

## Caltrans Guardrail Project Coastal Development Permit

Application Number: PLN-2022-17630

Assessor's Parcel Numbers: n/a

### Recommended Zoning Administrator Action

1. Describe the application as part of the consent agenda.
2. Survey the audience for any person who would like to discuss the application.
3. If no one requests discussion, make the following motion to approve the application as part of the consent agenda:

*Find the project exempt from environmental review pursuant to Section 15301(c) of the State CEQA Guidelines make all of the required findings for approval of the Coastal Development Permit and based on evidence in the staff report, adopt the Resolution approving the Caltrans Guardrail Project Coastal Development Permit project subject to the recommended conditions.*

### Executive Summary:

To grant a Coastal Development Permit (CDP) to Caltrans for the installation of a 665-foot long Midwest Guardrail System on northbound Highway 101 shoulder right-of-way, from postmile 98.94 to 99.07 (see Site Plan/Index of Plans diagram, Attachment 5).

The purpose of this project is to improve safety for motorists and reduce severity of collisions occurring within the project limits. This project was initiated in response to the 2017 Run Off Road Collision Program Report. Installation of the Barrier System is a counter measure to reduce the severity of Run Off Road Collisions identified in the State Highway Safety Improvement Program Guidelines.

The project proposes to install the Midwest Guardrail System on the right (northbound) from postmile 98.94 to 99.07. Work includes installation of 665 feet of Guardrail System, one Alternate In-line Terminal System, 240 sq. yd. of vegetation control, and 405 linear feet of AC dike. The approach section is comprised of a buried post end anchor installed in the cut embankment at post mile 98.94. Additional work may include the in-kind replacement of a failed flared inlet and down drain that originates in the roadside AC dike near PM 99.0 and carries pavement drainage off the highway down the embankment.

### Plan Conformity

The safety improvement is a linear project parallel to, and within the northbound shoulder of, Highway 101. The property is owned by the federal government and is not designated for land use under the current County General Plan nor the Trinidad Area Plan. Highway 101 is zoned Unclassified (U) by the County.

The central segment of the project adjacent to Luffenholz Creek is within the Coastal Zone Appeal boundary; the terminal ends of the linear project are both in areas of Local jurisdiction (see Location Map, Attachment 4). Therefore, the project is appealable to the Coastal Commission under the Humboldt County Local Coastal Plan.

The Trinidad Area Plan (TAP) of the Humboldt County Local Coastal Program does not mention Highway 101 in terms of appropriate land use, and the addition of the guardrail does not conflict with policies or recommendations of the TAP in terms of access, view, or resource buffers. The project is consistent with TAP policies related to hazards, and archaeological and paleontological resources. The proposal does not conflict with the regulations of Chapters One through Three of the County Zoning Code which, together with the TAP, comprise the Local Coastal Program for the project area.

## Agency Comments

The Northwest Information Center commented that any building or structure 45 years or older may be of historical value and that if the project area contains such properties, it is recommended that a qualified professional familiar with the architecture and history of Humboldt County conduct a formal evaluation. Based on a site visit by staff, there are no buildings or structures – other than Highway 101- within or adjacent to the linear strip that is the project site that could be affected. Additionally, Caltrans previously conducted background cultural and historical research and a pedestrian survey within a half-mile buffer and identified no resources that could be affected. The standard protocol for handling and disposition of unanticipated cultural resources is included as a condition of approval.

Comments recommending approval with no conditions were received from the County Building Division and County DPW Land Use Division. A response from CalFIRE was received with “no comment” due to not having jurisdiction. Referrals were sent to the Yurok Tribe, California Department of Fish and Wildlife, the Coastal Commission, the City of Trinidad and others, and no responses were received.

## Environmental Review

Highway 101 is a federally-owned asset managed by Caltrans. The CDP is for a Caltrans safety project, a State-funded improvement, and Caltrans is the CEQA lead agency. The County of Humboldt's CDP is second in line after Caltrans' own capital project approval, which makes the County a “responsible agency” under CEQA. Responsible agencies are encouraged by CEQA to utilize the lead agency's CEQA document and findings.

Caltrans prepared a biological memo that found that the project will result in no take of any species federally or state listed, candidate, or proposed for listing. Sensitive biological resources are not likely to be present.

The project will add a feature that will increase the safety of an existing highway. Caltrans has determined that the project is categorically exempt from CEQA as a Class 1 Categorical Exemption, Existing Facilities, on the following basis:

The project is minor alteration of an existing facility (Rte. 101) to help vehicles stay on the highway to improve the safety of the traveling public. There is no expansion or change in the use of the facility and no unusual circumstances. No environmental impacts or impacts to cultural & historical properties will occur, and Standard project practices will be implemented to ensure compliance with all applicable laws. (source: Caltrans Notice of Exemption, 5/28/2022)

Planning staff concurs with the lead agency's categorical exemption and recommends the Planning Commission accept the Notice of Exemption (NOE) as CEQA clearance for the project. The NOE is attached as Attachment 6.

**STAFF RECOMMENDATION:** Planning staff believes that the applicant has submitted evidence in support of making all of the required findings for approving the Coastal Development Permit with conditions.

**ALTERNATIVE:** Several alternatives may be considered: 1) The Zoning Administrator could elect not to hear this item and put the decision making in front of the Planning Commission. Any decision to place this matter before the Planning Commission must be done before opening the public hearing on this project; 2) The Zoning Administrator could elect to add or delete conditions of approval; 3) The Zoning Administrator could deny approval of the requested permits if you are unable to make all of the required findings. Planning Division staff is confident that the required findings can be made based on the submitted evidence and subject to the recommended conditions of approval. Consequently, planning staff does not recommend further consideration of these alternatives.