

**SUPPLEMENTAL INFORMATION  
No. 11**

For Planning Commission Agenda of:  
June 3, 2010

- |                                     |                               |   |       |
|-------------------------------------|-------------------------------|---|-------|
| <input type="checkbox"/>            | Administrative Agenda Item    | } |       |
| <input checked="" type="checkbox"/> | Continued Public Hearing Item | } | No. 6 |
| <input type="checkbox"/>            | New Public Hearing Item       | } |       |
| <input type="checkbox"/>            | Old Business Item             | } |       |
| <input type="checkbox"/>            | New Business Item             | } |       |

Re: Applicant: John and Katrin Homan  
Case Nos.: FMS-08-02  
File No.: APN: 515-191-37

Attached is a letter from LACO Associates to the City of Trinidad dated May 11, 2010.



# LACO ASSOCIATES

ENGINEERS • GEOLOGISTS • ENVIRONMENTAL CONSULTANTS

LEONARD M. OSBORNE • CE 38573  
DAVID N. LINDBERG • PG 5561/CEG 1895  
CHRISTOPHER J. WATT • PG 7586/CEG 2415  
FRANK R. BICKNER • PG 7428  
RONALD C. CHANEY, Ph.D. • CE 29027/GE 00934

May 11, 2010

6774.02

City of Trinidad  
Post Office Box 390  
Trinidad, California 95570

RECEIVED

Attention: Steve Albright, City Manager

MAY 20 2010

Subject: Homan Tentative Major Subdivision Map

PLANNING DIVISION

Dear Mr. Albright:

It is our understanding that the City Council of the City of Trinidad is scheduled to discuss the proposed Homan Tentative Major Subdivision Map at their meeting of May 12, 2010. We further understand that the purpose of the agenda item is to discuss the February 25, 2010 letter (attached), from Trever Parker, Trinidad City Planner to the Humboldt County Community Development Department on behalf of the Trinidad Planning Commission. That letter describes concerns raised at the Planning Commission's February 17, 2010, discussion of the proposed subdivision. Thank you very much for the courtesy of inviting us to participate in the City Council's review of this matter. We are happy to provide whatever assistance we can in the Council's effort to understand and respond to the proposed project.

The purpose of this letter is to provide additional information regarding the concerns raised by the Planning Commission in their letter. Our responses to each point are listed below.

### 1) Water Quality

**The Planning Commission expressed concern that stormwater runoff and septic leach fields could degrade water quality in the on-site stream and wetlands and in the Trinidad Area of Special Biological Significance (ASBS).**

Response:

There is an unnamed stream and adjacent riparian wetlands on the subject site. The stream runs to College Cove, approximately 0.2 miles to the west. The outlet of the stream is located approximately 0.3 miles north of the boundary of the Trinidad Head ASBS. In the 1970s, to preserve biologically unique and sensitive marine ecosystems, California designated 34 regions along the coast as Areas of Special Biological Significance (ASBS). Since 1983, the State Water Board's Ocean Plan has prohibited all point and non-point pollutant discharges into ASBS's unless an exception is granted. The Trinidad Head ASBS consists of approximately 300 acres located east and west of Trinidad Head. State agencies, the City of Trinidad and the Trinidad Rancheria have been cooperating for several years to characterize the pollutant sources that affect the ASBS and identify appropriate methods to reduce or eliminate those sources.

The primary regulating agency for water quality in the ASBS is the Regional Water Quality Control Board (RWQCB). That agency is also responsible for protecting water quality in the onsite wetlands and in the stream leading to College Cove. At the local level, the Humboldt County Department of Public Works regulates storm drainage flows and volumes for subdivision improvements, and the Division of Environmental Health regulates water quality issues related to septic systems.

During their reviews of the proposed Subdivision Map, both local agencies concurred that the design of the project, including storm drainage and septic systems met their adopted standards. In a letter to the Humboldt County Community Development Department on February 3, 2010 (attached), the RWQCB raised concerns and asked for additional information regarding stormwater drainage, septic system design and setbacks, and setbacks from a small onsite wetland. In response to that letter, and additional correspondence, the applicant proposed two project changes which the County and RWQCB accepted. The setback from the small wetland was increased from 50-feet to 100-feet and a new mitigation measure was proposed to add specific requirements and performance standards for Low Impact Development (LID) features intended to reduce the velocity and volume of stormwater runoff and to take advantage of bio-filtration to reduce pollutant levels. In addition, both the applicant and the Humboldt County Department of Environmental Health provided additional information (attached) to the RWQCB regarding onsite soils testing and the location and design of the proposed septic leach fields.

