

**CITY OF TRINIDAD**  
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HUMBOLDT COUNTY  
PLANNING DIVISION

*Steve Albright, City Manager*



April 29, 2009

Michael Wheeler, Senior Planner  
Humboldt County Department of Community Development Services  
3015 H Street  
Eureka, CA 95501

Subject: City of Trinidad Comments for Notice of Preparation [Draft SEIR for the Moss Parcel Map Subdivision in the Trinidad Area]

Dear Mr. Wheeler:

The City of Trinidad received a Notice of Preparation for a Supplements EIR on the Moss Subdivision. I understand that the scope of the SEIR has been limited by the courts to discussing two issues: (1) the water supply of the City of Trinidad, and (2) impacts on coastal cutthroat trout. As noted in the NOP, Luffenholtz Creek has been designated as a "Critical Water Supply Area" for the City of Trinidad. The City relies solely on Luffenholtz Creek to provide domestic water to both City residents and some outside City limits.

For your information, the majority of the comments in this letter were provided by our contract planner, Trever Parker, Streamline Planning. They represent more of a summary of the historical concerns on the part of the City of Trinidad regarding the Moss subdivision.

The City is currently in the process of updating our General Plan. Although it has not yet been adopted, it has been reviewed over several years by the Planning Commission and the public at many meetings. There are several policies included in the current draft that are applicable to protecting the City's water supply. The City is concerned about both water quantity and water quality. In terms of water quality, the City is most concerned with issues related to sedimentation and septic systems. Luffenholtz Creek is already documented to have high bacteria (exceeding recreational and drinking water standards) and turbidity that impact the City's water plant. In addition, residential households tend to utilize chemicals such as fertilizers, and pesticides that could impact the City's water supply. There is only a limited supply of water, especially in the summer, and the City also has minimal storage capacity for fire suppression and to provide additional hook-ups. The storage capacity is actually most limited in winter months when high turbidity requires additional settling and storage time.

Michael Wheeler  
Humboldt County Planning Department  
April 29, 2009  
Page 2.

Although the SEIR is limited in discussion to coastal cutthroat, it should also be recognized that this stream is considered potential anadromous habitat with the possibility of removing barriers to other salmonids in the future.

I have included some policies below from our Draft General Plan applicable to the Moss Subdivision site. Because Luffenholtz Creek runs through the project site, this project is of priority concern to the City of Trinidad, and has been for many years. Using this document, the following are policies are applicable with respect to the project's impacts on the water supply to the City of Trinidad and/or the population of cutthroat trout in Luffenholtz Creek and should be considered for mitigation measures:

- PA-1 The City shall adopt a watershed based approach to land use planning that accounts for the impacts of development on an entire watershed, not only the individual parcel or activity. Because most of the watersheds in the City's Planning Area extend outside City limits, the City shall response to County application referrals based on watershed impacts and encourages the County to do the same for City projects. (CONS-2)
- PA-3 The County should accommodate most future population growth within close proximity to Trinidad City limits as defined by the Urban Limit Line.
- PA-8 The City designates both the Luffenholtz Creek and Mill Creek watersheds as "Critical Water Supply Areas", recognizing that these watersheds areas are primary water sources, and are limited in area so that current development makes the streams susceptible to a potential risk of contamination to the water supply from development activities.
- PA-10 Development within Critical Water Supply Areas shall demonstrate that no risk of contamination to the water supply area will occur due to the development activity proposed. Development within a "Critical Water Supply Area" shall utilize appropriate erosion and sediment control measures and any OWTS shall be built to the most current standards.
- PA-11 In order to comply with the requirements for 'Critical Water Supply Areas', as defined in Sec 3362 of the County's Framework Plan and to

make the findings listed in the Framework Plan Sec 3432 (9) the following conditions need to be applied to any development, as defined by the City, County, Coastal Act, or activities regulated by the Forest Protection Act:

- a. No ground altering activity, including timber harvest activities (and exemptions) is to occur between October 15<sup>th</sup>- April 15<sup>th</sup>
- b. Erosion control/ water quality plans are required to be submitted by applicant (both in City and County) and approved by City Engineer. This is to occur at the applicant's expense, prior to development activity occurring.
- c. As part of b. above the applicant is to submit a proposed monitoring plan that includes submittal of final report one year after ground altering activity commences.
- d. No septic systems are to be placed within 100 ft. of Class 1 and Class 2 streams. Repairs and expansion of existing systems shall occur outside these areas whenever possible.
- e. During construction, land clearing activities and vegetation removal shall be minimized. Trees and native vegetation shall be retained around graded areas to stabilize hillsides; retain moisture; reduce erosion, siltation and nutrient runoff.
- f. Construction sites shall be planted with native or naturalized vegetation and mulched with natural materials to aid in erosion control and insure revegetation.
- g. Exposed slopes shall be minimized so as to increase infiltration and reduce water flow velocities down cut slopes by such techniques as soil roughing, serrated cuts, selective grading, shaping, benching and berm construction.
- h. Slopes greater than 25% shall be left undisturbed. Slopes greater than 15% shall not be utilized for access roads unless designed to traverse the slope at less than 15%.

PA-12 Property within a "Critical Water Supply Area" shall be designated "Special Environment" to minimize further subdivision and reduce potential adverse land use densities until such time that improvements are made to the water supply system so that it is not so sensitive to land use impacts. Existing lots within the watershed may be considered suitable for single-family residence provided the septic tank system is carefully designed and installed to preclude pollution of the

stream, and requires periodic inspection by and fees to the County Environmental Health Department.

- PA-13 The County of Humboldt should adopt a public education program regarding pesticides and other hazardous chemical, and when feasible, enter into a non-binding Memorandum of Understanding, or other agreement with property owners within the "Critical Water Supply Area" to minimize the use of these chemicals and reduce contamination of water supplies.
- PA-14 The City shall review development projects in the County, including timber harvest plans that affect Luffenholtz Creek, Mill Creek and other Planning Area watersheds and provide comments to regulatory agencies emphasizing the need to minimize water quality impacts. Such comments shall consider consistency with all relevant policies in the City's General Plan, particularly those found under Planning Area, Conservation and Water Quality, and the objectives of the Trinidad-Westhaven Integrated Coastal Watershed Plan.
- PA-15 The City shall monitor land use activities and development projects within the Luffenholtz Creek watershed and oppose those activities and projects that may have adverse impacts on creek water quality.
- PA-16 For the entire Planning Area including within City Limits, the areas generally within 100 feet of the centerline of perennial streams and 50 feet from the centerline of intermittent streams outside of Resource Production (RP) designated lands are placed in the Open Space or Special Environment designations and by definition are to be designated as a Riparian Protection Zone. These zones may vary in width depending on site specific criteria and the existence/absence of naturally occurring (not artificially manipulated) riparian habitat. Riparian habitat along streams in timber management areas should be designated similarly.
- PA-17 Riparian vegetation within the Riparian Protection Zone shall be protected. Structures and activities should be located outside this riparian protection zone. Areas that must be disturbed due to special circumstances shall be kept to a minimum and be replanted with appropriate native vegetation. New septic tank systems should not be permitted in riparian protection zones.

Michael Wheeler  
Humboldt County Planning Department  
April 29, 2009  
Page 5.

- PA-21 The County should consider adopting and /or implementing an OWTS Management Program, such as that developed by the City, in the Luffenholtz Creek watershed and other watersheds within demonstrated bacterial or nutrient water quality problems.
- PA-22 Subdivision and development proposals in the planning area shall be required to show sewage disposal capabilities. CA Ocean Plan and North Coast Basin plan standards shall be used to ensure that water quality and public health are protected. (PUBL-16)
- PA-24 All areas of prime timberland that remain in manageable units should be designated Resource Production. This category is intended to preclude division of these lands into lots of less than 20 acres with no more than one single-family dwelling per lot in order to preserve viable timber production.
- PA-25 The County shall require site-specific soils studies for subdivisions within the City's Planning Area that have soil limitations based on Figure \_\_\_ to ensure that the lot size, foundation requirements and OWTS design are adequate to prevent direct or cumulative impacts on soil stability or water resources.

Finally, as we discussed at our recent meeting, it would seem advisable to consider reasonable potential future impacts if any of the parcels to be created by this subdivision were to be further subdivided in the future. While I realize that such an action is contrary to the current and proposed amendment to the County General Plan. The future possibility of additional dwelling units at this site, beyond what is now being proposed, would be a concern for Trinidad's water supply.

If you have any questions or wish to contact me further, I can be reached at 677-3876. Thank you for your time and consideration of these comments. We also look forward to reviewing the draft SEIR when it becomes available for review.

Sincerely,

  
Steve Albright  
Trinidad City Manager