Recreation designation.

I have attached a copy of the referral sent to a number of agencies. Based on requests for additional information from referral agencies, we will request that SHCP submit any additional information requested during the referral process, in addition to the following:

-additional information concerning the need and reason for the amendment-The applicant must demonstrate that the change will be in the public interest and is consistent with the General Plan.

-a basic plan of operations listing the number and type of events they would like to establish and how said events are in the public interest.

Again, this is phase 1 of the process. The decision of the Board of Supervisors is to consider if the applicants can proceed to Phase 2 which will require more detailed information.

All property owners and occupants within 300 feet of the property boundaries will be notified of a scheduled hearing. Noticing requirement can also be expanded on a case by case basis.

**Marcella Clem**

Planner, Community Development Services Department

County of Humboldt

(707) 268-3721

[mclem@co.humboldt.ca.us](mailto:mclem@co.humboldt.ca.us)

-----Original Message-----

**From:** Ed Voice [mailto:[evoice@mchsi.com](mailto:evoice@mchsi.com)]

**Sent:** Saturday, April 04, 2009 8:19 AM

**To:** Clem, Marcella

**Subject:** Fw: Southern Humboldt Community Park Petition/Rezone application

Morning Marcella,

Thank you for the email yesterday about where to send our petition. Since you are the point person for the new petition application for the Community Park Board, I thought you should see what I have sent everyone else. I have not received an answer back from Sup. Clendenen or Planning. Maybe you know.

Thanks again,  
Ed Voice

----- Original Message -----

**From:** [Ed Voice](mailto:Ed Voice)

**To:** [cclendenen@co.humboldt.ca.us](mailto:cclendenen@co.humboldt.ca.us)

**Cc:** [Barb Truitt](mailto:Barb Truitt) ; [Lazar, Steve](mailto:Lazar, Steve) ; [Hofweber, Tom](mailto:Hofweber, Tom) ; [Girard, Kirk](mailto:Girard, Kirk) ; [mlovelace@co.humboldt.ca.us](mailto:mlovelace@co.humboldt.ca.us) ; [Smith](mailto:Smith) ; [jduffy@co.humboldt.ca.us](mailto:jduffy@co.humboldt.ca.us) ; [Neely](mailto:Neely)

**Sent:** Tuesday, March 31, 2009 5:47 PM

**Subject:** Southern Humboldt Community Park Petition/Rezone application

Morning Supervisor Clendenen,

I have a couple of questions and requests.

1st) In the last SHCP meeting (March 18th at Redway School), we were told my Barb Truitt, the Park Board wanted community input about what events, activities and projects the Park Board would be requesting on their Petition application for a zoning change for the Park. My question; when the Park Board submitted their application (see attachment) to petition the Board of Supervisors for an amendment to the GPU requesting a zoning change, why didn't they list the same events and activities they asked the community about at the meeting? In fact you could go as far as to say, their project description reads like a mission statement, not a description of the project, or for that matter any indication of what the petition is asking for, other than just a zoning change.

2nd) My feelings are, with out knowing why and what the Park Board is requesting on this petition application, how can the community know and or the Board of Supervisors allow the Park Board to move forward with the amendment to the GPU for a zoning change?

3rd) How had you thought to notify the public in the Garberville, Redway, Benbow and Alderpoint community, about when this petition will be put before the Board of Supervisors? We as homeowners, neighbors, stakeholders and community members of this Park should have the right to public comment about this petition when it is heard before you.

4th) Since our property is 300 feet from Parcel "C" of the Park (River Crest subdivision), can the property owners in standing be notified when this petition will be heard before the Board of Supervisors? In the past, we have always been notified by the Planning Department e.g. LLA, CUP, Rec Plan, etc.

Thank you very much for your time and service,

Ed Voice & Voice Family  
33 River Crest Dr.  
PO Box 580  
Garberville, Ca. 95542  
707.349.1069

## Richardson, Michael

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Thursday, April 09, 2009 4:07 PM  
**To:** Chaitin, Wendy  
**Cc:** seidner@laurel.humboldt.edu; Dave.Spinosa@co.humboldt.ca.us; Richard, Melissa; Sobolik, Todd; Powell, Lynda; Mattson, Tom; Richardson, Michael  
**Subject:** Southern Humboldt Community Park Petition for Zoning Change.  
**Attachments:** SHCP Farm Bureau Letter 12 27 2007.rtf; SHCP Sierra Club letter 1.doc; SHCP Lazar letter [2-18-08].pdf; SHCP Lazar letter re CUP Nov 08.pdf; SHCP Zuber Counsel\_Letter Nov 2008.pdf; shcp petition referral GPP-08-02 April 6 2009.rtf; fish-300.gif; SHCP Young to DA letter 10272008.pdf

Dear Humboldt County Departments;

Re: The Southern Humboldt Community Park's Controversial Plans to rezone Agriculture Exclusive (AE) Land to Public Recreation (PR) Concert Verue.

I want to bring to your attention what is being proposed to the largest 380 acre parcel of prime AE zoned land in Southern Humboldt County. This land was known as part of the Tooby Ranch, called the Tooby Flat. Located just outside Garberville Ca. This land is now known (as of 2002) as the Southern Humboldt Community Park (Largest un-permitted Concert Venue in Humboldt County) and the Garberville Community Farm.

The Park property is controlled by a non-public, self elected, non-membership Board of Directors as a 501c3 Nonprofit Public Benefit Corporation (Southern Humboldt Community Park Inc.). It used public donations to buy this land (Over \$650K). The Park Board now wants to change the land use and zoning from AE to PR and turn the Park land into a large Concert Venue, Campground and more. The Park Board as of last week has submitted a petition application to the Humboldt County Board of Supervisors, requesting a zoning change to the Park property. As neighbors and the community, we feel their project description should state their intension, spell out what they want to do and why, not just write down a mission statement. My family is a neighbor, property home owner and stakeholder since 1966, long before the Tooby Ranch was sold and made into this Community Park.

Southern Humboldt County doesn't have an over abundance of flat prime AE land or soils, that has not been turned into development. This needs to stop. We in the community are asking for your support, helping us stop this rezoning of AE land into PR. We need AE land, to feed our community and our County. We need open space for our grand children, a place to walk and enjoy life, a place to protect wildlife, a place that will never change, a place to only hear the wind, the trees, the river, the smell of the earth and what it can produce, a place to farm and enjoy the fruits of our labor. We want this and more. We the Community of Southern Humboldt County are committed to protecting our Earth, the best way we know how, to speak for the Land and protect the Land. Because the Land and Wildlife only have us to protect it. This property is rich with AE history, dating back more than 100 years. Do not let this Land slip away and become another " Reggae On The River" Concert, Venue Parking Lot, RV Park and Campground all summer long.

