



AGENDA ITEM NO.
F1

COUNTY OF HUMBOLDT

For the meeting of: July 31, 2018

Date: July 16, 2018

To: Board of Supervisors

From: Thomas K. Mattson, Public Works Director *com*

Subject: Adoption of Initial Study and Proposed Mitigated Negative Declaration of Environmental Impact for the Humboldt Bay Trail South Project

RECOMMENDATIONS:

That the Board of Supervisors:

1. Review the attached Initial Study and Proposed Mitigated Negative Declaration for the Humboldt Bay Trail South Project;
2. Approve, and authorize the Chair of the Board to execute, the attached resolution adopting the Initial Study and Proposed Mitigated Negative Declaration for the Humboldt Bay Trail South Project; and
3. Direct the Department of Public Works to file a Notice of Determination with the Humboldt County Clerk-Recorder's Office.

SOURCE OF FUNDING:

Bicycles & Trailways Program (1710715)

DISCUSSION:

The Humboldt Bay Trail is as a network of existing and proposed multi-use trails (also known as

Prepared by Hank Seemann, Deputy-Director

CAO Approval *[Signature]*

REVIEW:

Auditor _____ County Counsel *[Signature]*

Human Resources _____ Other _____

TYPE OF ITEM:

- _____ Consent
- Departmental
- _____ Public Hearing
- _____ Other _____

BOARD OF SUPERVISORS, COUNTY OF HUMBOLDT

Upon motion of Supervisor _____ Seconded by Supervisor _____

- Ayes _____
- Nays _____
- Abstain _____
- Absent _____

SEE ACTION SUMMARY

PREVIOUS ACTION/REFERRAL:

Board Order No. _____

Meeting of: _____

and carried by those members present, the Board hereby approves the recommended action contained in this Board report.

Dated: _____

By: _____

Kathy Hayes, Clerk of the Board

shared-use paths) providing non-motorized access for transportation and recreational use throughout the Humboldt Bay region. The Humboldt Bay Trail will connect communities with multi-modal transportation facilities and connect people to the bay by enabling people of all ages and abilities to access and experience the bay's resources directly. In addition to serving the region's transportation needs, the Humboldt Bay Trail will achieve a critical link in the California Coastal Trail and enhance recreational use and enjoyment around the bay.

The Humboldt Bay Trail is being developed as a series of projects through the collaborative efforts of the Humboldt County Association of Governments ("HCAOG"), Humboldt County, City of Arcata, City of Eureka, California Department of Transportation ("Caltrans"), State Coastal Conservancy, North Coast Railroad Authority ("NCRA"), Redwood Community Action Agency, Humboldt Trails Council, and a variety of other agencies and organizations. Trails are a form of transportation infrastructure, and the project development process is equivalent to road projects. The Humboldt Bay Trail is being developed concurrent with the Eureka-Arcata Route 101 Corridor Improvement Project which is being implemented by Caltrans and HCAOG to improve safety and operations at six at-grade crossings on Highway 101. The Corridor Improvement Project will include a new interchange at Indianola Cutoff.

In 2017, the Cities of Arcata and Eureka completed major projects to advance the progress of the Humboldt Bay Trail, bringing the total length of existing trail to over ten miles. The City of Arcata completed the Humboldt Bay Trail North project, which extends south along the Highway 101 and railroad transportation corridor to a terminus located near Bayside Cutoff and Bracut Industrial Park. The City of Eureka completed three phases of the Eureka Waterfront Trail, including a segment extending along the west bank of Eureka Slough near the Target store. Also in 2017, the Humboldt Bay Trail Fund was established at the Humboldt Area Foundation enabling individuals and businesses to provide financial support for the maintenance and creation of multi-purpose trails around Humboldt Bay. So far, nearly 400 donors have contributed over \$238,000 to the fund.

