



**COUNTY OF HUMBOLDT**  
**PLANNING AND BUILDING DEPARTMENT**  
**CURRENT PLANNING DIVISION**

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3015 H Street, Eureka CA 95501  
Phone: (707)445-7541 Fax: (707) 268-3792

Hearing Date: July 21, 2022

To: Humboldt County Zoning Administrator

From: Cliff Johnson, Supervising Planner

Subject: **Caltrans Guardrail Project**

Record Number: PLN-2022-17630

Assessor's Parcel Numbers: n/a; Caltrans ROW

Location: the northbound side of State Highway 101, approximately 0.25 miles from the Northbound on-ramp of State Highway 101 and Kahlstrom Avenue.

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Please contact Desmond Johnston, Senior Planner, at (707) 441-2622 or by email at [djohnston@co.humboldt.ca.us](mailto:djohnston@co.humboldt.ca.us), if you have any questions about the scheduled public hearing item.

**AGENDA ITEM TRANSMITTAL**

<b>Hearing Date</b> July 21, 2022	<b>Subject</b> Coastal Development Permit	<b>Contact</b> Desmond Johnston
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**Project Description:** 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.

**Project Location:** This project is located in Humboldt County in the Trinidad area, on the northbound side of State Highway 101, approximately 0.25 miles from the Northbound on-ramp of State Highway 101 and Kahlstrom Avenue.

**Present Plan Land Use Designations:** n/a – Highway 101 is not designated under the County General Plan. Trinidad Area Plan, undesignated.

**Present Zoning:** Unclassified (U)

**Application Number:** PLN-2022-17630

**Assessor's Parcel Numbers:** n/a – project is entirely within Caltrans right-of-way

**Applicant**

California Department  
Transportation (District 1)  
Attn: Vincent Heim  
1656 Union Street  
Eureka, CA 95501

**Owner**

of same as Applicant

**Agent**

same as Applicant

**Environmental Review:** The project qualifies for exemption from environmental review pursuant to Section 15301(c) of the CEQA guidelines, Class 1 - Minor Alteration of Existing Facilities.

**State Appeal Status:** Project is appealable to the California Coastal Commission.

**Major Issues:** None.

## 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.

**RESOLUTION OF THE ZONING ADMINISTRATOR  
OF THE COUNTY OF HUMBOLDT**

**Resolution Number 22-**

**Record Number PLN-2022-17630**

**Assessor's Parcel Numbers: n/a (Caltrans ROW)**

**Resolution by the Zoning Administrator of the County of Humboldt to conditionally approving the Caltrans Guardrail Project Coastal Development Permit.**

**WHEREAS**, the Caltrans Guardrail Project Coastal Development Permit, submitted an application dated February 14, 2022 requesting approval of a Coastal Development Permit; and

**WHEREAS**, pursuant to Sections 15301(c) (Existing facilities) of the CEQA Guidelines, the proposed project is found Categorical Exempt from environmental review; and

**WHEREAS**, the Humboldt County Zoning Administrator held a duly noticed public hearing on **July 21, 2022**, and reviewed and considered the application for a Coastal Development Permit, and reviewed and considered all evidence, and testimony if any, presented at the hearing.

**Now, THEREFORE BE IT RESOLVED**, that the Zoning Administrator makes all the following findings:

- 1. FINDING: Project Description:** 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.

**EVIDENCE:** a) Project file: PLN-2022-17630

- 2. FINDING: CEQA.** The proposed project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA).

**EVIDENCE:**

- a) The proposed project may be found categorically exempt from environmental review pursuant to Section 15301 (Existing facilities) because 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.
- b) The requirements of the California Environmental Quality Act have been complied with. Caltrans, as the same lead agency under CEQA, determined that the project is exempt from environmental review pursuant to Section 15302 (Replacement or Reconstruction) of the CEQA guidelines, and the Zoning Administrator, as the decision-making body representing the County of Humboldt, a responsible agency under CEQA, concurs with this determination.

- 3. FINDING:** The project, as conditioned, is consistent with the development policies of the Trinidad Area Plan of the Local Coastal Program and the County General Plan.