*We must demand that our seventh generation have the same range of possibilities for their Land, Air and Water as we have for ours. Too many times, we don't question the negative, often malicious consequences of our greed. While progress should never come to a halt, there are many places it should never come to at all.*

I have sent some documents in the attachment, so you can see what others have said about this project. Please help keep our AE land for as long as we can.

Please feel free to contact me anytime for any amount of information you need.

Thank you,

Ed Voice and Voice Family  
33 River Crest Dr.  
PO Box 580  
Garberville, Ca. 95542  
707.349.1069  
[Main Website](#) & [shcpneighbors](#)

## Richardson, Michael

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**From:** Kristin <kv2@gotsky.com>  
**Sent:** Tuesday, April 07, 2009 1:38 PM  
**To:** Clem, Marcella  
**Cc:** Clif Clendenen; Hofweber, Tom; Girard, Kirk; Richardson, Michael  
**Subject:** Re: Notification radius for SHCP rezone application process  
**Attachments:** Petition for AE Noise-Free Park.rtf

Marcella Clem  
Planner, Community Development Services Dept.  
3015 H St.  
Eureka, CA 95501

Dear Marcella Clem,

I am writing to request that the notification radius regarding the Southern Humboldt Community Park's rezone application be widened from the current 300 feet to include all the surrounding areas where residents reported hearing loud amplified noise coming from the Community Park. That would include Garberville, Sprowel Creek Rd., Kimtu Rd., Rivercrest Circle, and Old Briceland Rd. where I live four miles from the Park. The amazing exposure to amplified sound, at such a distance as ours, has astonished me and many other of my neighbors on Old Briceland Rd. and even up Connick Creek which also receives amplified sound as it crosses the airport plateau.

I have heard amplified base-thumping from several Park concerts of the last three years, not just the Hank Williams III and the Angelz and Outlawz, which were the loudest among many. I believe it is a phenomenon of the amphitheater-like shape of the valley and river corridor, at the bottom of which, sits the Park.

Friends and acquaintances of mine who live in Garberville and the closer-in neighborhoods I mentioned above have complained about this noise pollution and have signed the petitions asking that the Community Park not be a location for amplified entertainment or any other activity that produces loud noise.

I have attached a copy of one of our petitions.

Thank you for your attention to our request.

Kristin Vogel and Kurt Volckmar  
PO Box 453  
2500 Old Briceland Rd.  
Garberville, CA 95542  
707-923-9284

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, April 06, 2009 8:31 PM  
**To:** Richardson, Michael  
**Cc:** Clendenen, Clif; Girard, Kirk; evoice@mchsi.com; Kristin Vogel; Hofweber, Tom  
**Subject:** Southern Humboldt Community Park petition for rezone

Dear Michael,

Hi, it's me again. How are you? It's been awhile. A lot has happened with the Community Park since I last spoke with you and the Park Board's behavior has become even more reckless and intimidating specifically to us, the neighbors who have questions regarding the Park (e.g. arbitrary closing of the parks and staged public denigration of neighbors of the park at a "community" meeting). I know you have been very busy with the General Plan Update, but since your name is on the Park's petition for rezone as contact person, I had to email you with some requests and questions:

As we had discussed before, since the Park is a huge, centrally located area surrounded by town and several neighborhoods and the zoning change so drastic I am requesting that all within the noise, traffic and watershed be legally noticed regarding this rezone petition application #5675 i.e. Sprowel Creek Road, Kimtu, Rivercrest, Old Briceland Road and the town of Garberville. I remember that you acknowledged that this might be necessary.

Why is Steve Dazey's parcel apn# 222-091-03 included in this petition for rezone?

As you know, according to the recorders office, Southern Humboldt Working Together is also listed on the title as a property owner of parcels #222-091-006 and 222-241-008. What is going on and why are they not listed on the petition? I look forward to hearing from you.

Thank you, sandy feretto

## Richardson, Michael

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**From:** Sandy Feretto <sferetto@yahoo.com>  
**Sent:** Monday, April 06, 2009 7:15 PM  
**To:** Clem, Marcella  
**Cc:** Richardson, Michael  
**Subject:** SHCP petition for GPA rezone

Dear Ms. Clem

Regarding the petition for rezoning the Southern Humboldt Community Park application # 5675, I have some questions and requests:

-If we have questions, do we contact you or Michael Richardson or both? His name is listed on the petition as contact person.

-Since this is a major change of zoning for a large, centrally located area of land, how can we who are impacted by this Park be noticed of these proceedings? What I mean here is that I am requesting that all who are in the noise, traffic and watershed be noticed of all proceedings regarding this petition for zoning change i.e., the town of Garberville, Sprowel Creek Road, Kimtu Road, Rivercrest, and Old Briceland Road.

Thank you, Sandy Feretto

## **Richardson, Michael**

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**From:** Ed Voice <evoice@mchsi.com>  
**Sent:** Sunday, March 29, 2009 12:06 PM  
**To:** Clendenen, Clif; Lovelace, Mark; Smith, Jimmy R.; Duffy, Jill; Neely, Bonnie  
**Cc:** Girard, Kirk; Spencer, Martha; Hofweber, Tom; Lazar, Steve  
**Subject:** Southern Humboldt Community Park comments to the public.

Humboldt County Board of Supervisors;

I would like to make a point about an issue I keep reading on the Southern Humboldt Community Parks web site and hearing about in our community. I would like to point out some omissions, disinformation, misinformation and why you hear from some many people in Southern Humboldt County telling you they want the Park rezoned Public Recreation.

Most people only get their information from the Park web site or the Mateel. They only know what they are told, one side of the story. I have given you some examples of what I am talking about below. They are from the Parks own web site. At the bottom of the page you can click on the link and go to that same web page.

For example, the question about why the Parks are closed and the only activities the community is allowed at the Park. In the below statements from the Park, one can conclude it was the County that closed the Parks, because it needs a zoning change. The only reason I bring this to your attention is accountability and public trust. I believe the Park Board is not being accountable to the Community. They spin and omit important fact based information the public needs to know.

I truly hope, when this new proposed application for an amendment to the General Plan update for rezoning and land use designations for the Park property comes before this Board, you will remember this issue and ask questions of not only the Park Board, but also the Planning Department as well.

