

Filed: December 6, 2013
Staff: Trever Parker
Staff Report: December 11, 2013
Hearing Date: December 18, 2013
Commission Action:

STAFF REPORT: CITY OF TRINIDAD

APPLICATION NO: 2013-09

APPLICANT (S): City of Trinidad

AGENT: NA

PROJECT LOCATION: The project is generally located within City rights-of-way west of Highway 101 in Trinidad, east of Underwood Drive, and north of Edwards Street with improvements on Main, Trinity, Ocean, View, East, West, Parker and Hector.

PROJECT DESCRIPTION: Grading Permit, Design Review and Coastal Development Permit for the City of Trinidad Area of Special Biological Significance (ASBS) Stormwater Improvement project. The project has been designed to collect, treat, and infiltrate City stormwater runoff, thus reducing pollutants entering Trinidad Bay. This will be accomplished by modernizing the City's stormwater system through incorporation of Low Impact Development Best Management Practices (LID/BMPs). Improvements consist of underground infiltration basins, sediment catchments, bioswales and a rain gardens.

ASSESSOR'S PARCEL NUMBER: NA: City Rights-of-Way

ZONING: NA

GENERAL PLAN DESIGNATION: NA

ENVIRONMENTAL REVIEW: Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Draft Mitigated Negative Declaration have been prepared for the project and for consideration and adoption by the Planning Commission.

APPEAL STATUS: Planning Commission action on a Coastal Development Permit, Design Review, Variance, Conditional Use Permit or Grading Permit application will become final 10 working days after the date that the Coastal Commission receives a "Notice of Action Taken" from the City unless an appeal to the City Council is filed in the office of the City Clerk at that time. Furthermore, this project X is ~~is not~~ appealable to the Coastal Commission per the City's certified LCP, and may be appealable per the requirements of §30603 of the Coastal Act or.

SITE CHARACTERISTICS:

The project is generally located within already paved portions of City rights-of-way, including Trinity Street, Ocean and View Avenues, East and West Streets and the intersection of Underwood, Parker and Hector. This project area encompasses two watersheds: the Mill Creek and City of Trinidad watersheds. Currently, stormwater that accumulates in the northern portions of town drain into Mill Creek, which discharges near Trinidad State Beach approximately 500 feet north of the ASBS. Approximately 20% of the City's stormwater currently drains to Mill Creek. The City of Trinidad watershed encompasses most of the City, the surrounding coastal bluffs, and Trinidad Head. The stormwater system collects much of the stormwater that accumulates within Trinidad and discharges it directly to the ASBS through the outfall on Launcher Beach. Approximately 80% of the City's stormwater currently drains to this outfall. Surrounding land uses include mostly residential homes, with of a mix of commercial and public / quasi-public uses along Trinity Street. The areas where improvements are proposed are generally flat.

STAFF COMMENTS:

Project Background

The overall objective of the project is to reduce the volume of untreated stormwater that is discharged into Trinidad Bay. This will be accomplished through the installation of Low Impact Development (LID) technology that will slow, treat and infiltrate stormwater runoff in strategic locations that will minimize impacts to the environment and existing infrastructure and development. LID techniques are designed to more closely mimic natural hydrology where rainfall naturally soaks into the soil and groundwater rather than running off impervious surfaces and concentrating into a storm drain. In preparation of the design of this project, GHD, the City Engineers, completed an extensive geotechnical analysis and groundwater model. This allowed an evaluation of various infiltration scenarios and how the proposed improvements would affect groundwater flow and levels as well as bluff stability and septic systems.

This project resulted from recommendations made in the Trinidad-Westhaven Integrated Coastal Watershed Management Plan that was completed in 2008. This project constitutes Phase I of the planned City-wide stormwater improvements that could eventually eliminate most, if not all, stormwater discharge into Trinidad Bay. Phase I consists of the upper portions of town, and Phase II would address the lower, and more bluffside portions of the City. The two parts of the project were separated for funding and logistical reasons; the design and implementation of Phase II will be more complex, and funding has not yet been secured. Phase I by itself is a viable and beneficial project, because it will reduce stormwater runoff into the bay, infiltrate stormwater more naturally into the ground and reduce pollutants through filtration.

Required Permits

The project requires approval of: (1) a Coastal Development Permit, because it constitutes development in the coastal zone; (2) a Grading Permit because it is

excavating and filling more than 1,000 sq. ft. of surface area and / or 50 cu. yds. of material; and (3) Design Review due to visual changes that will occur as a result of the project. Approval of the Design Review and Grading Permit will constitute approval of the Coastal Development Permit. The findings required for each of the approvals are included in this staff report.

CEQA

The project also requires a review and approval in accordance with the California Environmental Quality Act (CEQA), because it does not fall under any exemption. In this case, an Initial Study was prepared by GHD in consultation with the City Planner and others. Based on that preliminary analysis, it was determined that, as long as mitigation and environmental protection measures were included, there would be no significant impacts resulting from the project. Therefore, a Draft Mitigated Negative Declaration (MND) has been prepared and proposed for adoption. The Planning Commission will be considering adoption of the MND along with the permit hearing.

CEQA requires a formal public comment period of 30 days in this case, which started on November 19, 2013 and will end on December 18, 2013, the day of the hearing. Notices were sent to various interested agencies and stakeholders and posted in town and on the City's website. To date, no formal comments have been received, but GHD will be compiling and responding to any comments made before and up to the Planning Commission hearing. Therefore, you may receive additional material prior to or at the meeting to address any comments that have been submitted since this staff report was prepared. The CEQA document, with appendices, was too long to print for the packets in its entirety, but is available on the City's website, under the stormwater section of the downloadable documents page. I did include most of the first chapter in your packets, which includes a detailed background and project description

Project Changes Since CEQA

There have been several alterations made to the project since the CEQA document was finalized. Most of the changes have reduced the number of improvements, and do not change the potential impacts of the overall project. These changes are summarized below.

- The rain garden proposed at the tennis courts and permeable pavers for the parking area were removed due to conflicts with existing utilities. Specifically with a joint trench containing fiber optic lines along the east side of Trinity Street. The water proposed for infiltration is now routed to the infiltration gallery on the North End of Trinity Street.
- The infiltration gallery proposed for Main Street was removed. A change in the design of the subsurface infiltrators allowed for a reduction in the infiltration gallery footprint, thus eliminating the need for the infiltration gallery on Main Street.
- The bioswales along Hector and Main streets were re-aligned to better fit within the existing City Right of Way.
- The bioswales along West Street were removed due to insufficient space along the side of the roadway to install bioswales. The system now includes an

extension of the existing curb and two storm drains which will route stormwater to the treatment and infiltration systems underneath West Street.

- The bioswales and infiltration basins on Underwood were eliminated.

Potential Conflicts of Interest

Commissioners Becker, Stockness and Vanderpool all own property within 300 ft. of some of the proposed improvements and so there is an assumed financial conflict of interest in accordance with the Fair Political Practices Act (see City Attorney, Paul Hagen's, memo of November 14, 2008 for more information). (Note that since the proposed improvements on Underwood have been removed, Commissioner Pinkse is no longer within 300 ft. even though he received a notice) According to Paul Hagen's memo, when this *presumption* of a direct financial interest is the case, one of two things must occur: (1) the official makes a rebuttal of the presumption of a direct financial interest and proceeds to vote; or (2) if no rebuttal is made, then the official must recuse themselves and can not vote. Therefore it is an individual decision whether to recuse oneself based upon whether they feel they will have any financial gain or loss from the project.

If a Commissioner does feel they have an economic interest in the project, they still do not have to recuse themselves if their economic impact is indistinguishable from the economic impact to the public in general. Because this project similarly affects a large portion of properties in Trinidad (more than 80 notices were sent out or approximately 25% of the parcels in Trinidad) any financial impacts to Commissioners should be the same as those to other properties. While it is not likely that this project would materially affect property values or other financial interests of Commissioners, because a majority of the Commission falls under the assumed conflict, the "Rule of Necessity" can also be invoked. This rule is in place in recognition that decision-making bodies must still be able to act if a quorum can not be reached due to conflicts of interest. This issue should be discussed at the beginning of the hearing.

GRADING & ZONING ORDINANCE / GENERAL PLAN CONSISTENCY

The project is located in an un-zoned area within City rights-of-way. The City's Grading and Zoning ordinances require a permit if more than 1,000 sq. ft. in surface area or more than 50 cu. yds. of soil will be disturbed. The information required to be submitted by the grading ordinance as part of an application has been received. The Grading Permits are issued by the Planning Commission, but it is up to the City Engineer to ensure that all the provisions have been met. The project will not significantly alter land contours after construction; visual simulations have been provided with the application materials.

The findings that are required to be made by the Engineer (§15.16.070) are that the proposed grading will not adversely affect the drainage or lateral support of other properties in the area, and will not be detrimental to the public health, safety or the general welfare and is not in conflict with City ordinances. It was the City Engineer's office that designed this project after a detailed and comprehensive geotechnical

analysis was completed and a groundwater model was developed based on the study. A slope stability analysis and a 3rd party review of the groundwater model were completed by companies with special expertise in those areas. The design of the project is based on the findings from those background studies and is intended to improve drainage conditions; the environmental analysis found that no negative impacts to stability would result.

Special provisions, in the form of environmental protection measures and mitigation measures have been included as part of the project in order to reduce impacts to the environment and the community. These include dust and erosion control measures, limits on construction noise and timing, traffic control and cultural / historic resource protection. Both the environmental protection measures and the mitigation measures have been included as conditions of approval for the project.

SLOPE STABILITY:

Slope stability was a major issue and consideration in the design of this project. A slope stability analysis was completed as part of the project development and can be found in Appendix C of the MND, and Section 3.6 (Geology and Soils) of the MND includes a summary and analysis of geologic issues. Because of the well-draining soils and deep groundwater table underlying Trinidad, a 50-year storm event with the proposed infiltration would not significantly raise the groundwater levels, and the duration of the rise would only be a few hours. Therefore, the slope stability analysis concluded that, while there could be up to a 15% reduction in the factor of safety, because of the short duration, this would not significantly increase the risk of instability.

SEWAGE DISPOSAL:

Another major concern regarding this project is the impact to existing septic systems and wastewater disposal from increased infiltration. Septic system loading from wastewater infiltrating into the soil was conservatively estimated and included as part of the groundwater model. The hydro-geologic firm that reviewed the groundwater model also included a consideration of septic systems. Because the project will not result in overall increased groundwater levels, it will not affect the ability of septic systems to function in general. However, there could potentially be negative interactions between specific project components and individual systems if they are too close to each other. Impacts could include capture of raw effluent by the infiltrators or a reduction in infiltration capacity of a leachfield in saturated conditions during a large storm event. DEH staff recommended a 25 ft. setback between the infiltrators and any leachfields, which is the same standard used for French drains. The CEQA document includes an analysis of the project's anticipated interactions with and impacts on septic systems, and the impacts were found to be less than significant.

When reviewing the current plans in more detail for this staff report, I noticed that the bioswale on Parker was very close to what I assumed to be the likely location of the leachfield for the historic catholic church. A review of the DEH file site plan indicates

that the leachfield extends outside the church's property boundaries towards the street, and could overlap with the proposed bioswale. In consideration of this and the comment from DEH staff, I asked GHD to review the septic files in more detail and to provide a response, which they are working on; more information will be provided prior to the hearing.

LANDSCAPING AND FENCING:

No major vegetation removal will occur. The proposed rain garden at the intersection of Underwood, Parker and Hector will include low-growing vegetation chosen for its ability to uptake and treat stormwater.

DESIGN REVIEW / VIEW PROTECTION FINDINGS:

Because the project includes features that will alter the look and topography of the land and the rain garden, §17.60.030 requires Design Review and View Preservation Findings to be made. The required findings are written in a manner to allow approval, without endorsing the project. However, if public hearing information is submitted or public comment received indicating that views, for instance, may be significantly impacted, or that the proposed improvements are obtrusive, the findings should be reworded accordingly.

Design Review Criteria

- A. *The alteration of natural landforms caused by cutting, filling, and grading shall be minimal. Structures should be designed to fit the site rather than altering the landform to accommodate the structure.* Response: The project will result in some alteration of existing landforms. However, the changes are minimal due to the improvements mostly being at or under ground level. In addition, the project will occur within developed City rights-of-way adjacent to existing development, where landforms have already been altered.
- B. *Structures in, or adjacent to, open space areas should be constructed of materials that reproduce natural colors and textures as closely as possible.* Response: The proposed locations are not adjacent to any open space areas, and most of the improvements, other than the rain garden vegetation, will not be readily visible.
- C. *Materials and colors used in construction shall be selected for the compatibility both with the structural system of the building and with the appearance of the building's natural and man-made surroundings. Preset architectural styles (e.g. standard fast food restaurant designs) shall be avoided.* Response: Materials and colors are consistent with the surrounding development and streetscape; most of the improvements will not be readily visible.
- D. *Plant materials should be used to integrate the manmade and natural environments to screen or soften the visual impact of new development, and to provide diversity in*

developed areas. Attractive vegetation common to the area shall be used.