Humboldt County is leading the development of the Humboldt Bay Trail South project ("Project"), which will provide the interconnecting link between Arcata's and Eureka's recently completed trail projects (maps are provided in Attachment 1). The Project is a 4.2-mile paved bikepath extending along the Highway 101 and railroad transportation corridor from the southern terminus of Arcata's Humboldt Bay Trail North segment to the Eureka Waterfront Trail near Eureka Slough. The standard width of the bikepath is ten feet with two-foot gravel shoulders. The Project includes three new bridges, modifications to the existing railroad bridge across Eureka Slough, shoreline revetment repair, eucalyptus tree removal, viewing platforms, signage, the proposed removal of at least one billboard, and construction of a cable barrier between Highway 101 and the trail. The Project includes extending the cable barrier along portions of the City of Arcata's existing trail adjacent to Highway 101. Certain elements may be implemented before or after the trail construction, based on available funding and/or the readiness of the elements. The Project will result in over 14 miles of nearly continuous trail around Humboldt Bay.

Public Works initiated technical studies in 2013 to evaluate potential alignment options. Funding for preliminary engineering, environmental studies, and design was secured in 2014 through the State Transportation Improvement Program. In July 2018, Public Works submitted an application to the state Active Transportation Program for funding to construct the Project, with cost-share contributions from Caltrans and the Coastal Conservancy. In August 2018, the California Transportation Commission ("CTC") is scheduled to approve the allocation of funding to complete the design phase of the Project.

The earliest year that construction could begin is likely 2021. The timeline for construction is not firm because it is contingent upon securing funding for construction and obtaining environmental permits and right-of-way. Public Works plans to submit environmental permit applications later in 2018. Refinement of the design and preparation of engineering plans and specifications will continue through 2019. Right-of-way is required because the Project crosses property owned by NCRA, Caltrans, City of Eureka, and three private landowners. Public Works plans to apply for a license agreement from NCRA similar to the agreements NCRA executed with the cities of Eureka and Arcata for the adjoining trail projects. Public Works plans to develop a cooperative agreement with Caltrans and obtain an encroachment permit. Public Works plans to obtain an access agreement (or similar authorization) from the City of Eureka. Public Works will need to obtain right-of-way through easement or acquisition from the three affected private landowners prior to construction. Public Works has initiated discussions with each of the affected landowners regarding right-of-way and seeks to work cooperatively with each of them to purchase the rights needed for the Project.

Caltrans served as the lead agency for compliance with the National Environmental Policy Act (“NEPA”) on behalf of the Federal Highway Administration. Based on the results of the environmental studies, Caltrans concluded that the Project would have no significant impacts on the environment as defined by NEPA. Caltrans executed the Categorical Exclusion determination form for the Project on July 16, 2018.

Humboldt County is the lead agency for compliance with the California Environmental Quality Act (“CEQA”). To comply with the provisions of CEQA, Public Works prepared an Initial Study to identify potentially significant environmental impacts associated with the Project. The Initial Study identifies eleven mitigation measures that will collectively reduce environmental impacts to less-than-significant levels. The mitigation measures ensure that construction activities do not significantly impact on special-status plants, Endangered Species Act-listed and other special-status fishes, northern red-legged frogs, and native migratory bird species, as well as Waters of the United States and Waters of the State. The mitigation measures prescribe compensatory mitigation for wetland impacts and provide protective measures for inadvertent discovery of cultural resources or human remains. Finally, the mitigation measures prescribe pre-construction characterization of soil and groundwater, and procedures for encountering unknown hazardous materials.

Based on the findings of the Initial Study, Public Works concluded that a Mitigated Negative Declaration of environmental impact is the appropriate determination for compliance with CEQA. The Initial Study and Proposed Mitigated Negative Declaration are contained in Attachment 2. The public review period for the Initial Study and Proposed Mitigated Negative Declaration was February 16, 2018, through March 19, 2018; however, comments received through March 30, 2018 were considered. A digital copy of the document was posted on the county’s website, and hard copies were submitted to the State Clearinghouse for circulation to state agencies. Public Works notified the owners of property contiguous to the project area. A Notice of Intent to adopt the Proposed Mitigated Negative Declaration was published in the February 21, 2018 edition of the Eureka Times-Standard. A public meeting was held on February 27, 2018.

