



June 30, 2026

Humboldt County Planning Commission and Long Range Planning Staff
3015 H Street
Eureka, CA 95501

Submitted via email: LongRangePlanning@co.humboldt.ca.us

Re: Comments on the Draft Humboldt Bay Area Plan Update

Dear Humboldt County Planning Commission and Staff,

On behalf of the Environmental Protection Information Center (EPIC), Coalition for Responsible Transportation Priorities (CRTP), and Humboldt Waterkeeper, please accept the following comments on the Draft Humboldt Bay Area Plan Update. We appreciate the opportunity for early review of the first comprehensive update of this important planning framework since it was first adopted in 1983. We recognize that it is a work in progress, and will continue to engage in the public review and comment process in the coming months.

Environmental Justice

We support the new environmental justice policies proposed for the HBAP. We appreciate that the Draft HBAP acknowledges Tribal stewardship, although Tribal consultation and co-management goes beyond acknowledgement. The County must ensure that Tribal engagement on projects in the Coastal Zone is early, meaningful, and robust: not just a box-checking exercise.

We request the addition of another environmental justice policy as follows: “Support the ability of people of all ages, abilities, and incomes, using all modes of transportation—including walking, biking, using mobility devices, and riding transit—to access the coast.”

Onshore Support Facilities for Offshore Oil & Gas

We strongly support the elimination of “marine oil terminals, OCS service or supply bases, ocean intake, outfall or discharge pipelines serving offshore facilities” in Section 3.13.1, Coastal Dependent Industrial Development Policies. These changes are consistent with Senate Bill 704, which was signed into law in

2023.¹ SB 704 removed a 1970s-era loophole known as the “industrial override” provision of the California Coastal Act. This loophole allowed oil and gas companies to develop facilities in the coastal zone, including new or expanded refineries and petrochemical plants, without having to comply with state resource protection policies. SB 704 prohibits “new or expanded oil and gas development from being considered a Coastal-Dependent Industrial facility,” and would only permit those developments if they are determined to be “consistent with all applicable provisions of the act,” according to the text of the bill. Under SB 704, new or expanded oil and gas facilities will have to comply with policies outlined in Chapter 3 of the Coastal Act to be permitted, in line with “virtually all other coastal development.”

Water Quality and Marine Resources

Water quality and marine resources are arguably some of the most important features of the Humboldt Bay area for the environment, human health, the economy, and the culture of our region. Yet the Draft HBAP is lacking in policies that incorporate water protection policies in the Coastal Act.

The health of Humboldt Bay is critical to the region’s economy and cultural identity, as well as to hundreds of resident and migratory species. Water quality is especially important for commercial, recreational, and tribal fishing and shellfish harvesting; the commercial oyster and clam seed industries, which have grown exponentially in the last decade; and boating, paddling, and surfing, which is enjoyed by residents as well as visitors, many of whom flock to world-famous bird-watching areas around the bay.

Policies protecting water quality are critical in areas within the Humboldt Bay Area Plan that are sources of stormwater runoff and other non-point sources of pollution that are not regulated by the County’s Municipal Separate Storm Sewer System (MS4) permit. Examples include the Samoa Peninsula, the Jacobs Avenue area, King Salmon and Fields Landing, and the Bracut area.

Water quality policies appear to be absent in the Draft HBAP, leaving major gaps in water quality protection adjacent to Humboldt Bay and the lower reaches of its tributaries. Development in these areas is most likely to directly impact the health of the bay, and we strongly encourage the County to develop policies to protect water quality in these areas, including post-development runoff requirements, protection of groundwater and natural drainage areas, and minimization of parking lots and other impervious surfaces. Water quality must be protected in areas outside the County’s MS4 permit that involve less than one acre of ground disturbance, since they would not be regulated by Construction General Permits under the North Coast Regional Water Board jurisdiction.

¹ Legiscan. 2023. “Senate Bill 704 (Min).”

https://legiscan.com/CA/text/SB704/id/2829023?_cf_chl_f_tk=lsKTHnuiXcbLdloy8hCdaw6FGli6ft335OokmOITJnM-1782789946-1.0.1.1-ZMksbqCBJ3qbY2yKxIUFAiZnL2JZXq9.UwvViXaQhAU

Sea Level Rise Policies

The draft sea level rise policies are a step in the right direction, but in general, the overly cautious approach will leave people, property, and infrastructure at risk. While we support the idea of exploring and evaluating a Transfer of Development Rights Program (Section B.7), we strongly recommend prohibiting further subdivision in areas that are most vulnerable to rising sea level and groundwater.