Thank you again for your time and service,

Ed Voice  
707.349.1069

### **Update: Community Park closed until further notice**

*It is with deep regrets we inform you that the Southern Humboldt Community Park had to shut its gates on Feb. 24, 2009 due to a determination by the Humboldt County Planning Department that all of the current Park uses (besides agriculture) fall outside the Parks current Agriculture Exclusive Zoning. This means until further notice there will be no more hiking, biking, Frisbee golf, picnics, dog walks, horseback riding, birthday parties, weddings, memorials, or mellow non-profit fundraisers.*

For information on how you can help to reopen the park please click the following link: [Support the Community Park](#)

## **A note from Kathryn at the Community Park:**

Dear Friends,

Now, more than ever, the Community Park needs your help! It is with deep regrets that we inform you that the Southern Humboldt Community Park had to shut its gates on Feb. 24, 2009 due to a determination by the Humboldt County Planning Department that all of the current Park uses (besides agriculture) fall outside the Parks current Agriculture Exclusive Zoning. This means until further notice there will be no more hiking, biking, Frisbee golf, picnics, dog walks, horseback riding, birthday parties, weddings, memorials, or mellow non-profit fundraisers.

As a result of complaints from a few households, the Planning Department has pulled the rezoning of the park from inclusion in the General Plan Update Process, considering the project "very controversial". If the Park follows Planning staff recommendations it could take two years and \$100,000 to rezone the park to Public Recreation but in the meantime leave our gates closed and our community without a park.

At the Feb. 24th community meeting at the Mateel Community Center 200 attendees expressed their support for the rezoning of the park.

Please take a moment and write a letter to the Board of Supervisors, the Planning Commissioners and the Planning Department and tell them we need our park. Though it's always best to express your thoughts in your own words please see above for a sample letter and a contact list. Please send a letter today. Hard copies are best but emails are also effective.

**PUT THE PEOPLE BACK IN THE PARK!**

Warmly,

**[Kathryn Lobato](#)**

### **Why is it important for the park to request Public Recreation (PR) zoning classification?**

At the present time, the majority of the Community Park is zoned Agriculture Exclusive (AE) and most of the activities that we have come to enjoy at the park are outside of the AE zoning regulations. This includes activities like hiking, bicycling, birthday parties, weddings, memorials, bike races and clinics, painting workshops, nature walks, picnicking, baby showers, exercise classes, Hospice Barnyard Brew, and other non-profit benefits are not permitted at the Park as they do not relate to agriculture. In order to fulfill our mission to become a fully operational Community Park, it is necessary to rezone the park to a classification that includes recreation, education, civic, and social activities. Even Tooby Memorial Park is currently zoned AE. This is the reason that the Board of Directors of the Park has been working to rezone the Park since its initial purchase.

#### **What Is Allowable Under the Current Agriculture Exclusive?**

Under **[current AE zoning regulations](#)** the only activities that can be allowable at the Park are those activities that are related to agriculture. In addition the zoning regulations states the following are allowable with a permit:

Hog farm, turkey farm, animal feed lot, frog farm, agricultural and timber products processing plant (mill), animal hospital, labor camp, and sales of irrigation equipment.

**What is the Best Zoning Choice for the Community Park?**

The County Planning staff recommended Public Recreation for Park land. Public Recreation is the zoning classification for Benbow Lake and Richardson Grove. PR zoning would allow a much wider variety of activities than the current AE classification. In addition, PR zoning is a good choice because watershed management and the protection of valuable resource lands and wildlife habitat is a strong element in this zoning classification.

<http://sohumpark.org/support.html>    <http://sohumpark.org/updates.html>

## Richardson, Michael

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**From:** DOBSON IMAGES <dobsonimages@asis.com>  
**Sent:** Monday, March 23, 2009 8:48 PM  
**To:** Clendenen, Clif  
**Cc:** Lovelace, Mark; Duffy, Jill; Smith, Jimmy R.; Neely, Bonnie; Girard, Kirk; Hofweber, Tom; Lazar, Steve; virginia.graziani@yahoo.com  
**Subject:** Toby Park application for ammendment to General Plan update

To all concerned,

We are writing because we are concerned about the application for an amendment to the general plan that may be submitted by the Toby park board to rezone AG exclusive land to Rec use.

We are opposed to any rezoning of the property to rec use.

We are in agreement with Ed Voice and the concerns he has addressed to you in his letters.

The Benbow lake park is already an acceptable site for any concerts or other events of more than 300 people.

Thank you for your consideration.

Sonny Anderson

Iris Dobson

Dobsonimages.com

PHONE (415)794-3353

<http://www.dobsonimages.com/plogger/index.php?level=collection&id>

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This message was sent using IMP, the Internet Messaging Program.

**Richardson, Michael**

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**From:** Steve Jessen <jessen@redwoodtree.net>  
**Sent:** Thursday, March 12, 2009 8:31 PM  
**To:** Lazar, Steve  
**Subject:** THE SOUTHERN HUMBOLDT COMMUNITY PARK

P.O. Box 2371, 587 Orchard Lane  
Redway, California 95560  
March 12, 2009

**PLANNING COMMISSION**

**Steven Lazar**  
3015 H Street,  
Eureka CA 95501

Dear Mr. Slazar:

**Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR  
THE SOUTHERN HUMBOLDT COMMUNITY PARK**

My name is Stephen Jessen, and I have been a resident, property owner, and property tax payer of Humboldt County since 1980. The Southern Humboldt Community Park is a community asset that has been meeting the social, civic, and recreational needs of the Southern Humboldt community for more than eight years.

Unfortunately, the current AE zoning prevents us from using the park, as we intended, for public gatherings and recreation. This is unacceptable. Southern Humboldt community gets very little assistance from county government to support our infrastructure and amenities. Recent decisions by your department will deny our community the use of the Park that we have built for ourselves with our own resources indefinitely. Do not let a few households determine the outcome for an entire community.

This issue is of critical importance for our community and deserves a creative, forward thinking and equitable solution to a complex problem. It is imperative that the Planning Department crafts a streamlined process that will allow the community to utilize all of the Park properties for low-impact events and recreational activities immediately.

Public Recreation zoning is the best choice for the Community Park and is compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will also protect the resource lands. It is vital to allow compatible multi-purpose wise uses of our park lands to create a more sustainable future.

**IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK** properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park.

**FIND A WAY TO LET US USE OUR PARK NOW.** Thank you for attending to this very important matter.

Sincerely,

Stephen Jessen  
(707) 923-3862

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Click Here!



## Richardson, Michael

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**From:** jen <waters@asis.com>  
**Sent:** Thursday, March 12, 2009 8:38 AM  
**To:** Girard, Kirk  
**Cc:** Lazar, Steve  
**Subject:** SO Hum Community Park

I am writing to tell you I want the planning commission to work with our community to preserve the current outdoor recreation usage of our park. I frequently walk and take photographs at the park. We lack a recreation district or city zoning to enable us to have a tax supported piece of land. I urge you to find an exclusion to ag exclusive zoning and allow small group occasions and biking, hiking, birdwatching and jogging to continue.

