



CITY OF EUREKA
COMMUNITY DEVELOPMENT DEPARTMENT

Kevin R. Hamblin, AICP, Director

Robert S. Wall, AICP, Senior Planner

531 K Street • Eureka, California 95501-1146

Ph (707) 441-4163 • Fx (707) 441-4202

rwall@ci.eureka.ca.gov • www.ci.eureka.ca.gov

January 14, 2008

John Miller, Senior Planner
Humboldt County Community Development Department
3015 H Street
Eureka, CA 95501

Subject: Community Infrastructure & Services Technical Report, November 2007

Dear John,

The City has the following comments that should be considered when drafting general plan policy and implementation measures that affect the Eureka Urban Study Areas (USA). Due to the integral nature of the Community Infrastructure & Services Technical Report and draft Community Infrastructure and Services Element, we are providing comments on both documents which should be considered simultaneously. The topics of concern for or comments on both documents center on transportation and waste water treatment.

Population Projections and Circulation

Infrastructure and Services Technical Report

The report does not use a consistent basis for its planning level estimates and the resulting cost of infrastructure estimates:

Page xiii indicates that the report relies on “an evaluation of development potential based on the mid point density of the current General Plan land use designations.”

The “high” estimate is vaguely described as “potential changes in density,” and is supposed to be a basis for the report. However, **page xviii** indicates the Greater Eureka Area Travel Model is based on the County’s proposed Sketch Plan 3, which is a substantial proposed county-wide increase in density. The City Council of the City of Eureka has already informed the County that it is actively opposed to Sketch Plan 3 (now called Alternative B).

Page 1-4 suggests an increased population of 13,594 or 10.3% over the next 20 years (145,004 in 2025 minus 131,410 in 2005). However, the Housing AAGR is suggested to be 16.2% (0.81% AAGR) due to reduced household sizes. With 58,015 housing units in 2005 (**page 1-3**), this Housing AAGR of 16.2% will result in 9,398 additional housing units for the entire County. This would apparently result in build-out of the entire current General Plan development potential of the of 9,964 dwelling units (total of low estimate of potential dwelling units in **Table 1-6** on **page 1-7**).

The High Estimate of Potential Dwelling Units in **Table 1-6** totals 24,081 units, or approximately 48 years of growth at the projected levels. However, this increased growth is unequally focused in the South Eureka Area.

From 1995-2005, the South Eureka area grew by 536 housing units (26 units per year). This was 15.3% of the 3,506 new units for the entire County for the same time period. **Table 1-6** suggests that a minimum of 2,700 units will be created in the South Eureka area. This represents 27.1% of all development within the County at a rate of 135 new housing units per year. This "Low Estimate" is five (5) times the historic rate of new construction in the South Eureka Area.

Page 2.2: Please provide a reference source for the table.

Page 2-9: The City agrees with both statements that 1) our roadways "are already experiencing capacity constraints" as a result of the County's past growth and 2) "Future development-related growth in the South Eureka USA will add significant vehicle volume to roadways, some of which are already experiencing capacity constraints." The reason that these roadways are constrained, in part, is the unmitigated traffic from County approved development over the past ten years. However, the County has not put forward any plan to address the impacts of their historic planning practice of approving unmitigated growth that has absorbed the City's available roadway capacity.

Pages 2-11 and 2-12: The County excludes City of Eureka streets and intersections from this table. Numerous City streets and intersections have been significantly impacted by County development. Alternative B will further result in significant transportation impacts to the City of Eureka. A more regional approach to transportation planning that identifies the effects of County land use plans on the City should be undertaken by the County.

Page 2-20: None of the 1995 Eureka Community Plan roadway improvement recommendations/mitigation measures have been initiated within the City of Eureka. None of the projects listed in the infrastructure report are directed towards City streets.

Page 2-23: The City of Eureka disagrees that only the City's list of potential projects requires cooperation between local agencies. All of the County projects in **Table 2-9** should be assessed, prioritized and implemented in cooperation between local agencies, especially within the Myrtle town and South Eureka area.

Page 12-21: Revenue sources that were omitted include the State Transportation Improvement Program and local sales tax.