Shoreline armoring

Shoreline armoring or hardening frequently creates new environmental problems elsewhere, and should be prohibited unless nature-based solutions are not possible. Shoreline armoring can contribute to or exacerbate habitat loss, beach loss, and increased erosion in adjacent areas or even in unexpected areas across the bay. Shoreline armoring alters habitat distribution, ecological connectivity, productivity, and species assemblages across coastal ecosystems.² The same principle applies at a larger landscape scale. When water is prevented from occupying one area, it does not disappear—it is displaced. Floodwaters and tidal energy are redirected toward neighboring shorelines, wetlands, infrastructure, and communities. Armored shorelines can reflect wave energy, increasing nearshore erosion and sediment export in neighboring areas.³

Therefore, a strategy that relies heavily on embankments, levees, or shoreline armoring may protect one location while increasing pressure elsewhere around the bay. Having sea waters that could have inundated agricultural and sparsely populated areas East of the 101 corridor instead inundate Eureka and Arcata is not a sustainable solution. Doing so could substantially increase the need for coastal armoring and protection of these more developed areas of Humboldt Bay at a significant cost. Of course, that armoring would then transfer sea level rise impacts to yet another area of the Bay, creating a race to the bottom that hurts all communities and ecosystems around the bay. As sea levels continue to rise throughout the century, these unintended consequences are likely to become more pronounced and more expensive to address.

Shoreline hardening can also result in groundwater level rise. A recent study found that shoreline barriers can amplify coastal groundwater hazards, exacerbating saltwater intrusion and emergence of groundwater.⁴ Groundwater hazards can require pumping due to reduced soil drainage capacity, which can further increase salinity and degrade groundwater quality. The potential for pumping to lead to further intrusion can be especially problematic near contaminated sites such as the former lumber mill sites.

² Gittman, R.K., et al. (2018). "Generalizing Ecological Effects of Shoreline Armoring Across Soft Sediment Environments." *Estuaries and Coasts* 41(S1): 180–196

³ Prosser, D.J., et al. (2018). "Impacts of Coastal Land Use and Shoreline Armoring on Estuarine Ecosystems: An Introduction to a Special Issue." *Estuaries and Coasts* 41(S1): 2–18.

⁴ Su, X., K.M. Befus, and M.A. Hummel. 2024. "Shoreline Barriers May Amplify Coastal Groundwater Hazards with Sea-Level Rise." *Scientific Reports* 14:15559. <https://www.nature.com/articles/s41598-024-66273-w>

ESHA, Wetlands, and Streamside Management Corridors: Definitions and Protections

We recommend that the County consult with the California Department of Fish and Wildlife and California Coastal Commission to ensure that the following definitions and policies are consistent with the County General Plan as well as state policies that protect these important coastal habitats:

- ESHA Identification and Mitigation;
- Non-ESHA: We oppose the inclusion of “Dunes covered with predominantly non-native vegetation (greater than 50 percent absolute cover of non-natives and less than 5 percent absolute cover of native dune species)” as Non-ESHA, since it has been clearly demonstrated that these areas can be restored to native dune vegetation by removing European beachgrass and other non-native vegetation;
- Wetlands and Wetland buffers;
- Road Construction Within Watersheds Containing Wetlands;
- Coastal Streams, Riparian Vegetation, and Marine Resources: This section does not include any changes from the existing HBAP language, although it appears to be inconsistent with the County General Plan that was adopted in 2017.

Outdoor Lighting

It is integral to the health and wellbeing of wildlife and humans to limit pollution from outdoor lighting, especially in the Coastal Zone. Light pollution disrupts the circadian rhythms of people as well as urban-dwelling and migrating birds, bats, and even aquatic animals, particularly in sensitive coastal habitats.⁵ Studies have found that light pollution can alter mating behavior⁶ and reproductive cycle timing⁷ in migratory and urban birds.

While the latest draft of the HBAP includes several mentions of outdoor lighting, most often in the Samoa Town Master Plan, there is a lack of broadly applicable policies to limit light pollution.

