

March 15, 2007

Mr. Thomas Herman, Chairman  
Humboldt County Planning Commission  
3015 H Street  
Eureka, CA 95501

**RE: General Plan Update Chapters 16 (Mineral Resources) and 19 (Air Quality Element)**

Dear Chairman Herman and Commission Members:

Green Diamond appreciates the opportunity to provide comments on the draft General Plan chapters. Our comments are intended to be general observations and concerns and we look forward to providing additional input as the process moves forward.

General Comments

We appreciate the effort of the Planning Staff to organize these chapters and create the charts at the end of each chapter. We are concerned, however, about the voting procedure that will be used for obtaining public input to the planning process about these critical land use issues. We are concerned that this method of input will result in biased decisions being made by only those who show up at the meetings which may not represent a true cross section of the public. We believe policy decisions on these critical issues should be reserved for appointed and elected officials and not a popularity vote of those who attend the meeting.

Chapter 16—Mineral Resources

We appreciate that the chapter recognizes the importance of the gravel and hard rock resources of the County. These resources provide critical support of forestry operations and protection of water quality, fish, and other aquatic resources. Gravel and hard rock are literally the foundation of all development and infrastructure in the County. Anything that limits access to these resources, or makes them more expensive to develop or use, has a direct adverse economic impact on landowners and the County.

We believe the chapter correctly separates the discussion between gravel operations and hard rock. We also appreciate the recognition that conflicts may arise between rock operations, neighbors, and other resources, and hope the final chapter will provide the appropriate balance between mineral use and local issues. We also fully support the "right to mine" policy (MR-P15, page 16-4) and the recognition that the operation of borrow pits on Resource Production Lands for non-commercial use is a principle use necessary to maintain the use of the land (MR-S8, page 16-5).

That said there are several areas in the chapter that are of concern. We are concerned that the County will hire a consultant "when large surface mineral deposits are proposed for development" and pass the cost on to the mine developers (MR-IM4, page 16-6). We also suggest that the Planning Staff communicate with Caltrans and County Public Works regarding the statement "throughout the County, there is rock material suitable for beds." We believe such rock is becoming increasingly scarce, in part due to regulatory costs.

Certain provisions of Plan Alternative A also are of concern. Policy MR-P16 (page 16-13) directs county staff to contact the State Department of Conservation- California Geological Survey (CGS) to conduct a survey for the location and value of non-metallic minerals. On the next page at MR-S5 the amount of hard rock extraction is limited to 200,000 tons/year until this assessment is complete. We contacted the CGS and learned that they had not been contacted by the county; that they were part way through their current five year review of requested county surveys; and that Humboldt County was not on the list for a survey. We see no reason to limit the amount of rock extraction from permitted mines while such a survey is being conducted. We are opposed to any limitation on the amount of hard rock that could be removed in any year. We are also opposed to limiting the amount of "scarce materials" that may be exported from the County unless a surplus is declared (MR-P20, page 16-14). Materials such as riprap are extremely important for the strategic protection of harbors and bays throughout the West Coast. Such a restriction would disrupt the supply of riprap resulting in reduced markets for local owners of these minerals.

Plan Alternative A also requires an evaluation of watershed effects (MR-P19, page 16-14) and cumulative effects (MR-P18, page 16-13). We are concerned that attempting to limit hard rock operations by watershed will result in allocations by permittee, or some pits not being eligible to operate in a given year. Because hard rock pits are often clustered together, we believe individual operations should be permitted with mitigations in place to address impacts. We also believe that a "cumulative effects" analysis for the development of all rock sources identified by the CGS review would be premature and speculative at best, and would not be a beneficial use of staff time. We also believe that the proposed revisions to the County Surface Mining Regulations (MR-IM6, page 16-14) will financially impact the owners of mineral resources and reduce the availability these resources.

#### Chapter 19—Air Quality

This chapter identifies four goals on page 19-2. Each of these goals is tied to an existing State requirement or standard. These standards are established by the California Air Resources Board and administered by the North Coast Unified Air Quality Management District (AQMD). Air quality is monitored and regulations are enforced by AQMD. Building projects must undergo a CEQA review (either by checklist or EIR) administered by the County and must be in compliance with air quality standards.

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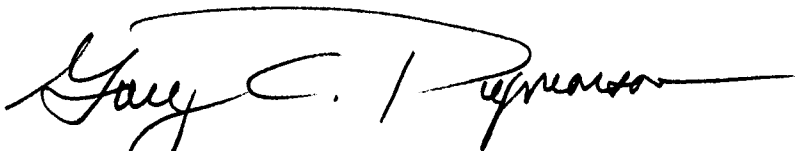
We are impressed with some of the information contained in this chapter. For example, it is noteworthy that the PM<sub>10</sub> levels in Humboldt County (as shown in the table on page 19-4) are close to State's standard of 20 micrograms per cubic meter. Furthermore, our air appears to be "safer" than that found in most other areas of our State (page 19-16). This is very positive information and at some level it indicates that the laws, rules, and regulations that are already in place in Humboldt County are largely working. Thus, it might be more appropriate to continue to rely on the Air Quality Management District (AQMD) for guidance as to how to best achieve the State's PM<sub>10</sub> standard rather than develop and implement lots of costly new programs and measures as described in this chapter. We recommend that this chapter should be advisory only and that the State regulations continue to establish standards for air quality.

A noteworthy weakness of this chapter is that it does not address impacts on air quality due to catastrophic wildfire. Perhaps one of the worst periods of adverse air quality in the last decade was during the Megram fire (August/September 1999). During this event air quality was so poor that children and the elderly were evacuated from the Willow Creek/Hoopa area. This fire complex was primarily on National Forest lands. We suggest that the County include goals in the General Plan to reduce the occurrence and severity of catastrophic wildfires by requesting that the USDA Forest Service implement fuel hazard reduction programs and establish high priority initial attack on wildfires that may adversely impact air quality of local populations.

Finally, rather than establish more regulations we would rather see the County explore innovative techniques for reducing PM<sub>10</sub> levels before changing or augmenting the system that is already in place. For example, suppose County and State government agencies purchased hybrid vehicles for their automobile fleets. These agencies are among the largest employers in our area and this simple adoption of a new technology might be all that is needed to attain the State's PM<sub>10</sub> standard. The County might also consider promoting the AQMD's \$500 woodstove upgrade program. If enough Humboldt County residents took advantage of this existing program this might go a long way towards achieving the County's air quality goals.

Thank you for this opportunity to comment. Green Diamond has tried very hard to participate in the General Plan update process so that the final product is balanced, fair, and sets the stage for a strong economy while maintaining the high quality of life we have come to know and appreciate in Humboldt County.

Sincerely,



Gary Rynearson  
Manager, Forest Policy and Sustainability  
California Timberlands Division

cc: Bonnie Neely, Chair, Humboldt County Board of Supervisors  
Kirk Girard, Director, Humboldt County Community Development Services