- EVIDENCE:** a) The project site is owned by the federal government and not subject to the County General Plan. However, the project is consistent with the Rural Residential County Plan designation on adjacent properties; because the project is to install a guardrail, the project will reduce the potential for injury and fatal vehicle accidents that might otherwise leave the highway and come to a stop on neighboring properties.
- b) The proposed project is consistent with the Trinidad Area Plan of the Local Coastal Program because it reduces an existing public safety hazard, will have no impact on archaeological or paleontological resources, and is not in conflict with policies or recommendations related to access, view, or resource buffers.

**4. FINDING:** The proposed development is consistent with the purposes of the existing zone in which the site is located, and the zoning of adjacent properties, and the proposed development conforms to all applicable standards and requirements of these regulations.

- EVIDENCE:** a) The project site is zoned Unclassified due to the County not having land use authority over federal property, and is therefore consistent with the mapping designation. The project is consistent with the Rural Residential Agricultural zoning of adjacent properties and will facilitate preservation of uses allowed in those zones by reducing the potential for them to be impacted by vehicles leaving the highway in an accident.

**5. FINDING:** The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

- EVIDENCE:** a) The proposed guardrail project will reduce the existing safety hazard of vehicles leaving the highway and going over the embankment, which will preserve lives and property.

**6. FINDING:** The proposed development does not reduce the residential density for any parcel below that utilized by the Department of Housing and Community Development in determining compliance with housing element law.

- EVIDENCE:** a) The project site is not residentially-designated and will have no effect on residential uses.

## DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Humboldt County Zoning Administrator does hereby:

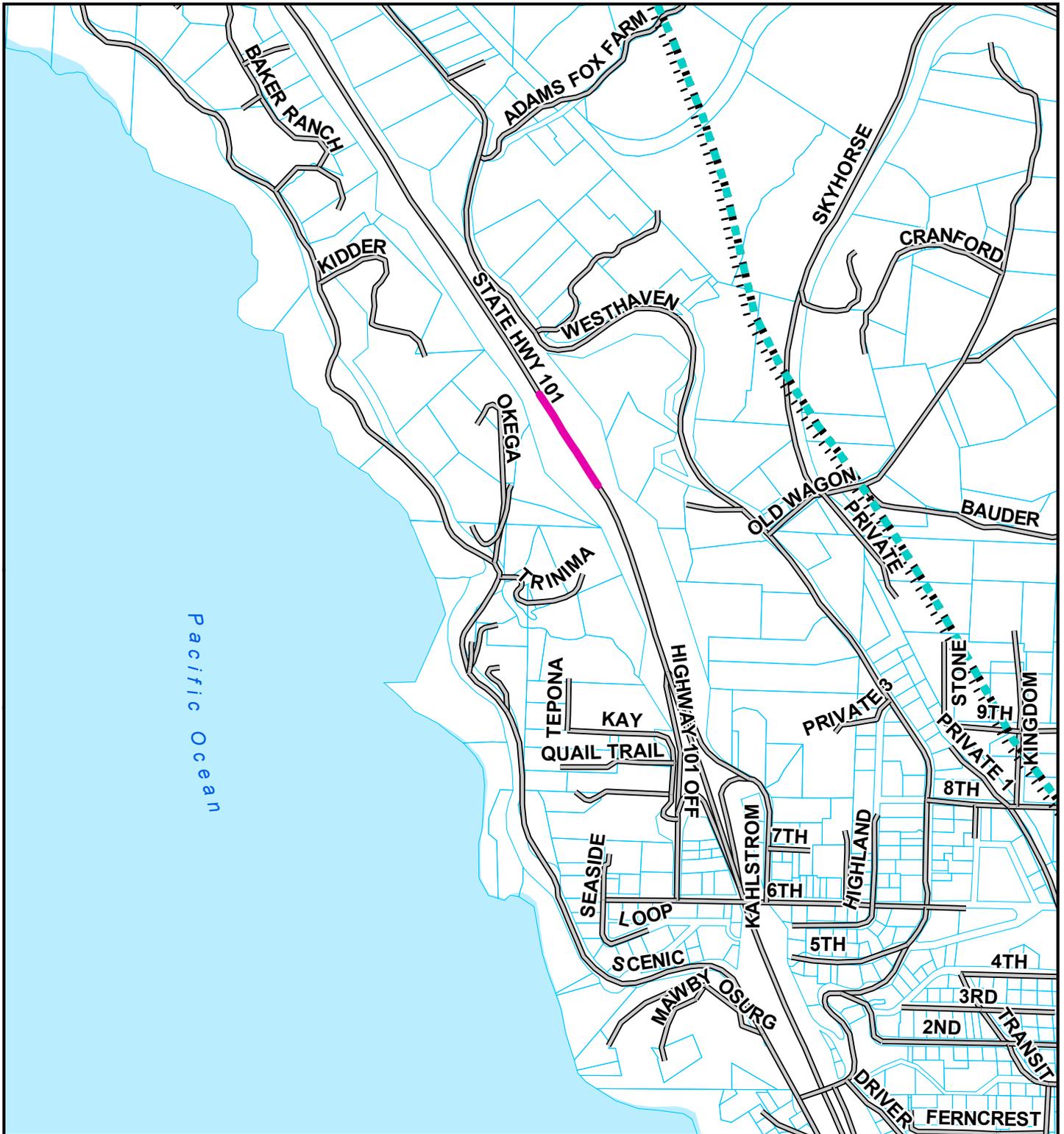
- Adopt the findings set forth in this resolution; and
- Conditionally approves the **Caltrans Guardrail Project Coastal Development Permit**, based upon the Findings and Evidence and subject to the conditions of approval attached hereto as Attachment 1 and incorporated herein by reference; and