Response: Once the underground improvements are constructed, the disturbed areas will be repaved or planted with grass, similar to existing conditions; plants could interfere with the function of some of these systems. The rain garden will include attractive vegetation.

- E. *On-premise signs should be designed as an integral part of the structure and should complement or enhance the appearance of new development.* Response: No signs are proposed as part of this project.
- F. *New development should include underground utility service connections. When above ground facilities are the only alternative, they should follow the least visible route, be well designed, simple and unobtrusive in appearance, have a minimum of bulk and make use of compatible colors and materials.* Response: The project does not require new utilities.
- G. *Off-premise signs needed to direct visitors to commercial establishments, as allowed herein, should be well designed and be clustered at appropriate locations. Sign clusters should be a single design theme.* Response: No signs are proposed as part of this project.
- H. *When reviewing the design of commercial or residential buildings, the committee shall ensure that the scale, bulk, orientation, architectural character of the structure and related improvements are compatible with the rural, uncrowded, rustic, unsophisticated, small, casual open character of the community. In particular:*
Response: No new buildings are proposed.

View Protection

- A. *Structures visible from the beach or a public trail in an open space area should be made as visually unobtrusive as possible.* Response: Most of the improvements will be at or below ground level, and land contours will not be significantly altered. They will not be readily visible from adjacent areas. The rain garden may be visible from the Lighthouse area, but will be planted with vegetation.
- B. *Structures, including fences over three feet high and signs, and landscaping of new development, shall not be allowed to significantly block views of the harbor, Little Trinidad Head, Trinidad Head or the ocean from public roads, trails, and vista points, except as provided in subdivision 3 of this subsection.* Response: The only feature that could be more than 3 ft. in height would be the vegetation of the rain garden. Most of the vegetation will be small, but may include small shrubs that can be maintained at a height of 4 ft. or less.
- C. *The committee shall recognize that owners of vacant lots in the SR and UR zones, which are otherwise suitable for construction of a residence, are entitled to construct a residence of at least fifteen feet in height and one thousand five hundred square*

feet in floor area, residences of greater height as permitted in the applicable zone, or greater floor area shall not be allowed if such residence would significantly block views identified in subdivision 2 of this subsection. Regardless of the height or floor area of the residence, the committee, in order to avoid significant obstruction of the important views, may require, where feasible, that the residence be limited to one story; be located anywhere on the lot even if this involves the reduction or elimination of required yards or the pumping of septic tank wastewater to an uphill leach field, or the use of some other type of wastewater treatment facility: and adjust the length-width-height relationship and orientation of the structure so that it prevents the least possible view obstruction. Response: The project does not propose any new buildings.

D. *If a residence is removed or destroyed by fire or other means on a lot that is otherwise usable, the owner shall be entitled to construct a residence in the same location with an exterior profile not exceeding that of the previous residence even if such a structure would again significantly obstruct public views of important scenes, provided any other nonconforming conditions are corrected.* Response: There was no residence that was destroyed by fire associated with this project.

E. *The Tsurai Village site, the Trinidad Cemetery, the Holy Trinity Church and the Memorial Lighthouse are important historic resources. Any landform alterations or structural construction within one hundred feet of the Tsurai Study Area, as defined in the Trinidad general plan, or within one hundred feet of the lots on which identified historical resources are located shall be reviewed to ensure that public views are not obstructed and that development does not crowd them and thereby reduce their distinctiveness or subject them to abuse or hazards.* Response: The proposed project is not within 100 feet of the Tsurai Study Area, , the Memorial Lighthouse or the Cemetery, but portions are within 100 ft. of the Holy Trinity Church. A visual simulation of the rain garden has been included with the application materials. As can be seen, the feature may inhibit some views of the base of the church, but blends with the existing landscaping and improves the overall aesthetics of the area.

CEQA FINDINGS

The following Findings are required for adoption of the Mitigated Negative Declaration pursuant to Title 14, California Code of Regulations, Section 15074, in conjunction with the approval of the project.

In accordance with the California Environmental Quality Act (CEQA) as provided for in Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Section 15000 et seq., the City of Trinidad (City) hereby finds that the Initial Study and Draft Mitigated Negative Declaration prepared for the ASBS Stormwater Improvements Project (project) have been completed in compliance with CEQA. The City further finds that the Initial Study, Draft Mitigated Negative Declaration, any comments received during the public review process, and responses to these comments, were presented to the City, and that the City reviewed and considered the

information contained in these items prior to approving the project. The City hereby finds that the Draft Mitigated Negative Declaration reflects the independent judgment and analysis of the City, and that the City adopts the Draft Mitigated Negative Declaration.

A. Project Description (Summary)

The City of Trinidad Area of Special Biological Significance (ASBS) Stormwater Improvements project has been designed to collect, treat, and infiltrate City stormwater runoff. This will be accomplished by modernizing the City stormwater system through incorporation of Low Impact Development Best Management Practices (LID/BMPs) to capture, treat, and infiltrate stormwater runoff thereby reducing pollutants entering Trinidad Bay.

B. Environmental Review Process

An Initial Study and Draft Mitigated Negative Declaration were prepared for the project in accordance with CEQA. The Initial Study and Draft Mitigated Negative Declaration were submitted to the State Clearinghouse (SCH# 2013112045) and other applicable agencies for review. The 30-day review period was from November 19, 2013 to December 18, 2013. A public meeting was held at the City office located at 409 Trinity Street in Trinidad at their normally scheduled City Council meeting on December 11, 2013 at 7:00 pm. A duly noticed public hearing was held before the Planning Commission on December 18, 2013. Comments received prior to or at the hearing have been adequately responded to; a summary of and responses to these comments will be included as an attachment to the adopted Mitigated Negative Declaration.

C. Mitigation, Monitoring, and Reporting Plan

CEQA requires the Lead Agency approving a project to adopt a mitigation monitoring program to reduce potentially significant impacts to a less than significant level. The Mitigation, Monitoring, and Reporting Plan for the project, will be attached as Appendix A in the Mitigated Negative Declaration upon adoption (and has been included as part of the application materials). Implementation of mitigation measures incorporated into the project will be monitored pursuant to the Mitigation, Monitoring, and Reporting Plan.

D. Record of Proceedings

The documents that constitute the record of proceedings upon which the City bases its findings and decisions contained herein are located at the City office located at 409 Trinity Street in Trinidad, California.

E. Summary

Based on the foregoing Findings and the information contained in the record, the City has made the following Findings with respect to the project:

1. Changes or alterations have been required in, or incorporated into, the Approval for the project. These changes or alterations mitigate to a less-than-significant level or avoid the potentially significant environmental effects of the project as identified in the Initial Study and Draft Mitigated Negative Declaration.

2. There is no substantial evidence in the record as a whole that the project as proposed and mitigated may have a significant effect on the environment.

PLANNING COMMISSION ALTERNATIVES

If the Planning Commission does not agree with staff's analysis, or if information is presented during the hearing that conflicts with the information contained in the staff report, the Planning Commission has several alternatives.

- A. Alter the proposed conditions of approval to address any specific concerns on the part of the Commission or the public.
- B. Delay action / continue the hearing to obtain further information.
 - In this case, the Planning Commission should specify any additional information required from staff or the applicant and / or suggestions on how to modify the project and / or conditions of approval.
- C. Denial of the project.
 - The Planning Commission should provide a motion that identifies the Finding(s) that can not be made and giving the reasons for the inability to make said Finding(s).

STAFF RECOMENDATION

Based on the above analysis, the proposed project can be found to meet the requirements of the Trinidad Local Coastal Program. Provisions of the Zoning Ordinance and General Plan have been met. If the Planning Commission agrees with staff's analysis the project could be approved with the following motion:

Based on the information submitted in the application included in the staff report and public testimony, I move to adopt the information and findings in this staff report and take the following actions:

- A. Adopt the Draft Mitigated Negative Declaration for the project.
- B. Approve and incorporate into the project all project elements, project-specific environmental protection actions, and the project-specific Mitigation, Monitoring, and Reporting Plan as conditions of approval (listed below).
- C. Adopt the Design Review, View Protection and CEQA Findings in their entirety as described above.
- D. Approve the Coastal Development Permit, Grading Permit and Design Review for the City of Trinidad ASBS Stormwater Improvements Project.

CONDITIONS OF APPROVAL

Environmental Protection Action 1 – Implement Air Quality Emission Control Measures during Construction

To address the potential for dust generation, the contractor will be required to implement the following BMPs, which are based on the Bay Area Air Quality Management District's (BAAQMD's) *Feasible Control Measures for Construction Emissions of PM10* (BAAQMD 1999). These actions will also apply to ground disturbing maintenance activities and equipment exhaust.

- Exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered as necessary during dusty conditions.
- If loose material becomes airborne during transportation, haul trucks transporting soil, sand, or other loose material off-site will be covered.
- Disturbed roadways will be re-paved as soon as possible following work in the area, as appropriate.
- Visible mud or dirt track-out onto adjacent public roads will be removed using wet power vacuum street sweepers, as necessary. The use of dry power sweeping is prohibited.
- Idling times will be minimized by shutting equipment off when not in use.
- Construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications.

Environmental Protection Action 2 – Procedures regarding Encountering Human Remains

If human remains are discovered during project construction, work will stop at the discovery location within 20 meters (66 feet), and any nearby area reasonably suspected to overlie adjacent to human remains (Public Resources Code, Section 7050.5). The Humboldt County Coroner will be contacted to determine if the cause of death must be investigated. If the coroner determines that the remains are of Native American origin, it is necessary to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (NAHC) (Public Resources Code, Section 5097). The coroner will contact the NAHC. The descendants or most likely descendants of the deceased will be contacted, and work will not resume until they have made a recommendation to the landowner or the person responsible for the excavation work for means of treatment and disposition, with appropriate dignity, of the human remains and any associated grave goods, as provided in Public Resources Code, Section 5097.98. Work may resume if NAHC is unable to identify a descendant or the descendant fails to make a recommendation.

Environmental Protection Action 3 – Erosion Control

The following erosion control actions shall be implemented by the construction contractor to prevent soil erosion and sedimentation during construction. Erosion and sediment control actions will be in effect and maintained by the contractor on a year-round basis until all disturbed areas are stabilized.

- Stockpiled material will be covered as necessary.

- Fiber rolls or similar products will be utilized in appropriate locations to reduce sediment runoff from disturbed soils, as necessary.
- Storm drain inlets receiving stormwater runoff will be equipped with inlet protection, as necessary.
- A concrete washout area will be designated to clean concrete trucks and tools, as necessary.

Environmental Protection Action 4 – Construction Dewatering Reduction

Excavation and below grade work will be scheduled during summer/fall to coincide with the period of the lowest groundwater levels at the site and the timeframe with the least chance for rainfall. If groundwater is encountered, the contractor, in coordination with the City will evaluate options for dewatering management. If dewatering is necessary, one or more of the following management options shall be used by the construction contractor to protect water quality:

- Reuse the water on-site for dust control, compaction, or irrigation, as appropriate.
- Retain the water on-site in a grassy or porous area to allow infiltration/evaporation.
- Discharge (by permit) to a sanitary sewer or storm drain (this option may require a temporary method to filter sediment-laden water prior to discharge).

If discharge to a storm drain (i.e., surface waters) is the only feasible option, the project will comply with Water Board requirements for construction dewatering. Actions may include characterizing the discharge and receiving waters and developing a BMP Plan including filtering methods, monitoring and reporting requirements, and a description of the pump systems proposed to remove groundwater and maintain a dry work area.

Environmental Protection Action 5 – Noise Reduction Actions

During project construction, the following actions will be incorporated into the project to reduce daytime noise impacts to the maximum feasible extent:

- A preconstruction meeting (or conference call) will be held among the City of Trinidad, construction manager, and the general contractor to confirm that the following noise reduction practices are to be implemented in the appropriate phase of construction.
- Hours of construction will typically be limited to between 7:00 AM to 7:00 PM, Monday through Friday. No construction would occur on weekends except with permission from the City as needed to keep the project on schedule.
- Semi-stationary equipment (e.g., generators, compressors, etc.) will be located as far as possible from residences.
- Quietest available equipment and electrically-powered equipment will be used, rather than internal combustion engines where feasible.
- Equipment and on-site trucks used for project construction will be equipped with properly functioning noise control devices such as mufflers, shields, and shrouds. All construction equipment will be inspected by construction personnel at periodic intervals to ensure proper maintenance and resulting lower noise levels.
- Impact tools (e.g., jack hammers, pavement breakers, rock drills) used for project construction will be hydraulically or electrically powered wherever possible to avoid noise associated with compressed-air exhaust from pneumatically powered tools.

Mitigation Measure CR-1: Cultural Monitor

1. Qualified cultural monitors will be hired by the contractor prior to construction.
2. Cultural monitors must be onsite during grading and earthwork activities. Cultural monitors are to include both a tribally trained monitor and a Bachelor of Arts or higher level archaeologist, with field-school training in historical archaeology or two years of experience in historical archaeology.
3. Cultural Resource Monitors must be empowered to halt heavy equipment operations in the event that significant cultural features or human remains are uncovered. Construction activities in the immediate vicinity would be delayed until an archaeologist, qualified to the Secretary of Interior Standards, has assessed the significance of the find.
4. The Cultural Resource Monitor must be kept informed by the contractor and understand the ground disturbance schedule. Field notes should be kept by the Cultural Resource Monitor and a brief letter report of the monitoring effort filed with the North Coastal Information Center. The Cultural Resource Monitor need only be present during ground disturbing activities.