I also work for our local Hospice. We usually have an event called Barnyard Brew that is attended by 350 people and has acoustic amplified music during the day. This event has been rescheduled for a different location this year but we urge you to continue to look at small restricted uses for the amphitheater part of the community park.

Thank you for your consideration

Jennifer Waters

## Richardson, Michael

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**From:** Marie Raphael <raphael@asis.com>  
**Sent:** Friday, February 27, 2009 7:54 PM  
**To:** Clendenen, Clif  
**Cc:** Girard, Kirk; Duffy, Jill; Lovelace, Mark; Smith, Jimmy R.; Lazar, Steve; Neely, Bonnie; Young, Claude  
**Subject:** Community Park

**Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR  
THE SOUTHERN HUMBOLDT COMMUNITY PARK**

Almost eight years ago I donated one thousand dollars to start a Community Park in Southern Humboldt. I have in past years thought those dollars very well spent, along with other dollars I added to the original donation in time. The park, under excellent leadership from a dedicated board and volunteers, became more and more like the park I had imagined. Close to Redway and Garberville, it provides a valuable agricultural opportunity, but also an invaluable recreational one.

This is by and large an underserved area. Why take away a treasure that the community itself has created, showing initiative, get-up-and-go, self-sufficiency and creativity? Why take away swings for toddlers, a path where babies in stroller meander, bird walks and sightings, biking, frisbee play, and fresh air? Does this make sense?

For years I taught 7th grade here. I've always felt kids in So Hum need more and was glad when the park became a reality.

My son Nick died in a car crash six years ago. In his name we started a group called Nick's Interns. The interns are paid to do the work Nick did at their age, working with BLM in the wilderness or with the Mattole Restoration Council and other agencies. They have built trails in the Community Park. How explain to these teens that no one can walk on those trails?

I know some have complained about, say, loud music. Certainly that issue can be remedied without destroying the park. Others, who quite honestly much enjoy complaint and do it regularly, should not determine the outcome in a issue that is so critical to an entire community. Ask how many have contributed to make the park. Ask how many use it. Then simply do the math and you will see that these few individuals are far outnumbered. They do not represent us.

Please, please, please provide Public Recreation zoning. It was planning staff's recommendation! **PUT THE PARK BACK IN THE GENERAL PLAN "B" UPDATE.**

Marie Raphael

Cc: Kirk Girard-Director, Michael Richardson, Steve Lazar, Claude Young

Humboldt County Community Development Services at 3015 H Street, Eureka, Ca 95501

## Richardson, Michael

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**From:** tyler olive <tylerolive@gmail.com>  
**Sent:** Thursday, March 05, 2009 1:22 PM  
**To:** Smith, Jimmy R.; Clendenen, Clif; Lovelace, Mark; Duffy, Jill; Girard, Kirk; Lazar, Steve  
**Subject:** community park

494 Oak Street  
Garberville, CA 95542

March 05, 2009

Humboldt County Board of Supervisors:  
Mark Lovelace, Clif Clendenen, Jill Duffy,  
Bonnie Neeley, Jimmy Smith  
825 Fifth Street, Room 111  
Eureka, CA 95501

Dear Supervisors:

Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR  
THE SOUTHERN HUMBOLDT COMMUNITY PARK

The Southern Humboldt Community Park is a community asset that has been meeting the social, civic, and recreational needs of the Southern Humboldt community for more than eight years.

I am a long time resident of Southern Humboldt and have used the park almost on a daily basis to run on the trails. I have been involved in numerous fund raising social events held at the barn and strongly believe it is a benefit for this community as a whole. There is very limited communal space for locals to gather and the people of this community have worked very hard to create this space. It is an asset for us all and should not be taken away.

Unfortunately, the current AE zoning prevents us from using the park, as we intended, for public gatherings and recreation. This is unacceptable. Southern Humboldt community gets very little assistance from county government to support our infrastructure and amenities. Recent decisions by your department will deny our community the use of the Park that we have built for ourselves with our own resources indefinitely. Do not let a few households determine the outcome for an entire community.

This issue is of critical importance for our community and deserves a creative, forward thinking and equitable solution to a complex problem. It is imperative that the Planning Department crafts a streamlined process that will allow the community to utilize all of the Park properties for low-impact events and recreational activities immediately.

Public Recreation zoning is the best choice for the Community Park and is compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will also protect the resource lands. It is vital to allow compatible multi-purpose wise uses of our park lands to create a more sustainable future.

IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR

THE SOUTHERN HUMBOLDT COMMUNITY PARK properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park.

FIND A WAY TO LET US USE OUR PARK NOW. Thank you for attending to this very important matter.

Sincerely,

Tyler Olive

## Richardson, Michael

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**From:** Robert Sutherland <woods@asis.com>  
**Sent:** Wednesday, March 04, 2009 2:47 PM  
**To:** Lazar, Steve  
**Subject:** Community Park

Steve Lazar, Planner  
Planning Division

4 March 2009

Dear Steve,

This is a request about Community Park. I realize you are getting many letters about this topic, so I thought I should share my unique perspective. I lead regular Audubon Society bird walks in Community Park. When I and Park Board member Doug Wallace first assessed in the field whether this would be a good idea, I was surprised to discover a colony of Grasshopper Sparrows present in the main meadow. This is a scarce bird in northwestern California, and it is now listed as a protected species in many states and provinces. It has radically declined from its formerly abundant status nationwide because of agricultural practices which destroy or degrade its obligate prairie habitat.

Apparently because the pastures at Community Park were allowed to lie fallow for a number of years, superb habitat has reestablished. Doug and I have since repeatedly censused the colony there and have found upwards of sixty Grasshopper Sparrows occupying the site. This is by far the largest reported Grasshopper Sparrow colony remaining in northern California as well as we are aware. By contrast, the sighting of one or two individuals in Del Norte County last year was the cause of considerable excitement in the birdwatching community. Many people have traveled to the Park specifically to see our Grasshopper Sparrows, as this is the most reliable opportunity to see them.

This bird is legally protected under state law. The Grasshopper Sparrow is listed by the California Department of Fish and Game as a Species of Special Concern in the 2008 list of California's most threatened bird species. This protective legal designation reflects the major population decline in California. I am strongly concerned about some of the use proposals I have seen for the area occupied by these sparrows.

According to scientific studies on this sparrow, nesting populations need at least 75 acres of natural prairie, prairie that has heavy forb cover, thick litter depth, dense grass up to 18 inches tall, less than 5 percent shrubs, less than 2 percent bare ground, and conspicuous singing perches. Obviously that is not what's left after you produce milkshakes, hamburger, and buns to go with it, via the ranching and farming practices of today. Presently John LaBoyteaux is proposing that he and his associates be allowed to turn this nesting meadow into a wheat farming project for their own profit, and therefore he is asking for a retention of Agriculture Exclusive zoning. I strongly object to such

a plan, as it would surely destroy the sparrow colony. Other proposals have included using the area for large concerts, even to the extent of moving Reggae on the River to this location. Human foot traffic and the associated access by dogs again will surely destroy this colony if these plans are allowed to go forward. I also suspect that the loud noise of concerts is detrimental to the birds there.