On March 4, 2010, RWQCB informed the County that the project changes and supplemental information were acceptable and that *"Given this, our concerns about the project's potential impacts to water quality have been addressed."*

Several other agencies have reviewed the potential of the project to have detrimental effects on wetlands and riparian habitats, including through the degradation of water quality. The California Department of Fish and Game, the US Army Corps of Engineers, the US Fish and Wildlife Service, and the National Marine Fisheries Service were all notified of the project. All of the concerns raised by those agencies have been addressed through project changes, mitigation measures, or conditions of approval. The agency comment letters are attached.

While we don't intend to minimize in any way the sensitive nature of the Trinidad ASBS and the importance of providing adequate protections to the onsite stream and to College Cove, we have recommended to the County that they accept the findings of the RWQCB, Division of Environmental Health, Department of Fish and Game, and others as sufficient to indicate that the project will not have a significant direct, indirect, or cumulative effect on water quality.

## **2) City Services**

### **Emergency Response**

Response:

The CalFire Trinidad Station on Patrick's Point Road, approximately 0.7 miles north of the subject site, will have primary responsibility to respond to onsite fires. Under the terms of a mutual aid agreement between CalFire, the Trinidad Fire Department may be requested to provide secondary service from their station located approximately 0.7 miles south of the subject site.

Primary law enforcement service for the project site will continue to be provided by the Humboldt County Sheriff's department, operating out of the McKinleyville substation approximately 9.5 miles south of the site. While the letter sent on behalf of the Planning Commission raises the concern of the effect of the project on law enforcement services, there is no effort to quantify the expected service demands. We requested supplemental information from the Trinidad Police Department and the Humboldt County Sheriff's Department which might assist in determining whether the project would substantially increase in the total number of residences served under the mutual aid agreement. Neither agency was able to respond prior to the City Council meeting on this matter.

It should also be noted that in order to find that the effect to be "potentially significant" for the purposes of CEQA analysis, the Planning Commission would need to find not just that there would be an increased level of service, but that the increase would be sufficient to have physical impacts, such as the need for an expansion to existing facilities.

## **3) City Services**

### **Domestic Water Service**

Response:

There is currently one active domestic well on the site serving the existing house on proposed Lot No. 8 as well one offsite residence on adjacent property to the north. The "*Interim Policy on Water Production Test Procedures*" issued by the Humboldt County Department of Environmental Health in July 1994, requires subdividers to demonstrate the availability of a minimum of 0.5 gpm/residence. At that rate, and including the offsite residence, and potential for second units, the total potential demand to be served by the on-site wells is 9.5 gpm. Seven monitoring well sites were developed and tested on the site in the dry-weather testing period in September and October 2008, as permitted by County of Humboldt CDP No. 07-64, approved on August 27, 2008, and County of Humboldt Environmental Health Permit Number 08-09-0205. The testing consisted of a 12-hour drawdown (pumping) period, followed by a minimum 12-hour recovery period in

accordance with HCDEH standards. The amount of stabilized drawdown measured at that time varied from a minimum of 3.40-feet to a maximum of 13.79-feet. Each well achieved 95 percent recovery of its original static water-level following a minimum of three minutes and maximum of six hours nine minutes. No effect was seen in the neighboring well, and a maximum of 0.01 feet of drawdown was observed in the three creek-side test wells. The testing indicated that the combined capacity of the existing well and four of the new wells is 14 gpm. The wells to be used for the proposed development were assigned as follows:

LOT AND WELL USE			
Well No.	Lots Served	Demand	Capacity
1	1, 4, 7, 9	4 gpm	7.5 gpm
2	2, 3	2 gpm	2.1 gpm
3 (Existing)	8, APN 515-191-41	1.5 gpm	1.5 gpm
4	5	1 gpm	1.4 gpm
5	6	1 gpm	1.5 gpm

With that distribution, each of the proposed lots meets County Standards.

The letter also indicates that the Planning Commission expressed concern that the wells may not be reliable in the future. The letter speculates that, in the event of a failure of the onsite wells, the City of Trinidad would be requested to provide service, and notes that the City may not be able to fulfill such a request, if it were made. The proposed project does not include any present or future reliance on City water service. The Planning Commission asked to have an alternative water supply identified to be used if the wells under-perform expectations. While there is no evidence to indicate that such extraordinary measures would become necessary, we note that water delivery is a relatively common service in the neighborhoods surrounding Trinidad and Westhaven and is more likely to be cost effective for the proposed residences than connection to the City's system. From the perspective of CEQA compliance, we believe the future failure of wells which have been tested to be adequate, and the replacement of those wells with an alternative water source is too speculative to analyze effectively.

#### **4) Traffic Impacts to the Intersection of Patrick's Point Road, Main Street, and the US 101 Interchange**

Response:

The Initial Study indicates that the project would generate approximately 134 trips per day, of which 10.5 trips would occur during the AM peak and 14.1 trips would occur in the PM peak. Even assuming 75 percent of the project's trips will use the intersection of Patrick's Point Road and Main Street, it would be expected to generate less than one trip every five minutes during the evening rush.