Draft Infrastructure and Services Element

Page 7-1: The City concurs that "some roadways in urbanized portions of the unincorporated area (such as Eureka and McKinleyville) are subject to existing and projected areas of congestion." The arterials and collector streets within the City of Eureka have become seriously congested from the unmitigated traffic from County development in Myrtle town and South Eureka. The County's focus on road surface condition clouds its responsibility within its urban areas where maintenance needs are shown in the Technical Report to be marginal and where congestion is at its worst. Finally, the draft element is wholly silent on non-vehicular modes of transportation. Pedestrian, bicycle and transit infrastructure, especially in the urban growth areas is critical to orderly development and quality of life.

Pages 7-5 through 7-14: The City is concerned that the County is unable to establish specific goals and policies for its transportation system (although it does so for other infrastructure, such as water and wastewater). Without goals and policies in place for the maintenance and operation of its transportation system, the County has failed to fully address the infrastructure needs and priorities of future development.

Page 7-5: Fair Share Cost Allocation -The proposed “fair share cost allocation” ignores the need to “replace” the roadway capacity “taken” by existing development without paying its fair share. The County needs to take responsibility for the prior and ongoing “take” of City of Eureka street capacity without mitigation or payment of its fair share.

Page 7-6: Sizing of Facilities - The suggestion that the sizing of adequate facilities can be accomplished through the development review process is unworkable for the urban growth areas. Transportation improvements will continue in a haphazard manner unless a specific transportation and circulation improvement plan is adopted for the Myrtle town and South Eureka Area with the cooperation of the City of Eureka and Caltrans.

Page 7-15: Standards - The County will apparently continue not to require development within the City of Eureka sphere of influence to meet City of Eureka standards. This will mean that future annexation of these areas would require acceptance of substandard infrastructure with its higher cost to maintain and operate.

Page 7-16: Adequate Public infrastructure and Services Standards - The County is lowering the standard to “adequate” without definition. Combining this with the absence of goals and policies, it is unclear how the County intends to mitigate the significant traffic and transportation issues that the current and updated General Plan will have on City of Eureka roadways and intersections.

Page 7-16: Roadway Implementation Measures - This section is silent on how the County will address the cost to recover the capacity previously taken by unmitigated development surrounding the City of Eureka. In addition, it ignores mitigation of traffic and transportation impacts (including pedestrian, bicycle and transit) on adjacent local and State agency road systems. Finally, it ignores implementation entirely. The collection of revenue does not automatically result in constructed improvements, especially in a regional setting where the priority projects may not be within the County or its purview.

Page 7-21: Background - The City is troubled that the Community Infrastructure and Services Technical Report was prepared to support the County Community Infrastructure and Services Element. This would explain why the City of Eureka was not given opportunity to participate in the development of the Element, and why our comments on the Technical Report were only casually included.

There appears to be a disconnect between the Technical Report and the Element. The Technical Report states that it “provides a basis for the roadway improvement goals, policies and programs that will be in the Humboldt County General Plan Community Infrastructure and Services Element.” However, the Element does not include any improvement goals or any improvement policies and only hints at possible improvement programs.

Of note is the representation that the Technical Report was “prepared with extensive input from local service providers.” As far as the transportation infrastructure is concerned, the City Engineer was only informed of the Technical Report at the final hour and invited to provide input well after the document was being drafted. To have limited input in the Technical Report, only to see it not result in any goals or policies in the Element is disappointing.

Page 7-50, Table 1.: Adequate Public Infrastructure and Service Standards for New Development - The City of Eureka can not support the County’s decision to reduce the Peak Hour Level of Service (LOS) standard to D on all its roadways. LOS C has been, and will continue to be, the Peak Hour standard. LOS D is not “adequate” and represents a serious and significant reduction in the quality of life for County and City residents. We are curious why the County has introduced a new “non-peak hour” standard to its review process. The City would like to know the methodology or draft policy measures that support such a Level of Service

Reduction. The new standard will be extremely difficult to incorporate into the Traffic Impact Studies for development, as every hour must now be analyzed.

Lowering the peak hour LOS to D allows the County to ignore its responsibility for its "take" of capacity on City streets through the unmitigated traffic impacts of County development in the Myrtle town and South Eureka areas. This development has already reduced many of the City's streets and intersections to LOS D. Lowering the standard insures that this lowered quality of life for City of Eureka residents will remain for perpetuity. While it may be necessary to tolerate LOS D in some locations if the improvement cost is extraordinary, this new "global standard" is not tolerable for all City and County residents. If the County wishes to "encourage" development by lowering standards, it should do so openly which will require the adoption of overriding considerations for traffic impacts with no feasible mitigation.