Recent activities in the Park have generally remained compatible with the sparrows. Proposals by Calfire to burn the meadows as fire suppression practice have been mitigated so that damage was restricted. Occasional dog walkers release their dogs to run through the habitat. We would like to see this practice better controlled. There are other bird species of concern in the Park. One of these is the Western Meadowlark, another prairie dependent species adversely impacted by agriculture. Also, we recently had the first visit to the meadows in any memory of a Sandhill Crane. These majestic birds long ago were numerous in Humboldt County, but in modern times they are very rare. We welcome this visitor and look to the day flocks again will winter and feed here. To this end, we strongly support the project by the Park to restore the water table and the natural marshes that were drained by ranchers.

The Park is a valuable asset to the community, but also to the wildlife. The future of the Park is fraught with the potential for conflicts that resolve to the severe detriment of the wildlife. We shall appreciate your efforts to see that another important part of California's natural heritage is *not* lost to poor planning.

Thank you for your concern!

Robert Sutherland  
The man who walks in the woods  
PO Box 996  
Redway CA 95560  
986-1112

## Richardson, Michael

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**From:** Mariah <mariah@gotsky.com>  
**Sent:** Monday, March 02, 2009 9:24 PM  
**To:** Lazar, Steve; Girard, Kirk; Young, Claude  
**Subject:** Southern Humboldt Community Park

To the Humboldt County Planning Division:

I am writing to express my support for rezoning the Southern Humboldt Community Park to Public Recreation. Please put the park in part "B" of the General Plan Update. I have enjoyed many benefits of the park; including the opportunity to buy produce grown on park lands, attend benefit concerts, baby showers and reunions and play the Disc Golf course. Only through its diverse offerings does the Southern Humboldt Community Park truly serve its entire community. Please let us play Disc Golf again and enjoy the beautiful park that we all worked so hard to create. Thank you for taking the time to remedy this issue. Mariah Gregori

## Richardson, Michael

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**From:** Jeri Fergus <jeri.fergus@gmail.com>  
**Sent:** Tuesday, March 03, 2009 1:55 PM  
**To:** Lazar, Steve; Girard, Kirk; Young, Claude  
**Cc:** Smith, Jimmy R.; Clendenen, Clif; Lovelace, Mark; Neely, Bonnie; Duffy, Jill  
**Subject:** Southern Humboldt Community Park

Dear Officials....

The Southern Humboldt Community Park is a valuable resource for the entire community, including the few who feel they do not want it.

I exercise there, year round because of the barn. It allows me a place to exercise in the fresh air, surrounded by much beauty, with my friends. Since it was closed last week we have not been able to safely (and in dryness) work out together. My quality of life has dramatically decreased.

To the point: Please do what ever it takes to reopen our park—now! The zoning change should be a no-brainer. Don't let the very few (although very loud and bothersome) dictate to you (and our community as a whole.) You know it is the right thing to do—to make this a legally zoned community park, available to all. Just do it! Now!

Also, I like the idea of it also being a venue for fairs and concerts.

I think the remediation they did following the original event that stirred this up has worked. It is a perfect place for these types of events.

Thank you for your time. Sincerely...

Jeri Fergus  
95560

PS to Clif: this will be the defining moment to see if you really will represent the whole of Southern Humboldt—be strong and do what is right!

## Richardson, Michael

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**From:** Marylou Scavarda <mscavarda@asis.com>  
**Sent:** Monday, March 02, 2009 12:44 PM  
**To:** Girard, Kirk; Lazar, Steve; CYoung@county.humboldt.ca.us  
**Subject:** re-zoning of So Humboldt Community Park  
**Attachments:** Humboldt County Board of Supervisors.doc

Attached is I letter I sent to each of our Supervisors today. As noted in the letter, I have copied each of you as well. I sincerely hope that you will assist our community in achieving our goal of seift re-zoning for our park land.

Sincerely,  
Marylou Scavarda

## Richardson, Michael

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**From:** Virginia Graziani <virginia.graziani@yahoo.com>  
**Sent:** Sunday, March 01, 2009 4:54 PM  
**To:** Clendenen, Clif; Duffy, Jill; mlovelace@co.humboldt; Neely, Bonnie; Smith, Jimmy R.  
**Cc:** Lazar, Steve; Hofweber, Tom; Girard, Kirk  
**Subject:** Southern Humboldt Community Park, your meeting 3/3

Dear Supervisors:

As I am unable to attend your meeting this coming Tuesday, and I believe you will be hearing from many speakers regarding the Southern Humboldt Community Park during the public comment session, I am emailing you my comments on this subject.

I urge you NOT to allow the rezoning of the park property back into the preferred alternative of the General Plan Update. There are too many issues that must be closely reviewed and potential impacts that must be sufficiently studied and mitigated for this to be included in the GPU. At minimum, an independent traffic study and an independent sound survey should be required before changing the zoning from RR-20/AE to the new PR, Public Recreation, designation. Public health and safety as well as the rights of neighboring landowners, demand this effort. For example, there is only one way, via Sprowel Creek Road, in and out of the Park. This would not normally be considered adequate for safe evacuation if a fire should break out during a public assembly event.

Additionally, the Park must acknowledge and commit itself to full mitigation of the conversion of agricultural land that will occur with the zone change. The County must ensure that the potentially extremely productive agricultural soils within the Park are not used for recreation or for parking (taking an early cutting of hay or grass off a field prior to opening it for parking during the rest of the season is not even close to making use of the agricultural potential). The County cannot afford to set a precedent that a few years of other uses of the land constitute "customary use" under which non-agricultural activities can be permitted. This would set a terrible precedent that would quickly be used to justify other losses of our best remaining agricultural land.

Nevertheless, as someone who has walked in the Park and enjoyed its beauty, I am hopeful that the County could find some method whereby the Park could be quickly reopened to low-impact recreational uses such as hiking, dogwalking, mountain biking, and horseback riding on the excellent developed trails; river access, family picnics and parties, school field trips, nature study, casual sports activities like Frisbee and pick-up ball games, and the like. Perhaps a fast-track, low-budget CUP with a negative declaration could be successful with a staff person dedicated to working intensively with the Park board. I believe that many of us with objections to the large-scale events would be happy with this solution.

