

Attn: Martha Spencer
Humboldt County Planning Department
Community Development Services
3015 "H" Street
Eureka, California 95501

April 18, 2007 (for Planning Commission meeting April 19)

Re: Noise and Safety Elements GP Update Group 3, Chapters 20 & 21

Dear Planning Commissioners:

I support the specific recommendations submitted by the Healthy Humboldt Coalition for inclusion in the board packets for your April 19, 2007 meeting. In addition, I would like to offer the following observations and recommendations related to the staff reports regarding the Noise and Safety Elements of the General Plan Update.

1. The principle noise sources listed on page 2 and 3 of the staff report are very limited. For example, because the County has no way of knowing where noncommercial quarries operate or may operate in the future, all the quarries in Bayside and Kneeland are omitted along with their critical haul routes. This applies to many areas of the Humboldt County.

2. The County appears to have taken a position that no ordinances should be considered where other agencies are perceived to have jurisdiction. In the case of noncommercial quarries operated on TPZ properties, it is presumed that CDF regulates such activities, but their only concern is the conversion of timberland. In the case of helicopter logging, CDF is not concerned about noise or safety of operations adjacent to county roads. Related to the Noise and Safety Element goals, helicopter logging should be restricted to reasonable hours, such as from 8 A.M. to 5 P.M. on weekdays only. Likewise, no helicopter logging should be permitted at any time on weekends, within 500 feet of a county roadway, or within 1000 feet of a residence.

3. Discretionary alarms should be mandated when appropriate. Examples include forklift backup alarms, warning sounds on logging equipment, surface mining and quarry operations.

4. The various Elements of the General Plan Update must ultimately be consistent with each other. In the case of Mineral Resources (MR) and Air Quality (AQ), the Asbestos Airborne Toxic Control Measure (ATCM) was referenced in the MR staff report, but not the AQ report, which Planner Richardson acknowledged. The same now applies to the Safety Element. Copied below are excerpts from two newspaper articles published earlier this month (April 2007) related to how naturally occurring asbestos, which is often found in serpentine rock areas, affects planning in other counties.

Sincerely,



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"Asbestos: A hidden hazard in the hills"

The Union Democrat April 5, 2007 by Sunny Lockwood

excerpts:

In Tuolumne County, planner Mike Laird said serpentine rock areas are mapped and zoned for limited development.

"When we did our General Plan update in 1996, our comprehensive revision shows where the serpentine belt is," he said.

"We also have GIS maps showing where serpentine rock is. When we get a building permit application, we check it against those maps and if it is in an area of known asbestos, then we attach certain conditions to those building permits," he said.

Laird said when maps are checked, planners also check soil studies that have been done in the county. If there's underlying serpentine rock, then the builder must contain the asbestos by paving over it or containing it in some other way.

"Asbestos: Are more rules in the air?"

The Union Democrat April 6, 2007 by Sunny Lockwood

excerpts:

"As the General Plan is updated, we'll research what's required," Calaveras County Planning Director Robert Sellman said. "The whole purpose of the General Plan is to look at health, safety and general welfare as development occurs, so it's an issue we recognize as significant and we'll look at it."

Past chairwoman of the Calaveras County Board of Supervisors Merita Callaway said the county requires developers to check the soil to see if it's compatible for septic systems before putting in such systems, and that perhaps some such protocol could be developed for naturally occurring asbestos.

"I'm hopeful that the county will take some kind of action," she said. "Whether it's in the General Plan or in our building codes is not as important to me as the fact that we do something."

Tuolumne County Board of Supervisors Chairman Mark Thornton said in his 10 years on the board, the topic had never been discussed at length.

"I think that's because we've addressed it," he said. "The county has mapped the areas where asbestos may exist. We have measures in place – dust abatement measures and others – that ensure the health of the public."

What's being done elsewhere

El Dorado County officials have adopted strict rules prohibiting dust plumes higher than 25 feet and requiring developers to document exactly where excavated soil goes. If it goes off-site, it must be tested for asbestos.

All development sites within a quarter-mile of areas expected or found to have asbestos must post warning signs at project entrance points.

And the county has held a series of workshops for contractors and developers to inform them about the latest dust-containment requirements and the best practices to use to meet them.

Sellman thinks Calaveras and other affected counties may have to borrow from some lessons learned in El Dorado County.

"I think we're going to have to look at the issue. Absolutely. What that means I can't tell you yet," he said. "Presumably we're going to try and learn from neighboring counties who have grappled with the problem and see what has worked and what hasn't."

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