Wastewater Treatment and Wastewater Connections

Infrastructure and Technical & Services Technical Report

During the preparation of the Infrastructure and Technical & Services Technical Report, Winzler & Kelly's (W&K) staff met with City of Eureka staff several times to solicit comments on their draft document with respect to Chapter 7, Wastewater Systems. In reviewing the current document it appears important City comments previously provided by City staff to W&K were ignored. Some of those comments are reiterated below, together with new additional comments.

Page xv: In **Table ES-1** in the Executive Summary, under Humboldt Hill USA, South Eureka USA, and Myrtle town USA Urban Study Areas, HCSD is listed as having 4,980 available sewer connections based on its contract with the City of Eureka. There is no documentation cited to support this number. There is some indication this number is derived from Winzler & Kelly's analysis of flows for the Dunn-Robinson-Forster-Gill Ridgewood Village development, where they conclude that the HCSD wastewater system serving the Humboldt Hill Area has existing excess capacity for 3,800 additional EDU's. Winzler & Kelly's Ridgewood Village analysis uses base wastewater flow numbers from an EPA publication to derive their flow numbers for sizing of collection systems. However, the base wastewater flow rates cited in the EPA publication are for design of on-site treatment and disposal systems and do not include any allowance for base infiltration from groundwater. The use of this basis in the context of the Eureka area USAs is inadequate.

While it may be true that the base wastewater flow for new subdivisions will be reduced somewhat in comparison to pre-1994 subdivisions by lower-flow plumbing fixtures, I/I contributions are a much higher component of overall peak flow, if not immediately, then eventually. I/I from new development is dependent on the amount of new pipeline that has to be constructed to accommodate it (including new service laterals) as well as on the standards to which these lines are built.

HCSD monitors indicated 20-year peak I/I of 20 to 35 gpd per foot of main. If construction, inspection, and testing standards were upgraded (inspections, air or water tests of sewer mains and private side sewers by an agency separate from the development contractor), then new units could be expected to contribute less I/I than existing units initially. However, unplanned I/I increases over time as the system ages will ultimately lead to SSO's as the system approaches, then exceeds, its design capacity. To avoid this problem, designers should employ smart planning and design using higher, more conservative numbers for flow allocations. Assigning short term, unrealistically low numbers to wastewater flows increases the likelihood of the sewer system capacity being exceeded during its design life.

Page xxv: The City of Eureka wastewater collection system I/I is listed as having a peaking factor of eight to ten. This is incorrect. The average I/I peaking factor experienced at the WWTP is just over 5. This is viewed as the average over the entire collection system, with some basins having more I/I and some less. A peaking factor of just fewer than 5 was used in the design of the WWTP. Therefore the I/I peaking factor has not changed appreciably in the ensuing 25 years since the design of the WWTP.

Page 7-2: The last line of this page states McKinleyville has a peaking factor of 2.1 with no context to define either recurrence interval of the peak event (e.g., 5-year, 10-year, etc.) or duration of average and peak flows (e.g., hourly, daily, etc.) and no citation to document methodology used to determine this ratio. The discussion also includes the statement that “well performing collection systems have a peaking factor of three or less.” This is an oversimplification; some systems that are well-managed and maintained and that convey reasonable peak flows without overflows (i.e., are performing well) may have higher peaking factors. Peaking factor is more directly related to system age and is not by itself a reliable indicator of system performance.

Page 7-3: The first full paragraph discusses impact of I/I diluting influent sewage strength and concludes that to meet percent removal requirement for influent at 50-100 mg/l “typically requires tertiary, instead of secondary treatment.” There are two flaws with this statement: 1) 85% removal is a monthly average requirement, not a daily requirement, and peak I/I events generally last only a few days at most (influent at 50-100 mg/l for an entire month would be very unusual); and 2) the Elk River WWTP has not had trouble meeting 85% removal despite being subject to high I/I during heavy rainfall and having no tertiary treatment facilities.