Mitigation Measure CR-2: Identify and Avoid or Minimize Impacts to Unknown Historic and/or Archaeological Resources

If cultural resources, such as chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)) and Section 106 (36 CFR 800). Work near the archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior's Standards and Guidelines, has evaluated the materials and offered recommendations for further action.

Prehistoric materials which could be encountered include: obsidian and chert flakes or lithic materials, grinding implements, (e.g., pestles, handstones, mortars, slabs), bedrock outcrops and boulders with mortar cups, locally darkened midden, deposits of shell, dietary bone, and human burials. Historic materials which could be encountered include: ceramics/pottery, glass, metal, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, railroad rails and ties, and trestles.

Mitigation Measure HYD -1 BMPs to be Implemented During Construction

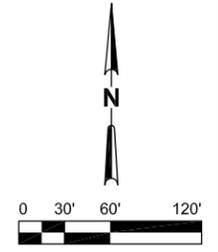
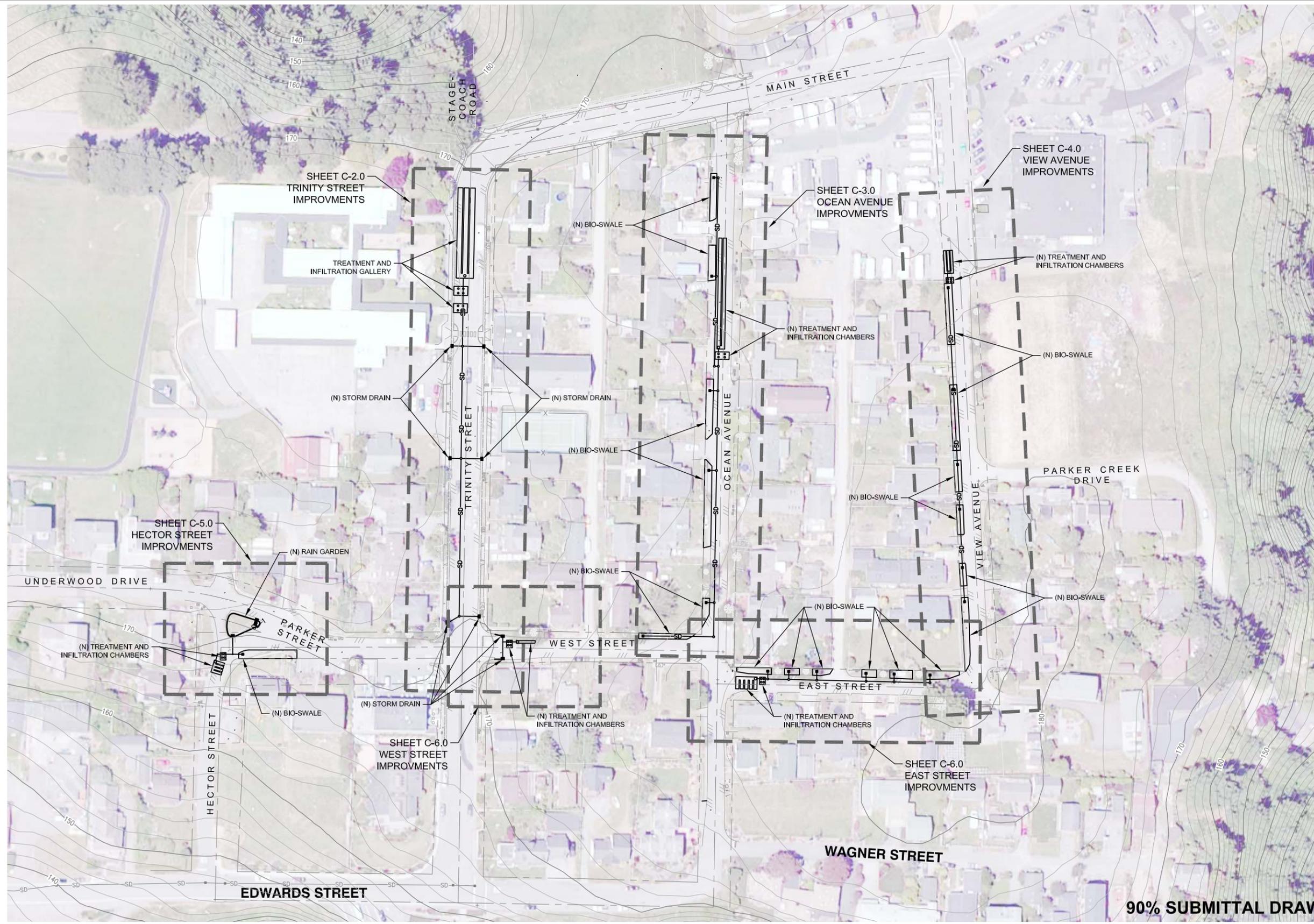
1. At all times during construction activities, the contractor shall minimize the area disturbed by excavation, grading, or earth moving to prevent the release of excessive fugitive dust. During periods of high winds (i.e. wind speed sufficient that fugitive dust leaves the site) contractor shall cover or treat areas of exposed soil and active portions of the construction site to prevent fugitive dust.
2. No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to wind, or rain erosion and dispersion. Material handling on and offsite shall be required to comply with California Vehicle Code Sec. 23114 with regard to covering loads to prevent materials spills onto public roads.

3. All construction equipment shall be equipped and maintained to meet applicable EPA and CARB emission requirements for the duration of construction activities.
4. Throughout construction, contractor shall maintain adjacent paved areas free of visible soil, sand or other debris.
5. If stockpiled on or offsite, or if rain is expected, soil and aggregate materials shall be covered with secured plastic sheeting and runoff shall be diverted around them.
6. Drainage courses, creeks, or catch basins shall be protected with straw bales, silt fences, and/or straw wattles.
7. Storm drain inlets shall be protected from sediment-laden runoff with sand bag barriers, filter fabric fences, straw wattles, block and gravel filters, and excavated drop inlet sediment traps.
8. Vehicle and equipment parking and vehicle maintenance shall be conducted in designated areas away from creeks or storm drain inlets.
9. Major maintenance, repair, and washing of vehicles and other equipment shall be conducted offsite or in a designated and controlled area.
10. Construction debris, plant and organic material, trash, and hazardous materials shall be collected and properly disposed.

Mitigation Measure TR-1: Traffic Control Plan

In coordination with the City of Trinidad, the construction contractor shall develop an approved traffic control plan prior to the commencement of construction. Elements of this plan shall be implemented as necessary and appropriate for construction. The plan shall include, but not be limited to:

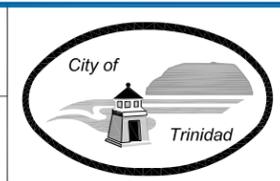
1. Adherence to City and Caltrans traffic management standards.
2. Location(s) of designated project construction staging area(s) for equipment/materials storage and construction worker parking.
3. Temporary replacement parking for residents during the construction period, if needed.
4. Detour routes will be used in order to maintain access throughout the City and to the coastline during project construction.
5. Use of flagging and signage during construction of LID/BMPs stormwater improvements, materials delivery, and/or movement of construction equipment in any private or public roadway.
6. Provisions to maintain unobstructed access for law enforcement, fire department, or other official or emergency personnel and vehicles.



90% SUBMITTAL DRAWINGS

No	Revision	Note: * Indicates signatures on original issue of drawing or last revision of drawing	Drawn	Job Manager	Project Director	Date

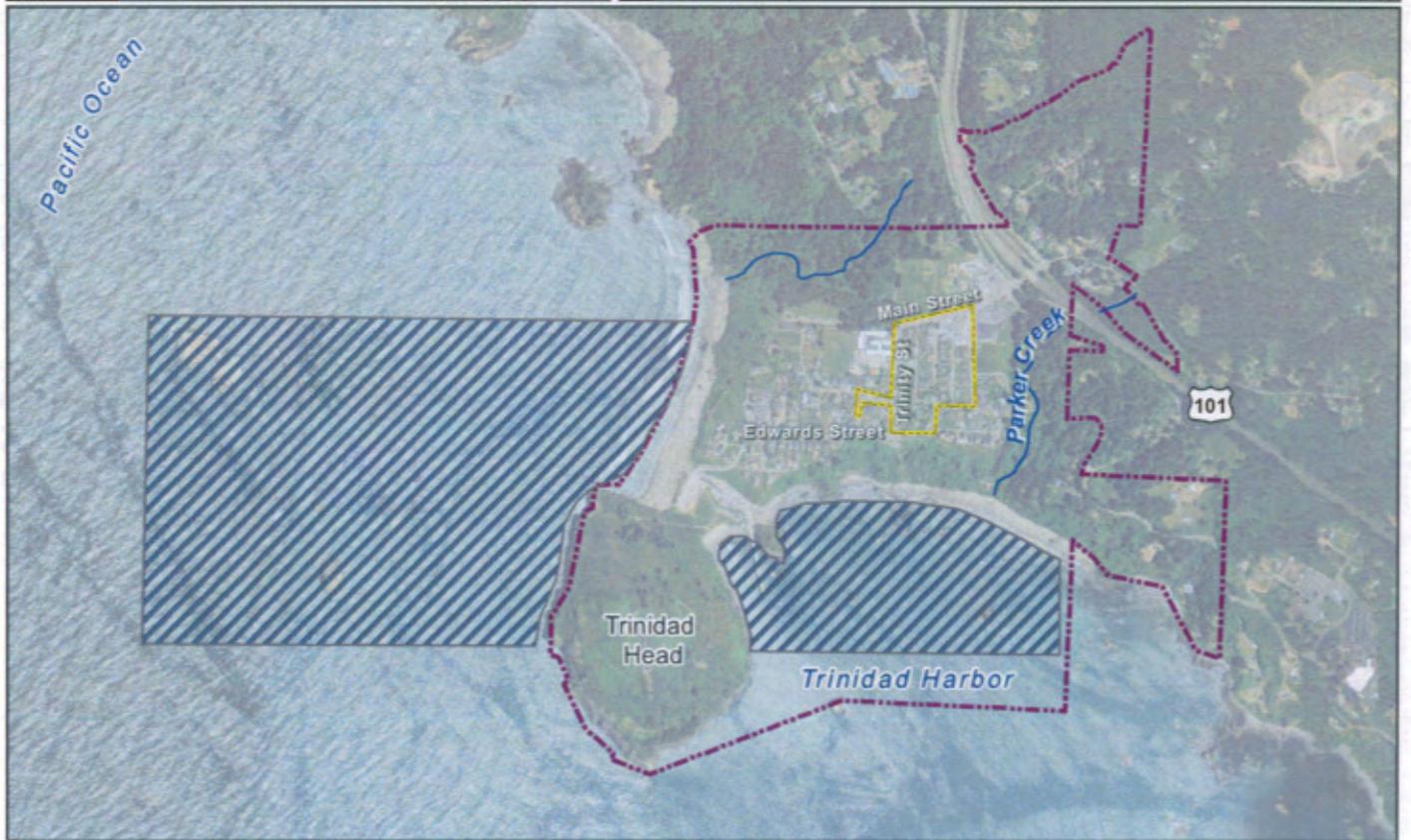
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Drawn	TD	Designer	TD
Drafting Check	SG	Design Check	SA
Approved (Project Director)			
Date			
Scale	AS SHOWN		

Client **CITY OF TRINIDAD**
 Project **ASBS STORMWATER IMPROVEMENTS PROJECT**
 Title **SITE PLAN**
 Contract No. 01063-11-005
 Original Size
 Ansi D Drawing No: **C-1.0**
 This Drawing shall not be used for Construction unless Signed and Sealed For Construction



-  Humboldt County
-  Limits of Construction
-  Counties
-  Trinidad City Limits
-  Area of Special Biological Significance (ASBS)

Paper Size ANSI A
 0 500 1,000 1,500 2,000
 Feet
 Map Projection: Lambert Conformal Conic
 Horizontal Datum: North American 1983
 Grid: NAD 1983 StatePlane California I FIPS 8401 Feet



