

Exhibit H

Impacts on City of Trinidad and Area of Special Biological Significance

Dr. Chi-Wei Lin

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Trevor Estlow, Senior Planner
County of Humboldt
3015 H Street
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May 17, 2010

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

Dear Mr. Estlow:

I have served on the Trinidad City Council for eight years, from 2000 to 2008. For four of those years I also served as Mayor. In addition, I then served on the Trinidad Planning commission until March, 2010. I was on the Trinidad Planning Commission and supported its decision on February 17, 2010 to direct staff to write a letter to the County Planning Commission expressing their comment on the Homan project. That letter was dated February 25, 2010 and sent to you.

I am no longer on the planning commission, and I now write as a private citizen to comment on the Homan Major Subdivision project. I have reviewed the Mitigated Negative Declaration (MND) for that project. Based on my experience in public office in Trinidad, it is my opinion that the project as designed will have impacts that have not been disclosed, evaluated and mitigated to a level of insignificance.

Aesthetic Impacts

The project will have significant aesthetic impacts that have not been mitigated to a level of insignificance.

As former Mayor of Trinidad, I know that Trinidad is a tourist destination for visitors from all over the world; tourism is the town's main industry. About 20% of all Trinidad homes are used as vacation homes for tourism.

College Cove is one of three primary destinations for Trinidad visitors – the others being Scenic Drive and the Trinidad Head. The character of College Cove is defined by its natural and pristine setting, consisting mostly of dense coastal forests.

The subdivision is across Stagecoach Road from the entrance to College Cove, and includes plans for up to 16 new homes, 16 leach fields, roads, driveways, ¼ mile of utilities trench, and other build-outs which would destroy a significant number of trees either directly, or indirectly through root system damage.

The western 300 feet of the parcel along Stagecoach Road is currently a natural forest and meadow setting, plainly visible from the entrance to College Cove. The project proposes to build up to 8 homes in that area on lots 1-4, all of which would be visible from the entrance even if no trees were destroyed.

That would significantly impact the pristine, natural setting which defines the character of the College Cove area.

In fact, hundreds of trees will be damaged or destroyed by this build-out, including 19 that are identified for removal on page 12 of the tentative map within 200 feet of the entrance. Removing those trees will directly impact the character of the College Cove area, make even more visible the homes developed on lots 1-4, and make more visible the retaining wall to be build within a few hundred feet of the entrance to College Cove.

These impacts will be significant, and unmitigated. The so-called vegetation buffer does nothing to mitigate these impacts. Dozens of trees will be destroyed within the buffer, and more damaged or destroyed by digging the utilities trench. Many existing trees are more than 100 years old - new trees planted to replace the existing ones simply will not grow into a forest consistent with the character of the existing dense coastal forest for many decades.

Impacts to Biological Resources and Water Quality

The project may have impacts to Biological Resources and Water Quality that have not been disclosed, evaluated or mitigated to a level of insignificance.

While serving as the Trinidad Mayor, I personally directed the application for grants from the State Water Quality Control Board to mitigate potential impacts from storm water run-off to the Trinidad Head Area of Special Biological Significance (ASBS). Based on those applications, the City of Trinidad was awarded grants worth up to \$5 million.

Based on the expertise I have gained through that five year successful application process, it is my opinion that the project as designed may have significant impacts to biological resources and water quality that have not been disclosed, evaluated and mitigated to a level of insignificance.

The State Water Quality Control Board has issued a cease and desist order to the City of Trinidad: there can be no discharge of pollution from storm water runoff or other sources into the ASBS – not even one molecule. This standard of water quality is the highest standard in the State of California; any potential impacts must therefore be mitigated by measures far more stringent than the usual mitigation measures.

Yet, neither the initial study nor the MND mentions the ASBS, which lies just a few hundred feet south of the discharge of College Cove Creek which runs through the project site. This is perhaps the most serious flaw in the MND: the ASBS standard of water quality should have been disclosed, it should have been evaluated, and appropriate mitigation measures should have been adopted to reduce that risk to an insignificant level.