The 2nd full paragraph on this page implies that the Elk River WWTP cannot meet its percent removal requirement. This is inaccurate. The City consistently meets the requirement. As stated above, the requirement is based on monthly average. Peak I/I events typically last only several days, at most.

Page 7-4: The second full paragraph under **Section 7.3** states that “both HCSD’s and Eureka’s collection system experience significant I/I and are near or at capacity in many locations.” It goes on to say that “the Elk River WWTP is also near capacity and experiences problems related to I/I during winter months.” These statements are oversimplifications. Capacity issues occur at only a few locations in the collection systems and only during significant rain events. The proposed Martin Slough system will address many of these. The WWTP has not had I/I related problems other than reduced, but still acceptable, short-term removal efficiency. Although extreme wet weather peak flows approach the design capacity of the plant, the plant is designed to treat all the flows that the collection system conveys, in its current configuration and with the current peaking factor.

The City’s August 27, 2007 letter to Neal Carnam, authored by Mike Knight, clarified W&K’s misconceptions in plant design capacity versus currently permitted capacity, and also explained that additional plant capacity could be gained by identifying and removing hydraulic or process bottlenecks. However, W&K’s current version of the infrastructure document still states that the WWTP is near capacity. The incorrect assumption in making this statement is that all components of the plant share the same limitations. In fact, each unit process within the WWTP is operating at a different capacity level. So, rather than a total plant expansion to increase capacity, the City’s Wastewater Facilities Plan has preliminarily identified cost effective opportunities to remove bottlenecks to yield increases in capacity. The City feels this strategy will allow affordable, step-wise increases in capacity of the WWTP in order to keep pace with development over the next 20 years. Therefore, a better statement might be: “The Elk River WWTP is approaching capacity limitations in some of its unit processes. However, preliminary

analyses in the City's Wastewater Facilities Plan indicate additional capacity may be gained by removing hydraulic and process bottlenecks. The City feels this strategy will allow step-wise increases in capacity of the WWTP and allow it to keep pace with development over the next 20 year planning horizon."

Page 7-5: The next to last paragraph should be revised to say that after Martin Slough, the Hill Street Pump Station will only have a 0.6 mgd capacity deficit in the 20-year event with current population and without I/I reduction work.

Page 7-6: The last sentence of the first paragraph states: "There is speculation that RWQCB may question the use of blending in upcoming permit renewals." The City takes exception to the inclusion of this type of speculation in this important document. As previously explained in the City's August 27, 2007 letter to Neal Carnam, the City is meeting it's NPDES permit requirements and is not in violation of Section 301(b)(1)(B) of the Clean Water Act. Whatever regulatory changes are adopted in the future regarding the blending issue should be addressed when and if they are adopted. Continuing to include this speculative statement in this document is pointless and misleading; the City again, requests that it be deleted from the document. Consider replacing the last sentence of the 1st paragraph with:

"The City will pursue continued use of blending, consistent with currently proposed EPA policy; however, the Facilities Plan will include a layout that shows the unit processes necessary to route even peak flows through secondary facilities."

The second paragraph implies that EPA has given up on adopting any policy that would include blending. In fact, EPA's proposed policy from 2006, subsequent to the original 2003 blending policy referenced, specifically makes provisions for wet weather "management techniques" that include bypassing of secondary facilities. More information is available at EPA's website: http://cfpub.epa.gov/npdes/wetweather.cfm?program_id=0. The following is an excerpt from this site:

Wet Weather Discharges

Proposed Policy

Peak Wet Weather Discharges from Municipal Sewage Treatment Facilities

"EPA proposed for public comment a new policy for addressing very high or "peak" flow events at municipal wastewater treatment plants that are a result of significant storm events. The policy follows the joint recommendations of the Natural Resources Defense Council (NRDC) and the National Association of Clean Water Agencies (NACWA). The proposed policy describes limited circumstances when certain management techniques may be used by the operator of a municipal wastewater treatment facility to address very high flows that result from storm events. The policy also indicates how the management of peak flows must be documented in National Pollutant Discharge Elimination System (NPDES) permits.

Aging sewer line infrastructure in many communities allows rain and snow melt to enter sanitary sewer systems. During significant storm events, these high volumes can overwhelm certain parts of the wastewater treatment process and may cause damage or failure of the system. Operators of wastewater treatment plants must manage these high flows to both ensure the continued operation of the treatment process and to prevent backups and overflows of raw wastewater in basements or on city streets. The proposed policy encourages municipalities to make investments in ongoing maintenance and capital improvements to improve their system's long-term performance.