## **5) City Services**

### **Recycling**

#### Response:

The letter indicates that a concern was raised regarding the potential that future residents of the proposed subdivision would use the City's recycling center, but does not indicate the specific nature of the concern (e.g. capacity limitations, hauling costs, other). It is our understanding that the recycling center on Patrick's Point Drive is operated by Humboldt Sanitation and Recycling, in McKinleyville. The costs of operating the facility are offset in part by CRV reimbursements, and are funded jointly by the City of Trinidad (75%) and the Humboldt Waste Management Authority (25%). Humboldt Sanitation's charges are based on the number of pickups needed at the center, and average \$900-\$1,000 per month. The letter does not indicate whether any attempt has been made to quantify the relationship between the number of residences in the Trinidad/Westhaven service area and the number of pickups/month needed to serve the recycling facility.

It may be beneficial for the city to explore this concern in more detail, including the potential that increased usage of the recycling facility, if it occurs, may help the City to continue to meet its waste diversion goals.

## **6) Increased Enrollment at Trinidad Elementary School**

#### Response:

Enrollment at the Trinidad Elementary School has been trending higher for several years, with the greatest increase in the last four years. Total enrollment in 2000 was 110 students. Total enrollment in 2010 is 160 students. A detailed analysis from the 2007-2008 School Accountability Report Card (most recent available), indicates an enrollment of 147 to 170 students, in seven classrooms. Only one of those classrooms (for grades 4-8) had a class size larger than 20 students. At an average enrollment of one elementary school student per parcel, the project would expect to add, on average eight students (or about one student per classroom) at any time. The Trinidad Unified Elementary School District was notified of the project and has not indicated that it expect the increased enrollment to require the construction of new facilities. In fact, the school is currently under capacity with room available for more students.

## **7) Aesthetic Impacts**

### **College Cove**

#### Response:

The letter mentions potential aesthetic effects to the College Cove recreational area. We note first that the topography of the area is such that the site (180-foot to 320-foot

elevation) is not visible from College Cove beach (0-foot elevation), the trails to College Cove beach (0-foot to 160-foot elevation), or the College Cove parking lot (160-foot elevation). As such, the concern appears to be whether the project will negatively affect the views of visitors driving to and from College Cove. The path from the City of Trinidad (at Main Street) to the College Cove entrance along Stagecoach Road is approximately 0.75 miles, of which the final 0.15 miles consists of the project frontage. Of the remaining 0.6 miles, approximately 0.3 miles consists of the frontage of existing cleared or developed land, including approximately seven residences and a variety of outbuildings, setback between 25-feet and 100-feet from the edge of Stagecoach Road. The project would add two or three residences along that frontage, each of which would be set back a minimum of 100-feet from Stagecoach Road, and would be sheltered by existing and proposed vegetation within a 50-foot buffer.

#### **8) Aesthetic Impacts**

##### **Tree Removal**

Response:

There are approximately 400 mature trees on the project site including Douglas fir, white fir, spruce, redwoods, and three cypress trees. Trees will be removed from the site in small numbers over many years. The applicant proposes to carry out the project in three phases. In each phase, trees will be removed sequentially for subdivision improvements such as roads, driveways and utilities, and residential construction, including building pads and primary septic leach fields. If necessary, additional trees may be removed in the future as secondary leach fields are developed. In total, we have identified 38 trees above 12-inches in diameter which would be removed for subdivision improvements, primary and secondary leach fields. Building pad locations may require the removal of additional trees, depending upon location and design. The applicant has proposed a condition of approval which would require 1:1 replacement onsite of all trees removed for the project for any purpose.

#### **9) Aesthetic Impacts**

##### **Retaining Wall**

Response:

As noted in the City's response letter, Humboldt County's Fire Safe regulations require the widening of an existing access road through the property. In order to widen the road, it will be necessary to construct a retaining wall approximately 260 feet in length and ranging from 2.0 to 5.0 feet in height. The wall will be setback from Stagecoach Drive a minimum of 380 feet. Most of the wall will be obscured from the road by trees and vegetation along Stagecoach Drive. The applicant has proposed a condition of approval which would require 100 percent vegetative screening of the retaining wall with native trees and shrubs.

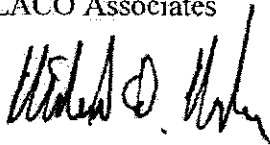
**10) Recommendation to require an EIR**

Response:

We understand that County Staff is actively reviewing the comments they have received which have suggested that an EIR should be prepared. CEQA case law establishes a standard that an EIR is required if a "fair argument," based on the facts in the record, can be made that the project will have a significant effect on the environment after all proposed mitigation measures are applied. We continue to believe the Initial Study provides adequate support for a Mitigated Negative Declaration.

