

SUPPLEMENTAL INFORMATION #2

For Planning Commission Agenda of:
December 17, 2020

<input type="checkbox"/>	Consent Agenda Item
<input type="checkbox"/>	Continued Hearing Item
<input checked="" type="checkbox"/>	Public Hearing Item
<input type="checkbox"/>	Department Report
<input type="checkbox"/>	Old Business

Re: Amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to Allow the Samoa Peninsula Wastewater Project

Record Number: PLN-2020-16642 - LCP
Assessor Parcel Number: Various
Samoa and Fairhaven Area

Attached for the Planning Commission's record and review is the following supplementary information item:

1. Revised Amendments to the Coastal Zoning Regulations to correct an omitted reference to Accessory Dwelling Units in Section 4, Special Restrictions, of an Ordinance Amending Section 311-7 Of Chapter 1, Division 1, Title III of the Humboldt County Code to Rezone Property In Fairhaven (Draft Q Zone for Fairhaven).
2. Comment Letter from Craig Spjut
3. Staff response to comments from Craig Spjut.

ATTACHMENT 1

Revised Amendments to the Coastal Zoning Regulations to correct an omitted reference to Accessory Dwelling Units in Section 4, Special Restrictions, of the Draft Q Zone for Fairhaven

[Additional Edits to address staff omission in double underline]

IMPLEMENTATION TO FACILITATE SEWER SERVICE TO FAIRHAVEN CONSISTENT WITH HBAP SECTION 3.22, PUBLIC SERVICES-RURAL, SUBSECTION B.1.A.

AN ORDINANCE AMENDING SECTION 311-7 OF CHAPTER 1, DIVISION 1, TITLE III OF THE HUMBOLDT COUNTY CODE TO REZONE PROPERTY IN FAIRHAVEN

SECTION 4. SPECIAL RESTRICTIONS. ~~The~~ Principally and conditionally permitted uses on parcels that are undeveloped as of January 1, 2020, and all Accessory Dwelling Units, Principal Permitted Use, Residential Single Family Principal Permitted Use (See Section 313-163.1.9 for description), ~~allowed under the Residential Single Family (RS) Zone regulations of the Humboldt County Code Title III, Land Use and Development, Division 1, Planning, Chapter 3, Section 313-6.1,~~ shall be subject to the performance standards below.

ATTACHMENT 2

Comment Letter from Craig Spjut

Craig Spjut
2631 Lincoln Ave
Fairhaven, CA 95564

Humboldt County Planning Commission

Re: The Humboldt Bay Area Plan (HBAP) and the Coastal Zoning Regulations are proposed to be amended to allow the Samoa Peninsula Wastewater Project (SPWP) to proceed.

Dear Planning Commissioners,

I am asking you to reject this proposed amendment to the project. The Humboldt Bay Area Plan (HBAP) and the Coastal Zoning Regulations are proposed to be amended to allow the Samoa Peninsula Wastewater Project (SPWP) to proceed. The SPWP includes the construction and operation of a consolidated wastewater collection, treatment, and disposal system intended to correct public health and water quality problems resulting from failed on-site wastewater treatment systems on the Samoa Peninsula outside the Town of Samoa, including the community of Fairhaven.

Further development on the Samoa Peninsula allows places more people to be at Tsunami risk.

Current failed systems should be repaired, and not force the entire community to join a complete new wastewater system to be built.

A new wastewater system will also pass on unknown costs the current homeowners of Fairhaven, some who can least afford it.

The majority of the homeowners in Fairhaven that I have spoken with are not in favor of this project.

Constructing a wastewater system to allow more houses in Fairhaven could also possibly change the chances of survival for the current residents during a tsunami.

Sincerely,
Craig Spjut

ATTACHMENT 3

Staff response to comments from Craig Spjut

Comments from Craig Spjut (numbers and bold text added) and staff responses:

Mr. Spjut asks the Planning Commission not to approve the Samoa Peninsula Wastewater Project (SPWP). The following are responses to each of the reasons that Mr. Spjut puts forward to the Planning Commission as to why the amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to allow the SPWP to proceed.