The policy outlines the limited circumstances when these management techniques can be used and how they must be documented in NPDES permits. The policy also stipulates that all NPDES permit limits must be met at all times. The policy encourages further public participation via the National Pollution Discharge Elimination System (NPDES) permit process, and provides for public notification when certain management techniques are used.

The proposed Peak Wet Weather policy is substantially different from the November 2003 proposed "blending" policy. It requires that discharges must still meet all the requirements of NPDES permits and that operators demonstrate that all feasible measures are used to minimize wet weather problems. It also prohibits the use of these peak flow management techniques in systems where high peak flows are due to poor system maintenance or a lack of investment in upgrades to improve treatment capacity. The policy is designed to provide greater national consistency while still incorporating flexibility to recognize site-specific issues. EPA encouraged interested parties to read the proposed policy and supporting materials and to provide written comments. Comments have been received or postmarked on or before January 23, 2006."

Page 7-6: The report states: "In conclusion....Development in Humboldt Hill is mainly limited by the Elk River WWTP's ability to handle increased flows." This statement appears to come out of nowhere, with no backup discussion preceding it. It implies that development in Humboldt Hill is being constrained by the WWTP's capacity limitations. However, in Winzler & Kelly's analysis of flows for the Dunn-Robinson-Forster-Gill Ridgewood Village development, they conclude that the HCSD wastewater system serving the Humboldt Hill Area has existing excess capacity for 3,800 additional EDU's. Given HCSD's remaining unused contractual capacity at the WWTP, according to the W&K wastewater flow calculations for Ridgewood Village the unused contractual capacity would be sufficient to serve at least this many units. Therefore, this statement is misleading in the unqualified manner with which it is written, and should either be qualified or deleted from this section. This statement is also repeated on **page 7-30** and includes a limited backup discussion. However the capacity of the WWTP is currently not inhibiting development in the Humboldt Hill area, as the statement implies. It is only when one considers the aggregate future full development of the south Eureka area does the WWTP capacity become an issue, the magnitude of which will be determined by the ultimate density of development.

Page 7-7: At the bottom of the page is the following paragraph quoted from the Eureka Community Plan; "The Board supports submittal of a General Plan Amendment to remove density limitations placed on the Eggert North, Eggert South, and Robinson-Dunn properties, if such submittal includes a traffic study which documents the traffic service impacts of removal of those densities." There is an inherent flaw if this statement is taken at face value, and this should be pointed out in the report if the statement is to be used therein. Submittal of a traffic study does not guarantee that density restrictions will be removed if the results of the study do not support it. The danger in using this statement is the compounding of errors from the previous Eureka Community Plan, when the County ultimately failed to fully mitigate significant environmental traffic impacts, and failed to implement adopted mitigation.

The fact that the current Traffic Study is trailing the rest of the General Plan Update work is a significant problem. As it relates to wastewater, connections to the MSI require that traffic impact fees are identified and implemented before any connections will be allowed. The issue and methodology of resolving traffic impacts need to be agreed upon by the impacted agencies before density revisions can be addressed. In other words, it is not sound planning practice to

set policy based on the unknown results of future studies. It would be prudent to fully assess the traffic impacts before choosing which sketch plan to adopt.

It is important to discuss at this point the requirement that the Martin Slough Interceptor Environmental Impact Report (EIR) has placed on allowing future sewer connections to the MSI with respect to Traffic Impact Fees. The adopted MSI EIR Mitigation Measure 11-1.3 prohibits connections to the MSI pending the development of a Memorandum of Agreement (MOA) to identify mitigation for cumulative traffic impacts, and the implementation of a Circulation Improvement Fund Program: "The City shall prohibit connections to the Martin Slough Interceptor, or any part of the City's wastewater collection system that will develop additional conveyance capacity as a result of the Martin Slough Interceptor Project, until the MOA and the Program are in place and appropriate funding has been secured for improvements identified in the Program." Thus, the fee cannot be identified until the impacts from the study are known, and connections cannot be made until the money is 'in the bank'.

