

From: [Jennifer Kalt](#)
To: [David Loya](#)
Cc: [Sylvia van Royen](#)
Subject: Re: City of Arcata's Local Coastal Program Update
Date: Tuesday, April 22, 2025 7:12:50 PM

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David,

Thank you for your explanation to the Planning Commissioner's question about the potential for LID features to be inadvertently placed in contaminated soil. In addition to the scenario you described, my experience is that this can happen even when the contamination is well understood. Most notably, Nordic Aquafarms hired one consultant to design their stormwater and LID features, and another consultant was the lead on the contamination issues at the site. When I asked to see the stormwater design overlaid with contaminated soil and groundwater, it was clear that it hadn't occurred to anyone to consider that! The issue was resolved by holding a meeting with both consultants after they had compared notes and developed a plan to avoid placing bioswales and whatnot in or near contamination.

Someone might ask, why wouldn't the contamination have to be cleaned up first anyway? To which I would say that the levels of contamination that are considered acceptable on industrial sites are often much higher than would be acceptable in surface or groundwater.

Also, CONGRATULATIONS on the APA award - that really is an impressive accomplishment, especially in a region with lots of great planners! :) Jen

On Tue, Apr 22, 2025 at 2:36 PM Sylvia van Royen <sylvia@humboldtwaterkeeper.org> wrote:

Dear Commissioners and Staff,

We submit these comments on behalf of Humboldt Waterkeeper, which works to safeguard coastal resources for the health, enjoyment, and economic strength of the Humboldt Bay community through education, scientific research, and enforcement of laws to fight pollution.

We appreciate the opportunity to review and comment on the City's Local Coastal Element and Coastal Zoning Ordinance, which govern development and protection of coastal resources in the City's jurisdiction.

Within the Coastal Zoning Ordinance, we support 2.14.070 B.1, which outlines regulations to

reduce light pollution. In 2.14.070 B.1.d there is reference to “Dark Sky Association”, if this is in reference to [Dark Sky International](#) (the international non-profit which advocates for dark skies and has a list of [approved lighting fixtures](#)), we recommend correcting “Dark Sky Association” to “Dark Sky International” for clarity. Additionally, we recommend adding a regulation on correlated color temperature (CCT), limiting CCT to 2700 Kelvin—this ensures lights are warm and limits the amount of blue light emitted, which can affect wildlife species that perceive light beyond blue and into ultraviolet frequencies. At a minimum, we recommend this CCT within or adjacent to ESHAs.

We also support 2.18.030 A.2.g, which requires a Post-Development Construction Plan (PDRP) for “Development on land where the soil has been contaminated by a previous land use...” (CZO, page 18-3). However, we strongly encourage the City to add a provision to 2.18.030 B.5. LID Strategies to ensure that Low Impact Development features such as bioswales are not installed in or near contaminated soil, which would risk mobilizing contamination off-site and into coastal waterways. We suggest the addition of the following language:

2.18.030 B.5.f. LID features on sites with legacy contamination must be designed to avoid contaminated areas.

In Figure C-9-1 of the Local Coastal Element (p. 60), there is a proposed trail segment that connects the Arcata Marsh South 1 St access point to HWY 255—and runs through Butcher Slough, which has a legacy of contamination from the Little Lakes Mill. We recommend including a contingency that if a proposed trail segment runs through a historically contaminated site, clean up of the contamination must occur before trail development.

We look forward to reviewing the next LCP draft, thank you for considering our suggestions.

Sylvia van Royen ([she/her](#), [why?](#))

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“To love a place is not enough. We must find ways to heal it.” - Robin Wall Kimmerer