We offer the following recommendations to strengthen the HBAP’s protection of the birds, animals, plants, and humans in the Coastal Zone that are impacted by light pollution:

- Require dark sky friendly lighting in the coastal zone, regardless of land use.
- Include dark sky friendly lighting requirements in the Port Overlay Zone.
- Integrate language from the Coastal Outdoor Lighting Ordinance - all outdoor lighting must:

⁵ Rodrigo-Camino, J; Seeling, S; Seeger, M.; Ries, J. 2023. **Light Pollution: A Review of the Scientific Literature**. The Anthropocene Review. Vol. 10(2) 367-392. <https://doi.org/10.1177/20530196211051209>

⁶ Hunt, S., Cuthill, I.C., Bennett, A.T.D., Church, S.C. & Partridge, J.C. 2001. **Is the ultraviolet waveband a special communication channel in avian mate choice?** Journal of Experimental Biology, 204, 2499–2507.

⁷ Dominoni, D. M., & Partecke, J. 2015. **Does light pollution alter daylength? A test using light loggers on free-ranging European blackbirds (*Turdus merula*)**. Philosophical Transactions of the Royal Society B: Biological Sciences, 370(1667), 20140118. <https://doi.org/10.1098/rstb.2014.0118>

- only be lit when the lit space is actively in use or for safety needs
- Limit the lit area to the portion of the property engaged in activity
- Be shielded and directed downward, and not towards ESHA or upwards
- Have a color temperature of 2700 K or less
- residential lighting not to exceed 1,100 lumens, and commercial lighting not to exceed 3,200 lumens

Port Overlay Zone

Policy 3.13.12 – Port Overlay Zone: Additional Environmental Protection Standards Needed

Errata

Policy 3.13.12 says, “When heavy lift marine terminals are needed to provide support for offshore wind development, a Port Overlay Zone will be established to consider the unusual development needs ~~to~~ of a heavy lift terminal.”

Environmental Protections

We recognize that the goal of this policy is to facilitate plans to redevelop Redwood Marine Terminal I in Samoa to support offshore wind development. However, because the proposed Port Overlay Zone will be the subject of a separate, future public process is intended to facilitate substantial new industrial development, it must include clear policies requiring avoidance, minimization, and mitigation of impacts to Humboldt Bay's unique natural resources, Tribal cultural resources, and neighboring communities. The Local Coastal Program should not simply facilitate development by eliminating existing standards; it must ensure that such development remains fully consistent with the California Coastal Act's requirements to protect environmentally sensitive habitat areas (ESHA), wetlands, water quality, marine resources, public health, and environmental justice.

Because the proposed Port Overlay Zone is intended to streamline future coastal-dependent industrial development for renewable, marine-dependent energy projects, these policies should be incorporated at a high level into the Humboldt Bay Area Plan now rather than deferred to subsequent project-level review. Establishing clear environmental performance standards at the planning level will provide greater regulatory certainty for applicants while ensuring that future offshore wind infrastructure proceeds in a manner consistent with the California Coastal Act, environmental justice principles, and the long-term ecological health of Humboldt Bay.

At a minimum, the future Port Overlay Zone must include policies requiring future development proposals to address the following issues:

Noise and Vibration

- Construction and operational noise impacts on nearby residential communities, Tribal cultural activities, recreation areas, and sensitive wildlife.
- Pile driving, heavy equipment operations, vessel traffic, and fabrication activities.
- Operational vibration impacts from heavy industrial equipment, cranes, and transportation infrastructure on adjacent properties, wildlife, and cultural resources.
- Operational vibration impacts from vessel traffic associated with port operations

Lighting

- Comprehensive dark-sky and wildlife-friendly lighting standards.
- Minimization of nighttime lighting to reduce impacts on migratory birds, shorebirds, fish, bats, marine mammals, and surrounding communities.
- Shielding, adaptive controls, and motion-activated lighting wherever feasible.

Traffic and Transportation

- Increased truck traffic, employee commuting, oversized load transport, and construction traffic.
- Traffic safety for adjacent neighborhoods, bicyclists, pedestrians, commercial fishermen, and recreational users.
- Air quality impacts associated with increased vehicle activity.