Adopted after review and consideration of all the evidence on **July 21, 2022**.

I, John Ford, Zoning Administrator of the County of Humboldt, do hereby certify the foregoing to be a true and correct record of the action taken on the above-entitled matter by said Zoning Administrator at a meeting held on the date noted above.

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John Ford, Zoning Administrator,  
Planning and Building Department



**LOCATION MAP**

**PROPOSED CALIFORNIA DEPT OF TRANSPORTATION  
COASTAL DEVELOPMENT PERMIT**

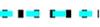
**TRINIDAD AREA**

**PLN-2022-17630**

**APN: 000-000-000**

**T08N R01E S30 HB&M**

**Project Area =** 

**Coastal Zone Boundary** 

This map is intended for display purposes and should not be used for precise measurement or navigation. Data has not been completely checked for accuracy.



INDEX OF PLANS

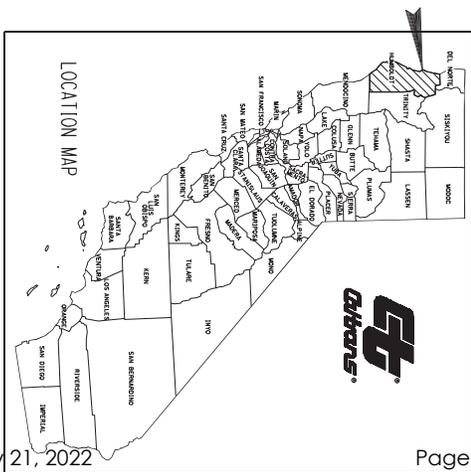
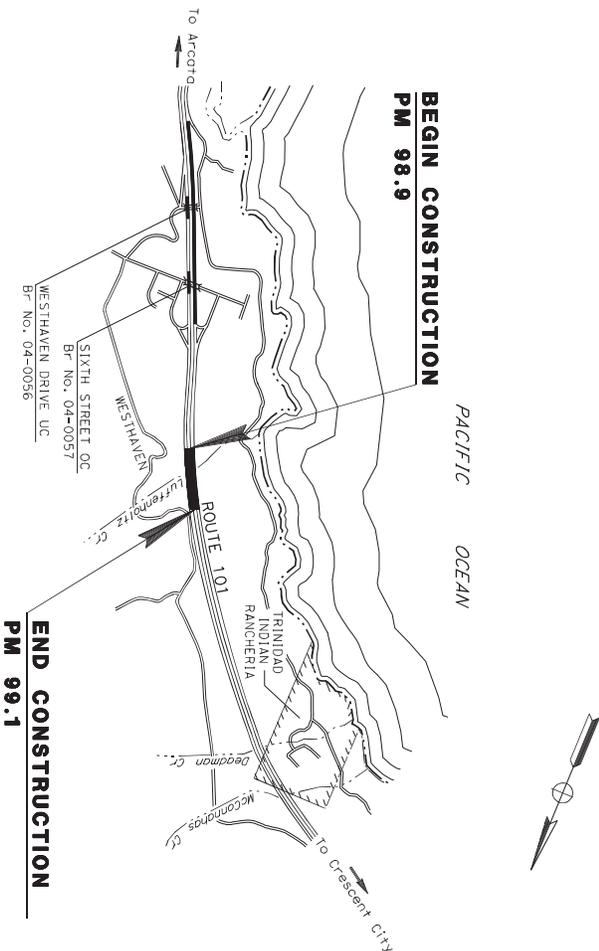
SHEET NO.	DESCRIPTION
1	TITLE AND LOCATION MAP
2	TYPICAL CROSS SECTION
3-6	CONSTRUCTION DETAILS
7	SUMMARY OF QUANTITIES
8-16	REVISED STANDARD PLANS
17-20	MANUFACTURER DETAILS