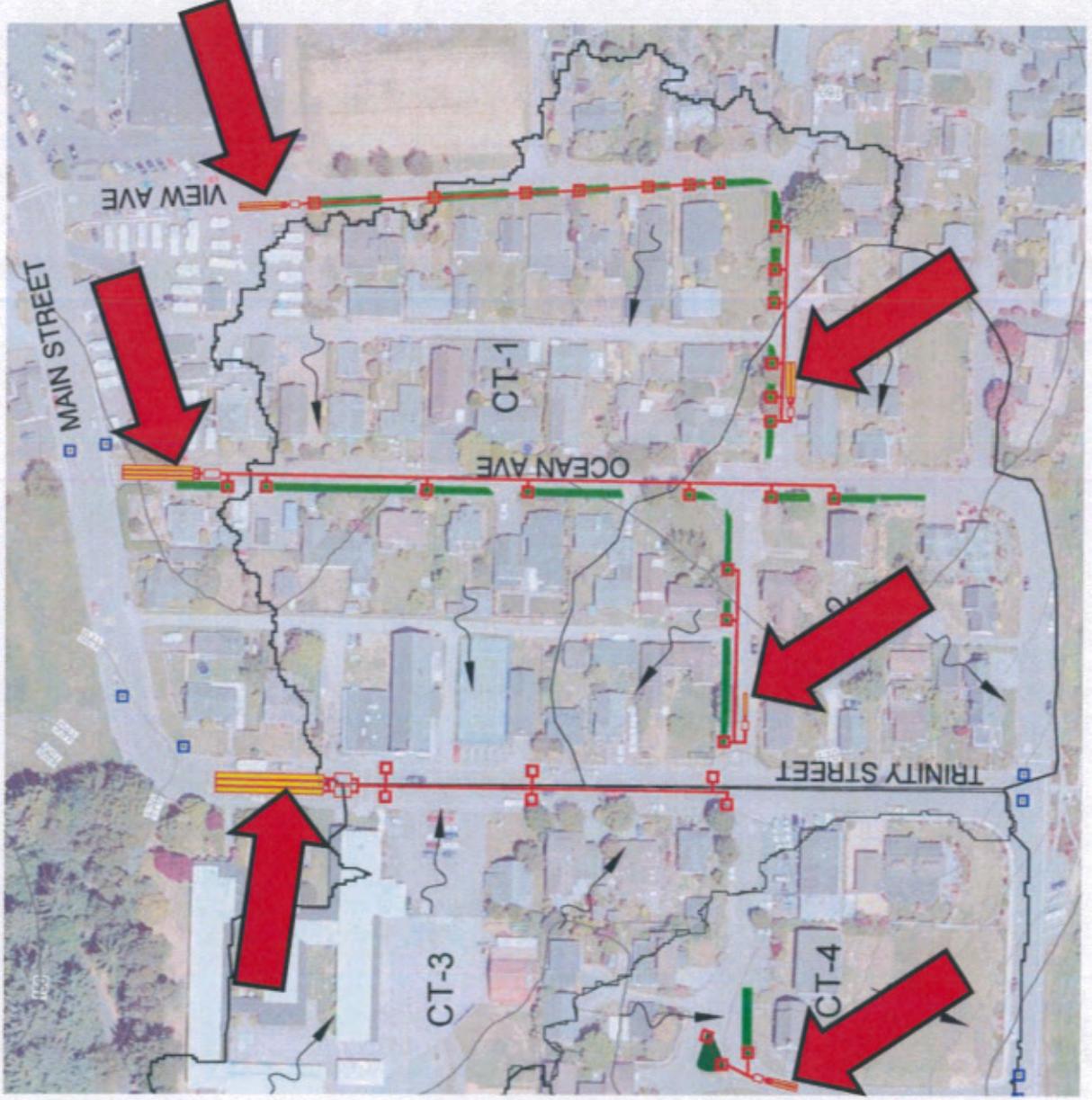
City of Trinidad
 ASBS Stormwater Improvements Project
 Initial Study and Mitigated Negative Declaration

Job Number | 0106311005
 Revision | 1
 Date | 19 Nov 2013

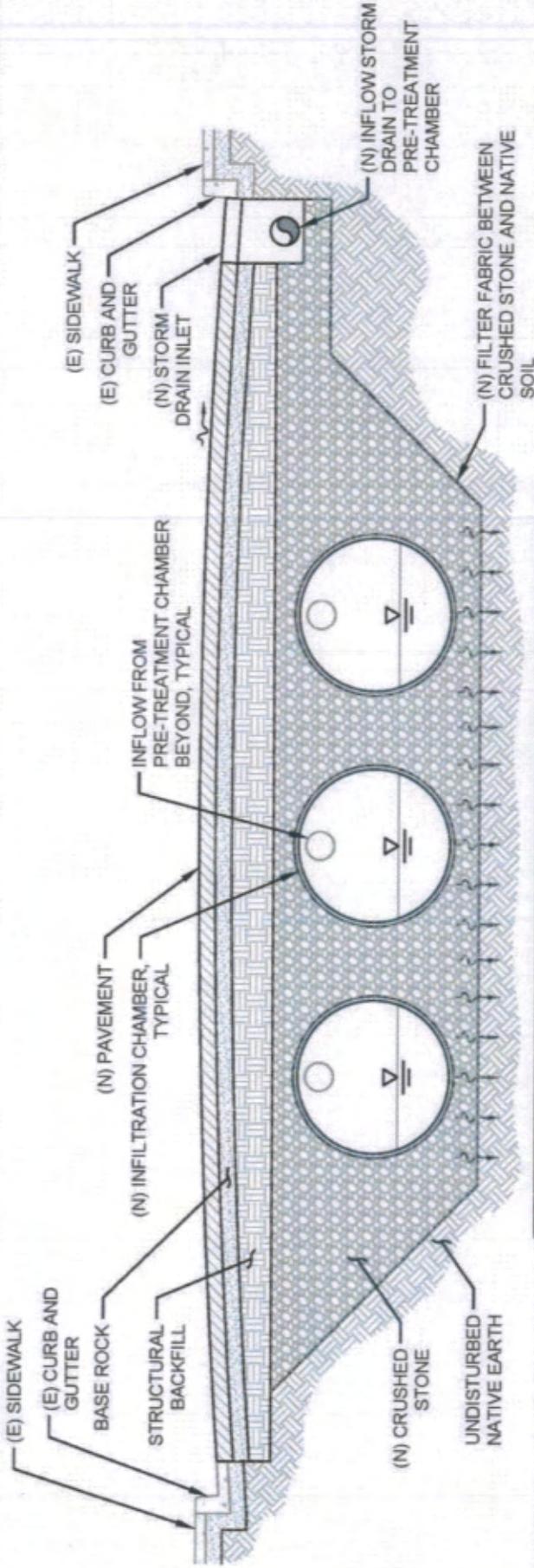
Vicinity Map

Figure 1

Design: Infiltration Basins

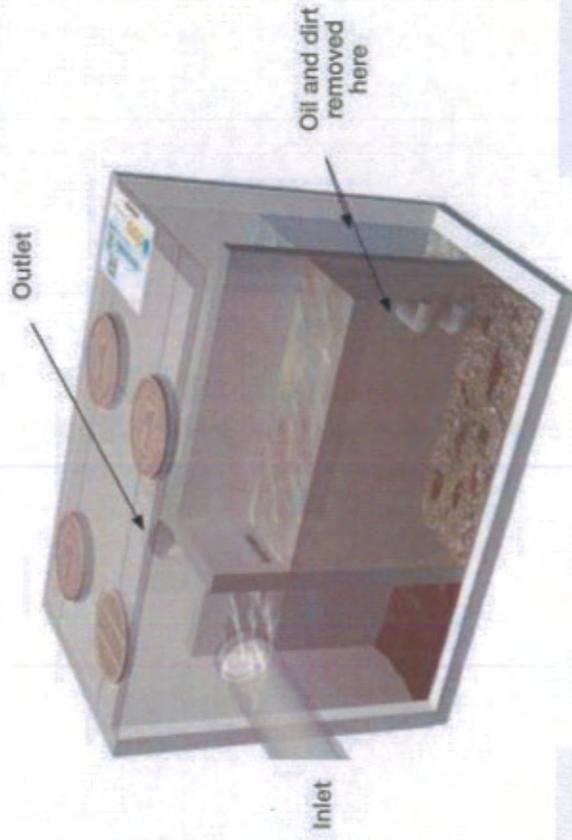
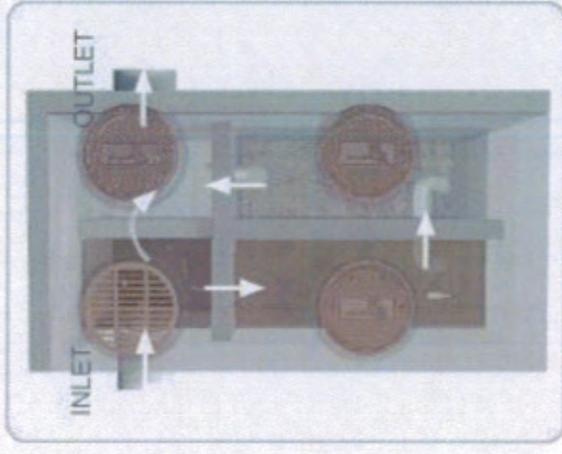


Design: Infiltration Basins

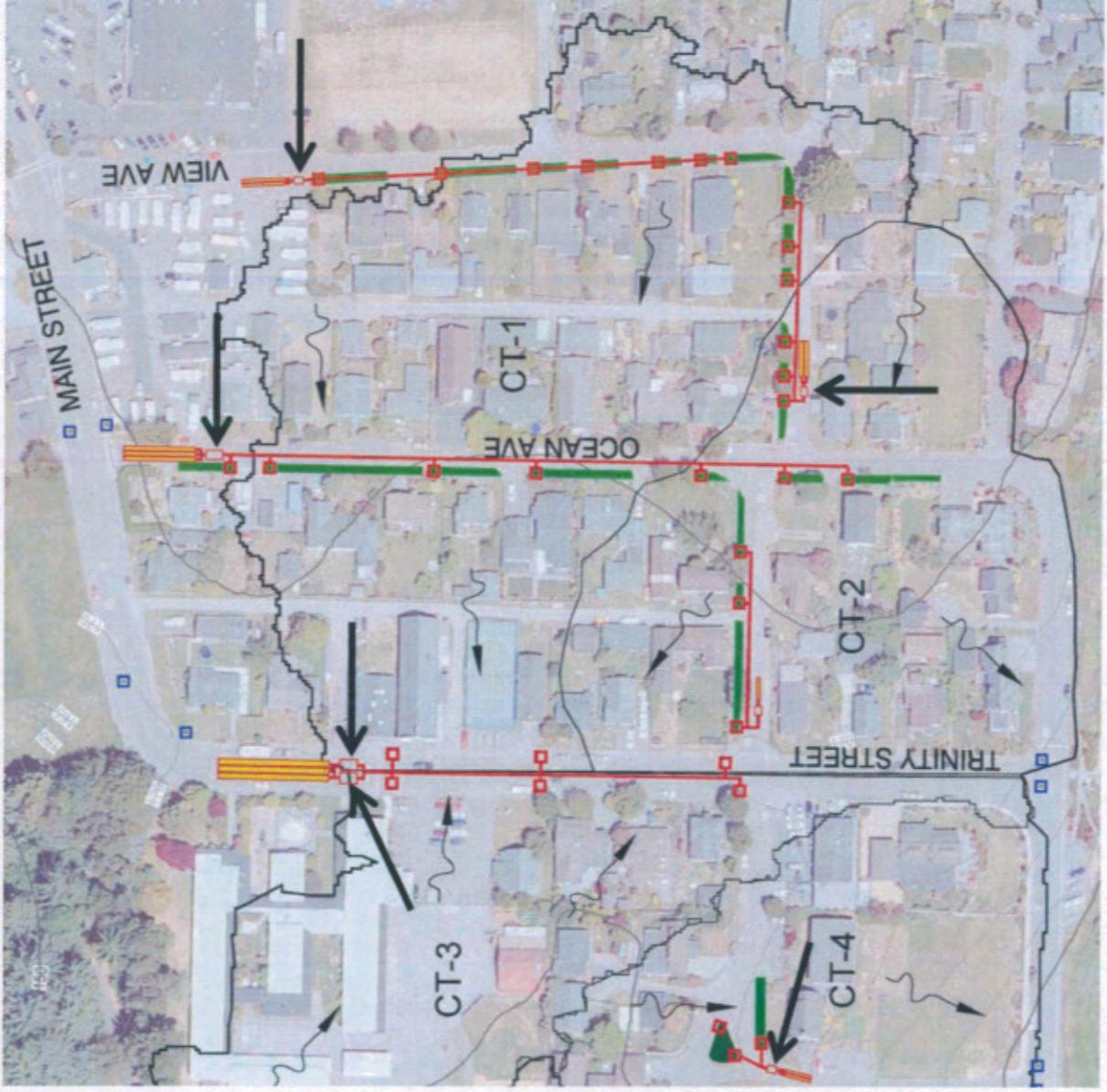


Design: Infiltration Basin Sediment Catchment

The Catchment Unit removes dirt, oil and floatables by gravity separation. With the built-in internal high flow bypass, pollutants are trapped in this below ground structure even during peak runoff events.