Pages 7-6 through 7-10: The W&K report cites development figures from the MSI EIR, then proceeds to make comparisons of MSI flows to McKinleyville and Glendale. The comparison to McKinleyville and Glendale is of no value for the reason noted in the third full paragraph on this page: the peak hour per capita flows for McKinleyville and Glendale are for some unspecified recurrence interval (less than the 25-year event used for MSI) determined through some unspecified method. It is misleading to suggest a 40 percent increase in total EDUs served by MSI could be predicted with any confidence at all from this type of comparison. If W&K wants to make such a comparison, then documentation of their specific analysis methods (with comments on accuracy and applicability) should be provided.

The other issue is that new systems (presumably the basis of comparison used for McKinleyville and Glendale) don't stay new forever. Defects and improper connections occur, and older areas are generally a higher priority for assessment and rehabilitation. So, while I/I may be low initially, it can be expected to increase over time. Furthermore, the report draws conclusions based on these comparisons, stating on **page 7-10**, "This analysis shows that the MSI could potentially have sufficient capacity to serve the additional development within the expanded service area boundary at future densities." While the densities identified in the MSI EIR may be conservatively erring on the side of caution against system overflows, the analysis in the report does not support the conclusion that the MSI can support the increase in density from 9,765 EDU's to 13,581 EDU's, an increase of nearly 40%. It would be more correct to say that the MSI could potentially serve more equivalent dwelling units than it was conservatively designed for; however at this time it is unclear what that actual development number is.

The Node totals provided on **page 7-8** for COE appear to be accurate per our MSI technical memo regarding densities. However, the City has since corrected an error for the Robinson-Dunn property to include the additional 240 primary and associated secondary units that would be allowed under the ECP, for a total of 940 on that property (700 in the area encumbered by the PUD density limitation plus 240 units in the unencumbered area, which equals 940 as identified in Table 2 in Section 2201 of the ECP). Thus, the total for Node 9 for COE is now 519, and not 388. The corrected number was used in determining the Martin Slough Pump Station capacity of 14.1 MGD.

The County numbers provided on **Page 7-8** do not match the numbers the City was provided from the County in letters from Tom Hofweber. For Node 2, the City has 1,752 EDU (W&K 1,865), Node 9 870 EDU (W&K 707) and Node 18 2,682 EDU (W&K 2,362). None of the differences are extraordinary, so there is probably no pressing reason for them to be changed. The City and County may simply want to acknowledge the differences in an effort to work toward consistency in our numbers.

The EDU totals are relatively close for the highest-density scenario; the report states there will be 13,581 EDUs and the City shows 13,940 EDUs in our calculations. The City agrees on the existing EDUs and the additional COE EDUs. The City shows an additional 9,007 County EDU's (high County estimate for future primary and secondary residential development within the County) where the infrastructure report has 8,638 EDUs. Since the City cannot tell where the County numbers came from, it is difficult to comment further.

At the top of **page 7-8**, the report states that "The difference between the City of Eureka MSI project area dwelling unit count at build-out and the 'high' dwelling unit count of the portion of the Humboldt County South Eureka 'high' within the Martin Slough basin is +1,608 EDUs." The City is not sure how this number was arrived at, as it does not equal the total of the differences between the MSI project and the County USA High represented in the three nodes listed. According to the information provided by Tom Hofweber to the City, the County's high-density alternative could be as much as 4,239 EDUs more than what the MSI was approved and designed for; all the additional EDUs are in the County. This total includes all the nodes, plus all the County Add Areas (1 through 8). If we use the total of 7,135 new EDUs generated by the County from primary and secondary residences as provided for in the County's 8-17-05 letter (all the nodes plus Add Area 5), that total is still 2,367 higher than the City's MSI project.

The City is curious as to why the numbers seem to be relatively close on the total for the County's high build-out, yet the City and County disagree on the difference between these two numbers. It would be wise to look further at these development numbers to ensure the report is using the correct numbers, particularly since the report concludes that the MSI project can potentially accommodate all of this additional growth.