These requirements are not unusual. In fact, it is standard practice for CEQA actions involving the Trinidad Head ASBS to have potential impacts disclosed and analyzed in the initial study, evaluated by the Regional Water Quality Control Board and included in the MND. The Trinidad Pier Reconstruction Project is a prime example of that standard practice.

Yet, that practice was not followed in the Homan Major Subdivision project. Without that analysis, the potential for significant impact to the Water Quality and Biological Resources in and around the ASBS

simply has not been addressed.

Impacts to Public Services

The project may have impacts to Public Services that have not been disclosed, evaluated or mitigated to a level of insignificance.

As former Mayor of Trinidad, I know that many times the Humboldt County Sheriff's office is unable to respond quickly to requests for emergency protection from residents living near the City of Trinidad. Because of the mutual aid agreement between the City and the Sheriff, the Trinidad Police Department would be the first responder to many requests for emergency assistance from future residents of the Homan Development project.

The project proposes septic systems to support 4 – 7 bedrooms per parcel on eight new parcels. Assuming one master bedroom per parcel with two residents per master bedroom, and one resident per additional bedroom, this project will introduce up to 8 residents per parcel or 64 new residents.

The current population of Trinidad is about 311 – so the project could introduce another 20% of the city population into the area covered by this mutual aid agreement.

This could have a significant impact on the City's ability to provide police protection to its own residents. This impact has not been disclosed, evaluated or mitigated to a level of insignificance.

Assuming the non-master bedrooms each have one child, this project will introduce up to 6 children per parcel, or 48 new children. The total enrollment in the Trinidad Elementary School in 2010 is 160 – so the project could increase the enrollment by 30%.

This could have a significant impact on the ability of the Trinidad Elementary School to meet the demand – an impact which has not been disclosed, evaluated or mitigated to a level of insignificance.

Impacts to Transportation/Traffic

The project may have significant impacts to Transportation/Traffic that have not been evaluated or mitigated to a level of insignificance.

As former Mayor of Trinidad, I know that there is considerable dissatisfaction with traffic problems at the main intersection in the City. Known locally as our 'dysfunction junction', there are seven roads which all converge into one intersection that lacks a traffic signal: West-bound Main Street, East-bound Main Street, Highway 101 north-bound exit ramp, Highway 101 south-bound exit ramp, Frontage Road, Scenic Drive and Patrick's Point Drive.

Almost all of the traffic to and from the project will pass through that intersection. Yet, the MND fails to fully disclose or evaluate impacts to the traffic through that intersection.

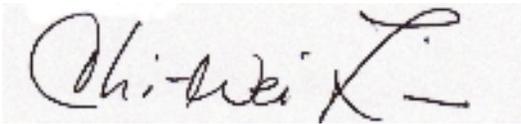
Page 91 of the staff report states that at 9.57 trips per residence per day, there could be up to 134 trips generated per day. Moreover, the report only evaluates the impact of those trips on lightly travelled Stagecoach Road and Anderson Lane.

This analysis is flawed in two respects. First, there is an arithmetic error. The maximum buildout project will introduce 16 new residences – a total of 153 trips per day. Second, the biggest impact will probably be at our heavily used 'dysfunction junction', which was not mentioned by the MND.

These errors in analysis are significant, and represents potential impacts which were not evaluated correctly. This forecloses the possibility of concluding that the project will have no significant impacts on transportation/traffic, and no mitigations for these impacts have been proposed.

In conclusion, in my opinion as former Mayor of Trinidad, the project as designed will have impacts that have not been disclosed, evaluated and mitigated to a level of insignificance, and that an EIR is required by law.

Sincerely,

A handwritten signature in black ink, appearing to read "Chi-Wei Lin", is centered on a light-colored rectangular background.

Chi-Wei Lin, Ph.D.
Former Mayor of Trinidad