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"Jobs, Homes & Individual Rights"

January 6, 2009

Mr. Jeff Smith, Chairman
Planning Commission
County of Humboldt
825 Fifth Street, Room 111
Eureka, California 95501

Subject: General Plan Rewrite & Housing Element Update

Dear Chairman Smith and Members of the Commission:

Congratulations to you and Commissioner Gearheart on being selected for the second year as Chair and Vice Chair of the Planning Commission. Your dedication to public service is much appreciated.

I want to draw your attention to matters that are of great concern to HELP and its members. We are extremely concerned about what we see occurring with the General Plan rewrite and the Housing Element update. We ask you to do everything in your power to correct the problems referenced below.

General Plan Rewrite:

Planning staff has been conducting outreach meetings in various communities within the county for the past almost 10 years. For the first several years, the concept being touted was Sketch Plans 1, 2, 3 & 4. And then a couple of years ago, the day before the sketch plans were to be submitted to the Board of Supervisors, Mr. Girard changed the sketch plans from 1, 2, 3, & 4 to Sketch Plans A, B, C, & D. The changes made to the various alternative plans, were not those which had been presented to the public. Needless to say, the public's input was not relevant to the new Sketch Plan scheme.

And now after a couple of years and several thousands hours of volunteers' time being spent reviewing and commenting on staff's drafted elements involving Sketch Plans A, B, C & D, a total rewrite of the draft elements was released to the public a month ago. Commissioner Murguia believes we are almost finished with public comment at this point. He could not be more mistaken. We are back at the beginning with a total new reorganization of the General Plan with rewritten elements. This is not in keeping with the State mandate for public participation. (Reference http://www.opr.ca.gov/planning/publications/General_Plan_Guidelines_2003.pdf for the State guidelines regarding Public Participation of General Plans)

It appears that the Planning Department is intentionally trying to minimize public comment on the new documents by presenting a compressed schedule for the remainder of the General Plan update. The existing General Plan, referred to as the "Framework Plan", is clearly not being updated, it is being rewritten. Not once, but now two times. We ask for your assurances that the public will have an adequate opportunity to comment on this new version of the General Plan.

Housing Element Update:

As noted during your December 18, 2008 Commission meeting, we are concerned that the RHNA distribution of quotas for the various cities and unincorporated areas of the County has a 2-year public participation process mandated by State law, which has not yet begun. As Healthy Humboldt's December 8, 2008 letter to HCOG mentions:

- California Government Code 65584.04 (a) states, "At least two years prior to scheduled revision required by Section 65588 [Housing Element revision], each council of governments, . . . , shall develop a proposed methodology for distributing the existing and projected regional housing need to cities, counties. . . ."
- 65584.04 (c) states, "Public participation and access shall be required in the development of the methodology and in the process of drafting and adoption of the allocation of the regional housing needs."
- 65584.05 (a) states, "At least one and one-half years prior to the scheduled revision required by Section 65588, each council of governments...shall distribute a draft allocation of regional housing needs to each local government in the region of subregion, where applicable, based on the methodology adopted pursuant to Section 65584.04."

How does the County plan to comply with those statutes when the Housing Element is targeted for adoption in eight (8) months -- during August 2009?

The Housing Element draft was released to the public on December 29, 2008 -- exactly in between Christmas and New Year's Day, during which time many people were on holiday. It gives the public only a couple of days to review the draft prior to the scheduled Study Session to be held January 8, 2009. And then two weeks later, the first hearing on the Housing Element is scheduled. There simply is not adequate time scheduled for the public to review, assess, and participate in the development of the Housing Element draft before the Planning Commission "Reviews and Confirms Decisions" which is scheduled for March 19, 2009.

(http://www.hcd.ca.gov/hpd/housing_element2/GS_publicparticipation.php : Government Code 65583(c)(7) "*The local government shall make a diligent effort to achieve public participation of all economic segments of the community in the development of the housing element, and the program shall describe this effort.*")

Environmental:

The schedule presented to your Commission does not reflect a Notice of Preparation being issued for the Housing Element EIR, or any of the other General Plan elements. When does that occur?

How will the environmental work for the General Plan, including the Housing Element, be conducted? What are the qualifications of the individuals performing the environmental review and report?

Mr. Jeff Smith, Chairman 1-6-09, cont'd

Conclusion:

In conclusion, we would appreciate the answers to the above issues and questions. We would welcome the opportunity to work with the County to assure the development of the Housing Element and the other elements of the General Plan comply with State law.

Please call anytime if you have questions, or suggestions as to how we might be of assistance.

Sincerely,



Kay Backer, representing
Humboldt Economic & Land Plan

cc: Bruce Emad, Planning Commissioner
Mary Gearheart, Planning Commissioner
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Tom Herman, Planning Commissioner
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