THE STANDARD PLANS LIST APPLICABLE TO THIS CONTRACT IS INCLUDED IN THE NOTICE TO BIDDERS AND SPECIAL PROVISIONS BOOK.

STATE OF CALIFORNIA  
DEPARTMENT OF TRANSPORTATION

**PROJECT PLANS FOR CONSTRUCTION ON  
STATE HIGHWAY  
IN HUMBOLDT COUNTY NEAR TRINIDAD  
FROM 0.5 MILE NORTH TO 0.7 MILE NORTH  
OF SIXTH STREET OC #04-0057**

TO BE SUPPLEMENTED BY STANDARD PLANS DATED 2018



Dist	COUNTY	ROUTE	POST MILES - TOTAL PROJECT	SHEET TOTALS
01	HUM	101	98.9/99.1	1 of 20

DESIGN MANAGER CHRIS GHIDINELLI	PROJECT MANAGER CHRIS GHIDINELLI
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THE CONTRACTOR SHALL POSSESS THE CLASS (OR CLASSES) OF LICENSE AS SPECIFIED IN THE "NOTICE TO BIDDERS."

BORDER LAST REVISED 8/1/2016 CALTRANS WEB SITE IS: HTTP://WWW.DOT.CA.GOV/

RELATIVE BORDER SCALE IS IN INCHES

NO SCALE

PROJECT ENGINEER  
REGISTERED CIVIL ENGINEER

DATE

PLANS APPROVAL DATE

DATE

CONTRACT NO. **0120000131**

PROJECT ID **0120000131**



## ATTACHMENT 1

### Conditions of Approval

Approval of the Coastal Development Permit is conditioned upon the following requirements which must be fulfilled before work is initiated or during project implementation:

1. Development shall be consistent with the Project Description, Site Plan and Design Plans received February 14, 2022. Changes to the project shall require a permit modification, except for Minor Deviations from the Plot Plan as provided under Section 312-11.1 of the Zoning Regulations.

### On-going Requirements/Development Restrictions Which Must be Satisfied for the Life of the Project:

1. The applicant is responsible for receiving all necessary permits and/or approvals from state and local agencies.
2. All construction-related outdoor lighting shall be compatible with the existing setting and directed within the project boundaries.