Design: Sediment Catchment



Design: Infiltration Basins



BEFORE



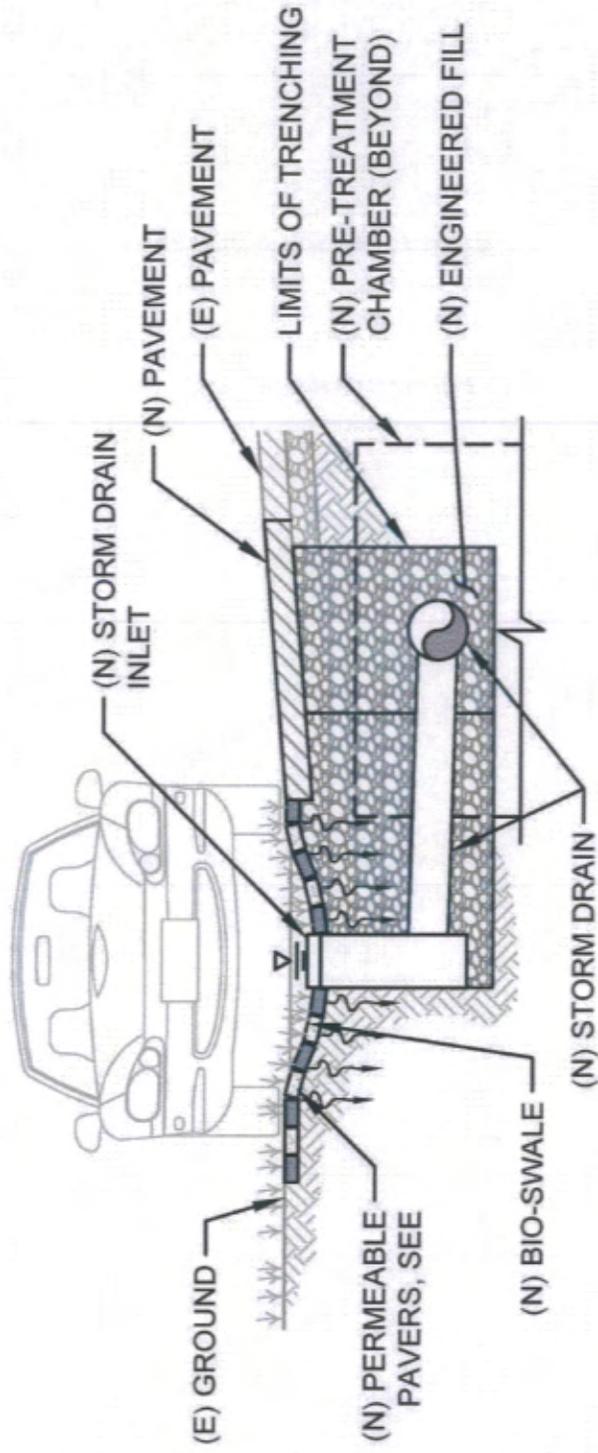
AFTER- RENDERING



Design: Bio-Swales



Design: Bio-Swales



Design: Bio-Swales



BEFORE



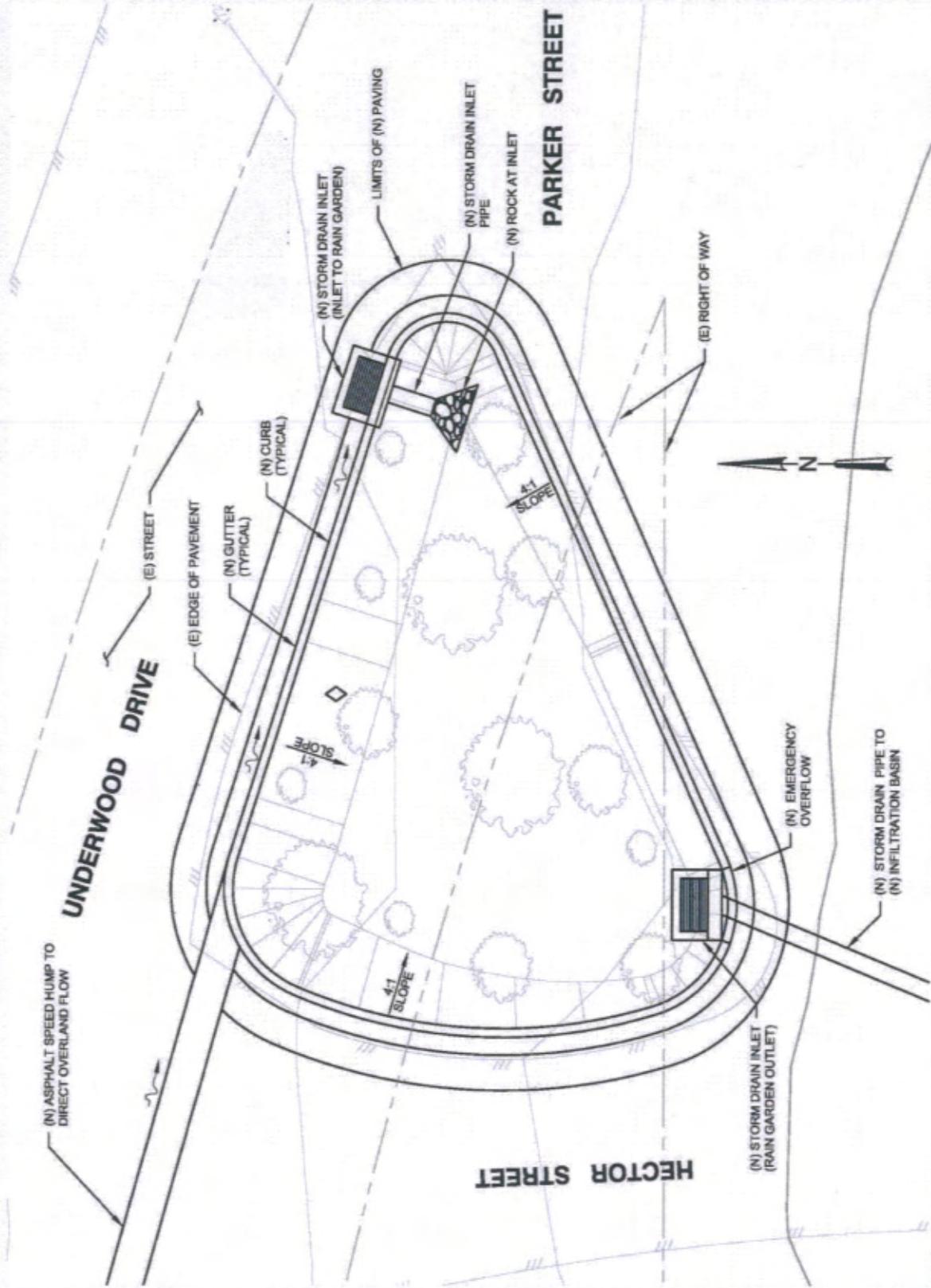
AFTER- RENDERING



Design: Rain Garden



Design: Rain Garden



Design: Rain Garden



BEFORE



AFTER- RENDERING

City of Trinidad ASBS Project Update





City of Trinidad ASBS Stormwater Improvements Project

Initial Study and Draft Mitigated Negative Declaration



November 2013

This Initial Study and Mitigated Negative Declaration ("Report"):

- 1. has been prepared by GHD for the City of Trinidad;*
- 2. may only be used and relied on by the City of Trinidad and applicable regulatory agencies;*
- 3. may only be used for the purpose of CEQA compliance for the project (and must not be used for any other purpose).*

GHD and its employees and officers otherwise expressly disclaim responsibility to any person other than the City of Trinidad arising from or in connection with this Report.

To the maximum extent permitted by law, all implied warranties and conditions in relation to the services provided by GHD and the Report are excluded unless they are expressly stated to apply in this Report.

The services undertaken by GHD in connection with preparing this Report:

- were limited to those specifically detailed in this Report;*

The opinions, conclusions and any recommendations in this Report are based on assumptions made by GHD when undertaking services and preparing the Report.

GHD expressly disclaims responsibility for any error in, or omission from, this Report arising from or in connection with any of the Assumptions being incorrect.

Subject to the paragraphs in this section of the Report, the opinions, conclusions and any recommendations in this Report are based on conditions encountered and information reviewed at the time of preparation and may be relied on until six months, after which time, GHD expressly disclaims responsibility for any error in, or omission from, this Report arising from or in connection with those opinions, conclusions and any recommendations.

Project # 01063-11005-11001

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Figure 1: Vicinity Map

Figure 2: ASBS Stormwater Improvements Project

Figure 3: City Watershed Sub-Basins

Appendices

- A Mitigation, Monitoring, and Reporting Plan (to be included prior to adoption)
- B Infiltration Analysis by Sub-basin
- C Slope Stability Analysis
- D Trinidad Groundwater Model Review
- E CNDDDB Search
- F USFWS Search
- G City of Trinidad ASBS Stormwater Geotechnical Analysis Report

1. Project Information

Project Title	City of Trinidad ASBS Stormwater Improvement Project
Lead Agency Name & Address	City of Trinidad 409 Trinity Street Trinidad, CA 95570
Contact Person	Ms. Karen Suiker, City Manager Phone number: (707) 677-3876 Email: citymanager@trinidad.ca.gov
Project Location	The project is located within the city limits of the City of Trinidad, west of Highway 101, in Humboldt County, California.
Project Assessor's Parcel Numbers (APN)	Multiple APN's and ROWs within the city limits of the City of Trinidad.
General Plan Designation	Primarily public ROW (undesignated), city-wide
Zoning	Primarily public ROW (unzoned), city-wide
Description of Project	The City of Trinidad Area of Special Biological Significance (ASBS) Stormwater Improvement project has been designed to collect, treat, and infiltrate City stormwater runoff. This will be accomplished by modernizing the City stormwater system through incorporation of Low Impact Development Best Management Practices (LID/BMPs) to capture, treat, and infiltrate stormwater runoff.

1.1 CEQA Requirements

This project is subject to the requirements of the California Environmental Quality Act (CEQA). The CEQA lead agency is the City of Trinidad. The purpose of this Initial Study is:

1. to provide a basis for deciding whether to prepare an Environmental Impact Report, a Mitigated Negative Declaration or a Negative Declaration;
2. to disclose potential project environmental impacts; and
3. to inform the CEQA Lead Agency, responsible agencies, trustee agencies, and the public of the project and potential environmental impacts.

This Initial Study has been prepared to satisfy the requirements of the CEQA, (Public Resources Code, Div. 13, Sec 21000-21177), and the State CEQA Guidelines (California Code of Regulations, Title 14, Sec 15000-15387). CEQA encourages lead agencies to modify their projects to avoid significant adverse impacts.

1.2 Background

The City of Trinidad (City) is undertaking the Trinidad Area of Special Biological Significance (ASBS) Stormwater Improvement Project (project) to reduce polluted runoff into the ASBS. The design of the new stormwater system was developed to collect, treat, and infiltrate City stormwater runoff, thus improving stormwater quality that reaches Trinidad Bay. The project will assist the City in meeting the requirements of the California Ocean Plan's prohibition of waste discharge into the Kelp Beds at Trinidad Head ASBS. The project objectives are in line with the goals of local programs like the Trinidad-Westhaven Coastal Watershed Management Plan, which was initiated to improve local water quality and protect ecosystems including the Trinidad ASBS.

The project is located within the City limits of the City of Trinidad, on the west side of Highway 101 in Humboldt County, California (Figure 1, Vicinity Map). The City is located in rural northern California, approximately 25 miles (highway) north of the county seat of Eureka and 295 miles (highway) north of San Francisco. The community has a population of approximately 1,000 people with approximately 365 people living within the City limits (California Department of Finance 2013).

Much of the urban area overlies a fairly uniform sand aquifer, above a low permeability Franciscan melange (bedrock). The project area is bounded by Mill Creek to the North; Parker Creek to the East; Highway 101 to the Northeast; and coastal bluffs, the Pacific Ocean, and Trinidad Bay to the west and south (Figure 1). The project site is defined as the construction footprint (plus 10 foot setback in each direction) for all LID stormwater improvements.

Trinidad Bay is designated as an ASBS. There are 34 ocean ASBS areas monitored and maintained for water quality by the State Water Resources Control Board (SWRCB). ASBS cover much of the length of California's coastal waters. They support an unusual variety of aquatic life, and often host unique individual species.

The 'Trinidad Head' ASBS runs approximately two miles (in total length) near Trinidad Bay in the City of Trinidad as shown in Figure 1. Rural and urban watersheds discharge to this ASBS. Trinidad Bay has seasonal marina facilities (i.e., a mooring field, vessel haul-out/launch facilities, and pier facilities), and Humboldt State University Marine Lab is located within the City limits. The ASBS is bordered by an emergent coastline of hard rock which becomes visible as the sandstone and mudstone are worn away by wind and waves (California SWRCB 2013).

The long term goal of the City is to protect the ASBS by eliminating the existing storm drain outfall to Trinidad Bay and improving the City's stormwater system. Phase 1 of this project (the project) will modernize the stormwater system through incorporation of Low Impact Development Best Management Practices (LID/BMPs) to capture, treat, and infiltrate stormwater runoff. Phase 2, which is not a part of this project, and would be implemented at a later date subject to available funding, would potentially eliminate the need for the existing stormwater outfall to Trinidad Bay.