Thanks for your consideration,

Virginia Graziani  
PO Box 2213/249 Sunset Ave.  
Redway

## Richardson, Michael

---

**From:** Rhonda Bowler <itribe@humboldt.net>  
**Sent:** Monday, March 02, 2009 8:49 AM  
**To:** Smith, Jimmy R.  
**Cc:** Clendenen, Clif; Lovelace, Mark; Neely, Bonnie; Duffy, Jill; Girard, Kirk; Lazar, Steve  
**Subject:** Please review 'Letter to Board of Supervisors-Planning Department'  
**Attachments:** Letter to Board of Supervisors-Planning Department.doc

**Follow Up Flag:** Review  
**Flag Status:** Flagged

Please review the attached document.

## Richardson, Michael

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**From:** raphael@asis.com  
**Sent:** Saturday, February 28, 2009 2:15 PM  
**To:** Lazar, Steve  
**Subject:** The Southern Humboldt Community Park & Zoning

Dear Mr. Lazar,

Almost eight years ago I donated one thousand dollars to start a Community Park in Southern Humboldt. I have in past years thought those dollars very well spent, along with other dollars I added to the original donation in time. The park, under excellent leadership from a dedicated board and volunteers, became more and more like the park I had imagined. Close to Redway and Garberville, it provides a valuable agricultural opportunity, but also an invaluable recreational one.

This is by and large an underserved area. Why take away a treasure that the community itself has created, showing initiative, get-up-and-go, self-sufficiency and creativity? Why take away swings for toddlers, a path where babies in stroller meander, bird walks and sightings, biking, frisbee play, and fresh air? Does this make sense?

For years I taught 7th grade here. I've always felt kids in So Hum need more and was glad when the park became a reality.

My son Nick died in a car crash six years ago. In his name we started a group called Nick's Interns. The interns are paid to do the work Nick did at their age, working with BLM in the wilderness or with the Mattole Restoration Council and other agencies. They have built trails in the Community Park. How explain to these teens that no one can walk on those trails?

I know some have complained about, say, loud music. Certainly that issue can be remedied without destroying the park. Others, who quite honestly much enjoy complaint and do it regularly, should not determine the outcome in a issue that is so critical to an entire community. Ask how many have contributed to make the park. Ask how many use it. Then simply do the math and you will see that these few individuals are far outnumbered. They do not represent us.

Please, please, please provide Public Recreation zoning. It was planning staff's recommendation! PUT THE PARK BACK IN THE GENERAL PLAN ?B? UPDATE.

Thank you, Marie Raphael, PO Box 979, Redway, Ca. // raphael@asis.com

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This message was sent using IMP, the Internet Messaging Program.

## Richardson, Michael

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**From:** Tyce Fraser <fraser@asis.com>  
**Sent:** Friday, February 27, 2009 8:58 AM  
**To:** Lazar, Steve  
**Cc:** Girard, Kirk; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill  
**Subject:** Fwd: Thank you, and more...

> Dear Mr. Lazar:

>

> Thank you for your attendance and attention at the Garberville  
> Community Park Board meeting this Tuesday evening. I appreciated  
> your presence and concern for this issue. I was prepared to speak in  
> more detail about the value of that park to me, but cut short my bit  
> when I saw the number of others eager to speak. I've submitted my  
> originally intended words to the planning commission, and would like  
> to have you read them in entirety as well.

>

> "My name is Kathy Fraser. I want to speak in support of the many  
> low-impact recreational uses of the Community Park, especially the  
> trail system. As a cyclist, I value this free, safe, convenient  
> resource as a way to exercise and to enjoy a wooded landscape on the  
> outskirts of town. It's a rural retreat for town-dwellers, and a haven  
> for those of us who live in the steep hills beyond. It's accessible  
> for riders of all skill levels; I have ridden there with people over  
> sixty and under six, with beginners and pro racers. The local high  
> school mt. bike team trained there, and as a source of activities for  
> young people the park is a priceless investment.  
> Every time I ride (or walk) there, I encounter friendly, courteous  
> users: families with strollers, dog-walkers, joggers, photographers,  
> birders... I have also been a trail advocate for many years and this  
> is an excellent model for successful multi-use trails. Many  
> communities are trying to create exactly what we have.  
> I place a very high value on local, sustainable agriculture production  
> and I understand that is the original and primary intended use for  
> this acreage. But the health of a community is fed by much more than  
> food. Low-impact recreational use of this unique and beautiful place  
> has yielded us with social, educational, physical and spiritual  
> benefits. Please consider reinstating the park's previous status for  
> recreational use. Thank you."

>

> It's unfortunate that the situation was not resolved in a more  
> personal way with the individual neighbors, a solution I am still  
> advocating to the Park Board. It is my hope that this property can  
> serve as a healthy resource for our community and its future  
> residents, and this current predicament can serve as a lesson in civic  
> and social responsibility for all involved! I'm looking forward to  
> building (and riding) more trails there and more trails that LEAD  
> there.

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>

Sincerely,  
Kathy Fraser

## Richardson, Michael

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**From:** Joani Rose <joani@asis.com>  
**Sent:** Thursday, February 26, 2009 6:26 PM  
**To:** Lazar, Steve  
**Subject:** SO HUM COMM PARK

Joani Rose  
146 Pine Ave, Redway, 95560 (P.O. Box 1026)

2-26-09

Humboldt County Development Services, Planning Division:

Planner 1, Steven Lazar

3015 H Street, Eureka, CA 95501

Dear Planner Lazar:

### **Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PA**

I have lived in Southern Humboldt for the past thirty five years. I run a theatre program for teens at Mateel Community Center and spend a lot of time walking in the park. It is the only place in this area that feels like you are in nature and is also flat. I have been able to walk up hills lately due to an injury, so it is important to me to have this place to walk. I have been to wedding receptions at the park, fundraisers for Hospice of Humboldt, a memorial, birthday parties, and many other events. My grandchildren play on the much improved and safer playground at Toobey Park. This is the same park my kids played when they were small. The Community Park is the only venue of it's nature around here.

Recent decisions by your department will deny our community the use of the Park that we have built for ourselves with our resources indefinitely. Do not let a few households determine the outcome for an entire community. I live in Redway, and how it feels when neighbors use loud electric cars in their back yard, or when kids ride up and down the street on motorcycles feels like, "this isn't what I came to live in a rural area for." But it doesn't give me the right to demand silence of my neighbors. We do understand their concern about big events, and it needs to be addressed.

This issue is of critical importance for our community and deserves a creative, forward thinking and equitable solution to a complex problem. It is imperative that the Planning Department crafts a streamlined process that will allow the community to utilize all of the Park properties for low-impact events and recreational activities immediately.

Public Recreation zoning is the best choice for the Community Park and is compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will also protect the resource lands. It is vital to allow compatible multi-purpose wise uses of our park lands to create a more sustainable future.

**IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK** properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park.

Please find a way to let us use our park now. Thank you for attending to this very important matter.

Sincerely,

Joani Rose

## Richardson, Michael

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**From:** bob stern <north40@asis.com>  
**Sent:** Thursday, February 26, 2009 6:19 PM  
**To:** Clendenen, Clif; Smith, Jimmy R.; Lovelace, Mark; Neely, Bonnie; Duffy, Jill  
**Cc:** Girard, Kirk; Lazar, Steve  
**Subject:** southern humboldt community park in trouble

Humboldt County Board of Supervisors February 25, 2009 Clif Clendenen, Jill Duffy, Jimmy Smith, Mark Lovelace, Bonnie Neeley,

Dear Supervisors:

Re: THE SOUTHERN HUMBOLDT COMMUNITY PARK

Our park needs to be included in your General Plan update right away! Support for the park locally is nearly universal. Any controversy perceived by your staff is being stirred by a tiny group of people who do not speak for most of the folks in our community. The Southern Humboldt Community Park is a community asset that has been meeting the social, civic, and recreational needs of the Southern Humboldt community for more than eight years.

Ag Exclusive zoning does not remain viable for the entire park.

Unfortunately, the current Ag Ex zoning prevents us from using the park for just about anything--public gatherings and recreation, hiking, weddings, kids' birthday parties--you name it. This is unacceptable.

Recreational uses need to be allowed--please re-classify our park as Public Recreation property. Southern Humboldt community gets very little assistance from county government to support our infrastructure and amenities. Recent decisions by your department will deny our community the use of the Park that we built for ourselves without asking the County for \$\$\$\$. Do not let a few households determine the outcome for an entire community.

This issue is of critical importance for our community and deserves a creative, forward-thinking and equitable solution to a complex problem.

It is imperative that the Planning Department crafts a streamlined process that will allow the community to utilize all of the Park properties for low-impact events and recreational activities immediately.

Public Recreation zoning is the best choice for the Community Park. It's compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will protect the resource lands. It is vital to allow compatible multi-purpose uses of our park lands to create a more sustainable future. Ever since the property became a community park, there has been more agriculture conducted there than in at least 100 years. How ironic that your staff is now trying to stop the process.

IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK.

FIND A WAY TO LET US USE OUR PARK NOW. Thank you.

Bob Stern  
Redway

cc County Planning Department--Kirk Girard and Steve Lazar County Planning Commission

please forward this letter to members of the planning commission

## Richardson, Michael

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**From:** Jimmy Durchslag <jimmydur@asis.com>  
**Sent:** Thursday, February 26, 2009 4:03 PM  
**To:** Lazar, Steve  
**Subject:** Please Open Our Community Park!

February 26, 2009

Steven Lazar  
Humboldt Community Development Services  
Planner I, Planning Division:

Dear Mr. Lazar:

Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK

Eight years ago I gave \$100 towards the purchase of a piece of property to help acquire it for our community, a place for all of us to use for a variety of purposes. This was a lot of money for me, but I was just one of many who dug deep to realize a common dream. The Southern Humboldt Community Park has since become a regular part of my life, a place to exercise by walking on the established trails. I have also experienced the demonstration forest and attended a wedding and some meetings. All these activities are very low impact. Whenever friends or relatives visit us, the park is always on our list of things to do and an exhilarating way to experience our unique environment. Now this has been taken away us. It feels like the loss of a loved one.

There has to be a way to figure this out so that the Park once again becomes available for the many uses that were envisioned at its creation. Whether it takes zoning exceptions or a temporary use permit, the interests of the hundreds of Southern Humboldt residents who used the Park every day must be taken into account over the unfair objections of a very small but very vocal minority. The Southern Humboldt community gets very little assistance from county government to support our infrastructure and amenities. Here is a case where we are doing for ourselves, and you are denying us even that option.

Public Recreation zoning is the best choice for the Community Park and is compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will also protect the resource lands. It is vital to allow compatible multi-purpose wise uses of our park lands to create a more sustainable future.

IT IS OF THE UTMOST IMPORTANCE THAT YOU WORK TO REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park.

FIND A WAY TO LET US USE OUR PARK NOW. Thank you for attending to this very important matter.

Sincerely,

Jimmy Durchslag  
P.O. Box 984  
3701 Briceland Rd.  
Redway, CA 95560

--

Jimmy Durchslag  
jimmydur@asis.com

## Richardson, Michael

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**From:** CJohn Skelly <cjohns@asis.com>  
**Sent:** Thursday, February 26, 2009 3:11 PM  
**To:** Lazar, Steve; Girard, Kirk; Young, Claude  
**Subject:** SOUTHERN HUMBOLDT COMMUNITY PARK

2455 Briceland Rd  
Redway, Ca 95560  
02/25/2009

Humboldt County Board of Supervisors:  
Mark Lovelace, Clif Clendenen, Jill Duffy, Bonnie Neeley, Jimmy Smith  
825 Fifth Street, Room 111  
Eureka, CA 95501

Dear Supervisors:

**Re: SUPPORT FOR PUBLIC RECREATION ZONING FOR  
THE SOUTHERN HUMBOLDT COMMUNITY PARK**

The Southern Humboldt Community Park is a community asset that has been meeting the social, civic, and recreational needs of the Southern Humboldt community for more than eight years.

As a senior citizen, along these county road is too scary to walk, jog, ride bike, or exercise my dogs. The comm. park in So. Humboldt has been the only safe haven for many of us. Now your zoning has closed it down because of a malcontent?.... Please review this assessment and correct.

Unfortunately, the current AE zoning prevents us from using the park, as we intended, for public gatherings and recreation. This is unacceptable. Southern Humboldt community gets very little assistance from county government to support our infrastructure and amenities. Recent decisions by your department will deny our community the use of the Park that we have built for ourselves with our own resources indefinitely. Do not let a few households determine the outcome for an entire community.

This issue is of critical importance for our community and deserves a creative, forward thinking and equitable solution to a complex problem. It is imperative that the Planning Department crafts a streamlined process that will allow the community to utilize all of the Park properties for low-impact events and recreational activities immediately.

Public Recreation zoning is the best choice for the Community Park and is compatible with many agricultural uses. It was planning staff's recommendation! Rezoning of the Park to Public Recreation will also protect the resource lands. It is vital to allow compatible multi-purpose wise uses of our park lands to create a more sustainable future.

**IT IS OF THE UTMOST IMPORTANCE THAT YOU REINSTATE PUBLIC RECREATION ZONING FOR THE SOUTHERN HUMBOLDT COMMUNITY PARK** properties in the staff recommended alternative for the General Plan Update that you grant a zoning change to the Southern Humboldt Community Park.