Thank you again for the opportunity to participate in the City Council's consideration of the appropriate response to the County's request for comment on the proposed Initial Study. We expect to attend the meeting on May 12, 2010, and will be happy to answer any questions at that time.

Sincerely,  
LACO Associates



Michael D. Nelson  
Planning Director

RSR:tmc

Attachments

cc: John and Katrin Homan  
Trevor Estlow, Senior Planner, Humboldt County  
Trevor Parker, City Planner, City of Trinidad





February 25, 2010

Trevor Estlow, Senior Planner  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Re: Homan Subdivision, Case No. FMS-08-02/CDP-08-25/SP-08-94

Dear Mr. Estlow,

Ref: City of Trinidad letter to T. Estlow, dated March 9, 2009;  
North Coast Regional Water Quality Control Board letter to T. Estlow, dated February 3,  
2010

Dear Mr. Estlow,

Thank you for the opportunity to comment on the draft Mitigated Negative Declaration (MND) for the Homan Major Subdivision Project. Previous comments submitted to you in the referenced City of Trinidad letter stated "this project falls within the City of Trinidad's Planning Area. The City of Trinidad is especially concerned about water quality related to septic systems, stormwater and sediment as well as domestic water availability." In an effort to be more specific about our initial concerns after reviewing the proposed Mitigated Negative Declaration and to obtain additional input and public comments, the Trinidad Planning Commission included this item on their public meeting agenda of February 17, 2010.

Several members of the public attended and spoke at that meeting, including residents from inside and outside City limits. The Planning Commission also had several concerns about this project, and directed staff to write this letter expressing our comments on this project. While our review of the draft MND provided additional information regarding our initial concerns, there are several points identified during the public meeting we wish to bring to your attention, which we feel need further treatment and analysis:

1. Proximity of the project to the Trinidad Head ASBS – This project is located in close proximity to the northern boundary of the Trinidad Head Area of Special Biological Significance / State Water Quality Protection Area, and this fact was not addressed in the MND. Significant concerns remain regarding potential impacts from polluted storm water runoff and on-site septic systems to the ASBS. The ASBS encompasses almost the entire City limits, and so a large part of the responsibility for protecting this important State

resource falls on the City of Trinidad. The City, along with Trinidad Rancheria as the owner of the harbor and pier area, and the HSU Marine Lab all received "Cease and Desist" (all discharge) orders from the State Water Resources Control Board. Trinidad has been required to undertake extensive monitoring of the ASBS and is responsible for developing plans to ensure "zero discharge" into the ASBS in accordance with the CA Ocean Plan or have an exception granted by the State. Ocean circulation patterns ensure that discharges outside but nearby the ASBS will affect water quality within the ASBS. The City and local stake holders need to fully understand the project's implications, and any impacts to the ASBS from nearby development need to be fully mitigated for direct, indirect and cumulative impacts.

2. Project density and City services – The potential for 18 new structures in this development raises concerns including but not limited to: (a) increased impervious surfaces with associated impact on storm water runoff quality and quantity; (b) domestic water quality and quantity; (c) impact on Trinidad's city services (including fire, police, traffic and re-cycling); (d) the ability to adequately protect on site riparian and wetland areas; and (e) would set an undesirable precedence for future development in this area of the county.

In particular, there was no analysis of the project's impacts to City services in the Mitigated Negative Declaration. The project is located only about 1/3 of a mile north of City limits, and because of the existing mutual aid agreements between the City and the Sherriff and CDF, the City would be the first responder to any emergencies that would occur there. In addition, being the closest community to the proposed development, new residents of this subdivision will utilize City commercial services, streets, recycling and the Trinidad Elementary School. Traffic flow and safety at the City's main intersection at the freeway interchange are already a problem.

Further, though the background studies for this project found that there is adequate water supply to serve the potential development on the new subdivision, there have been problems with water supply in the area in the past, both due to lack of adequate water and contaminated wells. With increased development, and possibly changing weather patterns resulting from climate change, the impact analysis should also address the future uncertainties in water supply and propose an alternative water source should the proposed wells fail in the future. Again, this could impact the City if the on-site water supply for the subdivision was affected, the City would likely be requested to provide water service as a substitute, and the City's water supply is currently limited.

3. Other issues were raised related to the aesthetics, recreational and economic impacts to the College Cove recreational area, located just west of the proposed development. The popularity of College Cove is primarily due to its pristine and natural appearance. There are concerns the proposed mitigation plans intended to minimize the visual impact to College Cove are inadequate. Issues were raised regarding the adequacy of the 50 foot vegetation buffer along Stage Coach Road and the possibility the proposed 350 feet long retaining wall, necessary to widen the access road, will be visible from the College Cove entrance/exit road. Aesthetic degradation of the popular College Cove recreational area could also affect recreation and tourism in the City, which in turn could indirectly affect the City's economy.