1.3 Environmental Setting and Existing Conditions

The project is within Sections 23 and 26, Township 8 North, Range 1 West, Humboldt Meridian within the USGS 7.5' Trinidad topographic quadrangle map at approximately 40 feet above sea level to 175 feet above sea level (Figure 1). Access to the project area is via Highway 101 exit Main Street/Westhaven Drive South, then head west on Main Street into Trinidad. The project is within the California Coastal Zone in the City of Trinidad primary jurisdiction and Coastal Commission appeal jurisdiction (reference Section 3.10 for additional information).

This project area encompasses two watersheds: the Mill Creek and City of Trinidad watersheds (Figures 1 and 3). The Mill Creek watershed is bisected by Highway 101 but otherwise is primarily forested with minimal development. Currently, stormwater that accumulates in the northern portions of town drain into Mill Creek, which discharges near Trinidad State Beach approximately 500 feet north of the ASBS. Approximately 20% of the City's stormwater currently drains to Mill Creek. The City of Trinidad watershed encompasses most of the City, the surrounding coastal bluffs, and Trinidad Head. The stormwater system collects much of the stormwater that accumulates within Trinidad and discharges it directly to the ASBS through discharge TRI032 (Figure 1). Approximately 80% of the City's stormwater currently drains to this outfall.

Surrounding land uses include residential homes, commercial and public/quasi-public uses interspersed throughout the community. The Pacific Ocean is to the west and south. Humboldt County General Plan land use designations to the north of the project area consist of Public Recreation, Commercial General, Rural Residential, and to the east consist of Rural Residential and Residential Estates.

1.4 Project Description

1.4.1 Project Objectives

Objectives of the project include:

- To collect, treat, and infiltrate City stormwater runoff;
- To reduce polluted stormwater discharge from the City to the ASBS for storms up to the 50-year event. Stormwater discharge will be reduced through the implementation of LID/BMPs installed throughout the City;
- To meet the requirements of the California Ocean Plan's prohibition of waste discharge into the Kelp Beds at Trinidad Head ASBS;
- To minimize the project's impacts to environmental resources.

1.4.2 Project Construction Components

The design process began with a review of commonly implemented LID technologies to ascertain appropriate technologies for the project. LID technology selection criteria consisted of: 1) ability to treat, store, or infiltrate stormwater, 2) fit within the existing City right-of-way (ROW), 3) minimize reduction of City parking, 4) minimize operation and maintenance requirements, and 5) remain within budget. Reference Figure 2 for stormwater improvements for the proposed project. LID technologies for the proposed project include:

Underground Infiltration Basins

Underground infiltration basins allow collected stormwater to be stored underground and percolate into the soil. They are typically constructed of pre-fabricated concrete or plastic units that are connected together and backfilled with gravel, most of which can be installed below streets or parking lots and are capable of supporting traffic loads. Once installed, underground infiltration basins take up no space on the surface, and can handle runoff from large rain events by storing water underground and allowing it to percolate into the soil over time, allowing for groundwater recharge. Reference Figure 2 for the location of infiltration basins.

Rain Gardens

Stormwater can be stored, treated, and infiltrated through rain gardens. Rain gardens are constructed as depressions in the ground, which fill with rainwater during a storm event and allow the water to percolate into the ground and soil. Nutrients, metals, sediment, and other common stormwater contaminants become trapped in the rain garden soil and are eventually taken up by the plants as they grow. Rain gardens are typically constructed on roadsides, in parking lots, traffic islands, private yards, and other areas. Two rain gardens are proposed for this project (Figure 2). One at the tennis court and another at the intersection of Hector Street and Underwood Drive.

Bio-Swales

Bio-swales are engineered, vegetated channels which collect, convey, treat, store, and infiltrate stormwater. They are very effective at removing sediment by trapping suspended particles as stormwater flows through the vegetation, which acts like a filter. Bio-swales also help remove other contaminants and can store and infiltrate stormwater similar to rain gardens. Reference Figure 2 for the location of bio-swales.

Permeable Pavers

Permeable paving systems allow surfaces to be walked or driven on and stormwater to infiltrate through them, decreasing runoff. Permeable paver systems are typically constructed of concrete blocks or interlocking plastic geo-tiles which allow grass or other vegetation to grow between or through them. Such systems are typically constructed in parking lots or walkways where vehicle speeds are expected to be low and are used as an alternative to asphalt or concrete paving. The City recently installed a fire access road to the Trinidad Museum using a vegetated permeable paving system. Permeable paving is described in more detail on the following page.

Design Plan

The design plan is to intercept stormwater upstream of the Trinidad Bay outfall and channel it via bio-swales, the existing stormwater collection system, and new stormwater pipes to the rain gardens and infiltration basins located throughout the City where it can percolate into the soil, contributing to groundwater recharge. Stormwater treatment would occur through physical and biological activity associated with the rain gardens and bio-swales in compliance with California Stormwater Quality Association (CASQA) requirements. Locations for the proposed improvements were strategically selected based on the existing topography, available open spaces within the City ROW, and proximity to coastal bluffs to avoid potential detrimental impacts to bluff stability. The proposed stormwater system would allow stormwater to be infiltrated at various locations dispersed throughout the City. In the event that a large storm event overloaded the system, excess runoff would flow to the Pacific Ocean via overland flow and through Mill Creek and Parker Creeks on the outskirts of Trinidad, as would naturally occur if the area were undeveloped.

Infiltration chambers were sized using an infiltration basin model developed using Microsoft Excel to simulate inflow, storage, and infiltration over a 24-hour storm event. The model uses runoff data generated by the hydrologic (HEC-RAS) model to calculate the anticipated quantity of water collected by the new storm drain system which would flow to each infiltration basin. The Green-Ampt equation was used to determine the rate of infiltration based on hydraulic head and advancement of the saturated soil front at each time step. Soil permeability and depth to bedrock were based on values determined during the geotechnical investigations. The model uses mass balance calculations to determine the volume of stormwater stored in each chamber, which reached maximum values as the hydrographs peaked. The calculated storage volumes were input into an online infiltration basin sizing calculator, which would output the required infiltration basin area, which was then input back into the basin sizing to generate a new required storage volume value. Sizing of the infiltration basins was iteratively optimized in this manner to balance available infiltration area with storage volume. This analysis was performed for storm sizes ranging

up to the 50-year - 24 hour storm events. Infiltration basin model and sizing results are included in Appendix B.

Street side bio-swales were designed to capture stormwater and route it to underground infiltration basins while providing treatment, infiltration and some storage. The swales were designed to gently slope towards a storm drain inlet at the low end of the swale, which is slightly elevated to allow the swale to store a small amount of stormwater. Once enough water accumulates and the water level rises, it flows into the storm drain system that collects water from other nearby bio-swales and routes it to an underground infiltration chamber constructed beneath the swales. The surfaces of the bio-swales are designed with permeable pavers with vegetation to stabilize the channel and allow vehicles to park on them.

The site at the corner of Hector Street and Underwood Drive was identified as a suitable location for a rain garden as shown in Figure 2. Stormwater runoff flowing down adjacent streets would be channelled by curbs and gutters and low asphalt humps into the rain gardens. Stormwater entering the gardens will flow into a small area that will allow sediment to settle out prior to flowing into the main rain garden area. During large storm events, rain gardens are designed to fill then overflow to a nearby storm drain which channels the water to underground infiltration chambers. Native plant species and soil mixtures which optimize stormwater nutrient and contaminant removal will be selected for planting.

The proposed bio-swales and rain gardens will help remove sediment, nutrients and other contaminants. Additional actions will also be implemented to remove sediment as described below. Water quality testing has found sediment loading in stormwater in the project area. Excessive sediment entering underground infiltration chambers will cause them to clog over time, reducing their ability to infiltrate. Therefore, each infiltration chamber will be equipped with a sedimentation basin at the inlet which will allow sediment to settle out prior to the water entering the infiltration chamber. A cleanout located above these sedimentation chambers will allow periodic removal of collected silts and grit. The number of sedimentation chambers was minimized during the preliminary design phase to reduce required maintenance.

The design also features modifications to the existing tennis court parking lot on Trinity Street. The parking lot is currently paved with conventional asphalt paving which drains to the gutter along Trinity Street. Proposed modifications involve constructing a rain garden at the back of the lot (adjacent to the tennis court), reversing the parking lot slope to drain from Trinity Street to the proposed rain garden, and paving the parking lot with vegetated, permeable pavers to allow stormwater to infiltrate as it flows toward the rain garden. Parking lot safety would also be improved by routing the sidewalk around the parking lot such that pedestrians would be directed to walk adjacent to the rain garden, in front of parked cars, rather than behind them, as is currently the case. The rain garden would be constructed at a lower level than the adjacent sidewalk and would be surrounded by concrete retaining walls with inlets to allow stormwater to enter from the parking lot. A storm drain inlet located in the rain garden would connect to the infiltration basins underneath Trinity Street via pipes for large storm events.

Collection system piping was sized using the Environmental Protection Agency's (EPA) Stormwater Management Model (SWMM). Smooth walled high-density polyethylene (HDPE) pipe has been selected for the piping system.

The MODFLOW-SURFACT groundwater model was used to simulate stormwater infiltration below ground at the proposed underground infiltration basin locations to verify that the area could accommodate increased infiltration without detrimental impacts to streams, septic systems and bluff stability. Groundwater model outputs were reviewed by GHD and by registered engineering geologists at Crawford & Associates, Inc. and HydroGeoLogic, Inc. to verify that the locations and quantities of stormwater infiltration will not impact the performance of septic systems, compromise bluff stability, or cause significant changes to flows in nearby streams. Technical memorandums from both Crawford & Associates, Inc. and HydroGeoLogic, Inc. describing their findings are included in Appendix C and Appendix D, respectively.

Access and Staging

Access to and from the project site would be primarily from Highway 101 via Main Street. The project improvements would be primarily within existing road ROW and, as such, would not require the development of new access routes. The storage of construction materials and vehicle staging would be managed entirely within existing developed areas and/or other suitable public areas within the project area. As required to construct the project, temporary staging areas may also be established within other public and/or private properties on or near the improvement areas, but would not be established within or adjacent to any sensitive species or habitat. The proposed staging area for this project is an undeveloped parcel at the northeast corner of View Avenue and Parker Creek Drive. This parcel has been used as a staging area for other construction projects in the past.

1.4.3 Construction Schedule, Techniques and Equipment

Project construction is anticipated to start in the spring/summer of 2014 and expected to be completed in five to eight months. All construction will occur either beneath city streets or along the sides of city streets, within the public right-of-way or on City-owned property. Traffic control will be a major component of this project, as City streets are reduced to one lane of travel or temporarily closed during construction. The majority of the construction work will include pavement sawcutting, trenching, excavation and backfill to install storm drain improvements including storm drains, pipes, infiltration basins, drainage swales, rain gardens and permeable paved areas. Typical earth moving and compaction equipment would be the majority of equipment used, including bulldozers, excavators, backhoes, and rollers. Other equipment and vehicles used would include dump trucks, concrete trucks, paving equipment, portable generator sets, and various power and hand-tools.

Construction activities would be conducted in compliance with applicable state and local requirements and in a manner that minimizes disturbance to adjacent properties and disruption to traffic. Construction would generally occur between the hours of 7:00 AM and 7:00 PM, Monday through Friday. No construction would occur on weekends, except with permission from the City as needed to keep the project on schedule. It is anticipated that between eight and 10 construction workers (includes two flaggers) will be present on the

project site at any given time. The number of motor vehicles is anticipated to be up to 10. The project would also require the delivery of equipment, workers, and materials via Main Street from Highway 101.

1.5 Agencies Involved

Responsible Agencies: Other Public Agencies Whose Approval Is Required

Agencies with Permit Jurisdiction

City of Trinidad – Coastal Development Permit & Encroachment Permit

North Coast Regional Water Quality Control Board (RWQCB) – Storm Water Pollution Prevention Plan (SWPPP)

Coastal Commission – Coastal Development Permit (only if appealed)

Other Stakeholder Agencies: CEQA Trustee Agencies and Endangered Species Consultation Agencies

- California Department of Fish and Wildlife
- North Coast Regional Water Quality Control Board
- National Oceanic Atmospheric Administration National Marine Fisheries Service
- United States Fish and Wildlife Service
- North Coast Air Quality Management District
- State Water Resources Control Board
- California Coastal Commission
- California Department of Parks and Recreation

1.6 Environmental Protection Actions Incorporated into the Project

The following environmental protection actions and practices are included as part of the project to reduce or avoid potential adverse effects that could result from construction or operation of the LID/BMP stormwater improvements. Additional resource-specific environmental protection actions are presented in the following analysis sections. Project and resource-specific mitigation measures are also included in the Mitigation, Monitoring, and Reporting Plan prepared for the project (Appendix A).