<p>1) Further development on the Samoa Peninsula allows places more people to be at Tsunami risk.</p> <p>The purpose of the SPWP is not to facilitate new development, rather to address public health and water quality impacts resulting from failed on-site wastewater treatment systems due to high groundwater and fast draining soils. Humboldt County is keenly aware of tsunami hazards within the County and is working closely with local partners and state and federal agencies to update land use and hazard planning to address such hazards. The County is in the process of updating the Humboldt Bay Area Plan to address tsunami hazards and was invited to participate in the California Geologic Survey (CGS) Tsunami Technical Advisory Panel, which was formed to assist the CGS in developing Guidelines for Evaluating and Mitigating Tsunami Hazards in California. These guidelines will likely be implemented throughout the tsunami hazard zone next year and the Humboldt Bay Area Plan will be updated to incorporate them.</p> <p>The CGS recently published updated tsunami inundation and evacuation mapping which is now being used by Planners in project review throughout the County. The Samoa Peninsula is at significant risk of inundation and the Redwood Coast Tsunami Work Group (RCTWG) has done considerable Tsunami-Ready® planning for this area and has identified evacuation areas for communities such as Fairhaven and Samoa. When COVID-19 restrictions allow, the RCTWG and the Peninsula CSD will conduct a tsunami evacuation drill and Fairhaven, like Samoa, will be officially designed Tsunami-Ready®.</p> <p>In an effort to address this hazard for new residential development in Fairhaven that may only connect to the SPWP collection system in advance of the update to the Humboldt Bay Area Plan, after complying with specific performance standards recommended by the County to address hazards relating to sea level rise and tsunami inundation.</p>
<p>2) Current failed systems should be repaired, and not force the entire community to join a complete new wastewater system to be built.</p> <p>The County will encourage all residents to connect because the public sewer system will best protect public health and water quality and neither the County nor the Peninsula CSD will force any homeowners to connect. However, repairing failed septic systems could cost more than \$20,000 and require inspections to ensure that the system is operating as designed. Although repaired systems with a mound treat domestic wastewater better than gravity dispersal trenches in the ground, or failed standard systems, very high ground water levels and fast draining soils do not provide treatment sufficient to protect our ground water and marine resources. And as sea level rises the ability of the mound systems to treat wastewater will diminish.</p> <p>The proposed SPWP would replace failed onsite septic systems and allow owners of repaired systems to avoid the cost of ongoing inspections and maintenance as well as future obligations to further repair ineffective mound systems. The Peninsula CSD is</p>

pursuing grant funding to cover homeowners cost associated with connecting to the SPWP collection system and decommissioning the septic systems. The rate study shows that monthly sewer rates for Fairhaven are expected to be comparable to other local communities. If monthly sewer rates were approximately \$65 (The Samoa Peninsula Wastewater Project Planning and Design Study projected \$62 per month), the cost of more than 20 years of public sewer service may equal the cost of one septic system repair.

3) A new wastewater system will also pass on unknown costs the current homeowners of Fairhaven, some who can least afford it.

As described above, the Peninsula CSD is seeking 100 percent grant funding for the SPWP from state and federal sources. The State Water Resources Control Board and the Housing and Community Development have funded all planning and design activities to date and the State Water Resources Control Board is preparing to offer construction funding upon approved of the amendments to the Humboldt Bay Area Plan and Coastal Zoning Regulations to allow the SPWP to proceed.

4) The majority of the homeowners in Fairhaven that I have spoken with are not in favor of this project.

Planning staff encourage residents to contact the Peninsula CSD and Planning staff to discuss their concerns relating to the SPWP. Please note that, although the County will encourage all residents to connect because the public sewer system will best protection public health and water quality, neither the County nor the Peninsula CSD will force any homeowners to connect.

5) Constructing a wastewater system to allow more houses in Fairhaven could also possibly change the chances of survival for the current residents during a tsunami.

Humboldt County is in the process of updating the Humboldt Bay Area Plan to address tsunami hazards. New residential development in Fairhaven may only connect to the SPWP collection system in advance of the update to the Humboldt Bay Area Plan, after complying with specific performance standards recommended by the County to address hazards relating to sea level rise and tsunami inundation.

The risk of tsunami inundation for the Samoa Peninsula is considerable, however, when a tsunami will occur and how large cannot be known. The other natural hazard facing Fairhaven is sea level rise. The near-term impact of sea level rise will be rising groundwater levels that can result in the kind of onsite wastewater treatment system failure that causes effluent to reach the surface causing a hazard to public health. When that happens then the affected homeowners will be required to install costly mound-based system, at their own expense