4. While there was no public comment requesting to deny the project, several requests and arguments were made for the completion of an EIR to fully understand the environmental effects, alternatives and mitigation measures. There are several outstanding questions regarding potential impacts that the City and residents believe have not been adequately addressed in the proposed MND. The Planning Commission feels that the proposed document is inadequate at this time, and that an EIR would more appropriately define the project by exploring additional alternatives and mitigation measures and that additional information collected as part of this process would provide answers to the outstanding questions.

Finally, the referenced letter from the California Regional Water Quality Control Board raises several issues that merit consideration and are similar to issues voiced in our public meeting. In light of the Regional Water Board's concerns, and issues raised during our public meeting, we concur with their comments and believe additional information or justification would be useful in determining the full extent of environmental impacts and opportunities of this development.

In closing, the City strongly urges the County not to approve the major subdivision in its existing form under the proposed Mitigated Negative Declaration. For the reasons stated above, the Planning Commission feels that additional information is needed to fully understand, analyze and mitigate the potential impacts resulting from this project. One option for addressing these concerns would be to require an EIR to be completed. This would not only provide additional background information and analysis, but would provide a formal method for exploring alternatives and mitigations that may reduce the potential impacts.

Thank you for the opportunity to review and comment on the draft MND. If you have questions or comments please contact the undersigned.

Sincerely,



Trevor Parker, City Planner  
City of Trinidad

cc. North Coast Regional Water Quality Control Board  
Atten: Cathleen Goodwin  
State Water Resources Control Board  
Atten: Dominic Gregorio

From: Estlow, Trevor [TEstlow@co.humboldt.ca.us]  
Sent: Thursday, March 04, 2010 9:19 AM  
To: Michael D. Nelson  
Cc: Deirdre MacClelland; Randy Rouda  
Subject: FW: Homan Subdivision CEQA review

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

From: John Short [mailto:JShort@waterboards.ca.gov]  
Sent: Thursday, March 04, 2010 8:03 AM  
To: Estlow, Trevor  
Cc: Clara Turner; Mona Dougherty  
Subject: Homan Subdivision CEQA review

Trevor,

We have reviewed the additional information that you sent to us. It is our understanding is that the onsite wastewater treatment systems will fully comply with our Basin Plan requirements, the project has been updated to provide 100-foot setbacks to protect all stream and wetlands, and that the language in your previous email regarding storm water runoff treatment using Low Impact Development techniques will be added either to the MND or as a condition of approval for the project. Given this, our concerns about the project's potential impacts to *water quality* have been addressed. We very much appreciate your response to our comments and concerns.

MDN



DEPARTMENT OF THE ARMY  
SAN FRANCISCO DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
1455 MARKET STREET, 16<sup>th</sup> Floor  
SAN FRANCISCO, CALIFORNIA 94103-1398

AUG 6 - 2009

AUG 10 2009

AKN

Regulatory Division

SUBJECT: File No. 2009-00084N

Mr. Mike Nelson  
Planning Director – LACO Associates  
21 West 4<sup>th</sup> Street  
Eureka, California 95501

Dear Mr. Nelson:

This letter responds to your submittal of April 2008, requesting confirmation of the extent of the Corps of Engineers (Corps) jurisdiction at the site proposed for development located at 101 Anderson Lane (APN: 515-191-018), Trinidad, Humboldt County, California. The project involves the subdivision and subsequent development of residential lots. The property boundary contains an unnamed stream but the portion of the property in the area of impact contains no wetlands or jurisdictional waters.

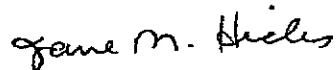
The enclosed map entitled, "Homan Subdivision," dated April 3, 2009, accurately depicts the lack of Corps' jurisdiction within the project boundary area. This jurisdictional determination is based on the current conditions of the site, as verified during field investigations by our staff, and other data included in your submittal. This jurisdictional determination will expire in five (5) years from the date of this letter, unless new information or a change in field conditions warrants a revision to the delineation map prior to the expiration date.

All proposed discharges of dredged or fill material into waters of the United States must be authorized by the Corps pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. Section 1344). Waters of the United States generally include tidal waters, lakes, ponds, rivers, streams (including intermittent streams), and wetlands.

You are advised that the Corps has established an Administrative Appeal Process, as described in 33 C.F.R. Part 331 (65 Fed. Reg. 16,486; March 28, 2000), and outlined in the enclosed flowchart and "Notification of Administrative Appeal Options, Process, and Request for Appeal" form (NAO-RFA). If you do not intend to accept the approved jurisdictional determination, you may elect to provide new information to the District Engineer for reconsideration or submit a completed NAO-RFA form to the Division Engineer to initiate the appeal process. You will relinquish all rights to appeal, unless the Corps receives new information or a completed NAO-RFA form within sixty (60) days of the date of the NAO-RFA.