Written comments received through March 30, 2018, are contained in Attachment 3. A response to comments prepared by Public Works is provided in Attachment 4.

A controversial aspect of the Project is the proposed removal of the northern group of eucalyptus trees along Highway 101, north of the California Redwood Company former mill site. These trees are situated directly adjacent to the proposed trail and would present a significant safety hazard to trail

users. The northern group of trees represents approximately 42 percent of the entire row of eucalyptus trees along Highway 101 between Eureka and Arcata. The southern group of trees situated south of the mill site entrance would not be affected by the Project. Several commenters expressed strong appreciation for the eucalyptus trees and objected to their removal, while other commenters supported their removal. The comment evaluation memo (Attachment 4) provides a detailed discussion of the need for tree removal and why alternatives are not feasible, along with a summary of the analysis of impacts to aesthetics, biological resources, cultural resources, and water quality under CEQA. Public Works affirms its opinion that removal of the northern group of eucalyptus trees is necessary as part of the Project to protect public safety. Removal of the northern group of eucalyptus trees will impact the aesthetics of the area, but at a less than significant level because the majority of trees along the highway will remain.

Public Works believes the Initial Study and Mitigated Negative Declaration sufficiently address the potential environmental impacts associated with the project under CEQA, and recommends that the Board incorporate the 11 identified mitigation measures into the project. The Board of Supervisors is the decision-making body with the authority to adopt the Mitigated Negative Declaration under CEQA. Public Works recommends that the Board approve the attached resolution (Attachment 5) adopting the Proposed Mitigated Negative Declaration for the Project, and direct staff to file a Notice of Determination (Attachment 6) with the Humboldt County Clerk-Recorder's Office.

The CTC requires documentation of adoption of the Proposed Mitigated Negative Declaration by approximately August 7, 2018, in order for the funding agreement for the design phase to be approved. Therefore, adoption of the Proposed Mitigated Negative Declaration is time-sensitive.

FINANCIAL IMPACT:

The cost for preparing the CEQA documentation for the Project and paying the filing fee was funded by the State Transportation Improvement Program and is incorporated in the Fiscal Year 2018-19 budget. A total of \$2 million was allocated by the CTC for the preliminary engineering, environmental studies, and design phases of the Project.

The recommended actions conform to the Board of Supervisors' core role of providing for and maintaining infrastructure and creating opportunities for improved safety and health.

OTHER AGENCY INVOLVEMENT:

HCAOG, City of Arcata, City of Eureka, Caltrans, State Coastal Conservancy, NCRA, CTC

ALTERNATIVES TO STAFF RECOMMENDATIONS:

1. The Board could direct staff to prepare an Environmental Impact Report for the Project. This alternative is not recommended because Public Works believes there is no substantial evidence in the record to conclude that the environmental effects of the Project may be significant, for the reasons stated in the draft proposed findings in the attached resolution for adoption of the Mitigated Negative Declaration (Attachment 5).
2. The Board could defer action. This alternative is not recommended because delay could result in the CTC not approving funding for the design phase of the Project.

3. The Board could decide not to approve the Project. This alternative is not recommended because completion of the Humboldt Bay Trail between Eureka and Arcata has been a regional priority for over 20 years.

ATTACHMENTS:

1. Maps
2. Initial Study and Proposed Mitigated Negative Declaration
3. Written comments pertaining to the Initial Study and Proposed Mitigated Negative Declaration for the Humboldt Bay Trail South Project
4. Comment evaluation memo pertaining to the Initial Study and Proposed Mitigated Negative Declaration for the Humboldt Bay Trail South Project
5. Resolution Adopting the Initial Study and Proposed Mitigated Negative Declaration for the Humboldt Bay Trail South Project
6. Notice of Determination regarding the Humboldt Bay Trail South Project