### Informational Notes

1. This permit shall expire and become null and void at the expiration of one (1) year after all appeal periods have lapsed (see "Effective Date") except where construction under a valid building permit or use in reliance on the permit has commenced prior to such anniversary date. The period within which construction or use must commence may be extended as provided by Section 312-11.3 of the Humboldt County Code.
2. The applicant is required to pay for permit processing on a time and material basis as set forth in the schedule of fees and charges as adopted by ordinance of the Humboldt County Board of Supervisors. Any and all outstanding Planning fees to cover processing of the project shall be paid to the Humboldt County Planning Division, 3015 "H" Street, Eureka.
3. If cultural resources are encountered during construction activities, the contractor on site shall cease all work in the immediate area and within a 50-foot buffer of the discovery location. A qualified archaeologist and the appropriate Tribal Historic Preservation Officer(s) are to be contacted to evaluate the discovery and, in consultation with the applicant and lead agency, will develop a treatment plan in any instance where significant impacts cannot be avoided.

The Native American Heritage Commission (NAHC) can provide information regarding the appropriate Tribal point(s) of contact for a specific area; the NAHC can be reached at 916-653-4082. Prehistoric materials may include obsidian or chert flakes, tools, locally darkened midden soils, ground-stone artifacts, shellfish or faunal remains, and human burials. If human remains are found, California Health and Safety Code 7050.5 requires that the County Coroner be contacted immediately at 707-445-7242. If the Coroner determines the remains are Native American, the NAHC will be contacted by the Coroner to determine appropriate treatment of the remains pursuant to PRC 5097.98. Violators shall be prosecuted in accordance with PRC Section 5097.99