You may refer any questions on this matter to Carol Heidsiek of my Regulatory staff by telephone at 707-443-0855. All correspondence should be addressed to the Regulatory Division, Eureka Field Office, 601 Startare Drive, Eureka, California 95501, referencing the File Number at the head of this letter.

Sincerely,

A handwritten signature in cursive script that reads "Jane M. Hicks".

Jane M. Hicks  
Chief, Regulatory Division

Enclosures

Copy Furnished:

John and Katrin Homan  
P.O. Box 1261  
Trinidad, CA 95570



**California Regional Water Quality Control Board  
North Coast Region  
Geoffrey M. Hales, Chairman**



Linda S. Adams  
Secretary for  
Environmental Protection

[www.waterboards.ca.gov/northcoast](http://www.waterboards.ca.gov/northcoast)  
5550 Skylane Boulevard, Suite A, Santa Rosa, California 95403  
Phone: (877) 721-9203 (toll free) • Office: (707) 576-2220 • FAX: (707) 523-0135

Arnold  
Schwarzenegger  
Governor

February 3, 2010

RECEIVED

FEB 03 2010

HUMBOLDT COUNTY  
PLANNING COMMISSION

Mr. Trevor Estlow  
Humboldt County Community Development  
3015 H Street  
Eureka, CA 95501

Dear Mr. Estlow:

Subject: Comments on the Mitigated Negative Declaration for the Homan Major Subdivision project, Humboldt County, SCH No. 2010012001

Thank you for the opportunity to comment on the Mitigated Negative Declaration (MND) for the Homan Major Subdivision project. The North Coast Regional Water Quality Control Board (Regional Water Board) is a responsible agency for this project, with jurisdiction over the quality of ground and surface waters (including wetlands) and the protection of the beneficial uses of such waters.

The project consists of the subdivision of a parcel 19 acres in size and the development of nine single-family homes. Wastewater treatment would be provided by individual on-site septic systems, and water would be supplied by onsite domestic wells. The project site is located within the coastal zone. An intermittent stream and wetlands, both associated and isolated, are present on the site.

The Regional Water Board received preliminary information on this project from an early referral in February of 2009, including a site map. We did not receive a site map with the MND received in January 2010. In addition, the MND makes reference to supplementary reports, including an on-site septic wastewater disposal feasibility investigation by Pacific Watershed Associates, a soils report, and a report by LACO Associates entitled "Aquifer Test Results for Domestic Wells DW-1 through DW-6." None of these reports were provided. Without these materials, we cannot offer specific comments. Some comments below reference the map received in 2009. Although we recognize that a current site map may include recent changes to the project, our comments stand until we receive updated information.

This project lacks sufficient mitigation for potential impacts to groundwater and surface waters from the proposed onsite septic systems and storm water runoff. Without the

**California Environmental Protection Agency**

Recycled Paper

incorporation of further mitigation, the Regional Water Board does not support this project.

## **Comments**

### Wastewater

The MND states that the development will be served by onsite septic systems with leachfields. The MND states that the aforementioned wastewater disposal feasibility investigation includes a map demonstrating that all mandatory setbacks can be met on each proposed lot. We did not receive a copy of the wastewater disposal feasibility report or the associated map. However, the site map included with the early referral does not appear to demonstrate that all mandatory setbacks can be met. Without an updated map that clearly shows the project site's capacity to maintain these setbacks, we cannot support the use of individual septic systems.

### Storm water

We do not feel that the assessment of impacts to Hydrology and Water Quality from storm water is sufficient. The potential impacts of increased storm water runoff flows upon receiving waters are not addressed or mitigated. Section (e) of the Thresholds of Significance for Hydrology and Water Quality on the CEQA Environmental Checklist is not addressed. Section (e) requests an analysis of the project's potential to "create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff." Mitigation for the impacts of storm water runoff is necessary, particularly for a project of this size located within the Coastal Zone with drainage occurring towards an onsite stream. The MND must address the project's potential to contribute additional sources of polluted runoff, both during and after construction activities.

The Homan subdivision project will significantly increase impervious surface on the project site. Increases in impervious surface increase the quantity and impair the quality of storm water runoff. The project should utilize Low Impact Development (LID) techniques to mitigate for potential impacts. Emphasis should be placed on infiltration, evapotranspiration and biofiltration, and methods that retain and infiltrate runoff onsite should be incorporated into the project design. We have included a list of storm water and LID resources at the end of this letter for your reference.