1.6.1 Environmental Protection Action 1 – Implement Air Quality Emission Control Measures during Construction

Although the North Coast Unified Air Quality Management District (NCUAQMD) has not adopted formal construction measures or guidelines, the project includes the following air quality control actions to reduce construction-generated emissions:

The principal concern about the effect of construction projects on air quality relates to the potential for earthwork and other activities to generate dust, including inhalable particulate

Mitigation, Monitoring, and Reporting Plan – Trinidad ASBS Stormwater Improvements Project				
Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p><u>Mitigation Measure CR-1: Cultural Monitor</u></p> <ol style="list-style-type: none"> 1. Qualified cultural monitors will be hired by the contractor prior to construction. 2. Cultural monitors must be onsite during grading and earthwork activities. Cultural monitors are to include both a tribally trained monitor and a Bachelor of Arts or higher level archaeologist, with field-school training in historical archaeology or two years of experience in historical archaeology. 3. Cultural Resource Monitors must be empowered to halt heavy equipment operations in the event that significant cultural features or human remains are uncovered. Construction activities in the immediate vicinity would be delayed until an archaeologist, qualified to the Secretary of Interior Standards, has assessed the significance of the find. 4. The Cultural Resource Monitor must be kept informed by the contractor and understand the ground disturbance schedule. Field notes should be kept by the Cultural Resource Monitor and a brief letter report of the monitoring effort filed with the North Coastal Information Center. The Cultural Resource Monitor need only be present during ground disturbing activities. 	City of Trinidad/ Construction Manager	Prior to Construction	Ongoing during construction	Notify monitor(s) in advance of construction; halt construction and implement measure in event of discovery
<p><u>Mitigation Measure CR-2: Identify and Avoid or Minimize Impacts to Unknown Historic and/or Archaeological Resources</u></p> <p>If cultural resources, such as chipped or ground stone, historic debris, building foundations, or bone are discovered during ground-disturbance activities, work shall be stopped within 20 meters (66 feet) of the discovery, per the requirements of CEQA (January 1999 Revised Guidelines, Title 14 CCR 15064.5 (f)) and Section 106 (36 CFR 800). Work near the</p>	City of Trinidad/ Construction Manager	At onset of construction	Ongoing during construction	Check for compliance; halt construction and implement measure in event of

Mitigation, Monitoring, and Reporting Plan – Trinidad ASBS Stormwater Improvements Project				
Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<p>archaeological finds shall not resume until a professional archaeologist, who meets the Secretary of the Interior’s Standards and Guidelines, has evaluated the materials and offered recommendations for further action.</p> <p>Prehistoric materials which could be encountered include: obsidian and chert flakes or lithic materials, grinding implements, (e.g., pestles, handstones, mortars, slabs), bedrock outcrops and boulders with mortar cups, locally darkened midden, deposits of shell, dietary bone, and human burials. Historic materials which could be encountered include: ceramics/pottery, glass, metal, can and bottle dumps, cut bone, barbed wire fences, building pads, structures, trails/roads, railroad rails and ties, and trestles.</p>				discovery
<p><u>Mitigation Measure HYD -1 BMPs to be Implemented During Construction</u></p> <ol style="list-style-type: none"> 1. At all times during construction activities, the contractor shall minimize the area disturbed by excavation, grading, or earth moving to prevent the release of excessive fugitive dust. During periods of high winds (i.e. wind speed sufficient that fugitive dust leaves the site) contractor shall cover or treat areas of exposed soil and active portions of the construction site to prevent fugitive dust. 2. No construction materials, equipment, debris, or waste shall be placed or stored where it may be subject to wind, or rain erosion and dispersion. Material handling on and offsite shall be required to comply with California Vehicle Code Sec. 23114 with regard to covering loads to prevent materials spills onto public roads. 3. All construction equipment shall be equipped and maintained to meet applicable EPA and CARB emission requirements for the duration of construction activities. 	City of Trinidad/ Construction Manager	At onset of construction	Ongoing during construction	Check for compliance

Mitigation, Monitoring, and Reporting Plan – Trinidad ASBS Stormwater Improvements Project				
Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ol style="list-style-type: none"> 4. Throughout construction, contractor shall maintain adjacent paved areas free of visible soil, sand or other debris. 5. If stockpiled on or offsite, or if rain is expected, soil and aggregate materials shall be covered with secured plastic sheeting and runoff shall be diverted around them. 6. Drainage courses, creeks, or catch basins shall be protected with straw bales, silt fences, and/or straw wattles. 7. Storm drain inlets shall be protected from sediment-laden runoff with sand bag barriers, filter fabric fences, straw wattles, block and gravel filters, and excavated drop inlet sediment traps. 8. Vehicle and equipment parking and vehicle maintenance shall be conducted in designated areas away from creeks or storm drain inlets. 9. Major maintenance, repair, and washing of vehicles and other equipment shall be conducted offsite or in a designated and controlled area. 10. Construction debris, plant and organic material, trash, and hazardous materials shall be collected and properly disposed. 				
<p><u>Mitigation Measure TR-1: Traffic Control Plan</u></p> <p>In coordination with the City of Trinidad, the construction contractor shall develop an approved traffic control plan prior to the commencement of construction. Elements of this plan shall be implemented as necessary and appropriate for construction. The plan shall include, but not be limited to:</p> <ol style="list-style-type: none"> 1. Adherence to City and Caltrans traffic management standards. 2. Location(s) of designated project construction staging area(s) for equipment/materials storage and construction worker parking. 3. Temporary replacement parking for residents during the construction period, if needed. 	City of Trinidad/ Construction Manager	Prior to construction	Ongoing during construction	Check for compliance

Mitigation, Monitoring, and Reporting Plan – Trinidad ASBS Stormwater Improvements Project				
Mitigation Measure	Verify Compliance	Timing of Initial Action	Monitoring Frequency and Duration	Action Items
<ul style="list-style-type: none"> 4. Detour routes will be used in order to maintain access throughout the City and to the coastline during project construction. 5. Use of flagging and signage during construction of LID/BMPs stormwater improvements, materials delivery, and/or movement of construction equipment in any private or public roadway. 6. Provisions to maintain unobstructed access for law enforcement, fire department, or other official or emergency personnel and vehicles. 				

Tsurai Ancestral Society

PO BOX 62

Trinidad, CA 95570

November 12, 2013

Trinidad City Council

PO Box 390

Trinidad, CA 95570

Cc: Yurok Tribe Chairmen Thomas O'Rourke

California Coastal Commission

California Coastal Conservancy

Dear Trinidad City Council Members,

The Tsurai Ancestral Society has reviewed the meeting packet and agenda items for the November 13, 2013 Council meeting. The follow is a list of comments for Public Agenda Item #2 Trinidad Trail Stewards Program, Consent Agenda Item #2 Staff Activities Report: ASBS Storm Water Project (**Also known as Public Agenda Item #1**) and Axel Lindgren Memorial Trail Improvements/Maintenance.

Public Agenda Item #2 Trinidad Trail Stewards Program: The proposed Trinidad Trail Stewards Program would impact the cultural significant areas of the Tsurai Village, a Yurok village. Therefore, the Tsurai Ancestral Society is recommending the Trinidad Trail Stewards work closely with the Tsurai Ancestral Society's Cultural/Historical Liaison and Yurok Tribe in order to maintain the cultural integrity of the sensitive areas and reduce the risk for conflict and damage to cultural artifacts. The Tsurai Ancestral Society would request an MOU for this program specifically and also request to be involved in the development of the program. Furthermore, the Tsurai Study Area SHALL NOT come under the care of the Trinidad Trail Stewards Program as it is being managed by the Tsurai Management Team under the guidance of the Tsurai Management Plan.

Consent Agenda Item #2 Staff Activities Report: Regarding the ASBS Storm Water Project (**also known as Public Agenda Item #1**), the Tsurai Ancestral Society was very disturbed at how Phase 1 was handled and how the Tsurai were improperly notified before ground disturbing activities began. (Please find letters regarding this project from the Tsurai Ancestral Society and Yurok Tribe attached). To date we have received very little information regarding this project. The Tsurai Ancestral Society does not feel that City Staff have made any effort to work with the Tsurai on this project. The project clearly

impacts culturally significant areas within the Tsurai Village and has a potential for damaging sacred sites.

The Tsurai have identified in the past that the area where the last ground disturbance occurred for this project, is very close to known graves. The Tsurai asked to be Monitors on the project and were not allowed to be. It is unclear as to why the City Manager is not utilizing Tsurai Ancestral Society Monitors who would not only be able to identify cultural artifacts, but who also hold the knowledge of the area. Being able to guide a project away from damaging known cultural sites is far more helpful than waiting until damage has already occurred and stopping a project already in progress. The Tsurai Ancestral Society requests our Cultural Monitor be hired for the remainder of the ground disturbing activities for this project.

Furthermore, NO ground disturbance within the Tsurai Study Area should be allowed until the Tsurai Management Team is consulted regarding this project and gives unanimous approval. Until this occurs, and all information received by all parties within the Tsurai Management Team, the proposed project cannot move forward. We look forward to collaborating on this project. As outlined in the Tsurai Management Plan, addressing storm water drainage is a high priority in the conservation efforts for the bluff and Village site.

In addition to the above comments, we would also recommend keeping the ASBS Storm Water Project under one consistent name and in one location on the agenda as much as possible to make it more "user friendly". As it stands now, it is unclear if the two projects are even related.

Axel Lindgren Memorial Trail Improvement/Maintenance: The Tsurai Ancestral Society is excited to see the remaining loose or missing steps will be replaced soon on the Axel Lindgren Memorial Trail. Our Cultural Monitor discovered historic and prehistoric artifacts while the initial steps were replaced. The Tsurai have been looking forward to getting the last steps installed before the rains begin, and hoped it would be completed on November 12, 2013. However, due to Public Works needing to reschedule, the project will be completed at a later date.

Sincerely,

The Tsurai Ancestral Society

Zimbra

trever@streamlineplanning.net

Stormwater Management Plan

From : Trinidad City Manager <citymanager@trinidad.ca.gov> Mon, Dec 09, 2013 01:17 PM
Subject : Stormwater Management Plan  1 attachment

To : Sarah Lindgren-Akana <mzlindgren79@gmail.com>
Cc : 'Julie Fulkerson' <juliefulkerson@mac.com>, Steve Allen <Steve.Allen@ghd.com>, Trever Parker <trever@streamlineplanning.net>, Jim@Coastal Baskin <Jim.Baskin@coastal.ca.gov>, Su Corbaley <scorbaley@scc.ca.gov>, 'Rebecca Price-Hall' <rpricehall@gmail.com>

Hello Sarah,

Below is a response from Project Director Steve Allen from GHD in regards to your comment that the Tsurai “have not been given an opportunity to contribute any input upon the impact to known cultural resources in the area”. Please know that the City takes such matters very seriously, and based on the information provided, we believe the opportunity was provided on several occasions and input is still welcome, although perhaps we did not ask for input in the manner you would have preferred (such as calling for a meeting of the Tsurai Management Team). In this instance, with respect to the implementation of the Stormwater Management Plan improvements, as none of the undertakings are being proposed in the Tsurai Study Area subject to the Tsurai Management Plan for which the TMT would have purview, no such consultation outreach was made to the TMT beyond that indirectly through the rote CEQA consultations.

There is also attached a cover letter from GHD transmitting a letter from Cultural Resource Consultant Jamie Roscoe outlining the Native American consultation fieldwork that Roscoe and Associates completed for the ASBS Stormwater Project pursuant to CEQA. The City will additionally mail a hard copy of Mr. Roscoe’s explanatory letter to both the Tsurai Ancestral Society and the Yurok Tribe since both entities have called into question the issue of tribal notification. This is just so you know you will be getting an additional copy of the same documents in the mail.

The choice of a particular cultural monitor has come into question on this and other projects within the city. Our protocol, which in this instance was administered through our encroachment permit process, is that a certified cultural monitor is to be on site for any ground disturbing activity, but that the City does not direct its contractors or their subcontractors to select a particular monitor. I do not believe professional services procurement standards would allow for the granting of preference to a particular service provider based solely on geographic proximity, and with three Native American entities having cultural, historical and spiritual ties to the area, the City does not want to be in a position of choosing one over the other. That said, I would welcome with open arms the three entities coming up with a plan as to which entity’s monitor should be hired, whether it be based on rotation, or one entity having greater knowledge over a particular area within the city or any other reasonable plan. Toward that end, I have asked our grant manager, Becky Price-Hall, to send a letter

suggesting the three entities work cooperatively toward this goal. If the three entities would be so willing, the City would be pleased to schedule a meeting to discuss coming up with such a protocol, and let me assure you, with the buy in of all three Native American stakeholders, I will do everything possible to strictly adhere to such a protocol, not only for jobs performed by the city, but for those performed by our contractors and in turn, their subcontractors. What I would have difficulty supporting, however, and presumably so would our project funding agencies, is the hiring of multiple monitors to oversee the same project at the same time.

Thank you for your support and cooperation on this very important project that is intended to improve and eventually eliminate stormwater discharge from throughout the entire city into our pristine bay, and as a secondary but very positive consequence, potentially redirect surface runoff and therein help to minimize surface erosion into the TMP area.

All the best,

Karen Suiker
City Manager

From: Steve Allen [mailto:Steve.Allen@ghd.com]
Sent: Wednesday, December 04, 2013 2:57 PM
To: Karen Suiker (citymanager@trinidad.ca.gov)
Cc: Rebecca Crow
Subject: Requested Response: Tsurai Comment for Tonight's Council Meeting

Karen,

As requested, this is in regards to the email comment below that the Tsurai have not been given an opportunity to contribute any input upon the impact to known cultural resources in the area.