The City has been operating under the assumption that the County generally agrees with the numbers used in the Martin Slough Interceptor EIR for build-out under the current Eureka Community Plan. It is certainly important that the City and County more or less agree on these numbers. Agreeing on future development numbers under the updated general plan, numbers that are not accommodated in the design of the MSI, is less important in terms of the MSI project design but is still important to the City. One example of why future development numbers would be important to the City is the impact of those numbers on the future traffic impact fee required before a hook-up can be made to the MSI. If the development numbers are too high, the traffic impact fee will be too low and not enough money would be collected to construct improvements needed to relieve traffic impacts in the City resulting from County development. Secondly, correct numbers are important to HCSD in terms of setting correct hook-up fees, for example. And finally, correct numbers are important to developers and the County to insure infrastructure is adequately sized and costs are allocated properly.

Page 7-8 contains a statement that the area within the HCSD boundaries in the southwest corner of Section 14 is not included in the MSI project. Although within HCSD boundaries, the area is outside the ECP urban limit line. This should be noted to explain why the City did not include it in the project area.

Page 7-8 contains a statement that Add Area E containing the North McKay Tract and Add Area F containing the South McKay Tract were not included in the MSI project area. It should be clarified that although the Add Areas were not included, North and South McKay were included in the MSI project.

W&K refers to letter-designated Add Areas E and F on **Page 7-9**, yet there is no exhibit showing these areas; an exhibit should be included. Based on the map of these areas the County provided, the City does not agree with the following statements:

It should be noted that most of these additional development areas were evaluated by the City of Eureka in the MSI project Final Alternative Analysis Report and EIR . . . The modified service area boundary (as identified in Draft EIR Figure 2-2) included HCSD's current boundaries as well as portions of proposed additions to the HCSD sphere of Influence referred to as 'Add Area E' and 'Add Area F'.

Virtually none of Add Area E (640 acres) was considered in any of the project alternatives, except for perhaps 2 or 3 acres within Basin 2d in Section 12. Thus, it is misleading to state that portions of Add Area E were included in the modified service area boundary identified in the Martin Slough Interceptor EIR. Add Area F appears to be about one-quarter section short of two full sections in size, or roughly 1,120 acres. The only portions of this area included in the modified service boundary alternatives were the County's Add Areas 2 and 3. The City estimated these to be approximately 45 acres and 11 acres respectively, or only around 5% of the 1,120 acres in Add Area F. Again, simply stating that the City's modified service area boundary included portions of these areas without further information is misleading, as the portions included were insignificant.

Page 7-9 at the bottom states that according to City staff, the MSI is being designed to serve a full build-out to 9,765 EDUs. The number of EDUs for the current project is actually 9,701. The City reconciled a couple of errors (such as adding back in the 240 units for Robinson-Dunn, and removing 86 EDU within the coastal zone on the Reardon property), which changed the totals provided in the EIR.

Page 7-6 states "The intent of the (MSI) project is to reduce demands on portions of the city's system that are overloaded and from time to time experience sanitary sewer overflows." The primary intent of the MSI is to develop and construct a wastewater collection and conveyance project that reduces the incidences of sanitary sewer system overflows in the Martin Slough basin, thereby avoiding reductions in water quality in the aquatic environment near the City. This objective will be accomplished by reducing demands on portions of the existing system. Reducing the demands is not the primary intent, but rather is a way of achieving the primary goal of the project.

The City reiterates the December 16, 2005 letter we wrote to Tom Hofweber regarding the MSI project's ability to serve additional County development. The City clearly stated that we will not compromise the ability of the MSI system to contain avoidable wastewater overflows, and thus significant changes in the current design of the project would likely be required to accommodate the additional wastewater flows from the County's increased development numbers. The protection from overflows built into the system cannot be used to bank capacity for future development above what the MSI project was designed for. This would lead either to a reduction in the margin of safety built into the system, or it would mislead those using the W&K report into believing capacity is available where it may not be. While the City noted in our letter that there is a potential for the system to accommodate additional wastewater flows without increasing the potential for unavoidable wet weather overflows, the monitoring of the hydraulic capacity of the system over the years through flow metering will reveal whether or not there will be future additional capacity in the system.

The W&K report seems to be biased in regard to capacity, in that it appears to labor insistently to try and reach a conclusion that the MSI can accommodate all the increased density desired by the County. The report does not address system constraints such as the overriding project purpose and need which is to eliminate and prevent system overflows as opposed to accommodating as many hook-ups as possible. The report seems to summarily conclude, after

very thin analysis, that the MSI could accommodate all of the County's increased growth while the City specifically said it could not. The capacity issues and constraints surrounding the MSI project should be more clearly and accurately represented in this report so proper planning for wastewater disposal can occur in a proactive, rather than reactive manner.