The MND notes that coverage under the general storm water construction activity permit requires the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). However, the MND also states that "while development will increase the area of impervious surfaces on the subject site, the large lot sizes ranging in size from 1.13 acres to 3.70 acres (average size of 2.1 acres) are anticipated to provide adequate area to manage the increased runoff without stormwater detention methods." No storm water mitigation is provided. The MND also states that Mitigation Measure 18 "addresses development standards for septic systems and is sufficient to



reduce the potential impact to groundwater and surface water quality to less than significant." Mitigation Measure 18 states that four of the lots' septic systems will incorporate shallow Low-Pressurized Pipe distribution systems. This is not adequate mitigation for stormwater. This project must develop Best Management Practices and techniques to prevent storm water runoff for causing erosion and carrying sediment and pollutants to surface waters both during and after construction activities.

### Surface waters

The project proposes Streamside Management Areas of 100 feet from the stream and 50 feet from isolated wetlands. The Regional Water Board strongly encourages buffer zones of 100 feet from all surface waters, including the isolated wetlands. In addition, we would like to see language clarifying the method of measuring the buffer zones. Buffer zones should be measured from the top of bank, or from the edge of wetlands if there are wetlands adjacent to the stream.

If you have any questions or comments, you may contact John Short at (707) 576-2065 or [jshort@waterboards.ca.gov](mailto:jshort@waterboards.ca.gov).

Sincerely,



Cathleen Goodwin  
Water Resources Engineer

020310\_CMT\_HomanSubdivision\_MND

**Low Impact Development Resources**

State Water Board Low Impact Development and Sustainable Storm Water Management:  
[http://www.waterboards.ca.gov/water\\_issues/programs/low\\_impact\\_development/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/index.shtml)

State Water Board Resolution on LID and Sustainable Water Resources Management:  
[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2008/rs2008\\_0030.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2008/rs2008_0030.pdf)

Resolution of the California Ocean Protection Council Regarding Low Impact Development:  
[http://www.resources.ca.gov/copc/05-15-08\\_meeting/05\\_LID/0805COPC05\\_%20LID%20Res%20amended.pdf](http://www.resources.ca.gov/copc/05-15-08_meeting/05_LID/0805COPC05_%20LID%20Res%20amended.pdf)

Puget Sound LID manual:  
[http://www.psp.wa.gov/downloads/LID/LID\\_manual2005.pdf](http://www.psp.wa.gov/downloads/LID/LID_manual2005.pdf)

Low Impact Development Center:  
<http://www.lowimpactdevelopment.org/>

Green Infrastructure Municipal Handbooks:  
<http://cfpub2.epa.gov/npdes/greeninfrastructure/munichandbook.cfm>

Marin County's LID manual:  
[http://www.mcstoppp.org/acrobat/GuidanceforApplicantsv\\_2-5-08.pdf](http://www.mcstoppp.org/acrobat/GuidanceforApplicantsv_2-5-08.pdf)

San Diego County's LID manual – has a section on LID for roads:  
<http://www.sdcounty.ca.gov/dplu/docs/LID-Handbook.pdf>

Low Impact Development – Sustainable Storm Water Management:  
[http://www.waterboards.ca.gov/water\\_issues/programs/low\\_impact\\_development/](http://www.waterboards.ca.gov/water_issues/programs/low_impact_development/)

EPA Green Infrastructure Basic Information:  
<http://cfpub.epa.gov/npdes/greeninfrastructure/information.cfm>

Managing Wet Weather with Green Infrastructure:  
[http://cfpub.epa.gov/npdes/home.cfm?program\\_id=298](http://cfpub.epa.gov/npdes/home.cfm?program_id=298)

Contra Costa Manual and Guidance to Municipalities:  
<http://www.cccleanwater.org/new-developmentc3/stormwater-c3-guidebook/>

Contra Costa approach powerpoint to implement LID:  
<http://www.cccleanwater.org/Publications/StormCon-5-06/5-ContraCostaApproach-I-Dalziel-Cloak.ppt>

State Water Board Funded Projects That Include Low Impact Development:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/low\\_impact\\_development/](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/low_impact_development/)

City of Portland's Sustainable Storm Water Management Program – LID for streets:  
<http://www.portlandonline.com/bes/index.cfm?c=34598>

Low Impact Development Center – Green Highways and Green Infrastructure:  
[http://www.lowimpactdevelopment.org/green\\_highways.htm](http://www.lowimpactdevelopment.org/green_highways.htm)

Streetscape improvements and water quality design:  
<http://www.lowimpactdevelopment.org/nhb/lid.htm>

Low Impact Development for Roads - Washington State Green Building for Transportation Infrastructure webpage: <http://www.metrokc.gov/kcdot/roads/eng/lid/militarys272/index.cfm>

LID Urban Design tools – has design software for different BMPs:  
<http://www.lid-stormwater.net/homedesign.htm>