**FIND A WAY TO LET US USE OUR PARK NOW.** Thank you for attending to this very important matter.

Sincerely,  
C.John Skelly

## Richardson, Michael

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**From:** Blake Olson, DDS <bolson@rrhc.org>  
**Sent:** Thursday, February 26, 2009 2:10 PM  
**To:** Smith, Jimmy R.; Clendenen, Cliff; Lovelace, Mark; Neely, Bonnie; Duffy, Jill; Girard, Kirk; Lazar, Steve  
**Cc:** Blake Olson, DDS  
**Subject:** Southern Humboldt Community Park

Dear Supervisors and other interested parties,

I am writing in regards to the recent closure of the Southern Humboldt Community Park to all activities except agriculture. The closure of this facility is a huge loss to this community; and I feel the negative consequences of this loss will be extremely far reaching.

As the primary dentist at Redwoods Rural Health Center, I am constantly pushing our patients toward bettering their overall health through changes to their diets and increasing their daily physical activities. I personally have seen many of our patients taking advantage of the beautiful walking and biking trails in the Community Park. I have already witnessed many people stopping or drastically reducing their exercise programs because they are no longer allowed entrance to the park.

In addition, the closure of the disc golf course located in the Community Park is both a major social and economic loss to this already struggling community. As an avid disc golfer myself, I frequently drive down to Southern Humboldt from Fortuna just to spend the day at this stunning course. Many of the other players I have encountered are also from out of the area and come to the area for the sole purpose of playing the disc golf course. While the course is free to play, donations are encouraged. In addition most people dine in the Garberville restaurants and shop in the local businesses. Financially, this course had been a God-send for the area.

I feel that the largest travesty of the course closure is that it is one more socially productive outlet that has been taken away from the community youth. I have personally seen large youth groups having their first disc golf experience on the Community Park course. With a nation wide epidemic of drug abuse and adolescent diabetes, it is our responsibility to provide our children with productive physical activities that allow them to exercise and grow in a positive direction. The closure of this park is yet another tragic loss for the youth in this area.

I demand that you grant a zoning change to the Southern Humboldt Community Park. I fully support a rezoning to public recreation. Put the park back in the General Plan "B" Update. Please find a way to give back this community a park that it most desperately needs.

Thank you for attending to this important matter.

Sincerely,  
Dr. Blake Olson  
Primary Dentist  
Redwoods Rural Health Center

## Richardson, Michael

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**From:** Virginia Graziani <virginia.graziani@yahoo.com>  
**Sent:** Thursday, February 26, 2009 1:22 PM  
**To:** Lazar, Steve  
**Cc:** Young, Claude; Hofweber, Tom; Girard, Kirk  
**Subject:** SoHum Community Park complaints

Hi, Steve --

Thanks for giving calm & reasonable answers at the meeting in Redway Tues. night. I understand Planning's reasoning for restricting all non-ag activity at the park, although I must say both John & I were surprised! Makes sense when you think about it, though. On the other hand, of course, people were very unhappy and I'm hoping we can find some solution that will allow simple activities like walking, biking, small picnics, nature study, children's birthday parties, etc. to occur again very soon.

I'm writing to you and Claude because the neighbors told me that they did indeed send many complaints and petition forms to Planning in November '08 -- not merely the "four families" several people cited. I was told that around 50-70 people promised were given copies of your complaint forms in November '08, and that these were mailed to Planning by individuals before Nov. 30.

Additionally, during Nov '08 petitions were copies and circulated, allowing 9 signatures per page and that some were collected and sent to you by one individual, and that other petition pages may have been sent in

Probably many people wish their complaints to be kept confidential, but it would be helpful if we could simply state that you received (example) 50 total complaints from 45 different individuals, of which 30 asked to be kept confidential -- and the names of the rest are available if someone wants to look at the files. We'd also like to know how many people signed the petitions, and whether there appear to be many duplicate signatures. Is that possible? I could come by Planning after 2 pm either next Tues 3/3 or @Weds 3/4 to take a look at whatever is not confidential if that helps -- and if someone could compile the number of individual complaints, confidential and total, that would be much appreciated. I would like to talk to you and/or Claude for a few minutes, if possible.

Thanks for your help --

Virginia Graziani

## Richardson, Michael

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**From:** Lodes, Sharyn on behalf of CDS Feed Back  
**Sent:** Thursday, February 26, 2009 9:47 AM  
**To:** Werner, Steve; Lazar, Steve  
**Subject:** FW: Reconsidering the status of Garberville Community Park: Kathy Fraser

[Something else for the Community Park.](#)

-----Original Message-----

**From:** fraser@asis.com [mailto:fraser@asis.com]  
**Sent:** Wednesday, February 25, 2009 12:27 PM  
**To:** CDS Feed Back  
**Subject:** Reconsidering the status of Garberville Community Park: Kathy Fraser

### Website Feedback Form Submittal

Wednesday, February 25, 2009

**BrowserType** Mozilla/5.0 (Macintosh; U; Intel Mac OS X; en) AppleWebKit/419.2 (KHTML, like Gecko) Safari/419.3

**URL**

**Recipient** cds\_feed\_back

**Subject** Reconsidering the status of Garberville Community Park

**Category** General Information

**Comments**

"My name is Kathy Fraser and I want to speak in support of the many low-impact recreational uses of the Community Park, especially the trail system. As a cyclist, I value this free, safe, convenient resource as a way to exercise and to enjoy a wooded landscape on the outskirts of town. It's a rural retreat for town-dwellers, and a haven for those of us who live in the steep hills beyond. It's accessible for riders of all skill levels; I have ridden there with people over sixty and under six, with beginners and pro racers. The local high school mt. bike team trained there, and as a source of activities for young people the park is a priceless investment. Every time I ride (or walk) there, I encounter friendly, courteous users: families with strollers, dog-walkers, joggers, photographers, birders... I have also been a trail advocate for many years and this is an excellent model for successful multi-use trails. Many communities are trying to create exactly what we have. I place a very high value on local, sustainable agriculture production and I understand that is the original and primary intended use for this acreage. But the health of a community is fed by much more than food. Low-impact recreational use of this unique and beautiful place has yielded us with social, educational, physical and spiritual benefits. Please consider reinstating the park's previous status for recreational use. Thank you."

**Name** Kathy Fraser

**Email** fraser@asis.com

**Tel** 707-943-1742

**ContactMethod** email

**Richardson, Michael**

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**From:** peg anderson <peganderson1@gmail.com>  
**Sent:** Wednesday, February 25, 2009 7:33 PM  
**To:** Lazar, Steve  
**Subject:** community park  
**Attachments:** To our County Board of Supervisors.doc