Page 7-31: Table 7-8 lists the I/I Peaking Factor in the South Eureka USA as varying between 6-9. In fact the range varies from 3.3 to 10, with the average being just over 5, for the 20-year return period storm event. See previous comments on Executive Summary.

Page 7-46: The last paragraph under Myrtle town USA states "The District technically has approximately 4,980 available connections." Again (see previous comments for Humboldt Hill USA) there is no documentation to support this number.

Draft Infrastructure and Services Element

The City has also reviewed the draft County's Community Infrastructure and Services Element and offers the following comments relative to wastewater treatment and wastewater connection fees.

Page 7-4: IS-G1 'Adequate Infrastructure and Services' – The problem with the goal as stated is that it does not require infrastructure to be in place prior to approving development. It would be better stated with stronger, more affirmative language, such as "Ensure adequate infrastructure is available prior to approving new development." The corresponding implementation measure IS-1M1 on **pages 7-16 and 7-39**, is similarly weak in assuming that merely adopting an ordinance establishing standards will be adequate progress in addressing the lack of infrastructure. An added sentence ensuring the infrastructure is in place prior to approval of new development would give this implementation measure more validity

Page 7-16: IS-IM5 'Impact Fees' – This implementation measure needs to be strengthened by adding "and Implement" after "Adopt". As stated in the above discussion regarding the Martin Slough Interceptor EIR traffic impact fee requirement, impact fees need to be collected before sewer connections will be allowed. This is also relevant to Implementation Measure IS-IM5 on **page 7-39**, which specifies adoption, but not implementation, of the Impact Fees. Also on **page 7-16**, IS-IM6 'Roadway Infrastructure Impact Fees' should similarly include a statement that the impact fees shall be implemented. This measure should also explicitly define the term "off-site" as including areas within incorporated City boundaries that may be negatively impacted by proposed development in unincorporated County territory.

Page 7-44: IS-IM29 'Coordination with Service Providers' – This implementation measure should be amended by adding that impact fee programs shall be in place and implemented prior to approving proposed development.

Page 7-45: The CEQA analysis concerning roadways is a critical element that appears to be missing. The City is also concerned that the Greater Eureka Area Travel Model (GEATM) is not proposed to be used to evaluate the effects of the County's preferred land use alternatives at the EIR level. Please provide the City the reasoning for not using the GEATM for the General Plan EIR. CEQA findings and results should be derived from the GEATM, or similar model, administered only by registered civil or traffic engineers. Furthermore, to assure proper use and function of the calibrated model, a memorandum of understanding or agreement between Caltrans, the County of Humboldt, and the City of Eureka explaining the proper use and protocol for the GEATM should be executed prior to the County's use of the model for the purposes of CEQA or adopting land use policies.

The County should strive for a land use plan that results in acceptable levels of service through the implementation of all feasible mitigation for traffic impacts to the City of Eureka. The City will not support a land use plan that results in a Statement of Overriding Considerations for traffic impacts to the City of Eureka and greater Eureka area. Finally, the City of Eureka supports that the ongoing use and maintenance of the GEATM be undertaken by the Humboldt County Association of Governments or similar impartial entity. The City supports use of a properly calibrated and implemented regional transportation model for obvious reasons. This should be a General Plan goal the County should strive to accomplish.

Conclusion

The City of Eureka thanks you for the opportunity to comment on the Community Infrastructure & Services Technical Report, as well as the Draft Infrastructure and Services Element for the County's General Plan Update. We look forward to continuing dialog with the County as these documents progress towards completion. Please do not hesitate to contact me should you have any questions or wish to discuss our comments.

Sincerely,



Robert S. Wall, AICP
Senior Planner
Long Range Planning Division

- c David W. Tyson, City Manager
- Kevin Hamblin, Community Development Director
- Brent Siemer, City Engineer
- Mike Knight, Assistant City Manager
- Lisa Shikany, Environmental Planner
- Kurt Gierlich, Deputy City Engineer
- Steve Davidson, HCSD
- Rex Jackman, Caltrans
- Mayor and City Council