LID design fact sheet:  
<http://www.coastal.ca.gov/nps/lid-factsheet.pdf>

Storm Water Runoff Calculator:  
<http://www.stormulator.com>

LID Training Program for Linear Transportation Projects:  
[http://www.lowimpactdevelopment.org/epa03\\_transportation.htm](http://www.lowimpactdevelopment.org/epa03_transportation.htm)

Storm Water Management and LID at EPA headquarters – BMP choice and design:  
[http://www.epa.gov/owow/nps/lid/stormwater\\_hq/](http://www.epa.gov/owow/nps/lid/stormwater_hq/)

<http://sustainablesites.org/>

A Review of Low Impact Development Policies: Removing Institutional Barriers to Adoption:  
[http://www.waterboards.ca.gov/lid/docs/ca\\_lid\\_policy\\_review.pdf](http://www.waterboards.ca.gov/lid/docs/ca_lid_policy_review.pdf)

**Storm Water Resources:**

The CASQA Construction BMP manual:  
<http://www.cabmphandbooks.com/Construction.asp>

North Coast Regional Water Board Municipal Storm Water:  
[http://www.waterboards.ca.gov/northcoast/water\\_issues/hot\\_topics/santa\\_rosa\\_ms4\\_npdes\\_stormwater\\_permit/](http://www.waterboards.ca.gov/northcoast/water_issues/hot_topics/santa_rosa_ms4_npdes_stormwater_permit/)

State Water Board Storm Water Program:  
[http://www.waterboards.ca.gov/water\\_issues/programs/stormwater/](http://www.waterboards.ca.gov/water_issues/programs/stormwater/)

Erase the Waste Campaign – California Storm Water Toolbox:  
[http://www.waterboards.ca.gov/water\\_issues/programs/outreach/erase\\_waste/](http://www.waterboards.ca.gov/water_issues/programs/outreach/erase_waste/)

State Water Board Storm Water Grant Program:  
[http://www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans/prop84/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/grants_loans/prop84/index.shtml)

The San Francisco Regional Water Board storm water website:  
[http://www.waterboards.ca.gov/sanfranciscobay/water\\_issues/programs/stormwater/avail\\_docs.shtml](http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/stormwater/avail_docs.shtml)

EPA Storm Water Program:  
[http://cfpub.epa.gov/npdes/home.cfm?program\\_id=6](http://cfpub.epa.gov/npdes/home.cfm?program_id=6)

Federal Funding Sources for Watershed Protection:  
<http://cfpub.epa.gov/fedfund/>

California Stormwater Quality Association:  
<http://www.casqa.org/>

Stormwater Manager's Resource Center:  
<http://www.stormwatercenter.net/>

Post Construction BMPs:

<http://www.stormwaterauthority.org/library/library.aspx?id=190>

For more information, please contact Mona Dougherty at [mdougherty@waterboards.ca.gov](mailto:mdougherty@waterboards.ca.gov) or John Short at [jshort@waterboards.ca.gov](mailto:jshort@waterboards.ca.gov)



**Humboldt County Department of Health and Human Services  
Division of Environmental Health**

100 H Street - Suite 100 - Eureka, CA 95501  
Voice: 707-445-6215 - Fax: 707-441-5699 - Toll Free: 800-963-9241  
envhealth@co.humboldt.ca.us

## Memorandum

**To:** Trevor Estlow, Senior Planner  
**From:** David Spinoso, Senior Environmental Health Specialist  
**Date:** March 1, 2010  
**Subject:** Homan Major Subdivision; FMS-08-02/CDP-08-25/SP-08-94  
APN: 515-191-037

---

Soils testing to demonstrate suitable onsite wastewater treatment/disposal system locations for each parcel of the aforementioned subdivision was completed in accordance with the current North Coast Regional Water Quality Control Board **"Policy on the Control of Water Quality with Respect to On-site Waste Treatment and Disposal Practices"** (Basin Plan) by Pacific Watershed Associates. The policy sets forth region-wide criteria and guidelines to protect water quality and to preclude health hazards arising from the subsurface discharge of waste from on-site waste treatment/disposal systems.

California State Registered Environmental Health Specialists employed with the Humboldt County Division of Environmental Health (DEH) who've undergone specialized training and accumulated many years of practical experience in the design, installation and operation of onsite wastewater treatment/disposal systems conducted onsite evaluations of the work prepared by Pacific Watershed Associates and reviewed system design modifications prepared by LACO Associates. The on-site systems proposed were found to meet Basin Plan and Humboldt County requirements necessary for approval of that particular portion of the proposed subdivision.

DEH personnel were onsite during well construction and observed the sealing of several wells. Dry-weather water production testing data obtained from the wells (DW-1 through DW-6) was submitted for review and found to meet requirements necessary for DEH approval of the subdivision.