We have endeavored to provide the same opportunity for all stakeholders to provide input to the project. On that front, updates at various stages of the project have been shared as part of the following public meetings:

- Trinidad Bay Watershed Council Meetings
 - Quarterly Updates Provided since November 2012
- City of Trinidad Stormwater Management Improvement Project Public Meetings
 - November 28, 2012
 - June 13, 2013
 - December 4, 2013

As part of this public outreach process, various stakeholders have attended the meetings, reviewed documents, and provided us with feedback. Some of the feedback has resulted in changes to the project, including removing project components near Galindo and Van Wycke streets that were part of Phase 2 of the project.

We also reached out to the Tsurai directly when we met with Joe Lindgren on January 25, 2012 to request feedback on the locations of seeps, springs, and related issues on the Tsurai Management Area. Joe was very helpful and we explained to him that the project would not physically be on the Tsurai Management Area lands, but that the City was aware of the Tsurai Management Plan and this

stormwater project should help address stormwater aspects identified in the Tsurai Management Plan. Remember the Tsurai were also stakeholders in the ASBS planning study that identified this stormwater project as one of the recommended action items. In addition, we directly mailed a hard copy of the CEQA document for the project on November 19th to Sarah Lindgren-Akana, as the secretary for the Tsurai Ancestral Society, to P.O. Box 62, Trinidad, CA 95570 which is the same day we provided the same information to the City, the Yurok Tribe, and the Trinidad Rancheria.

GHD also contracted with Roscoe & Associates to conduct the cultural resources investigation for the project. We have attached a letter clarifying that aspect of the project and how Roscoe & Associates reached out to the Tsurai.

We remain open to feedback from the Tsurai on this project, as well as other stakeholders. Please let us know if you have any questions or if there is something else you would like us to do.

Thank you,

Steven Allen, PE
Project Director

GHD

T: 707 443 8326 | F: 707 444 8330 | C: 707 599 6986 | E: steve.allen@ghd.com

718 Third Street, Eureka, CA 95501, USA | www.ghd.com

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Please consider our environment before printing this email

From: Trinidad City Manager [<mailto:citymanager@trinidad.ca.gov>]

Sent: Wednesday, December 04, 2013 11:28 AM

To: Steve Allen

Cc: 'Rebecca Price-Hall'; Rebecca Crow; Trever Parker

Subject: FW: FW: Tsurai Comment for Tonight's Council Meeting

I am looking to GHD for a proposed response regarding the allegation of no opportunity to contribute input.

From: Sarah Lindgren-Akana [<mailto:mzlindgren79@gmail.com>]

Sent: Tuesday, December 03, 2013 3:24 PM

To: Trinidad City Manager; Trever Parker; Su Corbaley; Baskin, Jim@Coastal; Ralph Faust

Cc: Julie Fulkerson; steve.allen@ghd.com; Thomas P. O'Rourke; Zachary E. Zwerdling; City of Trinidad; kelly lindgren; Axel Lindgren

Subject: Re: FW: Tsurai Comment for Tonight's Council Meeting

Good Afternoon Karen,

Hope you got to enjoy the holidays.

In going over your last email, I thought it best that instead of repeating myself, I would just resend the original letter we submitted on November 13. We really need to discuss all the points and concerns raised by the Tsurai, and address the requests. I'm not sure you had the opportunity to read the letter yourself, and hope you might be able to do so.

Thank you for inviting us to attend the public comment happening on Wednesday. However, as a stakeholder and partner in the Tsurai Management Plan, we feel this would grossly underscore the unique relationship the Tsurai have as descendants of the village, and as partners in the Tsurai Management Plan with the City, Yurok Tribe and Coastal Conservancy. We have not been given an opportunity to contribute any input upon the impact to known cultural resources in the area.

This project is part of the Tsurai Management Plan, however has not been provided to the Tsurai Management Team for input or collaboration. I'm not aware of the reason behind this, but feel it would be less confusing and reduce the risk for further conflict if we could bring this back to the TMT. When would the City be able to provide a complete copy of this project to the Tsurai Management Team? It may be helpful to invite the Coastal Commission as well. I'm not sure what everyone's schedule looks like, but I would imagine the sooner the better. The public comment section for this project should be extended until after the TMT has had a chance to meet.

Thank you for all your work on this,

Sarah

On Tue, Nov 26, 2013 at 9:59 AM, Trinidad City Manager <citymanager@trinidad.ca.gov> wrote:
Hi Sarah,

I have thought about your father-in-law quite a bit lately given the 50 year anniversary of the Kennedy assassination. I was in his classroom when it happened, and the fact that our teacher cried openly made me understand the enormity of this tragedy. I remember it as if it happened yesterday. Please give him my best.

Now on to your questions. Although there are some in the community who wish for (and may continue to push for) an expanded trails steward program, the Council made it very clear that the program currently under consideration will be limited to the Head only. I don't envision the stewards doing work any differently or beyond that which the Public Works crews have been doing under the guidance of the Council's trail maintenance policy. We already have enough volunteers identified, but we are still waiting on an overall coordinator to step forward and there is the possibility of a shared coordinator role, but as of yet those individuals have not committed. When and if the coordinator(s) are identified, I will look to those individuals to help work out specific implementation details, with all work to be conducted in keeping with the Council's Head maintenance policy.

With regard to the storm water project, there is a meeting scheduled for next Wednesday, December 4 at 7:00 at town hall to update folks in the community about this project, and I encourage you to attend if that is at all possible. It might be helpful to know that based on feedback from the cultural resources investigation, the components of Phase 2 initially proposed near the Galindo/VanWycke area have been removed from the project. Our contractor, GHD, continues to work with their



December 4, 2013

Karen Suiker
City Manager
City of Trinidad
PO Box 390
Trinidad, CA, 95570

RE: ASBS Project Cultural Resources Investigation

Dear Ms. Suiker,

This letter is a follow up to several letters received in regards to the cultural resources investigation conducted by the Roscoe & Associates, a sub consultant to GHD, as part of the Trinidad ASBS Stormwater Improvement Project. GHD is aware of 3 letters that were sent. One letter was from Thomas P. O'Rourke of the Yurok Tribe dated October 2, 2013 and two letters were from Sarah Lindgren-Akana of the Tsauri Ancestral Society dated October 16, 2013 and November 12, 2013.

Upon receipt of the letters, GHD contacted Roscoe & Associates for clarification on the procedures followed for the subsurface investigation. Unfortunately Mr. Roscoe was on a long planned extended vacation during October, so it has taken over a month to obtain our requested written clarification. We did request that staff at Roscoe & Associates cease work on the project and not contact the Tribes until Mr. Roscoe returned and this issue could be resolved. Attached is a letter from Roscoe & Associates to GHD describing the steps that were taken as part of the cultural resources investigation and in particular the steps taken prior to the September 27th subsurface investigation at Galindo Street and Van Wycke Street, which was referenced in the October and November letters.

GHD believes the clarification provided by Roscoe & Associates addresses the issues raised in the letters. The proper protocols appear to have been followed, and Roscoe & Associates apparently went beyond the technical requirements for notification and reached out to the Yurok Tribe and Tsauri Ancestral Society contacts he had on file which were not included in the records search from the Native American Heritage Commission. Also, since the time the subsurface investigation was conducted, the project components proposed near Galindo Street and Van Wycke Street have been removed from the project.

We hope this clarifies the actions taken and addresses the concerns raised in the letters. Both GHD and Roscoe & Associates would be happy to meet with the City and Tribal representatives to discuss any aspect of the ASBS Stormwater Project.

Sincerely,
GHD Inc.

A handwritten signature in black ink that reads "Rebecca Crow".

Rebecca Crow
Project Manager

A handwritten signature in blue ink that reads "Steven Allen".

Steven Allen
Project Director

Roscoe & Associates
Cultural Resource Consultants
3781 Brookwood Drive
Bayside, CA. 95524
707-845-5239

From: James Roscoe
Roscoe and Associates
Cultural Resource Consultants

December 3, 2013

To: Rebecca Crow, PE
Project Manager
GHD

Dear Rebecca,

This letter summarizes the informal Native American consultation and fieldwork that Roscoe and Associates completed for the cultural resources investigation of the proposed Trinidad ASBS Stormwater Project pursuant to the California Environmental Quality Act. Our contract originally called for us to also prepare a report that would meet Section 106 of the National Historic Preservation Act guidelines and GHD later advised us to just prepare a document that would address the guidelines of the California Environmental Quality (CEQA) Act only as no federal funding or agency involvement with the project had been identified.

On August 27, 2013 a letter was sent to the Native American Heritage Commission (NAHC) requesting a list of Native American contacts and a search of the sacred lands database for previously identified sites of concern within the project area. Because of the delay in receiving a response from the NAHC, it is common practice for us to start consultation as early as possible and based on our previous work in the Trinidad area, we sent letters on September 3, 2013 to tribal groups with traditional ties to the project area. On September 16, 2013 a fax was received from the NAHC with a contact list. We sent letters to all groups on the contact list provided, as well as the following groups who we normally contact but were not listed on the NAHC contact list:

- 1) Yurok Tribe
- 2) Tsurai Ancestral Society

Based on our field reconnaissance and background research, the area of Trinidad at the intersection of Galindo and Van Wycke Street, where several infiltration basins were planned, was identified as being sensitive for buried historic deposits associated with the early 1850's Gold Rush townsite of Trinidad. Because the area is covered with modern infrastructure such as paved roadways, houses, etc., access to mineral soil is limited. In this instance CEQA guidelines recommend that subsurface survey work be conducted to test for the potential of significant, undisturbed, historic deposits. Additionally, we believe that portions of the project area may contain a disturbed soil profile.

Roscoe & Associates
Cultural Resource Consultants
3781 Brookwood Drive
Bayside, CA. 95524
707-845-5239

On September 17, 2013, I spoke with Robert McConnell, Tribal Historic Preservation Officer (THPO) of the Yurok Tribe and invited him or a representative to be present at the subsurface survey which was planned for September 27, 2013. I also offered to attend a cultural committee meeting of the Yurok Tribe to discuss the project and seek input even though it is not required nor were we requested to attend. A letter describing the proposed subsurface survey work and map was e-mailed on September 18, 2013. I was unaware that Mr. McConnell was furloughed for a period of time due to the government shutdown soon after I spoke to him.

Alex Lindgren, Elder of the Tsurai Ancestral Society, whom we had consulted with in the past, was contacted by Donald Verwayen of our office on September 9, 2013 and was e-mailed the engineering maps and plans produced by GHD. In subsequent phone calls, Mr. Lindgren recommended that his daughter be a monitor. Mr. Verwayen did invite Mr. Lindgren or other representative to monitor the fieldwork scheduled for September 27, 2013. We did not specifically approve or deny access to any individual monitor.

I contacted Rachel Sundberg, THPO of the Trinidad Rancheria, on August 28, 2013 and provided engineering maps and plans of the proposed ASBS project. I talked to Rachel about the proposed subsurface test at Galindo and Van Wycke and she agreed to provide a tribal monitor on September 27, 2013.

Roscoe and Associates secured an encroachment permit from the City of Trinidad and arrived with our crew at approximately 9AM on September 27, 2013 and laid out one 50 by 50 centimeter area (1.6 ft by 1.6 ft) shovel test probe approximately five foot depth (150 cm) at the location of an early 1850s storehouse and hotel. Ms. Sundberg was again contacted before the subsurface testing took place to follow up with the Trinidad Rancheria request to be present during the planned excavation in compliance with the encroachment permit. At that time, Ms. Sundberg said that the Trinidad Rancheria's monitor could not make it but that the excavation could proceed without their monitor and that she would be available if a significant Native American feature was found. She was contacted at approximately noon after we had finished the one probe and informed that in addition to showing a relatively intact and significant historical deposit, the subsurface survey had also uncovered two chert flakes. I told her that the probe had shown the presence of significant cultural resources and we had enough information to make recommendations for the area and that we were done with the survey.

Mr. Lindgren arrived on September 27, 2013 shortly after we had started and was present during much of the shovel probe. He stated he would be opposed to any further testing at this location. We told him that we were done.

Subsequent to the fieldwork on September 27, 2013, letters were e-mailed on October 11, 2013 from the Yurok Tribe and October 17, 2013 from the Tsurai Ancestral Society objecting to our shovel probe to determine the presence or absence of intact significant deposits associated with historic Trinidad in a proposed direct impact area. If we had been contacted by phone, e-mail, or letter prior to the actual fieldwork, we certainly would have held off until an agreement on how

Roscoe & Associates
Cultural Resource Consultants
3781 Brookwood Drive
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707-845-5239

to complete our survey identification efforts under CEQA had been approved by the three interested Tribal groups.

At this time it is our understanding that no construction work is planned for the area near the Van Wycke and Galindo test site, as GHD has re-designed portions of the project to no longer impact that specific area. If the City initiates further ASBS stormwater projects, further consultation with the three interested Tribal groups will be necessary.

If you have any questions please do not hesitate to call.

Sincerely,



James Roscoe