**The applicant is responsible for ensuring compliance with this condition.**

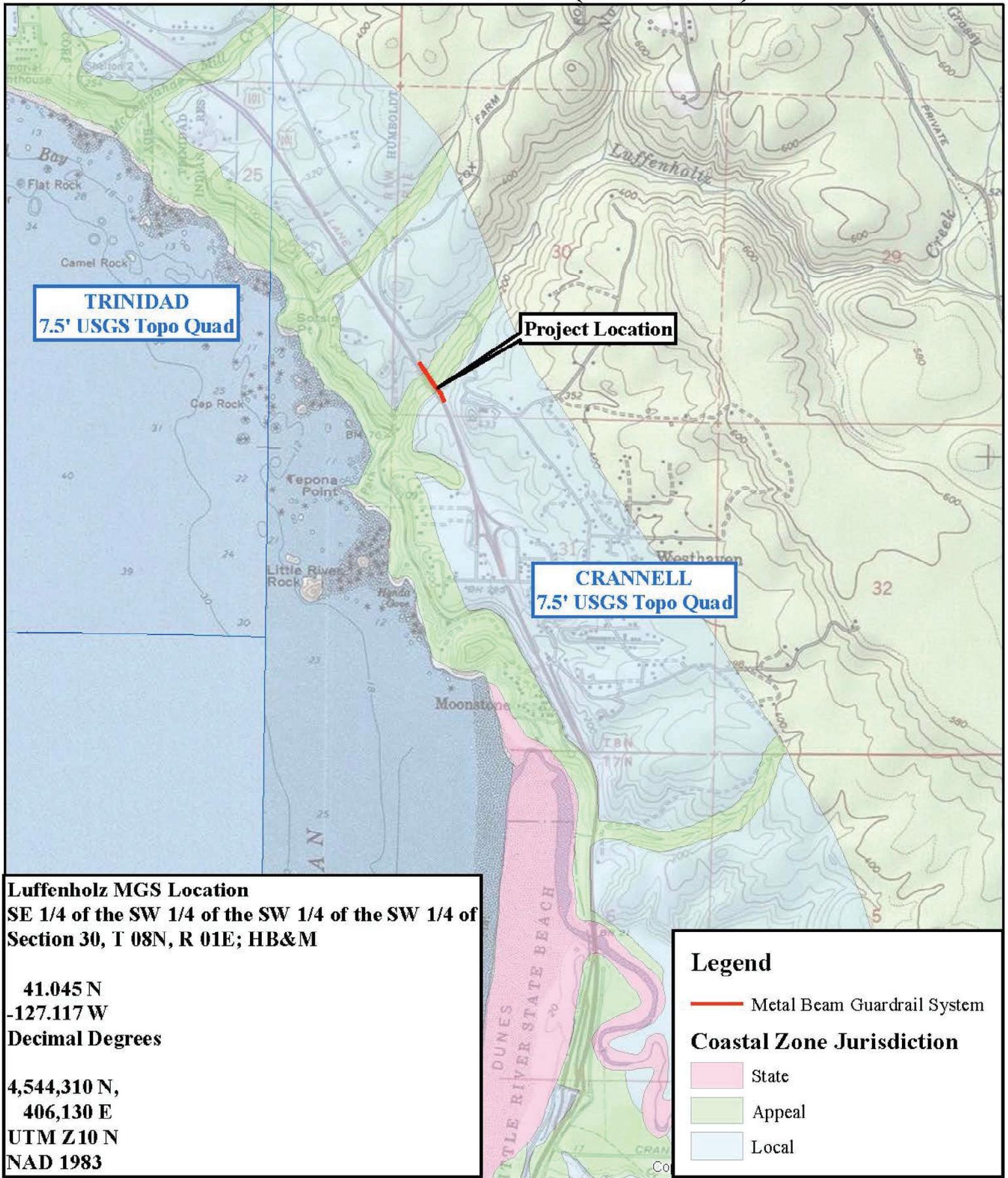
## ATTACHMENT 2

### Applicant's Evidence in Support of the Required Findings

- Application Form (On file)
- Site Plan and Specifications (**Attached**)
- Caltrans CEQA Exemption/NEPA Cat Ex Determination form (On file)
- Caltrans CEQA Notice of Exemption (**Attached**)

# Proposed Luffenholz Metal Beam Guardrail System & Coastal Zone Jurisdictions

01-HUM-101 PM 98.9/99.1 (EA 01-0K670)



**Luffenholz MGS Location**  
SE 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4 of  
Section 30, T 08N, R 01E; HB&M

41.045 N  
-127.117 W  
Decimal Degrees

4,544,310 N,  
406,130 E  
UTM Z10 N  
NAD 1983

### Legend

- Metal Beam Guardrail System
- Coastal Zone Jurisdiction**
- State
- Appeal
- Local

1:24,000

0 0.25 0.5 1 Miles  
PLN-2022-17630 Callmans Guardrail Project July 21, 2022



Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Humboldt

From: (Public Agency): CA Dept. of Transportation
Planning and Local Assistance
PO Box 3700, Eureka, CA 95501
(Address)

Project Title: Install Midwest Guardrail System

Project Applicant: CA Dept. of Transportation - District 1

Project Location - Specific: Humboldt County - on State Route 101, between Post Miles 98.9 and 99.1

Project Location - City: 98.1-99.1 Project Location - County: Humboldt

Description of Nature, Purpose and Beneficiaries of Project:

Install Midwest Guardrail System to improve roadway safety for the traveling public.

Name of Public Agency Approving Project: CA Dept. of Transportation (District 1)

Name of Person or Agency Carrying Out Project: CA Dept. of Transportation (District 1)

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
[X] Categorical Exemption. State type and section number: Class 1(c), Section 15301
Statutory Exemptions. State code number:

Reasons why project is exempt:

The project is minor alteration of an existing facilities (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.

Lead Agency Contact Person: Julia Peterson Area Code/Telephone/Extension: 707-684-6997

If filed by applicant:

- 1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? [ ] Yes [ ] No

Signature: [Signature] Date: 5/28/2021 Title: Assoc. Env. Planner

[X] Signed by Lead Agency [X] Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR:

### ATTACHMENT 3

#### Referral Agency Comments and Recommendations

The project was referred to the following referral agencies for review and comment. Those agencies that provided written comments are checked off.

<b>Referral Agency</b>	<b>Response</b>	<b>Recommendation</b>	<b>Location</b>
Public Works, Land Use Division	✓	Approval	On file
Building Department	✓	Approval	On file
City of Trinidad	x		
Yurok Tribe	x		
California Coastal Commission	x		
CDFW	x		
County Counsel	x		
County Dept of Environmental Health	x		
Caltrans Dist 1	x		
CalFire	✓	No comment	On file
Fire Prevention Dist., Co Service Area #4	x		
NCRWQCB (Water Board)	x		
Northwest Information Center	✓	Further Study recommended	On file