Air Quality and Port Electrification

- Policies requiring zero-emission port operations and infrastructure.
- Shore power requirements for vessels.
- Electrification of cargo handling equipment, cranes, vehicles, and other port equipment.
- Infrastructure planning sufficient to avoid long-term reliance on diesel-powered equipment and generators.
- Fenceline monitoring of criteria pollutants, hazardous air pollutants, and greenhouse gas emissions.

Water Quality

- Stormwater treatment using best available practices.
- Prevention of sediment discharge during construction.
- Spill prevention and response planning for fuels, lubricants, hydraulic fluids, and hazardous materials associated with increased vessel traffic and wind turbine manufacturing.
- Monitoring of turbidity and contaminant releases associated with dredging, shoreline work, and marine construction.
- Protection of groundwater and adjacent aquatic habitats.

Wetlands and Environmentally Sensitive Habitat Areas (ESHA)

- Avoidance of impacts to coastal wetlands and ESHA to the maximum extent feasible.

- Recognition that Humboldt Bay's wetlands, mudflats, eelgrass beds, and tidal marshes are protected coastal resources that provide essential ecological functions.
- Buffer requirements between industrial development and adjacent wetlands.
- Long-term monitoring and adaptive management for mitigation sites.

Fish and Wildlife

- Protection of migratory birds using the Pacific Flyway, including disturbance from construction, lighting, and vessel activity.
- Impacts to eelgrass, forage fish, salmonids, Dungeness crab, marine mammals, shorebirds, waterfowl, and other sensitive species.
- Seasonal work windows where appropriate.
- Monitoring of underwater noise and other marine disturbances.

Marine Invasive Species

- Vessel and wind turbine component biofouling management.
- Ballast water management consistent with state and federal requirements.
- Monitoring and rapid response protocols for invasive aquatic species introduced through increased vessel traffic.

Tribal Resources and Cultural Protection

- Early, ongoing, and meaningful government-to-government consultation with affected Tribes. Since a proposed Port Overlay Zone would trigger tribal consultation as well as CEQA, this should begin as soon as possible.
- Tribal cultural resource surveys prior to ground disturbance.
- Tribal monitors during grading, excavation, dredging, shoreline modification, and other ground-disturbing activities
- Procedures for inadvertent discoveries of cultural materials or ancestral remains.
- Consideration of tribal ceremonies and the potential for work windows around ceremonies

Missing and Murdered Indigenous People (MMIP)

- Recognition that large temporary construction workforces can increase risks faced by Indigenous people.
- Development of MMIP prevention measures in consultation with affected Tribes.
- Worker training, contractor codes of conduct, community reporting protocols, and coordination with Tribal governments and local service providers.
- See the Yurok Tribal Court MMIP Prevention Planning and Recommendations June 21, 2023 available [here](#).

Environmental Justice

- Evaluation of cumulative impacts to nearby disadvantaged communities and Tribal communities.
- Ongoing public engagement with affected neighborhoods, in particular the Phyllis Rex Samoa Townhomes.
- Monitoring of cumulative noise, air quality, traffic, and industrial impacts over time.

Climate Resilience

- Sea level rise adaptation that avoids transferring flood risks to adjacent wetlands or neighboring communities.
- Nature-based shoreline approaches where feasible.
- Protection of future wetland migration corridors.

Sediment contamination and legacy pollution

- Characterization of contaminated soils and sediments.
- Management and disposal of contaminated dredged material.
- Long-term groundwater monitoring.

Hydrology and tidal processes

- Alteration of tidal prism and circulation.
- Flood storage capacity.
- Increased erosion elsewhere in the bay.
- Impacts to adjacent restoration projects.

Recreation, Fishing, & Mariculture

- Navigation conflicts.
- Impacts to recreation in the Bay
- Effects on commercial fishing infrastructure.
- Shellfish harvesting.
- Mariculture operations.
- Subsistence and Tribal harvest of fish and shellfish.

Emergency Preparedness

- Fire suppression.
- Hazardous material storage.
- Battery fires.
- Spill response.
- Tsunami emergency planning.

- Evacuation routes.

Contaminated Sites Overlay Zone

There are numerous extant and former industrial sites within the HBAP planning area harbor legacy contamination in soil and/or groundwater, including dozens of former lumber mills. Many were built on former wetlands and are contaminated with dioxins and furans from pentachlorophenol, a wood preservative that was used for decades.

Humboldt Bay was designated as Impaired by dioxins in 2006. Dioxins are dangerous, extremely persistent reproductive toxins that biomagnify up the food chain. Any ground disturbance on any former or currently operating industrial site has the potential to mobilize dioxins and other contaminants, putting human health and the environment at risk, including protected species such as salmonids and fish-eating species such as raptors, marine mammals, and humans. Dioxin contamination is poorly documented in many cases due to the fact that responsible agencies generally failed to address it in site assessments until fairly recently.

Many of these sites are vulnerable to rising sea level and groundwater that will eventually remobilize contaminants into Humboldt Bay, its tributaries, and/or adjacent lands. Remediating these sites prior to ground disturbing activities is critical to protect human health and the environment. Even sites that have been partially remediated can harbor contaminated groundwater beneath building foundations that be disturbed and remobilized off-site as a result of ground disturbance.

Except in the section on the Samoa Town Master Plan, the Draft HBAP fails to describe contaminated industrial sites, the legacy of dioxins in Humboldt Bay, and the designation of the bay as Impaired by dioxins and furans under Section 303(d) of the Clean Water Act. In the absence of evidence to the contrary, these sites must be regarded as having a high likelihood of contamination, just as one would assume that buildings built in certain eras are likely to contain lead and asbestos until adequate sampling is conducted.

We recommend the development of a Contaminated Sites Overlay Zone to flag these sites as requiring more information before ground disturbing activities can proceed.

Urban Limit Lines

Where the lines are drawn around areas considered urban or appropriate for urban development is one of the most important policy decisions in a planning document. To comply with the Regional Climate Action Plan and other existing goals and policies, future urban development must reduce vehicle miles traveled (VMT) and ensure low-carbon, multimodal transportation options. Therefore, the criteria used to identify the Urban Limit Line (Section 3.4.B.1.a) should be amended to add two additional criteria:

- The resulting development patterns support the goals, policies, measures, and targets of the Regional Climate Action Plan and the Regional Transportation Plan.

- Reasonable pedestrian, bicycle, and/or transit access exists or can be feasibly provided to jobs, services, and other important destinations.
- Equally important, these same two criteria should also be added as required findings to allow development within the Urban Limit Line (Section 3.4.B.2.c) and to extend the Urban Limit Line (Section 13.B.2).

Urban Land Uses

The HBAP update should retain and expand, rather than eliminate, the Residential/High Density (RH) land use (see Section 4.2). This is an appropriate land use intensity for certain areas covered by the plan, notably Myrtle town, and will help the County meet its housing and climate goals.

Regarding Myrtle town specifically, the HBAP currently calls for future development in the area to “follow the existing zoning” (Section 3.4.A.2). However, Myrtle town is the most suitable location in the plan area for higher density infill development, and possibly the most suitable location in the entire unincorporated county. We urge the county to upzone the Myrtle town area to allow higher densities and a greater mix of uses.

Additionally, in order to facilitate new housing as well as a VMT-reducing mix of land uses, we encourage the county to allow residential development as a principally permitted use in commercial zones within Urban Limit Lines (see Section 4.2).

Active Transportation

In order to encourage the use of active transportation for health, climate, and economic development reasons, and to provide access to the coast for people using all modes of transportation, we suggest the following HBAP edits:

- **Section 3.8.B.6** should be amended to include bicycle connections, as well as pedestrian connections, as an eligible measure for a density bonus request.
- **Section 3.13.B.3.g** should be amended to allow not just the construction of bikeways, but rather the construction or improvement of any bicycle, pedestrian, and transit infrastructure on public roadways.
- **Section 3.19.B** should be amended to add bicycles and transit as modes of transportation wherever other modes—such as pedestrians, equestrians, and vehicles—are referenced.
- **Section 3.19.B.1.a.1** should include bicycle as well as vehicle parking as an important coastal access improvement. Additional language should also be added to acknowledge that the over-provision of vehicle parking can make access by other modes more difficult, both by increasing the distance pedestrians and bicyclists have to travel and by creating hostile or unsafe environments for pedestrians and bicyclists.
- **Section 3.19.B.1.a.2.d** should be amended to remove parking and road capacity. These are matters of convenience, not health and safety.

We appreciate the opportunity to review and comment on the Draft Humboldt Bay Area Plan Update, and we look forward to continued involvement in the HBAP as it evolves.

Sincerely,

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